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Enhancing Police Legitimacy

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This article makes three points. First, the police need public support and cooperation to be effective in their order-maintenance role, and they particularly benefit when they have the voluntary support and cooperation of most members of the public, most of the time. Second, such voluntary support and cooperation is linked to judgments about the legitimacy of the police. A central reason people cooperate with the police is that they view them as legitimate legal authorities, entitled to be obeyed. Third, a key antecedent of public judgments about the legitimacy of the police and of policing activities involves public assessments of the manner in which the police exercise their authority. Such procedural-justice judgments are central to public evaluations of the police and influence such evaluations separately from assessments of police effectiveness in fighting crime. These findings suggest the importance of enhancing public views about the legitimacy of the police and suggest process-based strategies for achieving that objective.

Keywords: police; legitimacy; compliance; trust and confidence

By
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Public Cooperation with the Police

One way to approach the relationship between the police and the public is to consider how the public impacts on the effectiveness of the police in their efforts to combat crime and maintain social order. Traditional discussions of the effective exercise of legal authority have focused on the ability of legal authorities to shape the behavior of the people within the communities they police. The ability of the police to secure compliance with their directives and with the law more generally—the ability to be authoritative—is widely identified as one key

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indicator of their viability as authorities (Easton 1975; Fuller 1971). To be effective as maintainers of social order, in other words, the police must be widely obeyed (Tyler 1990). This obedience must occur both during personal encounters between police officers and members of the public (Tyler and Huo 2002) and in people's everyday law-related behavior (Tyler 1990).

While compliance is widespread, it can never be taken for granted. Studies of policing suggest that "although deference to legal authorities is the norm, disobedience occurs with sufficient frequency that skill in handling the rebellious, the disgruntled, and the hard to manage—or those potentially so—have become the street officer's performance litmus test" (Mastrofski, Snipes, and Supina 1996, 272; also see Sherman 1993). Studies of police encounters with members of the public suggest overall noncompliance rates of around 20 percent (Mastrofski, Snipes, and Supina 1996; McCluskey, Mastrofski, and Parks 1999).

Furthermore, it is difficult to gain compliance solely via the threat of use or force (Tyler 1990, 1997b, 1997c). The police need for people to both accept their decisions and follow the law at least in part because they choose to do so (Easton 1975; Parsons 1967; Sarat 1977; Tyler 1990). Why is such voluntary compliance important? Although the police represent the threat of force and carry guns and clubs with them, it is impractical for the police to be everywhere all of the time. The police must rely upon widespread, voluntary law-abiding behavior to allow them to concentrate their resources on those people and situations in which compliance is difficult to obtain. This is first true in personal encounters. When people comply in the immediate presence of the police but later return to noncompliance (since "citizens who acquiesce at the scene can renege"; Mastrofski, Snipes, and Supina 1996, 283), the police have difficulty maintaining order in the long term. In addition, the people in the community need to defer to the law in their everyday behavior. When people widely ignore the law, the resources of the police quickly become inadequate to the maintenance of order. In both situations, the police benefit from widespread, voluntary deference.

In addition to the importance of gaining compliance with the law, more recent discussions of crime and social disorder emphasize the important role of public cooperation to the success of police efforts to fight crime by preventing crime and disorder and bringing offenders to account for wrongdoing (Sampson, Raudenbush, and Earls 1997). The public supports the police by helping to identify criminals and by reporting crimes. In addition, members of the public help the police by joining together in informal efforts to combat crime and address community problems, whether it is by working in "neighborhood watch" organizations or by attending community-police meetings. As was the case with compliance, these cooperative efforts are largely voluntary in character, and the police are not generally in a position to reward members of the public for their aid. Instead, the police rely on willing public cooperation with police efforts to control crime and community disorder.

Legitimacy

The value of voluntary cooperation and support from the public raises the question of how such cooperation and support can be created and maintained (Tyler and Blader 2000). Traditionally, the focus in policing has been on instrumental models of policing. For example, compliance with the law has been viewed as being motivated through the creation of a credible risk that people will be caught and punished for wrongdoing, that is, "by manipulating an individual's calculus regarding whether crime pays in the particular instance" (Meares 2000, 396). Similarly, public cooperation in fighting crime is motivated by evidence that the police are performing effectively in their efforts to control crime and urban disorder.

Evidence suggests that these instrumental perspectives are inadequate models with which to explain public cooperation. In the case of sanction threat and compliance, the findings of research support the argument that sanction risks do shape compliance behavior (Nagin 1998), but the magnitude of their influence is typically small. For example, based on a review of research on the influence of deterrence on drug use, MacCoun (1993) estimates that variations in the certainty and severity of punishment account for only approximately 5 percent in the variance in drug-related behavior, a finding consistent with the suggestion of Paternoster (1987) that "perceived certainty [of punishment] plays virtually no role in explaining deviant/criminal conduct (191)" (also see Paternoster et al. 1983). The low level of this relationship may be due to the difficulties that the police have bringing the risk of being caught and punished for wrongdoing to high-enough levels to effectively influence public behavior (Ross 1982; Robinson and Darley 1995, 1997). This evidence suggests that deterrence is an inadequate basis for securing compliance with the law.

In the case of police effectiveness in fighting crime, evidence suggests that police innovations in the management of police services may have contributed to the widespread declines in crime reported in major American cities during recent decades (Kelling and Coles 1996; Silverman 1999). Furthermore, indicators show increasing professionalism in policing, including declining rates of complaints against the police and lower levels of excessive police use of force against community residents. However, studies of the public and public views about and cooperation with the police suggest that the public's reactions to the police are again only loosely linked to police effectiveness in fighting crime, suggesting that police performance is an insufficient basis for gaining the cooperation of the public.

How can the police encourage public cooperation and support? To have an effective strategy for encouraging cooperation, people need to have additional reasons for cooperating beyond instrumental assessments of police performance. One alternative perspective is linked to the recognition that people have internalized values upon which the police might draw to secure compliance and to gain cooperation (Sherman 1993; Tyler 1990). A key value that people hold is their widespread support for the legitimacy of the police—the belief that the police are entitled to call upon the public to follow the law and help combat crime and that members of

the public have an obligation to engage in cooperative behaviors. When people feel that an authority is legitimate, they authorize that authority to determine what their behavior will be within a given set of situations. Such an authorization of an authority "seem[s] to carry automatic justification. . . . Behaviorally, authorization obviates the necessity of making judgments or choices. Not only do normal moral principles become inoperative, but—particularly when the actions are explicitly ordered—a different type of morality, linked to duty to obey superior orders, tends to take over" (Kelman and Hamilton 1989, 16). People, in other words, feel responsible for following the directives of legitimate authorities (French and Raven 1959; Merelman 1966).

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The roots of the modern use of legitimacy are usually traced to the writings of Weber (1968). Weber argued that the ability to issue commands that will be obeyed did not rest solely on the possession or ability to deploy power. In addition, there were rules and authorities that people would voluntarily obey. These rules and authorities possessed the quality of legitimacy, the belief by others that they ought to be obeyed. Weber's framing of the issue of legitimacy is important because his articulation of the question of why people obey authorities defines the modern focus of social science perspectives on legitimacy. In addition, he distinguished this issue from the philosophical question of why people ought to obey, which is central to discussions within law and political philosophy (Beetham 1991).

The argument that people's feelings about their internal obligation to obey social norms and rules also shape their behavior is equally central to the writings of Freud (Hoffman 1977) and Durkheim (1947, 1986), although these authors focused on people's moral values. This legitimacy argument is not particular to the police. On the contrary, legitimacy is suggested to be central to the exercise of all forms of authority. For example, Selznick's classic examination of authority in industrial settings argues that "there is a demand that rules be legitimate, not only in emanating from established authority, but also in the manner of their formulation, in the way they are applied, and in their fidelity to agreed-upon institutional purposes. . . . [The] obligation to obey has some relation to the quality of the rules and the integrity of their administration" (Selznick 1969, 29).

A legitimacy-based strategy of policing increases cooperation with the law by drawing on people's feelings of responsibility and obligation. The advantage of such a strategy lies in its ability to facilitate voluntary cooperation. To the degree that cooperation is motivated by personal values, it is self-regulatory and does not depend upon the ability of the authorities to effectively deploy incentives or sanctions to secure desired public behavior. In such a society, only minimal levels of societal resources are needed to maintain social order, and those resources can be redirected toward meeting other needs (Tyler 2001a; Tyler and Darley 2000). Furthermore, such voluntary deference is more reliable than instrumentally motivated compliance because it does not vary as a function of the circumstances or situation involved. Driving up to a stop sign on a deserted road at night, internal values motivate a person to stop, even when the possibility of punishment for lawbreaking behavior is minimal.

The key empirical issue underlying a legitimacy-based strategy of policing is whether people's views about the legitimacy of the law and the police actually shape their cooperative behavior. The importance of legitimacy has been examined on two distinct levels: first, in studies of everyday interactions with police officers; and second, on the community level, with people evaluating the characteristics of their community police force—irrespective of whether they have had personal experience with police officers.

Studies of the influence of legitimacy typically assess people's views about the legitimacy of the police in three ways. First, people are asked about their sense of obligation to obey the police and the law, for example, whether they feel that "people should obey the law even if it goes against what they think is right" and that "disobeying the law is seldom justified." When asked questions of this type, Americans are generally found to express a strong sense of obligation to defer to law and to legal authorities. Second, legitimacy has been assessed by asking about institutional trust and confidence. People are asked, for example, which statements they agree with: "The police are generally honest"; "I respect the police"; and "I feel proud of the police." Finally, legitimacy is sometimes measured by assessing feelings about the police.

When they have personal experiences with the police, people sometimes have to decide whether to accept outcomes that they do not regard as desirable, or even as fair. The key question is whether their views about the legitimacy of the police in general, and/or of the particular officers with whom they are dealing, shape this willingness. Tyler and Huo (2002) studied this question using a sample of 1,656 residents of Los Angeles and Oakland. They found that two factors shaped the willingness to accept decisions: the degree to which the decisions were regarded as favorable and fair and the degree to which the police were generally regarded as legitimate authorities. These two factors were of approximately equal importance.

Tyler and Huo (2002, and reviewed in this volume) further found that the degree to which people generally viewed the police as legitimate influenced the basis upon which they decided whether to accept decisions. People could potentially accept decisions because those decisions were favorable or fair. They could also accept them because they believed that the police had acted appropriately

when dealing with them—that is, due to procedural justice. Procedural justice will be discussed in more detail in the next section. Process-based reactions benefit the police, however, because they cannot always provide desirable outcomes, but it is almost always possible to behave in ways that people experience as being fair. The key finding of this study of personal experiences was that when people generally viewed the police as legitimate authorities, people's decisions about whether to accept police decisions were more strongly based upon evaluations of the procedural justice of police actions. Hence, having prior legitimacy facilitated the task of the police by leading people to assess police actions in more heavily procedural terms.

These studies do not examine the impact of legitimacy on whether people help the police. We might anticipate, for example, that people who viewed the police as more legitimate would be more willing to help them during personal encounters by, for example, volunteering information about conditions in the neighborhood or the identity or location of wrongdoers. Similarly, they might be more willing to volunteer to attend police-community meetings.

Legitimacy might also have an important influence on everyday compliance with the law. Much of peoples' law-related behavior occurs outside the immediate presence of legal authorities, although some possibility of sanctions always exists. Theories of legitimacy predict that in such settings, people's feelings of obligation will shape their behavior, leading to deference to the law. Tyler (1990) tested this argument in a study of the attitudes and behaviors of the residents of Chicago. He found that legitimacy has a significant influence on the degree to which people obeyed the law. Furthermore, that influence was distinct from and greater in magnitude than the influence of estimates of the likelihood of being caught and punished for wrongdoing. These findings suggest that as predicted by theories of legitimacy, people's views about the legitimacy of authorities influence the degree to which people obey the law in their everyday lives.

More recently, Sunshine and Tyler (2003) replicated this test of the influence of legitimacy on compliance within two samples of the residents of New York City. In both studies, they also found that the legitimacy of the police significantly influenced compliance with the law. Their study also extended consideration of the influence of legitimacy to a second area of concern: cooperation with the police. They found that those residents who viewed the police as more legitimate were more willing to cooperate with them both by reporting crimes or identifying criminals and by engaging in community activities to combat the problems of crime.

These findings support the basic premise of legitimacy theories. People are more willing to cooperate with legal authorities when they believe that those authorities are legitimate. This includes both deferring to their decisions during personal encounters and generally obeying legal rules in their everyday lives. Furthermore, people are more cooperative in helping the police to deal with crime in their communities when they view the police as legitimate. Hence, as anticipated in the work of Weber, legitimacy does represent a basis upon which authorities can act that is distinct from the possession or use of power and resources.

Legitimacy-based policing has clear advantages for the police and the community. When people act based upon their feelings of obligation and responsibility, they are engaging in self-regulatory behavior. Society and social authorities benefit from the occurrence of such behavior because it does not depend upon the maintenance of a credible system of deterrence or upon the quality of police performance. Studies suggest that the maintenance of such a system is always costly and inefficient, and in times of financial difficulty or crisis, when public cooperation is most clearly needed, it poses special difficulties for authorities.

One reason for focusing on issues of legitimacy at this time is that recent evidence shows public mistrust and lack of confidence in the law and the legal authorities (Tyler 1997a, 1998). For example, in 2002, the National Institute of Justice (NIJ) found that only 27 percent of Americans expressed "a great deal" of confidence in the criminal justice system. Within this broad category, the police have traditionally received high ratings. For example, in this same study, 59 percent expressed "a great deal" of confidence in the police. This is consistent with the suggestion that it is the courts that are the particular target of public dissatisfaction. In 1998, the General Social Survey found that only 22 percent of Americans expressed "a great deal" of confidence in the courts.

While the higher levels of confidence expressed in the police are encouraging from the perspective of a legitimacy-based approach to policing, a second troubling aspect of public views is the finding that there is a striking racial gap in views about legal authorities. For example, in a 2001 study conducted by the NIJ, 63 percent of whites expressed a great deal of confidence in the police, as compared with 31 percent of African Americans. In the case of the overall criminal justice system, 27 percent of whites expressed a great deal of confidence, as compared with 22 percent of African Americans.

The argument that legitimacy is a key antecedent to public cooperation with the police highlights the importance of being able to create and maintain a climate of public opinion in which community residents generally view the police as legitimate authorities. Given that perspective on policing, it is important to take seriously the evidence of public dissatisfaction and mistrust and to ask how legitimacy can be enhanced.

Enhancing Police Legitimacy: The Influence of Procedural Justice

Given the important role that legitimacy can play in determining the level of public cooperation with the police, it is important to try to understand how the police shape public views about their legitimacy. Public views about the legitimacy of the police might, for example, be the result of public assessments of police performance, in terms of either the ability of the police to create a credible sanction risk for wrongdoers or the effectiveness of the police in fighting crime and urban disorder. To the extent that this is true, the already-outlined importance of legiti-

macy would not have new or novel implications for policing. To enhance their legitimacy, the police would need to effectively combat crime and apprehend wrongdoers.

An alternative perspective on legitimacy is provided by the literature on procedural justice. That literature argues that the legitimacy of authorities and institutions is rooted in public views about the appropriateness of the manner in which the police exercise their authority. In other words, people are viewed as evaluating authorities by assessing whether they use fair procedures when engaging in policing activities. These procedural judgments are distinct from judgments about the effectiveness, valence, or fairness of the outcomes of those activities.

When people act based upon their feelings of obligation and responsibility, they are engaging in self-regulatory behavior.

As in the case of legitimacy, the key empirical issue is whether people consider procedural-justice issues when making inferences about the legitimacy of the police. Studies of people's evaluations of all types of authorities—police officers, judges, political leaders, managers, and teachers—have all provided strong support for the basic procedural-justice argument. When people are dealing with authorities or institutions, their evaluations of legitimacy are primarily linked to assessments of the fairness of the authority's or the institution's procedures. Such procedural-justice assessments are consistently found to be more strongly linked to legitimacy judgments than are the evaluations of their effectiveness or the valence or fairness of the outcomes they deliver (Lind and Tyler 1988; Tyler 1990, 2000a; Tyler et al. 1997; Tyler and Smith 1997).

In the case of personal experiences, studies find that when authorities act in ways that people experience as being fair, people are more willing to voluntarily accept the authorities' decisions (Kitzman and Emery 1993; Lind et al. 1993; MacCoun et al. 1988; Wissler 1995). These field studies confirm the findings of the earlier experimental findings of social psychological research (Thibaut and Walker 1975). Procedural-justice judgments are found to have an especially important role in shaping adherence to agreements over time. Pruitt et al. (1993) studied the factors leading those involved in disputes to adhere to mediation agreements over time and found that the procedural fairness of the initial mediation setting was a central determinant of adherence six months later. A second study suggested that procedural justice encourages long-term obedience to the law. Paternoster et al.

(1997) found that spouse abusers were less likely to commit future abuses when they experienced procedural justice with the police during an initial encounter.

These findings also receive support in the context of encounters between police and members of the public. Tyler and Huo (2002) found that procedural-justice judgments shaped people's willingness to accept the decisions made by police officers and are more important than are judgments about the favorability or fairness of the outcomes of the encounter. Similarly, Mastrofski, Snipes, and Supina (1996) and McCluskey, Mastrofski, and Parks (1999) found that the experience of disrespect from the police reduces compliance. This is consistent with the finding by Casper, Tyler, and Fisher (1988) that the satisfaction of felony defendants with their experiences with the police and courts was strongly linked to their assessments of the fairness of the process by which their cases were handled.

In a recent study of police encounters with community residents in two American cities that involved both interviews and observational analysis, McCluskey (2003) used a wide variety of indicators of procedural justice and found that five aspects of procedural justice influenced the willingness to comply with police requests for self-control. In particular, he found that

> holding all else constant, citizens who receive respectful treatment from authorities are almost twice as likely to comply, and those receiving disrespectful treatment are nearly twice as likely to rebel. If the citizen's voice is terminated by the police they are more than twice as likely to rebel against the police request for self-control. If the police demonstrate their commitment to making an informed decision by seeking information about the presenting situation, citizens are more than twice as likely to comply with the phase 1 request for self-control (p. 91).

The impact of procedural justice is greatest early in the encounter, and at that time, "the likelihood of citizen compliance is strongly affected by procedurally just tactics" (p. 114).

These findings suggest that procedural justice has a broad impact upon people's reactions to their experiences with the police. In particular, people's willingness to buy into and voluntarily accept decisions that may require them to accept outcomes that they do not want, or to engage in self-control over their actions, is enhanced by the judgment that one has been treated fairly by the police. Furthermore, evidence shows that this deference continues over time and shapes people's law-related behavior in the future. These findings suggest that the procedural justice that members of the public experience during their personal encounters with the police has both immediate and long-term behavior effects. It is also important to note, however, that procedural justice is not always found to be important. For example, McClusky (2003) did not find that procedural justice mattered when people were stopped by the police on the street and asked for identification, and Hickman and Simpson (2003) found that receiving procedurally fair treatment from the police did not encourage the victims of domestic violence to report future violent incidents to the police. Hence, procedural justice often, but not always, facilitates favorable reactions to policing activities.

Research further suggests that procedural justice during a personal encounter with the police influences views about the legitimacy of the police. Tyler (1990) demonstrated that the procedural justice of a personal experience with the police shaped general views about the legitimacy of the law, a finding replicated by Tyler and Huo (2002). Similarly, Tyler, Casper, and Fisher (1989) found that the procedural justice of their case disposition process shaped the views of felony defendants about the legitimacy of the criminal justice system and of the law.

More recently, Barnes (1999) has examined the influence of procedural justice in a Reintegrative Shaming Experiments (RISE)–based study of 900 Australians arrested for intoxicated driving. In a field experiment, these drivers had their cases referred to traditional courts or diversionary conferences. These conferences, designed using restorative-justice ideals, were viewed by participants as procedurally fairer. As procedural-justice models would predict, those who attended such conferences expressed more positive views about the legitimacy of the legal system than did those who went to court. They also expressed stronger intentions to obey the law in the future. Whether these differences lead to differences in actual behavior over time is unclear (Sherman 2003).

Of course, not all members of the community have personal contact with the police. It is also important to consider people's general views about the police and policing activities in their communities. Based upon a secondary analysis of prior surveys, Tyler (2001b) argued that procedural-justice judgments play a central role in shaping people's views about the legitimacy of the police and the courts. The findings of the four surveys reviewed by Tyler (2001b) suggest that people consider both performance in controlling crime and procedural fairness when evaluating the police and the courts. The major factor, however, is consistently found to be the fairness of the manner in which the police and the courts are believed to treat citizens. For example, in a study of Oakland residents living in high-crime areas, it was found that the primary factor shaping overall evaluations of the police was the quality of their treatment of community residents (which explained 26 percent of the unique variance in evaluations), with a secondary influence of performance evaluations (which explained 5 percent of the unique variance).

Sunshine and Tyler (2003) find support for this argument in two surveys of the residents of New York City. In both studies, the key antecedent of legitimacy was procedural justice. Those community residents who thought that the police exercised their authority in fair ways were also more willing to comply with the law and to cooperate with the police. Even in more coercive settings, like prisons, cooperation is found to be linked to procedural justice (Sparks, Bottoms, and Hay 1996).

What Is Procedural Justice?

Studies have identified a wide variety of issues that influence the degree to which people evaluate a procedure's fairness. Furthermore, it has been found that the importance of procedural criteria varies depending upon the setting (Tyler

1988). However, studies consistently point to several elements as key to people's procedural-justice judgments.

Participation is one key element. People are more satisfied with procedures that allow them to participate by explaining their situations and communicating their views about situations to authorities. This participation effect explains, for example, why mediation procedures are popular (Adler, Hensler, and Nelson 1983; McEwen and Maiman 1981) and settlement conferences are not (Lind et al. 1990). It suggests to police officers the importance of allowing people to have input before they make decisions about how to handle a problem. Interestingly, being able to control the outcome is not central to feeling that one is participating (Heinz and Kerstetter 1979). What people want is to feel that their input has been solicited and considered by decision makers, who can then frame their concerns into an appropriate resolution (Conley and O'Barr 1990).

People are more satisfied with procedures that allow them to participate by explaining their situations and communicating their view about situations to authorities.

A second key element is neutrality. People think that decisions are being more fairly made when authorities are unbiased and make their decisions using objective indicators, not personal views. As a consequence, evidence of evenhandedness and objectivity enhances perceived fairness. Basically, people are seeking a level playing field in which no one is unfairly advantaged. Because people are seldom in a position to know what the correct or reasonable outcome is, they focus on evidence that the decision-making procedures by which outcomes are arrived at show evidence of fairness. Transparency provides an opportunity to make that judgment, while evidence of factuality and lack of bias suggest that those procedures are fair.

Third, people value being treated with dignity and respect by legal authorities. The quality of interpersonal treatment is consistently found to be a distinct element of fairness, separate from the quality of the decision-making process. Above and beyond the resolution of their problems, people value being treated with politeness and having their rights acknowledged. The importance of interpersonal treatment is emphasized in studies of alternative dispute resolution procedures, which suggest that people value evidence that authorities "took the litigants and the dispute seriously," "after all, the trial was in all likelihood one of the most meticulous, most individualized interactions that the litigant had ever experienced in the

course of his or her contacts with government agencies" (Lind et al. 1990). Their treatment during this experience carries for them important messages concerning their social status, their self-worth, and their self-respect. In other words, reaffirming one's sense of his or her standing in the community, especially in the wake of events that demean status, such as crime victimization or being publicly stopped and questioned by the police, can be a key issue to people dealing with legal authorities.

Finally, people feel that procedures are fairer when they trust the motives of decision makers. If, for example, people believe that authorities care about their well-being and are considering their needs and concerns, they view procedures as fairer. People are seldom able to judge the actions of authorities with specialized expertise (doctors, judges, police officers, etc.) since people lack the training and experience to know if the actions taken were reasonable and sufficient. Hence, they depend heavily upon their inferences about the intentions of the authority. If the authorities are viewed as having acted out of a sincere and benevolent concern for those involved, people infer that the authorities' actions were fair. Authorities can encourage people to view them as trustworthy by explaining their decisions and justifying and accounting for their conduct in ways that make clear their concern about giving attention to people's needs.

Why is trust such a key issue? Tyler (1990) found that the people he interviewed acknowledged that unfair treatment was widespread when people dealt with the police and courts. Nonetheless, over 90 percent predicted that if they had contact with the police or courts in the future, they would receive fair treatment. People, in other words, have a strong desire to view the authorities as benevolent and caring. This view is directly tested during a personal encounter with those authorities, and people's views are powerfully shaped by whether they do, in fact, receive the behavior they expect from the police or courts.

Ethnic Group Differences

These findings suggest that the roots of public trust and confidence in the police lie in public views about how the police exercise their authority. Given the already-noted ethnic group differences in trust and confidence, it is important to consider whether the argument outlined applies equally to the members of all ethnic groups.

Tyler and Huo (2002) address this issue directly in their study of the acceptance of decisions made by the police. Their findings suggest that procedural justice is an equally important issue to the members of three major ethnic groups: whites, African Americans, and Hispanics. Tyler (1994, 2000b) suggests that this finding is broader in scope. His analysis suggests that the importance of procedural justice is maintained across ethnicity, gender, income, education, age, ideology, and political party. As a result, a process-based approach to policing is an ideal way to bridge ethnic and other social divisions in society.

The Idea of a Law-abiding Society

The distinction between risk/gain estimates, performance evaluations, and legitimacy as antecedents of behavior highlights the possibility of two types of legal culture. The first is a culture that builds public compliance on the basis of people's judgments about police performance. Such a society depends upon the ability of legal authorities to create and maintain a credible presence by combating crime and punishing wrongdoers. The studies outlined demonstrate that while instrumental issues are important, it is difficult for legal authorities to sustain a viable legal system simply based upon performance.

The important role played by legitimacy in shaping people's law-related behavior indicates the possibility of creating a law-abiding society in which citizens have the internal values that lead to voluntary deference to the law and to the decisions of legal authorities such as the police. Such a society is based upon the willing consent and cooperation of citizens. That cooperation develops from people's own feelings about appropriate social behavior and is not linked to the risks of apprehension and punishment or to the estimates of the nature and magnitude of the crime problem that people estimate to exist in their social environment. Tyler (2001a) refers to such a society as a law-abiding society. The studies outlined make clear that such a society is possible in the sense that if people think authorities are legitimate, they are more likely to obey and to cooperate with authorities (Tyler 2003; Tyler and Blader 2000).

A law-abiding society cannot be created overnight through changes in the allocation of resources within government agencies, changes that would alter the expected gains and/or risks associated with cooperation. It depends upon the socialization of appropriate social and moral values among children and the enhancement of those values among adults. Evidence suggests that a core element to the creation and enhancement of such social values is the judgment that legal authorities exercise their authority following fair procedures. This is true both during personal experiences with the police and the courts, where people are found to be more willing to accept decisions that are fairly made, and in general evaluations of the police and courts, where people are found to comply with the law and support the police and courts as institutions when they think that these same institutions generally exercise authority fairly.

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