



Police Practice and Research

An International Journal

ISSN: 1561-4263 (Print) 1477-271X (Online) Journal homepage: <http://www.tandfonline.com/loi/gppr20>

New frontiers in research on procedural justice and legitimacy in policing

Edward R. Maguire

To cite this article: Edward R. Maguire (2018) New frontiers in research on procedural justice and legitimacy in policing, *Police Practice and Research*, 19:2, 107-110, DOI: [10.1080/15614263.2018.1418171](https://doi.org/10.1080/15614263.2018.1418171)

To link to this article: <https://doi.org/10.1080/15614263.2018.1418171>



Published online: 04 Feb 2018.



Submit your article to this journal [↗](#)



Article views: 156



View related articles [↗](#)



View Crossmark data [↗](#)



New frontiers in research on procedural justice and legitimacy in policing

Edward R. Maguire

School of Criminology & Criminal Justice, Arizona State University, Phoenix, AZ, USA

Empirical research on procedural justice and legitimacy in policing has grown dramatically in recent years. With this growth in research has come a parallel growth in attention to these issues among policymakers and practitioners. Police reformers now focus heavily on enhancing the extent to which police behave in a procedurally just manner when interacting with citizens (President's Task Force, 2015; Tyler, Goff, & MacCoun, 2015). Procedural justice is thought to be one of the most effective ways to enhance police-community relations and to improve the perceived legitimacy of the police. According to social psychologist Tom Tyler and his colleagues, improving perceived legitimacy should produce a number of benefits, including greater cooperation and compliance with the police and other legal authorities (Sunshine & Tyler, 2003; Tyler, 2006).

At the same time, critics have pointed to certain weaknesses in the scholarship on procedural justice and its effects. Some critics, for instance, have noted problems with the conceptualization and measurement of key concepts (e.g., Gau, 2011, 2014; Harkin, 2015; Johnson, Maguire, & Kuhns, 2014; Maguire & Johnson, 2010; Reisig, Bratton, & Gertz, 2007). Some have raised questions about the external validity of key propositions in procedural justice theory, questioning whether they apply in a variety of contexts, particularly outside of the developed nations where most of the research has taken place (Johnson et al., 2014; Kochel, 2012; Pryce, Johnson, & Maguire, 2017; Tankebe, 2009). Others have raised questions about the internal validity of this body of research and the extent of confidence that can be placed on its causal claims (Lowrey, Maguire, & Bennett, 2016; Nagin & Telep, 2017). Still others have raised practical concerns about the extent to which police may treat procedural justice as window dressing to appease critics while continuing to engage in biased or overly forceful policing approaches (Epp, Maynard-Moody, & Haider-Markel, 2014; Vitale, 2015). Taken together, these critiques, which emerge from a variety of perspectives, make it clear that much remains to be learned about procedural justice and legitimacy in policing.

For researchers interested in these issues, these critiques represent an important challenge. Taking this challenge seriously will mean continuing to expand this body of research, drawing on more rigorous and diverse methodologies, carrying out research in a greater variety of samples and settings, and focusing on a wider range of substantive research questions. The articles featured in this special issue of *Police Practice and Research* answer the call, illustrating the increasing diversity of inquiry now taking place in research on procedural justice and legitimacy in policing. Moreover, the lead (or sole) authors of the six original research articles featured in this special issue are all new or emerging scholars who are either currently enrolled in doctoral programs or who are recent graduates. Three of the six articles are based on doctoral dissertations written by the lead authors (including dissertations

written by Belén Lowrey-Kinberg while at American University, Lidia Nuño while at Arizona State University, and Oluwagbenga Akinlabi while at Griffith University). The articles in this special issue represent the promising work of the next generation of policing scholars and therefore provide a glimpse into the future of this line of research.

In 'Procedural Justice, Overaccommodation, and Police Authority and Professionalism: Results from a Randomized Experiment,' Belén Lowrey-Kinberg presents evidence from a laboratory-style experiment that relied on a unique design. She videotaped a simulated traffic stop from the perspective of a police body-worn camera. As part of the experimental design, she tested the effect of varying the way the officer spoke to the driver in the simulated stop (the roles of the officer and driver were played by actors). She then carried out surveys in which respondents were randomly assigned to view a video featuring one of three experimental conditions. Her results reveal that when police behave in a procedurally just manner, they are viewed as more authoritative and professional. However, if they behave in a manner that is overly accommodative (a concept from the study of linguistics), then they are seen as less professional and authoritative. Lowrey-Kinberg's findings reveal that citizens want police to be polite, but if the police are overly polite or accommodating, they are viewed as less professional and authoritative. Thus, the linguistic elements of procedural justice may need to be calibrated to achieve maximum benefits. Lowrey-Kinberg's analysis highlights the many ways in which the study of police can be enhanced by drawing on research and theory from linguistics.

In 'Is Dissatisfaction with Police Inevitable? Testing an Integrated Model of Motivational Postures and Procedural Justice in Police-Citizen Contacts,' Elise Sargeant, Kristina Murphy, and Natasha Madon examine citizen satisfaction with police using longitudinal survey data from Australia. They find that respondents who reported having a defiant posture toward police prior to a police-citizen encounter reported lower satisfaction and perceived levels of procedural justice during an encounter. They conclude that citizen perspectives on police prior to an encounter shape their views of procedural justice, and in turn their satisfaction, during and after such an encounter. Since the vast majority of research on procedural justice and legitimacy in policing is based on cross-sectional data, little is known about these types of temporal dynamics. This study's reliance on longitudinal data allows the authors to draw more credible inferences about these dynamics and therefore it represents an important contribution to the literature.

In 'The Effects of Procedural Injustice on the Use of Violence against Police by Occupy Wall Street Protesters,' David Tyler, Maya Barak, Edward Maguire, and William Wells examine the role of procedural injustice in shaping the attitudes and behaviors of protesters toward police. Drawing on survey data from Occupy Wall Street protesters in New York City, Tyler and his colleagues examine the consequences of perceived procedural injustice by the police toward protesters. They find that when protesters perceive the police as having used unjust force against them and their peers, they are more likely to support the use of violence against police and to behave violently toward police. The study adds a unique perspective to the crowd psychology and social movement literature on violence between police and protesters, demonstrating that theoretical explanations for crowd violence may benefit from including insights from procedural justice theory.

In 'Hispanics' Perceived Procedural Justice, Legitimacy, and Willingness to Cooperate with the Police,' Lidia Nuño compares the views of whites and Hispanics toward the police. Nuño draws on survey data from a unique sample of 1549 arrestees in Arizona. She finds no significant mean differences between white and Hispanic respondents on three outcomes, including trust in police, obligation to obey the police, and willingness to cooperate with police. While race/ethnicity did not have a significant effect on any of these outcomes, procedural justice had significant positive effects on all three of them. Thus, Nuño concludes that in this sample, the effects of race/ethnicity were minimal relative to the effects of procedural justice, a finding that resonates with the results reported by David Tyler and his colleagues in the previous article. Moreover, consistent with several other recent studies, Nuño encountered problems when attempting to fit a measurement model of legitimacy based on the dominant operationalization of the concept used in the literature. This finding, coupled with findings

from other recent research, serves as a potent reminder of the need to develop more valid and reliable measures of key concepts in this body of scholarship.

In 'Direct and Indirect Effects of Procedural Justice on Cooperation and Compliance: Evidence from South Korea,' Youngki Woo, Edward Maguire, and Jacinta Gau use structural equation modeling to examine the causal pathways through which procedural justice and a series of covariates influence cooperation and compliance with the police. Their analysis draws on data from 301 survey respondents in South Korea. The findings reveal that procedural justice has a significant *direct* effect on obligation to obey, but not on cooperation and compliance. Procedural justice also has a significant *indirect* effect on cooperation via obligation to obey, but the indirect effect of procedural justice on compliance is not significant. The authors speculate that these findings may be associated with the unique cultural orientations toward authority in South Korea and East Asia more generally. If this is true, it suggests that procedural justice and legitimacy dynamics may be shaped, in part, by culture.

In 'Dull Compulsion or Perceived Legitimacy? Assessing Why People Comply with the Law in Nigeria,' Oluwabenga Akinlabi and Kristina Murphy test an intriguing and centrally important research question. Drawing on data from 600 survey respondents in Nigeria, they seek to determine whether people comply because they view the police as a legitimate institution or because they are too afraid or powerless not to comply. According to the process-based model of regulation, when police officers behave in a procedurally just manner, people are more likely to view the police as a legitimate institution that is worthy of compliance. But this is just one pathway to compliance. Another possibility – particularly in the developing world where police institutions are sometimes brutal, ineffective, and corrupt – is 'dull compulsion' in which people comply out of fear or a fatalistic sense of powerlessness (Carrabine, 2004; Tankebe, 2009). However, Akinlabi and Murphy don't find support for either causal sequence. Neither legitimacy nor dull compulsion influenced compliance in their sample. The key predictors of compliance were instead police effectiveness and procedural justice. Respondents who viewed the police as effective and procedurally just reported higher levels of compliance than those who viewed the police as ineffective and unjust. This study not only adds to a growing body of research on procedural justice and legitimacy in developing nations, it also helps to clarify the causal sequence through which the effects of procedural justice are manifested.

In addition to the six original research articles appearing in this special issue, we also include reviews of two recently published books on procedural justice and legitimacy. In the first, Alex Piquero reviews Tom Tyler's and Rick Trinkner's new book *Why Children Follow Rules: Legal Socialization and the Development of Legitimacy* (Oxford University Press, 2017). In the second, Jon Jackson and Ben Bradford review Rob Worden's and Sarah McLean's new book, *Mirage of Police Reform: Procedural Justice and Police Legitimacy* (University of California Press, 2017). These two reviews make it clear that both books represent important new contributions to the literature on procedural justice and legitimacy.

Conclusion

As scholarship on procedural justice and legitimacy in policing continues to accumulate, numerous gaps in the knowledge base have become more clearly apparent. Key conceptual and theoretical issues remain to be addressed. Some of these issues are closely intertwined with methodological concerns about construct validity and internal validity, thus suggesting the need for more careful or rigorous methodologies. External validity issues have also arisen, highlighting the need for research to be carried out in a greater variety of samples and settings, including research in the developing world. The articles featured in this special issue of *Police Practice and Research* help move the field forward in a variety of ways. The authors of these articles rely on a variety of research designs and statistical methods. They draw on data from a variety of samples, including the general public, protesters, and arrestees. They also draw on data from a variety of places, including Australia, Nigeria, South Korea, and the United States. Finally, these authors pose a variety of intriguing research questions in their efforts to fill gaps in the existing literature.

Let me close by thanking everyone who contributed to this special issue in one way or another, including the authors of the original research articles and book reviews, the anonymous reviewers who provided invaluable feedback during the review process, and the journal's editorial team. I hope you find the special issue both interesting and informative.

Disclosure statement

No potential conflict of interest was reported by the author.

Notes on contributor

Edward R. Maguire is a professor in the School of Criminology and Criminal Justice and an associate director in the Center for Violence Prevention and Community Safety at Arizona State University. His research interests focus on policing, violent crime, procedural justice and legitimacy, and research methodology.

References

- Carrabine, E. (2004). *Power, discourse, and resistance: A genealogy of the strangeways prison riot*. Aldershot: Ashgate.
- Epp, C. R., Maynard-Moody, S., & Haider-Markel, D. (2014). *Pulled over: How police stops define race and citizenship*. Chicago, IL: University of Chicago Press.
- Gau, J. M. (2011). The convergent and discriminant validity of procedural justice and police legitimacy: An empirical test of core theoretical propositions. *Journal of Criminal Justice*, 39(6), 489–498.
- Gau, J. M. (2014). Procedural justice and police legitimacy: A test of measurement and structure. *American Journal of Criminal Justice*, 39, 187–205.
- Harkin, D. (2015). Police legitimacy, ideology and qualitative methods: A critique of procedural justice theory. *Criminology and Criminal Justice*, 15(5), 594–612.
- Johnson, D., Maguire, E. R., & Kuhns, J. B. (2014). Public perceptions of the legitimacy of the law and legal authorities: Evidence from the Caribbean. *Law and Society Review*, 48, 947–978.
- Kochel, T. R. (2012). Can police legitimacy promote collective efficacy? *Justice Quarterly*, 29(3), 384–419.
- Lowrey, B. V., Maguire, E. R., & Bennett, R. R. (2016). Testing the effects of procedural justice and overaccommodation in traffic stops: A randomized experiment. *Criminal Justice and Behavior*, 43, 1430–1449.
- Maguire, E. R., & Johnson, D. (2010). Measuring public perceptions of the police. *Policing: An International Journal of Police Strategies and Management*, 33, 703–730.
- Nagin, D. S., & Telep, C. W. (2017). Procedural justice and legal compliance. *Annual Review of Law and Social Science*, 13, 5–28.
- President's Task Force on 21st Century Policing. (2015). *Final report of the President's Task Force on 21st Century Policing*. Washington, DC: Office of Community Oriented Policing Services.
- Pryce, D. K., Johnson, D., & Maguire, E. R. (2017). Procedural justice, obligation to obey, and cooperation with police in a sample of Ghanaian immigrants. *Criminal Justice & Behavior*, 44(5), 733–755.
- Reisig, M. D., Bratton, J., & Gertz, M. (2007). The construct validity and refinement of process-based policing measures. *Criminal Justice and Behavior*, 34(8), 1005–1028.
- Sunshine, J., & Tyler, T. R. (2003). The role of procedural justice and legitimacy in shaping public support for policing. *Law & Society Review*, 37, 513–548.
- Tankebe, J. (2009). Public cooperation with the police in Ghana: Does procedural fairness matter? *Criminology*, 47(4), 1265–1293.
- Tyler, T. R. (2006). *Why people obey the law*. Princeton, NJ: Princeton University Press.
- Tyler, T. R., Goff, P. A., & MacCoun, R. J. (2015). The impact of psychological science on policing in the United States: Procedural justice, legitimacy, and effective law enforcement. *Psychological Science in the Public Interest*, 16(3), 75–109.
- Vitale, A. S. (2015, March 6). Obama's police reforms ignore the most important cause of police misconduct. *The Nation*.