

## POLICE UNDERSTANDING OF THE FOUNDATIONS OF THEIR LEGITIMACY IN THE EYES OF THE PUBLIC

### *The Case of Commanding Officers in the Israel National Police*

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*The dialogic approach to legitimacy postulates that a complete picture of police legitimacy requires considering not only citizens' views, but also police understanding of their legitimacy and the interaction between the two. This article addresses a particular aspect of police perceptions of their legitimacy in the eyes of the public: the foundations of their external legitimacy. The analysis reveals that, in contrast to the priorities of citizens as reflected in community surveys, Israeli commanding police officers associate their external legitimacy more with their accomplishments in fighting crime than with procedural justice. We consider the implications of these findings for Israeli policing, as well as in relation to the 'legitimacy as a dialogue' approach and legitimacy research more generally.*

Keywords: legitimacy, procedural justice, policing, officer attitudes, Israel

#### *Introduction*

The legitimacy of legal authorities has become an important area of interest in the fields of criminal justice and criminology—one that has given rise to much theoretical and empirical work. Much of this literature stems from the work of Tom Tyler and his colleagues, and uses their conceptualization of key terms such as 'legitimacy' and 'procedural justice' (see reviews by [National Research Council \(2004\)](#); [Tyler \(2004; 2009; 2011\)](#); [Bottoms and Tankebe \(2012\)](#)). In this body of work, the legitimacy of an authority is typically viewed from the perspective of the citizen, who is making judgments about the entitlement of the authority and its agents to call upon the public to follow the law, cooperate with requests, accept decisions and assist legal agents in carrying out their responsibilities ([Tyler 2004; 2009](#)). Empirical studies have generally tried to identify the outcomes of legitimacy (such as citizen satisfaction, cooperation, compliance and future law obedience) and the factors that impact legitimacy assessments (mostly focusing on procedural justice versus instrumental considerations; e.g. [Tyler 2001](#); [Tyler and Huo 2002](#); [Sunshine and Tyler 2003; 2004](#); [Hinds and Murphy 2007](#); [Reisig et al. 2007](#); [Murphy et al. 2008](#); [Tyler and Fagan 2008; 2009](#); [Tyler et al. 2010](#); [Jonathan-Zamir and Weisburd 2013](#)).

Recently, the field has begun developing in a number of important directions that are somewhat different from this line of work (e.g. [Jonathan-Zamir et al. forthcoming](#)). One recent approach was set forth by [Bottoms and Tankebe \(2012\)](#), who have called for a 'dialogic approach to legitimacy'. Based on the work of [Weber \(1978\)](#) and [Raz](#)

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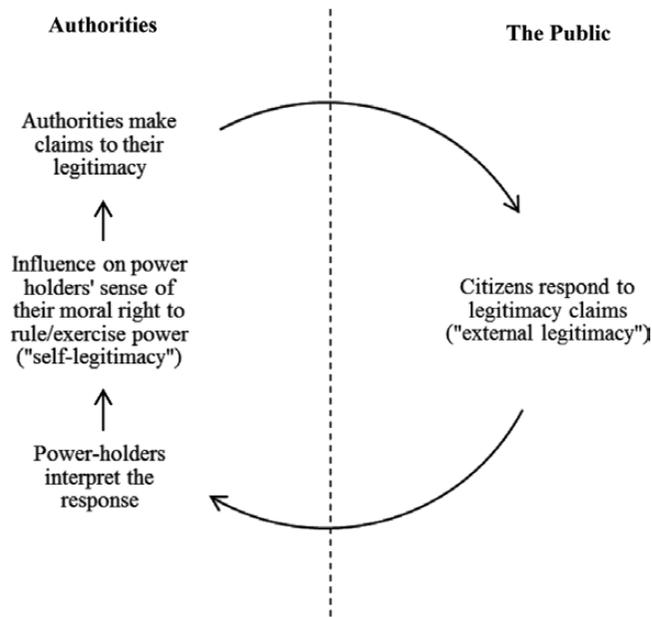


FIG. 1 The legitimacy dialogue

(2009), these authors argue that legitimacy should be viewed as an ongoing dialogue between ‘power holders’<sup>1</sup> and the public: authorities make claims to their legitimacy, citizens respond and their response, in turn, impacts power holders’ perceptions of their own moral right to rule and future claims to legitimacy (see Figure 1). Similarly to earlier work, this approach acknowledges the importance of citizens’ perceptions of the authority’s legitimacy (‘external legitimacy’; see Tankebe 2010), but it also places attention on power holders’ views about their own legitimacy (‘internal’ or ‘self-legitimacy’) and the cyclic nature of the interaction between them.

Viewing legitimacy as a dialogue, in turn, raises a series of important empirical questions that have, to date, received little attention. One such question concerns power holders’ understanding of their external legitimacy—how do power holders think citizens view them and their moral right to exercise power? (see third stage in Figure 1). A more specific question, which is at the heart of the present study, concerns the factors that, in the eyes of the power holders, are at the core of their external legitimacy—what do power holders think makes citizens view them as legitimate? This question does not ask what the police think justifies their existence, authority or resources. Rather, it asks what the police think citizens care about. In a democracy, this understanding is imperative to the functioning of the police because of the presumed mechanisms of accountability that flow from the police to the public. From the perspective of the dialogic approach to legitimacy, these perceptions are important because a dialogue

<sup>1</sup> Following the terminology used by Bottoms and Tankebe (2012), we use the term ‘power holders’ when discussing police legitimacy in the context of the ‘legitimacy as a dialogue’ approach. Clearly, there are power holders regarding the police who are not police officers (such as persons or organizations who have authority over the police). In this article, we are referring specifically to police officers when using this term.

requires understanding of the expectations of the other party. Together with other factors, power holders' understanding of the sources of their external legitimacy is expected to influence their sense of their own moral right to exercise power, the way they define goals and means, and the focus of their future claims to legitimacy, which, in turn, should impact the legitimacy citizens render the authority.

In the present article, we examine this question in Israel: how do Israeli commanding police officers understand the foundations of their external legitimacy? What factors do they think citizens consider when evaluating police legitimacy, and how are they prioritized? We begin with a review of the value-based approach to criminal justice as set forth by Tom Tyler and others. We then review the dialogic approach to legitimacy and the specific research question examined in this article. Our analysis then shows that, in contrast to the priorities of citizens (as expressed in community surveys), police officers associate their external legitimacy more with their accomplishments in fighting crime and sustaining deterrence than with the fairness of police process. In our discussion, we consider our findings and their implications in the contexts of Israeli policing, the 'legitimacy as a dialogue' approach and legitimacy research more generally.

#### *Police Legitimacy as the Basis for Law Obedience*

The quality of 'legitimacy', or public perceptions that an authority is 'entitled to have its decisions and rules accepted and followed by others' (National Research Council 2004: 297), is often presented as one of the important possessions of police forces in democratic societies. Although the idea of legitimacy is not new (e.g. Weber 1978; Kelman and Hamilton 1989), the concept of 'police legitimacy' and its significance have been highlighted in recent discussions on a 'self-regulated' or 'value-based' approach to criminal justice. This approach suggests that citizens' motivation to obey the law, comply and cooperate with legal authorities and accept their decisions depends, to a large extent, on subjective views about the legitimacy of these authorities (e.g. Tyler and Huo 2002; Sunshine and Tyler 2003; National Research Council 2004; Tyler 2004; Tyler and Fagan 2008; 2009; 2011).

Tyler (2004; 2009) contrasts this approach with the traditional instrumental model, according to which compliance with the law and with the directives of its agents is obtained through threat of punishment (deterrence) and demonstrated competence in controlling crime. Tyler concludes that this model is costly, credible threat of punishment is difficult to achieve, and thus the benefits of the approach are modest (e.g. Paternoster 1987; 1989; MacCoun 1993; MacKenzie 2002). Unlike the deterrence model, the self-regulatory approach is based on internal values, namely legitimacy, and thus compliance with the law and cooperation with legal agents become self-regulated and, as a result, less dependent on sanctions or incentives provided by the authorities. While studies demonstrate the importance of deterrence in sustaining law obedience (Nagin forthcoming; National Research Council 2004), empirical research also supports the propositions set forth by the 'value-based' approach (e.g. Mastrofski *et al.* 1996; Paternoster *et al.* 1997; LaFree 1998; Sampson and Bartusch 1998; Tyler and Huo 2002; Sunshine and Tyler 2003; Tyler and Wakslak 2004; Tyler 2006; Reisig *et al.* 2007; Murphy *et al.* 2008; Tyler and Fagan 2008; Kochel *et al.* 2013; Tyler *et al.* 2010).

Given the importance of legitimacy, the antecedents of this quality have also become an important focus of research. A major finding of such studies is that the most important

predictor of police legitimacy are evaluations of procedural justice, or the fairness of the processes by which the police exercise their authority, including both fair decision making (allowing the citizens involved to express their views before decisions are made regarding their case, and making decisions in a neutral, unbiased fashion), and fair interpersonal treatment (treating the citizens involved with dignity and respect, and behaving in a way that encourages trust in the motives of the police; Tyler 2001; 2004; National Research Council 2004; Hinds and Murphy 2007; Reisig *et al.* 2007; 2009; Tyler *et al.* 2010). Instrumental assessments, such as the favourability of the outcomes delivered or views regarding the ability of the police to catch rule-breakers and control crime, were also found to be an important predictor of police legitimacy; however, they were generally found to be less influential than perceptions of procedural justice (Tyler 2001; 2004; 2009; Sunshine and Tyler 2003; Murphy *et al.* 2008).

It should be noted that some cross-cultural variations were found in the relative importance of the factors predicting police legitimacy (e.g. Brockner *et al.* 2001; Hinds and Murphy 2007; Tankebe 2009). At the same time, a recent study carried out in Israel, our study site, revealed similar results to those found in the United States. In their survey of Israeli citizens, Jonathan-Zamir and Weisburd (2013) found that both in situations of immediate security threats and in communities facing no specific threats at the time, the most important antecedent of police legitimacy was procedural justice. While assessments of police performance did increase in importance for the public under threat, they still remained secondary to procedural justice in predicting police legitimacy in these communities (also see Factor *et al.* forthcoming).

As this review suggests, the legitimacy of the police has mostly been examined from the perspective of the citizen. This perspective is clearly important, as personal views are expected to have significant effects on citizens' behaviour. At the same time, scholars have recently suggested that there may be important theoretical, empirical and practical advantages in taking a broader view of the concept of legitimacy—one that acknowledges theoretical discussions on legitimacy within the social sciences more generally and considers legitimacy from additional standpoints, such as that of the power holder, and the interaction between the different perspectives (Bottoms and Tankebe 2012).

*Legitimacy as a Dialogue and Power Holders' Understanding of the Foundations  
of Their External Legitimacy*

Based on Weber's (1978) fundamental theorization of legitimacy and later discussions by Raz (2009), a political-legal philosopher, Bottoms and Tankebe (2012) have recently argued for a 'dialogic approach to legitimacy'. According to this approach, legitimacy should not be considered only from the perspective of the citizen, nor as a 'single transaction' between power holders and their audience, but as a 'perpetual discussion' between citizens and authorities (Bottoms and Tankebe 2012: 129).

These authors begin with Raz's (2009) classification of power holders, which highlights that *authorities claim legitimacy*, that is they claim to have the right to rule or exercise power (whether this claim is accepted by their audience or not). Claiming legitimacy is precisely what differentiates 'authorities' from people or groups who exert 'naked power' (such as hostage-takers). Bottoms and Tankebe (2012) continue with Weber's theorization of legitimacy, which highlights that authorities' claims to legitimacy are not a one-time event but are ongoing, as authorities attempt 'to establish *and*

*cultivate*' legitimacy (Weber 1978: 213). They conclude that, rather than focusing on how legitimate authorities are perceived by citizens to be, we should be thinking about legitimacy as a 'continuing relationship' (Bottoms and Tankebe 2012: 129) where the authority claims to have the right to rule, the public responds and this response, in turn, affects power holders' perceptions of their own legitimacy and subsequent claims to legitimacy.

Unlike much of the literature on legitimacy in the field of criminal justice that focuses primarily on the views of citizens, this approach places equal attention on power holders' sense of their moral right to exercise power, and the process of dialogue that shapes and forms the views of both sides (see Tankebe 2010; also see Boulding 1967; Weber 1978; Wrong 1979). While the perspective of the public is clearly important, the views of the power holders are, according to this approach, at the core of authorities' claims to legitimacy and subsequent public response (Barker 2001; Bottoms and Tankebe 2012). An underlying argument is that it would be difficult to claim legitimacy and, in turn, be perceived as a legitimate authority, if the authority's agents do not view themselves as legitimate. Self-legitimacy is also viewed as critical for effective performance (Boulding 1967). It should be noted that, because Weber (1978) has placed legality at the centre of his legitimacy discussion, Bottoms and Tankebe (2012) argue that it is reasonable to speculate that he would have viewed legality and formality as the basis of power holders' self-legitimacy. In other words, when their positions and powers, as well as day-to-day practices, are rooted in solid formal and legal bases—power holders are expected to feel that they have the legitimate right to rule. Bottoms and Tankebe (2012) also argue, however, that this is a necessary but insufficient condition, as self-legitimacy is also highly dependent on power holders' perceptions of their legitimacy in the eyes of their audience (also see Wrong 1979).<sup>2</sup>

While not stated explicitly, it is clear that, as part of the legitimacy dialogue, power holders interpret and form their understanding of the audience's reaction to their legitimacy claims. This interpretation is a natural mediating step between the response authorities receive from the public and the effects of this feedback on their self-legitimacy and subsequent claims to legitimacy (see third stage in Figure 1). Additionally, because Bottoms and Tankebe (2012) develop a general model, they do not elaborate on the specific type of information that is conveyed in each step of the legitimacy dialogue. We argue that it is reasonable to consider this dialogue not only in terms of quantity ('how much' legitimacy citizens render the authority, and, in turn, 'how much' legitimacy power holders feel that they have), but in terms of the broader nature and substance of the claim (such as what citizens consider to be legitimate or which components of the authority's claim for legitimacy citizens do and do not support).

Specifically, we suggest that *one* aspect of the feedback conveyed by citizens and interpreted by the authorities includes the factors that are at the core of power holders' external legitimacy—'what makes citizens view us as legitimate?' According to the dialogic approach, this understanding is expected to have important effects on power

<sup>2</sup> Clearly, the 'legitimacy dialogue' and the effects of each stage are highly dependent on the political and social contexts in which the police are operating. For example, American police in the late nineteenth century are likely to have been much more concerned with the views of local political leaders than with the priorities of the public (e.g. Kelling and Moore 1988). Our study is set in the context of recent discussions of police legitimacy in the twenty-first century, on the background of community-oriented policing.

holders' self-legitimacy, strategic choices, day-to-day behaviour and the nature of future claims to legitimacy. For example, as noted earlier, surveys have repeatedly identified procedural justice as the most important factor on which citizens judge the legitimacy of the police. If the police are aware of this, take steps to strengthen procedural justice in the behaviour of officers and believe that they have been successful in their efforts, their self-legitimacy is expected to strengthen. Moreover, in future claims to legitimacy, they are likely to emphasize their focus on procedural justice, assuming that this would reinforce their external legitimacy. If, on the other hand, the police have an inaccurate understanding of citizen priorities, they may choose to emphasize aggressive crime control at the expense of procedural fairness in their work and claims to legitimacy, which may ultimately weaken their legitimacy in the eyes of the public.

### *The Study*

The 'legitimacy as a dialogue' approach is theoretical in nature and many of the relationships suggested so far are speculative. The model does, however, set the stage for a wide range of empirical questions (some of which are highlighted by [Bottoms and Tankebe \(2012\)](#)). In this article, we raise the specific question mentioned above for Israeli policing: how do Israeli police officers perceive the foundations of their legitimacy in the eyes of the public? As noted earlier, similarly to numerous studies in the Western world, procedural justice was identified as the most important antecedent of external police legitimacy in Israel ([Factor \*et al.\* forthcoming](#); [Jonathan-Zamir and Weisburd 2013](#)). But are Israeli police officers aware of the importance of fair processes to the public, or, alternatively, do they associate citizens' evaluations of police legitimacy primarily with their accomplishments in fighting crime and creating credible risk for rule-breakers?

At the outset, it is important to note that several features of the Israel National Police (INP) distinguish it from North American and some European police agencies, particularly that it is a national, centralized police agency with significant internal security responsibilities ([Hovav and Amir 1979](#); [Ben-Porat 1988](#); [Shadmi and Hod 1996](#); [Herzog 2001](#); [Weisburd \*et al.\* 2002](#); [2009](#)). This differs from the diffused, local North American policing model and the more local control of policing that can be found in some European countries like France and Italy. Additionally, local police agencies in the United States and in many European countries began to see security problems (and particularly terrorism) as an integral part of their mission only in the recent decade ([Weisburd \*et al.\* 2009](#)).

At the same time, there are important similarities between the INP and other Western police agencies. Israeli police officers are constrained and regulated by comparable legal requirements, such as clear restrictions on use of force, detention and arrest, and are obligated to equal, non-discriminatory treatment. Most day-to-day responsibilities and activities of local police stations, such as managing traffic, handling crime problems and providing general services to the public, resemble those of local police agencies in other Western democracies. Finally, the INP was influenced by recent international innovations in policing, such as community policing, Compstat and 'hot-spots' policing ([Weisburd \*et al.\* 2002](#); [Meniv 2013](#); [Weisburd and Amram forthcoming](#); see review by [Weisburd \*et al.\* 2009](#)). Importantly, as noted above, public expectations from the Israeli police regarding procedural fairness follow those of United States and European countries ([Jackson and Sunshine 2007](#); [Tyler 2011](#)). Accordingly, while every national setting has unique components, the views of the Israeli police provide an important example

of police officers' understanding of the basis of their external legitimacy in a Western, democratic police agency. In our discussion later, we consider how our results may be understood in the specific context of Israeli policing and characteristics of the INP.

### *The sample*

Our sample was selected to represent commanding officers in 'field units' of the INP. Field units (in contrast to administrative or managerial departments) hold the territorial responsibility for providing day-to-day policing services to the public. They are divided hierarchically into districts, sub-districts and local police stations (for a description of the organizational structure of the INP, see [Gimshi \(2007\)](#); [Weisburd \*et al.\* \(2009\)](#)). Commanding officers in field units have direct authority over street-level officers that provide regular policing services to the public, such as patrol officers, detectives and the 'traffic police'. These commanders have worked at the street-level at earlier stages of their careers and are still very much involved in street work, either as part of their supervisory responsibilities or by providing on-the-job training to new recruits. Notably, their command position means that their views have important impact on everyday police work, and indeed the attitudes of this group were highlighted as a critical factor in implementing procedurally just policing (see [Tyler 2011](#)).

Our overall sample of officers (N = 290) is made up of two major groups. The first includes 142 commanding officers (up to the rank of 'Commander'), who were surveyed in ten police stations (4–31 officers per station; M = 14) located within the five police districts in the pre-1967 border. These stations were chosen to represent large, small, rural and urban areas of responsibility, and were stations in which the station commander agreed to cooperate with the study. In any particular station, surveys were distributed in a regular meeting of the command staff, which most or all commanding officers are required to attend. Only few officers in this group refused to participate in the study (response rate of 95 per cent).

Our second group consists of 148 officers, who were, at the time of the survey, students in one of two programs at the University of Haifa. Eighty-six were relatively young officers completing their bachelor's degree as part of a special programme combining academic education with the INP Commanding Officers Course. Sixty-two were experienced commanding officers, most at the rank of Superintendent or above, studying for a master's degree as part of advanced commanding officers' training programmes. Police officers are selected annually for these educational programmes following allocations made by the Human Resources Department of the INP, which proportionally allocates candidate positions to all field units (considering both their size and professional orientation). Within each unit, candidates are selected based on their compliance with various requirements, such as sufficient educational and training backgrounds, years in service and recommendations. The response rate in this group was 70 per cent.<sup>3</sup>

<sup>3</sup> We attribute the difference in response rates between the two groups to the different settings in which officers were asked to participate in the study. In the first group, respondents have presumably felt more pressure to participate due to the presence of their peers/supervisors and the strict, hierarchical nature of command at the stations. As university students in the open environment of a classroom, officers may have felt more comfortable to decline participation. Importantly, following the university ethics committee's guidelines, it was clarified to the officers in both groups that the study is being carried out by university researchers, *not* by the INP. All were assured that their participation is voluntary and anonymous, there are no sanctions for refusing to participate (or benefits for participating) and the completed questionnaires would not be available to the police.

While the selection of officers was not based on a randomization scheme, it includes a broad representation of the ~1,500 commanding officers in the field units of the INP, from various professional backgrounds, at different stages of their careers and from a range of locations in Israel (see Appendix A). The bias of the sample is likely towards ‘up and coming’ officers seeking to provide leadership roles in the police; however, these are precisely the officers that are likely to play an important role in future decision making. Moreover, as detailed below, in our main analysis, we control for key individual-level variables that may affect officers’ assessments of their external legitimacy, such as years of service and primary experience in the INP. We also control for the sampling group our respondents belong to.

### *The survey and main variables*

The survey was carried out during the second half of 2011 and the first half of 2012, either at the specific police stations (the first group) or at the University of Haifa (the second group), using pencil-and-paper format. The questionnaire included almost 100 questions tapping numerous aspects of officers’ attitudes about police legitimacy, procedural justice, police effectiveness in fighting crime, deterrence in Israel and more. Most questions were designed as statements that the officers were asked to rank according to their agreement, on a scale ranging from 1 (‘strongly disagree’) to 6 (‘strongly agree’). Several sections of the questionnaire inquired about officers’ views on their image in the eyes of the public.

The statements concerning police legitimacy, procedural justice and police performance in the eyes of citizens as understood by the police were designed in line with previous citizen surveys on police legitimacy (e.g. [Sunshine and Tyler 2003](#); [Tyler and Wakslak 2004](#); [Reisig et al. 2007](#); [Gau 2011](#)), some carried out in Israel ([Jonathan-Zamir and Weisburd 2013](#)). The original statements, which were designed to measure citizens’ attitudes towards the police, were revised to measure officers’ views on what citizens think of them. For example, the statement ‘I am happy to defend the work of the NYPD when talking to my friends’, which was used by [Sunshine and Tyler \(2003: 540\)](#) to measure trust in the police, was revised to ‘In my view, the average Israeli citizen is happy to defend the INP in conversations with friends’. Importantly, in these sections, officers were reminded multiple times that they are asked to respond not according to their own views of their organization, but according to what they believe citizens think.

Our dependent variable, the *legitimacy of the police in the eyes of the public* (as perceived by the police), was constructed by averaging seven statements tapping trust in the police, such as ‘In my view, the average Israeli citizen agrees with the values that guide the work of the INP’ (Cronbach’s  $\alpha = 0.88$ ;  $N = 284$ ; Range: 1–6;  $M = 3.38$ ;  $SD = 0.88$ ). We should note that ‘police legitimacy’ was often operationalized in community surveys as a combination of trust in the police, obligation to obey the police and the law, and sometimes affective feelings towards the police (see [Sunshine and Tyler 2003](#); [Tyler 2004](#); [Hinds and Murphy 2007](#); [Tyler and Fagan 2008](#); [2009](#)). Because some research suggests that ‘trust’ and ‘obligation to obey’ may be two distinct concepts, both theoretically and empirically (see [Reisig et al. 2007](#); [Tankebe 2009](#); [Gau 2011](#)), in our analysis, we focus specifically on ‘trust’. In doing so, we follow earlier studies on police legitimacy

in Israel (Jonathan-Zamir and Weisburd 2013), which was important for comparing the views of the police to those of the public.

Our first independent variable of interest, the *fairness of police process* in the eyes of the public (procedural justice as perceived by the police), was made up of six statements including ‘In my view, the average Israeli citizen believes that Israeli police officers treat those they encounter with politeness and dignity’ (Cronbach’s  $\alpha = 0.88$ ;  $N = 285$ ; Range: 1–6;  $M = 3.69$ ;  $SD = 0.87$ ). Our second independent variable of interest concerned *instrumental judgments* citizens make about the police (as perceived by police officers), including their performance in fighting crime and the level of deterrence, or ‘risk’, they are able to sustain (see Sunshine and Tyler 2003). This scale was made up of six statements, such as ‘In my view, the average Israeli citizen believes that the INP has shown many successes in handling crime over the past few years’ (Cronbach’s  $\alpha = 0.84$ ;  $N = 286$ ; Range: 1–6;  $M = 3.26$ ;  $SD = 0.82$ ). As can be seen from Table 1, factor analysis using principal-axis factoring with Varimax (with Kaiser Normalization) rotation confirmed that the items indeed reflect three distinct constructs (an examination of the Kaiser–Meyer–Olkin measure of sampling adequacy suggested that the sample was appropriate for factor analysis ( $KMO = 0.91$ )).

### Findings

In light of the dialogic approach to legitimacy and our focus on officers’ understanding of their public image, we found it important to first examine how well Israeli police officers think they are doing in the eyes of citizens in the three main areas of interest in this analysis: legitimacy, procedural justice, and accomplishments in solving crime and deterring offenders (instrumental considerations). We have thus compared the mean scores of the three scales using a series of paired-samples *t*-tests (results reported in Table 2).

As can be seen from Table 2, our respondents believe that Israeli citizens would give the police the highest score in the area of procedural justice (3.69 of 6; 62 on a 0–100 metric<sup>4</sup>), followed by legitimacy (3.38 of 6; 56 on a 0–100 metric) and instrumental considerations (3.26 of 6; 54 on a 0–100 metric). The differences between the three scores were found to be statistically significant, but all three suggest that our respondents believe that the public does not evaluate the INP positively.

But our main interest is in identifying the factors that, in the eyes of the police, are at the core of their external legitimacy. The difference between the average mean scores of procedural justice and instrumental considerations makes this analysis all the more intriguing—Israeli commanding police officers think they are doing somewhat better (in the eyes of the public) in exercising fair processes than in fighting crime. But do they also think procedural justice is more critical to citizens when considering police legitimacy?

In Table 3, we report the findings of this analysis (the correlation matrix excluding multi-nominal variables is reported in Appendix B). We use an Ordinary Least Squares regression in which police legitimacy (in the eyes of the public, as viewed by the police) is the dependent variable. The predictors include our two main independent variables

<sup>4</sup> We standardized the indices into a 0–100 metric by dividing the scale values with their upper limit and multiplying the result by 100. This was done to allow for a simple and intuitive assessment of the score.

TABLE 1 *Factor analysis differentiating police legitimacy, procedural justice and instrumental considerations (in the eyes of citizens as perceived by the police)*

Item	Factor 1	Factor 2	Factor 3
<i>Police legitimacy in the eyes of the public</i>			
In my view, the average Israeli citizen ...			
1. Believes that the INP makes the right decisions for the people in his/her area of residents	0.54		
2. Is proud to work with the police station in his/her area of residence	0.61		
3. Is happy to defend the INP in conversations with friends	0.68		
4. Agrees with the values that guide the work of the INP	0.72		
5. Would encourage a family member/friend who was a victim of a crime to turn to the police	0.64		
6. Believes in the INP as an organization	0.74		
7. Believes in the overall policy of the INP	0.74		
<i>Fairness of police processes in the eyes of the public (procedural justice)</i>			
In my view, the average Israeli citizen believes that ...			
1. Police officers in Israel make decisions based on facts, not personal interest		0.53	
2. The police allow the people involved to express their views before making a decision in their case		0.49	
3. Israeli police officers treat those they encounter with politeness and dignity		0.76	
4. The police respect the rights of the citizens they come in contact with		0.84	
5. The INP as an organization shows concern for the well-being and quality of life of Israeli residents		0.75	
6. Officers in Israel are polite and courteous in their demeanor towards citizens on the street		0.76	
<i>Instrumental judgments: police performance and deterrence in the eyes of the public</i>			
In my view, the average Israeli citizen believes that ...			
1. The INP is efficient in handling crime in his/her area of residents			0.59
2. The INP has shown many successes in handling crime over the past few years			0.58
3. The INP is effective in handling violent crimes in Israel			0.73
4. The INP is effective in handling drug crimes in Israel			0.58
5. The INP deals well with property crimes in Israel			0.68
6. The INP solves complicated cases quickly			0.49
Eigenvalues	7.64	2.15	1.57
Variance explained (%)	40.20	11.31	8.26

N = 275. Only factor loadings >0.40 are displayed.

TABLE 2 *Paired-samples t-tests*

	Means	N	<i>t</i>	df	<i>p</i>
Legitimacy—Procedural justice	3.39–3.69	279	–5.46	278	<0.001
Legitimacy—Instrumental judgments	3.38–3.26	280	2.50	279	<0.05
Procedural justice—Instrumental judgments	3.69–3.25	281	8.88	280	<0.001

TABLE 3 *The external legitimacy of the INP as viewed by Israeli police officers*

	B	S.E.	$\beta$	<i>T</i>
<i>Test variables</i>				
Instrumental judgments	0.41	0.07	0.39***	6.12
Procedural justice	0.29	0.07	0.29***	4.46
<i>Control variables</i>				
Years of service in the INP	–0.00	0.01	–0.03	–0.47
Main background				
Investigations	0.17	0.13	0.08	1.28
Intelligence	–0.06	0.14	–0.03	–0.44
Border Guard	0.38	0.17	0.15*	2.26
Traffic control	–0.28	0.23	–0.07	–1.22
Community and Civil Guard <sup>1</sup>	0.16	0.25	0.04	0.64
Other	0.09	0.19	0.03	0.47
Student at time of survey	0.03	0.10	0.02	0.33
Female	0.04	0.16	0.01	0.26
Single	–0.44	0.16	–0.17**	–2.74
Divorced	0.13	0.24	0.03	0.56
Living with a spouse	–0.04	0.22	–0.01	–0.17
Born outside of Israel	–0.07	0.19	–0.02	–0.35
Druze	0.10	0.21	0.03	0.49
Muslim	0.45	0.42	0.06	1.06
R <sup>2</sup> (adjusted R <sup>2</sup> )	0.40 (0.36)***			
N	250			

<sup>1</sup> The Civil Guard is an umbrella organization coordinating all voluntary citizen activity in the INP. It is the largest voluntary organization in Israel, operated by the Police and Community department of the INP. For more information see Weisburd *et al.* (2009) and the INP website ([www.police.gov.il](http://www.police.gov.il)). \*  $p \leq 0.05$ ; \*\*  $p \leq 0.01$ ; \*\*\*  $p \leq 0.001$ .

of interest: procedural justice and instrumental considerations, again in the eye of the public as perceived by Israeli commanding police officers. We also control for key personal characteristics that may affect officers' evaluations of their external legitimacy, such as the length and type of service in the INP (see Appendix A for descriptive statistics of control variables). We should note that three variables in our dataset: age ( $N = 280$ ,  $M = 38.24$ ,  $\text{min}/\text{max} = 23\text{--}56$ ,  $SD = 7.49$ ), years of service in the INP ( $N = 279$ ,  $M = 14.4$ ,  $\text{min}/\text{max} = 3\text{--}30$ ,  $SD = 6.38$ ) and rank ( $N = 273$ , ranging from 1 = Cadet to 6 = Commander) were understandably highly correlated (age-years of service:  $r(275) = 0.89$ ,  $p < 0.001$ ; age-rank:  $r(269) = 0.72$ ,  $p < 0.001$ ; years of service-rank:

$r(269) = 0.74, p < 0.001$ ). Thus, in order to avoid multicollinearity, we only included years of service in our model.

The model is statistically significant ( $p < 0.001$ ) and explains over a third of the variance in officers' assessments of their external legitimacy (adjusted  $R^2 = 0.36$ ). Tolerance levels for all variables were larger than 0.5, much above the commonly accepted cut-off value of 0.1 (O'Brien 2007). Additional key assumptions of normality, linearity and homoscedasticity were tested and no violations were detected (Osborne and Waters 2002; Cohen *et al.* 2003).

Table 3 reveals that, similarly to the majority of community surveys, the two main antecedents of officers' assessments of their external legitimacy are evaluations of procedural justice and instrumental assessments about police performance (in the eyes of citizens as perceived by our responding police officers). At the same time, and in contrast to most community surveys (both in Israel and elsewhere), in which procedural justice was identified as the most important predictor of police legitimacy, in our model instrumental assessments are the strongest predictor ( $\beta = 0.39$ ). In other words, Israeli police officers associate their legitimacy in the eyes of the public first and foremost with their ability to control crime and create credible deterrence. Their responses suggest that they also recognize the importance of the fairness of their processes; however, procedural justice is less influential than instrumental considerations in predicting external police legitimacy in our model ( $\beta = 0.29$ ). Indeed, the model without instrumental consideration explains only 26 per cent of the variance, compared to 36 per cent in the full model ( $R^2$  change = 0.10; F change (1, 232) = 37.45;  $p < 0.001$ ), while, in a model without procedural justice, the variance explained drops by only 5 per cent (to 31 per cent) ( $R^2$  change = 0.05; F change (1, 232) = 19.89;  $p < 0.001$ ).<sup>5</sup>

We should note that two control variables showed statistically significant effects in our model: primary professional background in the Border Guard (compared to patrol) and being single (compared to married). While these variables were not the main target of our analysis, in our discussion below, we offer preliminary hypotheses about their observed effects.

### Discussion

The main finding of our analysis is that Israeli commanding police officers associate their legitimacy in the eyes of the public more with their performance in fighting crime than with the fairness of their processes. These findings must be considered in conjunction with the results of recent community surveys in Israel (Jonathan-Zamir and Weisburd 2013; Factor *et al.* forthcoming), which, similarly to most studies in the

<sup>5</sup> We also carried out the analysis for students and non-students separately. Because this separation significantly reduced the sample size in each model (students:  $N = 137$ ; non-students:  $N = 113$ ), in these analyses, we only included the independent variables that showed statistically significant effects in the full model (instrumental considerations, procedural justice, primary service in the Border Guard and being single). The results were similar to the original model: in both sub-groups, instrumental considerations were the most important antecedent of officers' assessments of their external legitimacy, followed by procedural justice. Further, we analysed the full model with interaction terms (student\*procedural justice, student\*instrumental considerations), which did not show significant effects. In other words, the effects of procedural justice and instrumental considerations on officers' assessments of their external legitimacy do not vary in our data by whether or not the officer was a student at the time of the survey.

Western world, reveal that Israeli citizens have the opposite priorities: they place more weight on procedural justice than on police performance when considering police legitimacy.<sup>6</sup> In this sense, our findings reveal a noteworthy gap between public priorities on the one hand and what the police associate with their external legitimacy on the other. Such disparity may naturally lead to disappointment among the general public and to feelings of distance and alienation, which may, in turn, weaken police–community relationships.

Two control variables showed statistically significant effects in our model: primary experience in the Border Guard (compared to patrol) was found to improve assessments of external legitimacy, while being single (compared to married) was found to have the opposite effect. With regard to the Border Guard, the main responsibilities of this sub-organization include maintaining internal security, countering terrorist threats and attacks, and securing the borderline with the Palestinian territories. Such activities, and particularly publicized successes in thwarting attacks and handling the aftermath of terrorist events, have generated much respect and appreciation for the Israeli police and improved their image among majority communities during periods of high security threats (see [Weisburd et al. 2009](#); [Jonathan 2010](#)). Thus, it is not surprising that officers who spent most of their service in the Border Guard have a more positive view of their public image. The negative effects of being single (compared to married) can be viewed as part of the more general positive influence of marriage on life satisfaction, happiness and optimism ([Gove et al. 1983](#); [Robins and Regier 1991](#) [Holt-Lunstad et al. 2008](#)), although studies in the policing context have revealed mixed findings (e.g. [Brooks and Piquero 1998](#); [Burke and Mikkelsen 2006](#); [Malach-Pines and Keinan 2006](#)). The effects of background characteristics on police officers' assessments of their external- and self-legitimacy clearly warrant focused analyses in future research.

Returning to our main findings, using the lens of the dialogic approach to legitimacy, we can speculate that there are several potential implications to our findings. First, because commanding officers in the INP associate their external legitimacy more with the accomplishment of instrumental goals than with procedural justice, we can expect that they would emphasize this aspect of their work in future claims to legitimacy. Since community surveys suggest that this is *not* the area citizens value most, such claims are expected to have only moderate effects on the legitimacy citizens render the police, and, in turn, on the numerous desirable outcomes of police legitimacy such as law obedience, compliance, cooperation and empowerment (e.g. [Mastrofski et al. 1996](#); [Tyler and Huo 2002](#); [Sunshine and Tyler 2003](#); [Tyler and Wakslak 2004](#) [Tyler 2006](#); [Reisig et al. 2007](#); [Murphy et al. 2008](#); [Tyler and Fagan 2008](#); ).

Additionally, while Israeli police officers apparently think citizens place considerable value on traditional crime fighting, their assessment is that these same citizens would only give them the score of 54 in this area (on a 0–100 scale). Not only is this score unflattering; it is also lower than the scores the police think the public would assign both legitimacy and procedural justice. The belief that citizens do not think

<sup>6</sup> The analysis by [Jonathan-Zamir and Weisburd \(2013\)](#) shows that, in Sderot, a town under severe security threats, the Beta value for procedural justice was 0.49. For police performance in fighting crime, it was 0.35. In the comparison communities, which were not faced with specific security threats, the values were 0.55 and 0.24, respectively. Using path analysis, [Factor et al. \(forthcoming\)](#) report the values of 0.44 for procedural justice and 0.19 for police performance as predictors of police legitimacy. These results remained consistent when differentiating between the views of Jews and Arabs: for Jews, the coefficients were 0.42 for procedural justice and 0.19 for police performance; for Arabs, they were 0.49 and 0.17, respectively. All effects were statistically significant.

very highly of police accomplishments in fighting crime and deterring offenders, but, at the same time, care very much about crime control, is expected to weaken officers' self-legitimacy, and, in turn, the strength of their future claims to legitimacy. As noted earlier, the dialogic approach postulates that it is difficult to claim legitimacy and gain public support if officers' own sense of legitimacy is diminished.

Our findings and their implications should also be considered in the specific context of Israeli policing. Several studies have identified a sharp and persistent drop in public trust in the Israeli police between 2002 and 2008, particularly among the majority Jewish adult population (see [Rattner 2009](#); [Jonathan 2010](#); [Yogev 2010](#); [Hermann \*et al.\* 2012](#); [Perry and Jonathan-Zamir forthcoming](#)). Data reported by the Israel Democracy Institute in 2009 indicate that, out of 24 democratic countries, the police in Israel received the fifth-lowest trust evaluations ([Arian \*et al.\* 2009](#)). More recent data from Round 5 of the European Social Survey again show that the INP is evaluated negatively compared to other European countries (third/fourth-lowest) in the areas of police effectiveness, procedural fairness and distributive fairness (although 'obligation to obey' the police and the law are relatively high; see [Jackson \*et al.\* 2013a](#)). Indeed, our respondents have estimated that Israeli citizens do not think very highly of the police in the three areas examined in this study and, in this sense, show relatively accurate understanding of public evaluations.

At the same time, and although community surveys in Israel identified a moderate improvement in public assessments since 2009, the long downward trend has troubled high-ranking Israeli police officials, particularly given considerable accomplishments in clearing cases, lowering crime levels and improving traffic safety during this period (see reviews by [Jonathan \(2010\)](#); [Perry and Jonathan-Zamir \(forthcoming\)](#)). Our results help shed light on this confusion and suggest that the disparity between public preferences on the one hand and police understanding of what citizens consider and value in relation to police legitimacy on the other may have contributed to the long drop in public support.

More generally, our findings are in line with the literature on traditional police culture, according to which police tend to see themselves predominantly as crime fighters and idealize aggressive enforcement policing, presumably as a way to deal with the ambiguity inherent in their work and gain the support of their supervisors ([Cain 1973](#); [Holdaway 1983](#); [Smith and Gray 1985](#); also see review by [Paoline 2003](#)). While the idea of an orthodox, homogeneous police culture has been questioned (e.g. [Paoline \*et al.\* 2000](#)), we would not be surprised if future studies find similar views in other police agencies in the Western world (see [Loftus 2010](#)). Nevertheless, these findings are particularly explicable in light of the unique characteristics of the INP, which is considered a highly militarized, centralized police agency, where the 'professional' or 'quasi-military' model of policing continues to dominate ([Hovav and Amir 1979](#); [Ben-Porat 1988](#); [Shadmi and Hod 1996](#); [Herzog 2001](#); [Gimshi 2007](#); [Weisburd \*et al.\* 2002; 2009](#)).

While our findings bear important implications for Israeli policing, there are clearly contextual complexities that were not addressed in our analysis. For example, Israeli society is not homogeneous and can be viewed as made up of at least three main sectors: Jewish majority, Ultra-Orthodox Jews ('Haredim') and Israeli Arabs. It is reasonable to assume that, when asked to evaluate the views of the 'average Israeli citizen', our respondents did not consider minority groups. We should note that recent research in Israel finds surprising similarities in the expectations of Jews and Israeli Arabs from

the police (Hasisi and Weitzer 2007; Hasisi and Weisburd forthcoming). At the same time, future studies are encouraged to distinguish between different sectors of society when asking officers to evaluate their public image. It is also important to consider such views over time and in relation to political/social/economic shifts in power, which may influence the ‘audience’ the police are most responsive to. Additional factors such as crime rates in the officer’s area of service or his/her views about human nature and the exercise of coercive powers (see Muir 1977) could also help shed light on police evaluations of their external legitimacy.

As a final point, it is important to consider the broader implications of this study for the ‘dialogic approach to legitimacy’ and legitimacy research more generally. This study highlights the authorities’ interpretation stage in the legitimacy dialogue, which was only implicit in the framework articulated by Bottoms and Tankebe (2012). This stage naturally mediates between public feedback and its effects on power holders’ self-legitimacy, and clearly warrants focused attention. This study also begins to identify and investigate particular aspects of the public’s response to authorities’ legitimacy claims, by focusing specifically on what matters to citizens when judging police legitimacy. Future studies are encouraged to continue to tease out the specific components of this feedback by addressing questions like which parts of the authority’s claims for legitimacy are accepted/rejected by the public and why.

With regard to legitimacy research more generally, surprisingly, and despite the fact that officers’ views and understandings are critical for real-world policing, studies in this area have mostly addressed what citizens think. The dialogic approach to legitimacy clarifies why the views of the police cannot be ignored and how legitimacy is formed not only in the hearts and minds of citizens, but in an ongoing interaction between the police and the public. But the next step is to empirically examine the specifics of this process. What do the police do to ‘claim legitimacy’ and how do citizens understand and respond to such claims? What are the processes by which the police interpret the public’s response, and by which mechanisms does this response impact officers’ self-legitimacy? What is the nature of the relationship between the legitimacy citizens render the police and officers’ self-legitimacy? In this context, it is important to keep in mind and address in future research that police officers’ self-legitimacy may well be influenced by factors other than perceptions of external legitimacy, such as the formal/legal basis of their actions. Nevertheless, studying legitimacy over time as an interaction between power holders and the public has been highlighted as an important avenue for future procedural justice research (Bottoms and Tankebe 2012; Jackson *et al.* 2013b).

### *Conclusions*

In this article, we have taken the first step in exploring one particular process that takes place in the legitimacy dialogue: the understanding police form about the sources of their legitimacy in the eyes of the public. We found that, in contrast to public priorities as expressed in community surveys, Israeli commanding police officers associate their external legitimacy more with accomplishments in fighting crime, bringing rule-breakers to justice and deterring potential offenders than with the fairness of the processes by which they exercise their authority. Given the dominance of crime fighting and aggressive law enforcement in classic police culture and ethos of

modern policing, we suspect that our findings are not unique to Israel. Nevertheless, we are clearly not suggesting that they represent the views of police officers in other agencies or nations, and thus a major question at this juncture is what police officers in other places think. If our findings are indeed replicated in other settings, this would likely have important implications for legitimacy policing, as it would suggest that the principles of procedural justice and the value-based approach to criminal justice more generally hardly go hand in hand with popular police views, which makes the implementation of this policing style all the more challenging. Whatever the case may be, it is clearly time for researchers to broaden the study of legitimacy to the police and gain a more comprehensive understanding of the two parties participating in the legitimacy dialogue.

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APPENDIX A: CONTROL VARIABLES

The variable	Distribution
Years of service in the INP	M = 14.4; Range: 3–30; SD = 6.4; N = 279
Main professional background in the INP	Patrol: 30.7% (reference category) Investigations: 22.8% Intelligence: 14.8% Border Guard: 13.4% Traffic: 4.1% Community and Civil Guard: 3.8% Other: 7.9% N = 283
Student at time of survey?	No: 49% (reference category) N = 290
Sex	Male: 83.8% (reference category) N = 273
Family status	Married: 74.5% (reference category) Single: 13.4% Divorced: 4.5% Living with a spouse: 4.1% N = 280
Country of origin	Israel: 89.7% (reference category) Other: 6.2% N = 278
Ethnicity	Jewish: 91% (reference category) Druze: 5.2% Muslim: 1% N = 282

## APPENDIX B: CORRELATION MATRIX (PEARSON'S R)

	1	2	3	4	5	6	7
1. Legitimacy	1						
2. Instrumental judgments	0.55***	1					
3. Procedural justice	0.50***	0.55***	1				
4. Years of service	-0.01	-0.06	0.05	1			
5. Student	0.03	0.08	-0.10	-0.27***	1		
6. Female	-0.02	-0.08	-0.04	-0.03	-0.13*	1	
7. Born abroad	-0.03	-0.01	0.01	-0.06	0.14*	0.08	1

\*  $p < 0.05$ ; \*\*  $p < 0.01$ ; \*\*\*  $p < 0.001$ .