UNDERSTANDING TRUST IN POLICE AND LEGITIMACY IN CENTRAL EASTERN EUROPE — THE LAW STUDENT SURVEY

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Abstract: Based on past studies and cognitions about legitimacy and with it related concepts the paper presents the law students' perceptions of police authority and trust in policing in the eight countries of Central and Eastern Europe (Slovenia, Croatia, Bosnia and Herzegovina, Serbia, FYROM, Romania, Poland and Russia) analysing the data from a web-survey conducted in autumn 2012 and spring 2013. The findings imply that the law students in general question their willingness to comply with laws and cooperate with the police. Regression analysis shows that police authority and procedural justice are related to trust in the police in all countries and police effectiveness in Slovenia, Russia, Romania, Poland, Bosnia & Herzegovina and Croatia. Authors conclude that the police should primarily strive to improve their effectiveness, authority and procedural justice to improve trust and legitimacy of policing in the respected countries.

TRUST AND LEGITIMACY OF POLICE AND POLICING

We believe that legal and legitimate policing are the bases of democratic policing, and legality without legitimacy and legitimacy without legality can lead to a variety of problems. In this paper, we presented legitimacy and related concepts (i.e. trust in police, procedural justice, distributive justice, willingness to cooperate, police authority and police effectiveness). Inter alia, we conducted a survey of law students with the Faculty of Criminal Justice and Security research team and partners in autumn 2012, and spring 2013. Law students were selected due to the nature of their studies (legal orientation), and a statement that they would also like to work in law enforcement or a criminal justice agency after graduation.

EARLY STUDIES ON TRUST AND LEGITIMACY OF POLICE AND POLICING

Beetham (1993: 488) distinguished three criteria that contribute to the legitimacy (of the powerful): 1) power which is acquired and exercised according to established rules; 2) rules which are justifiable by reference to shared beliefs; and 3) existence of appropriate actions expressive of consent on the part of those qualified to give it (¹).

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[1] Beetham (1993: 488) made several analyses of the suggested components and ascertain that the third criteria may be dependent upon the second and explained this finding: '…that only makes the process of legitimation complex, rather than circular. And I was careful to distinguish very different ways in which the different criteria might fail to be met. Thus a legitimacy deficit (the second criterion) might occur because the rules no longer satisfied their justifying principles (institutional sclerosis), or because support for these principles had weakened (cultural change) or had never sufficiently existed (cultural insufficiency), or because different groups within a society disagreed fundamentally about them (societal division)'.

Tyler (1997) attempts to answer the question ''Why people view group authorities as legitimate and voluntarily defer to them?'' In doing so, he contrasted two theories about legitimacy: 1) resource-based theories (instrumental models), and 2) identification based theories (relational model) [2]. Tyler (1990) is convinced that legitimacy is very important in these relations because the feeling of perceived obligation as part of legitimacy leads to voluntary deference behaviour. If the authorities wish to be effective in maintaining order, they must be able to influence the behaviour of group members (Tyler and Lind, 1992), whereby people as members of groups often internalise their feelings of obligation to obey group rules and group leader's decisions (Tyler, 1997: 323). If people within organised groups believe that authorities and rules are legitimate, they will voluntarily accept and obey them. Research confirms the existence of relational (Tyler, 1997: 323) and instrumental components to legitimacy [3].

Tyler and colleagues (Tyler, 1990; 2006; Lind and Tyler, 1988; Sunshine and Tyler, 2003) established that respectful treatment, neutral procedures and trustworthiness of the authorities in the criminal justice process are the most integral factors of procedural justice. Furthermore, trust in police positively relates with legitimacy and legal compliance (Goodman-Delahunty, 2010; Tyler, 2006; Reisig, Bratton, and Gertz, 2007).

RECENT STUDIES ON TRUST IN POLICE AND LEGITIMACY

Jackson and Bradford (2010: 1) argue that the legitimacy of the police is one of the crucial conditions for justifiable use of state power, whereby legitimacy represents the foundation of police authority (Tyler, 2006). As new approaches to policing focused on police legitimacy, public compliance with the law, acceptance of police authority, and cooperation with the police in responding to crime, began to develop, Tyler (2011) emphasised their value, especially the connection between trust and legitimacy. He acknowledges that professionalisation of police forces influenced the growth of the quality

of policing, but public support for the police, known as 'trust and confidence' in the police, also must be taken into consideration, especially those factors that shape public views about police legitimacy:

'If public trust and confidence in the police are not linked to objective performance, the nature of trust and confidence needs to be addressed as a distinct question in and of itself. The issue is: "What is the basis of perceived police legitimacy?" Understanding how public views about police legitimacy form and change can provide us with a new framework through which to evaluate policing policies and practices.' (Tyler, 2011: 255)

Legitimacy can be described as a central concept in procedural justice theory (Hough, Jackson, Bradford, Myhill, and Quinton, 2010: 204), and is a composition of different elements (i.e. rules, appropriate beliefs, relevant actions, etc.). When discussing legitimacy and compliance with the law, procedural justice theories emphasise different, rather specific, relationships between the following subjects:

- 'the treatment people receive at the hand of the police and justice officials;

- 'the resultant trust that people have in institutions of justice;

- 'the legitimacy people confer, as a consequence of this trust, on institutions of justice;

- 'the authority that these institutions can then command when they are regarded as legitimate;

- 'people's consequent preparedness to obey the police, comply with the law, and cooperate with justice' (Hough, Jackson, Bradford, Myhill, and Quinton, 2010: 204).

Police and criminal courts carry out different important functions in society. Jackson *et al.* (2011) emphasise that 'citizens, "outsource" deterrence and justice functions to these institutions, and in return expect them to be fair, impartial, efficient and effective' (pp. 3-4). In addition, based on Beetham's (1993) definition of legitimate

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[2] For more see Tyler (1997), Tyler and Fagan (2008).

[3] Authorities draw an important part of their legitimacy from their social relationship with group members.
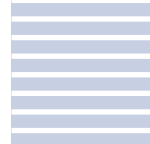
authority, the authors divide it to three elements: 1) legality, 2) shared values, and 3) consent and used this concept in their survey (Jackson *et al.,* 2011) in 20 countries to study contacts with the police, trust in police and legitimacy of justice institutions. In the case of contact with the police, results show that personal contacts with police officers is a key predictor of people's trust judgements, where significant variation in the proportion experiencing a police-initiated contact was detected across the 20 countries. In Finland, for example, people reported the highest rates of police-initiated contact and, in Bulgaria the lowest. Respondents were asked to evaluate their contact(s) with the police, and the results show that Israelis, Russians and Hungarians were least satisfied, while people in Sweden, Norway, Finland, Denmark and Belgium were most satisfied. The authors conclude that there is no necessary connection between the number of the contacts people have with the police and levels of satisfaction with the police. For example, Sweden and Finland have high rates of contact and high levels of satisfaction; while in Switzerland a high level of contact but a lower level of satisfaction is observed (Jackson *et al.,* 2011: 4-5). In regards to *trust in police,* trust was studied from three perspectives: 1) trust in police compliance; 2) trust in police procedural fairness; and 3) trust in police distributive fairness. Results show that opinions of the procedural fairness of the police vary widely across Europe. Those in Israel, the Russian Federation and Bulgaria have the most negative opinions about the way that the police treat people, while people in Denmark, Finland, Norway and Spain have the most positive opinions. Furthermore, people least trust the police in Russia, Israel, Bulgaria, Portugal and Poland (Jackson *et al.,* 2011: 5). P*erceived legitimacy of justice systems*, was divided to three dimensions: 1) obligation to obey the police; 2) moral alignment with the police; and 3) perceptions of the legality of the police. The findings suggest that 'countries with a relatively strong sense that the police share a common moral framework with its people also tend to have a populace who feel a relatively strong duty to obey police directives' (Jackson *et al.,* 2011: 7). For example, in Hungary and the Czech Republic, people reported relatively low levels of moral alignment but higher levels of obligation. Views about the probity of the police and courts are similar within the countries. Comparison between the countries show that public perceptions of corruption in the criminal justice system is low in Scandinavian and Northern European countries, but much higher in ex-communist countries (Jackson *et al.,* 2011: 7-8).

In the same study, Jackson *et al.* (2011: 8) concluded that people in the Nordic countries report the highest levels of trust in their police and courts and believe that their institutions are legitimate holders of power and authority. On the contrary, citizens in Eastern and sometimes in Southern European countries report lower level of trust of authorities.

Tyler (2011: 258) believes that the manner and quality of a police officer's performance and attitude towards the people in legal procedures has an important impact on public opinion and feelings about the police. For this reason, the police have to implement policies that encourage an approach to communities in which public views are central, thus focussing on the way that people evaluate the police and police actions. Tyler (2011: 263) is certain that these public views shape how people behave in reaction to the police.

Police are powerfully linked to the law, therefore their unfairness 'undermines people's sense that the law defines appropriate behaviour' (Jackson, Bradford, Hough, Myhill, Quinton, and Tyler, 2012: 1062). Police abuse of power and wielding their authority in unfair ways can negatively affect a person's sense of obligation to obey authority (i.e. police) directives, and as stressed by Hough, Jackson, Myhill, and Quinton (2010), to people's perception of 'moral authority and therefore the moral right of the law to dictate appropriate behaviour.' Such behaviour on the part of the police or other authorities, breaking generally accepted social norms, can generate powerful cynicism, justified with the well-known saying: 'if the police can behave however they please, and ignore the rules, so can I.' On the other hand, if police perform their authority via fair procedures, they influence the sense of normative commitment to the police and enhance compliance with the law (Jackson *et al.,* 2012: 1063).

Legitimacy has, from the procedural justice aspect, been defined as 'the belief that authorities do their job well and are entitled to be obeyed'; what means that 'people feel that they ought to defer to legitimate decisions and rules, and follow them voluntarily out of obligation rather than out of fear of punishment or anticipation of reward' (Murphy, Tyler and Curtis, 2009: 2).

Tyler (2012: 356) defines justice as 'a shared vision, socially created, which facilitates the ability of human beings to address the many complexities of coordinated social life'. In addition, justice is understood as the ability to develop and utilise justice-based rules and systems of authority. Tyler (2012: 356) emphasises that justice is nothing less than the 'engine that enables cooperation' that is often crucial when people need to resolve conflicts. Thereby, justice actually facilitates resolving conflicts with the provision of a set of rules that are interpreted and accepted by the immediate parties to a dispute because they perceive them to be fair.

In general, people fulfil the need to create shared principles of justice and then they use them as a tool for cooperation and to solve conflicts. Tyler (2012) is convinced that 'these forms of justice encourage the resolution of interpersonal conflicts, support the legitimation of authorities, and facilitate the viability of institutions' (p. 373).

YOUNG PEOPLE, TRUST AND LEGITIMACY OF POLICING

Young people's attitudes towards legal institutions (e.g., police, courts) are similar to their attitudes towards other social institutions (e.g., schools, social centres) suggesting an 'anti-authority syndrome' orientation during adolescence (Clark and Wenninger, 1964: 488). Easton and Dennis (1969) emphasised that behaviour, formed in adolescence, can have a lasting influence on adults' judgements of police. In addition, young people usually form their beliefs according to direct experiences (Nelsen, Eisenberg, and Carroll, 1982). From the perspective of the relationship between youth and police, this means that 'treatment received from police in direct contact or encounters with police officers, rather than more global attitudes formed about policing in abstract, or policing as an institution' (Hinds, 2009: 12). Cunneen and White (1994), Loader (1996), and Hinds (2009) stress that contacts between young people and the police are anything but rare, because as noted by White (1994), police officers are often the only agents of the criminal justice system in daily contact with young people. Moreover, young people are extensive users of public spaces and thereby often the subjects of involuntary and generally negatively experienced contacts with police (Cunneen and White, 1995; Loader, 1996; White, 1994; Hinds, 2009).

Reisig, Tankebe, and Meško (2013) studied procedural justice, police legitimacy and public cooperation with the police among young adults in Ljubljana and Maribor in Slovenia. Tyler's process-based model of policing was tested using regression analysis, and the results revealed a strong correlation between police legitimacy, especially police effectiveness, and public cooperation with the police. Furthermore, the authors found that trust in the police (i.e. fair and just interpersonal treatment by police) is also a significant factor influencing the process of the youth's cooperation with the police. Finally, the study revealed that police legitimacy is not invariant across different forms of cooperation. The authors conclude that 'in dealing with crime the police can rely more on area residents if they cultivate legitimacy by exercising their authority in a fair and just fashion'.

Chow (2012: 508-509) believes that police legitimacy represents a 'vital component of the relationship between a police service and the community' as he examined previous studies and literature on attitudes of young people towards the criminal justice institutions and found that:

- younger people have more negative attitudes towards the police compared to older groups of people;

- contextual factors and individual characteristics influence on perception of police by young people;

- majority of past studies revealed that minorities (e.g., black youngsters) hold less favourable views of the police compared to other groups;

- young females in general have positive attitudes toward the police;

- in past studies the significance of fear of crime and neighbourhood characteristics were ignored (results are indicating that more negative attitudes toward the police were held by individuals who had exhibited higher levels of fear of crime and who had experienced criminal victimisations); and

- the quality of the contacts young people have had with the police is correlated with the attitudes towards the police.

METHODS AND RESULTS

For the purpose of this paper, we selected eight Central and Eastern European countries (Slovenia, Croatia, Bosnia and Herzegovina, Serbia, F.Y.R.O.M, Romania, Poland and Russia) and conducted a web-survey in the respondents' native language. The administration of the survey was organised by criminal law lecturers at Faculties of Law in all eight countries, and explores several issues related to the legitimacy of policing in young democracies in Central and Eastern Europe (post-communist countries). We used a survey previously used by Reisig, Tankebe, and Meško (2012), which was preliminarily tested and utilised on a sample of young adults in Slovenia in 2011. The survey was translated into the native languages of the studied countries, and the survey scales were preliminarily tested on samples of 50 students in each country. National research partners also presented the survey to students and discussed every item in the survey regarding their meaning and possible differences in the denotative and connotative meaning of the survey statements. After preliminary tests, the survey was published on the web and the students were given a certain period of time in which to complete the survey online. We also

insured Internet access for all students in Faculties of Law in the respective countries. The survey was accessible only to law students who received a web address and a specific code provided by their criminal law lecturer.

Using a convenience sample of law students (n=1 848) from Slovenia, Croatia, Bosnia and Herzegovina, Serbia, F.Y.R.O.M, Romania, Poland and Russia, a web survey was administered in the native languages of respondents in autumn 2012 and spring 2013. Law students were selected due to the nature of their studies (legal orientation) and the assumption that they are planning to be future professionals in law enforcement or criminal justice agencies. For the purpose of this paper, we conducted analyses on a subsample of law students 18–25 years of age (n=1 689), consisting of male (n=514) and female respondents (n=1 175).

The collected data were analysed using factor analysis, one-way analysis of variance and regression analysis. We compared trust in police and perceived legitimacy on policing and police in the respective countries, and presented only significant variables in the regression analysis tables.

Table 1: Factor analysis

Factors		N	M	SD
Legitimacy [a]	(KMO = 0.718; α = 0.729)	1689	2.29	0.572
Trust in Police [a]	(KMO = 0.904; α = 0.874)	1689	2.31	0.611
Cooperation [b]	(KMO = 0.787; α = 0.752)	1689	3.19	0.635
Police Authority [a]	(KMO = 0.738; α = 0.819)	1689	2.04	0.592
Procedural Justice [a]	(KMO = 0.942; α = 0.906)	1689	2.24	0.546
Distributive Justice [a]	(KMO = 0.734; α = 0.712)	1689	2.18	0.565
Police Effectiveness [a]	(KMO = 0.847; α = 0.817)	1689	2.35	0.531

1 — Strongly disagree … 4 — Strongly agree, b. 1 — Never … 4 — Frequently;
KMO = Kaiser-Meyer-Olkin Test of sampling adequacy; α = Cronbach alpha (reliability)

Factor analysis shows that the selected factors meet a minimum criterion for further analysis. Mean values show that all results imply lower values in legitimacy, trust, police authority, procedural justice, distributive justice and police effectiveness. The only factor which has a higher

mean value is willingness to cooperate with the police (3.19); all other means are lower that 2.35 on a four point-scale. For the purpose of this paper, a comparison of trust in police and perceived legitimacy of police and policing are compared in the studied countries (Table 2).

Table 2: Trust in police and perceived legitimacy — One-way analysis of variance

	Trust in police		Legitimacy of policing	
	M	**SD**	**M**	**SD**
Slovenia	**2.62 (highest)**	0.62	**2.52 (highest)**	0.54
Russia	**2.04 (lowest)**	0.51	**2.18**	0.47
Romania	**2.24**	0.52	**2.20**	0.48
Poland	**2.51**	0.60	**2.38**	0.56
F.Y.R.O.M	**2.21**	0.58	**2.31**	0.69
Serbia	**2.12**	0.59	**2.17 (lowest)**	0.53
B&H	**2.14**	0.58	**2.17 (lowest)**	0.54
Croatia	**2.22**	0.67	**2.28**	0.50
P	**0.000**		**0.000**	
F	**26.218**		**9.905**	

1 = Strongly disagree, 4 = Strongly agree

All mean values are below 2.62 which means that trust and perceived legitimacy of policing are quite low, and statistical differences are significant for both variables. Nevertheless, trust is highest in Slovenia despite the fact that the data were collected in times of socio-economic crisis, and public protests against the government and those politicians perceived as corrupt. The results for legitimacy also imply the highest perceived legitimacy in the region.

In the following section, results of regression analysis for a dependent variable trust in police are presented because we wanted to learn what

Table 3: Trust in police — regression analysis

	Betas							
	Slovenia	**Russia**	**Romania**	**Poland**	**F.Y.R.O.M**	**Serbia**	**B&H**	**Croatia**
Cooperation	0.03	0.06	<u>0.05</u>	0.01	-0.04	0.10*	-0.03	0.03
Police Authority	0.32**	0.26**	0.28**	0.26**	0.24**	0.24**	0.30**	0.25**
Procedural Justice	0.27**	0.32**	0.33**	0.42**	0.38**	0.62**	0.39**	0.58**
Distributive Justice	0.17*	0.05	0.02	0.08*	0.1**	0.01	0.01	0.02
Police Effectiveness	0.22**	0.27**	0.29**	0.20**	0.03	0.06	0.23**	0.17*
R^2 adj.	0.72	0.66	<u>0.64</u>	0.70	0.53	0.81	0.63	0.83

*Non-signi ficant factors are not presented in the table. VIF multicollinearity coefficients ([4]) are lower than 2.5 for all independent variables. Levels of significance: ** $p < 0.01$; * $p < 0.05$*

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[4] Multicollinearity is a statistical phenomenon in which two or more predictor variables in a multiple regression model are highly correlated. In this case levels of multicollinearity are low which means that we have 'clear variables'.

Table 4: Perception of police legitimacy — regression analysis

	Betas							
	Slovenia	Russia	Romania	Poland	F.Y.R.O.M	Serbia	B&H	Croatia
Police Authority	0.03	0.39**	0.24**	0.26**	0.12	0.19*	0.38**	0.31*
Procedural Justice	0.20	-0.05	0.30**	0.26**	0.17*	0.57**	0.32**	0.36*
Distributive Justice	0.07	-0.05	-0.06	0.07	0.22**	-0.12	-0.10	0.06
Police Effectiveness	0.31**	0.36**	0.25**	0.21**	-0.03	0.07	0.18	0.04
R² adj.	0.32	0.35	0.43	0.49	0.25	0.54	0.44	0.46

Non-significant factors are not presented in the table. VIF multicollinearity coefficients are lower than 2.5 for all independent variables.

independent variables correlate with the dependent variable in a sense of prediction. We included only significant variables (factors) (see Table 3).

Regression analysis shows that *police authority and procedural justice* are related to trust in police in all countries, and police effectiveness in Slovenia, Russia, Romania, Poland, Bosnia and Herzegovina and Croatia. Willingness to cooperate with the police was found significant only in Serbia. Distributive justice is significantly related to trust in police in Slovenia, Poland and F.Y.R.O.M. In addition to regression analysis of trust in police variable we wanted to learn which other variables are associated with perception on police legitimacy (see Table 4).

Regression analysis shows that in regards to police legitimacy, police authority is a significant predictor of police legitimacy in Russia, Romania, Poland, Serbia, Bosnia and Herzegovina, and Croatia. Procedural justice is a significant predictor in Romania, Poland, F.Y.R.O.M, Serbia, Bosnia and Herzegovina, and Croatia. The strongest predictor of police legitimacy in Serbia is procedural justice (0.57). Police effectiveness is a significant predictor in Slovenia, Russia, Romania and Poland, while distributive justice is significant in F.Y.R.O.M only. The strongest predictor of police legitimacy in Russia is police effectiveness (0.36).

DISCUSSION

It is necessary to point out that the results are generalisable for the law student population in the studied countries but not to a general population. The results do give an insight about perceptions of policing and trust in policing in the present time by potential future professionals in the justice system in the studied countries, be it police officers, prosecutors, judges, prison officers or advocates of crime suspects.

The seven factors which were included in further analyses (one-way anova and regression analysis) are legitimacy, trust in police, willingness to cooperate with the police, police authority, procedural justice, distributive justice, and police effectiveness. Mean values show that all results imply lower values in legitimacy, trust, police authority, procedural justice, distributive justice, and police effectiveness. The only factor that has a higher mean value (3.19 on a four-point scale) is willingness to cooperate with the police, which is a promising one and the police should reconsider their communication strategies with young people.

One-way anova results show that trust and perceived legitimacy of policing are not high in all the studied countries and that the police still have many challenges as statistically significant differences in the comparison of all countries were found out. Nevertheless, the results imply a significance of the development towards democratic policing and the impact
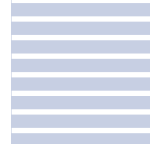
of a membership in the European Union (e.g. unification and harmonisation of police legislation and practices), especially in Slovenia and Poland with the highest means regarding trust in police and legitimacy.

In addition, trust is highest in Slovenia despite the fact that the data were collected in times of socioeconomic crisis and public protests against the government and corrupt politicians, and the lowest in Russia. The results for legitimacy also imply the highest perceived legitimacy in Slovenian and the lowest in Serbia and Bosnia and Herzegovina.

Regression analysis shows that police authority and procedural justice are related to trust in the police in all countries and police effectiveness in Slovenia, Russia, Romania, Poland, Bosnia and Herzegovina, and Croatia. To draw a tentative conclusion, the police should strive to improve their authority and increase procedural justice, especially their interactions with the public generally and with vulnerable social groups. In addition, police authority should also be improved, but not only by presentation of police statistical data but with successful convictions of criminals on the one hand and prevention of illegal acts on the other. Community policing, especially policing by consent, could improve legitimacy, as shared values are a prerequisite for successful work with communities which do not share (or share a small amount of) values with the majority of population. We know that all these factors have also some political connotation because the police are an extended arm of the state.

Unlike in the other studied countries, due to the economic crisis, the end of 2012 was characterised by the public protests against corrupt politics and politicians in the capital city Ljubljana and several other larger towns across Slovenia. This fact has to be taken into consideration in understanding the results of our survey, especially in regard to Slovenia. Another survey on trust in the police before and after the demonstrations shows that people who participated in the protests believed that the police exceeded their powers and report the decrease in trust in the police while others trusted the police even more than before (Simončič, 2013). Nevertheless, the results of our survey show that trust and legitimacy are the highest in Slovenia in all of the studied countries (see Table 2) presumably due to the fact that community policing has been quite developed

over the years (Meško, Fields, Lobnikar, and Sotlar, 2013) and the police were also affected by the austerity measures (a significant reduction of a public budget for the police, reduction in staffing, early retirements due to the austerity legislation) and increased activities of the police union in fighting for the labour rights of the police. The Slovenian public opinion poll conducted in 2010 reveals citizen satisfaction with police work and attitudes in general. Two-thirds of respondents expressed their satisfaction with police attitudes towards residents and reported respectful behaviour of police officers in police procedures. Moreover, two-thirds of respondents believe that police officers are honest and unbiased (Kurdija, Malnar, Uhan, Hafner Fink, and Štebe, 2012).

Tyler and Fagan (2008) proved that legitimacy influences citizens' cooperation with the police. Results showed that legitimacy is linked to police authority and procedural justice; whereby positive personal experience in police procedure increases the legitimacy. Bearing this in mind, the police can influence their legitimacy by paying attention to their behaviour towards the people. Bradford, Jackson and Hough (2013: 563) found out about the same with placing measures of trust and legitimacy at the centre of policy assessments of police actions and behaviours. In Slovenia, Jere (2013: 159) studied citizens' attitudes toward the police provision of safety/security and found that citizens will only cooperate with the police when they are able to justify and legitimise the common goal in the context of their own values, norms and goals. To conclude, to increase trust in the police, perception of police legitimacy, politicians should also take a moment to reconsider their role in a democratic society. We believe that there can never be too much integrity, honesty, fairness in dealing with clientele of criminal justice system, be it in police proceedings or in any other formal social control activity.

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