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Identity, legitimacy and ‘making sense’ of police use of force

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Identity, Legitimacy and 'Making Sense' of Police Use of Force

Abstract

Purpose: This paper examines the extent to which police legitimacy and social identity explain variation in public acceptance of police use of force.

Design/methodology/approach: The study draws upon cross-sectional data from a 2015 survey of a representative sample of adults in England & Wales. Structural equation modeling is used to model conditional correlations between latent constructs.

Findings: There are two main results. First, identifying more strongly with a social group that the police plausibly represent to people was consistently associated with greater acceptance of police use of force, whether or not that force seemed to be justified. Second, beliefs about the legitimacy of the police were associated with acceptance, but primarily in relation only to the use of force in situations where it appeared prima facie justifiable.

Research limitations/implications: The data afford descriptive analyses of conditional correlations between constructs; they do not allow us to infer any cause-and-effect relationship.

Social implications (if applicable): Results suggest one possible set of reasons why police retain public support in the face of scandals concerning excessive use of force.

Originality/value: This is one of only a very few investigations into (a) the association between legitimacy and public acceptance of apparently illegal or unethical police action and (b) the extent to which identification with a particular social group predicts judgments of police behavior. It is also one of the few papers that has explored the possibility of perverse outcomes arising from procedurally just policing.

Keywords: Police; legitimacy; social identity; use of force

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3 Recent events in the United Kingdom (such as the 2011 riots and the scandal around
4 police infiltration of protest groups) and the United States (for example the fatal
5 shooting of Michael Brown in Ferguson, Missouri in 2014) have refocused attention on
6 police use of force, malpractice and illegality (Silver and Pickett, 2015). Along with
7 intense media coverage and political debate, such events also trigger protests and other
8 action. Yet, despite such tensions, public support for the police often remains relatively
9 strong (ONS 2015). This presents something of a puzzle. Why do well publicized acts of
10 police violence often fail to trigger wider or deeper challenges to the role and position of
11 the police?

12 One explanation for why public support for police does not collapse in the face of
13 sometimes egregious abuse is (a) that significant numbers of people legitimize police
14 and identify with the group that the police represent, and (b) that this legitimization and
15 identification shapes the way they experience and 'read' police activity. This paper
16 explores this possibility. Drawing upon data from a representative sample of people in
17 England and Wales, results suggest that identifying more strongly with a social category
18 the police might plausibly be said to represent ('law-abiding British citizens') is
19 associated with greater acceptance of police use of force – whether it seems legally
20 justified or not. Legitimacy judgments, by contrast, tend to be associated only with the
21 acceptance of use of force that appears justifiable. We conclude with the idea that the
22 potentially delegitimizing effect of future high-profile police violence may be
23 dampened by people's existing (real and imagined) relationships with police.

24 25 26 **Procedural justice, legitimacy and the limits of police power**

27 Much of the work on legitimacy in policing is concerned with the rewards that enhanced
28 legitimacy brings to the police, typically in terms of greater compliance with the law
29 (Jackson et al. 2012a; Tyler, 2006), the willingness of citizens to defer to and cooperate
30 with officers (Tyler and Huo, 2002; Tyler and Lind, 1992; Tyler and Jackson, 2014;
31 Jackson et al. 2012b) and the belief that police monopolize rightful force in society
32 (Jackson et al. 2013). The dominant account of this process is Tyler's procedural justice
33 model. Procedural justice theory suggests that legitimacy is formed most importantly
34 around fairness judgments. A great deal of empirical evidence has shown that when
35 people believe the police operate in a fair, neutral, decent, respectful and open way they
36 are more inclined to grant legitimacy to both organization and institution. The
37 experience of procedural justice in direct police-citizen encounters generates a sense in
38 people that they share norms and values with police, and encourages them to internalize
39 the view that police directives should be listened to and obeyed.

40 This is not, of course, to suggest that other concerns (e.g. effectiveness,
41 distributive justice or respecting the limits of their authority) are unimportant in
42 shaping legitimacy (see for example Tankebe, 2009; Bradford et al. 2014a; Huq et al.
43 2016). But in most developed democracies these factors tend to be outweighed by
44 procedural justice considerations. A clear implication of extant work into procedurally
45 fair policing is that the need for police to generate and reproduce legitimacy serves to
46 constrain police activity and limit police power (Bradford and Jackson, 2016; Coicaud,
47 2002). The fact that perceptions of procedural justice are consistently the most
48 important factors shaping legitimacy judgments, coupled with the established notion
49 that all social institutions rely on legitimacy for their continued existence (Zelditch,
50 2001), suggests that inasmuch as the police rely on legitimacy granted to them by those
51 they police – and, to be sure, there are other sources of legitimacy, such as the location
52 of the police within wider structures of power and authority – they cannot simply 'do
53 what they want' to those they police.

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55 The need to be seen to act in a procedurally fair manner means that officer
56 behavior cannot regularly over-step accepted norms of fair process and fair treatment. If
57 it does, legitimacy will be undermined, placing (by extension) doubt on the continued
58 existence of the particular police organization concerned (or, at least, its senior
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managers and political overseers). Under democratic conditions a police organization that *consistently and on a large scale* exceeded established norms of probity and fairness would eventually find its legitimacy, and thus its continued existence in its given organizational form, under threat. Outside pressures would be brought to bear on the organization, for example by rights groups, community organizations, or legal activists, that might result in significant organizational change and even rupture.

The history of British policing over the last 40 years can be seen in exactly this light. Police in England, Wales and Scotland probably do behave in procedurally – and indeed substantively – fairer ways than in the past, and one reason they do so is precisely that the revelation of legitimacy-undermining activities over the course of the 1970s, 80s and 90s generated multiple forms of social, legal and political attention focused on the activity of police, at local and national levels. It does not seem entirely unrealistic to suggest: (a) that police practice altered as a result of this pressure; and (b) that the need to retain and indeed regenerate legitimacy was one reason for this change.

However, Harkin (2015a, 2015b) has recently argued that procedural justice researchers should direct more attention toward those aspects of police legitimacy that are more troublesome to liberal sensibilities than the established focus on fairness. He notes, for instance, that people may base their legitimacy judgements on the extent to which police direct their attention on denigrated out-groups (2015b). Harkin also uses Lukes' (2005) notion of power to argue that the ideology surrounding policing, and the symbolic and physical powers vested in police, can be important factors generating legitimacy in particular social contexts. He draws on established work on procedural justice and system justification theory (e.g. Van Den Toorn et al. 2011) to argue that some people are motivated to legitimize the police, almost regardless of what they actually do – in this case because many are structurally reliant on police across a number of dimensions. Such individuals are motivated to legitimize the particular (existing) set of power relations within which both they and the police are embedded in order to ameliorate their sense of dependence and insecurity. That is, at least, a guiding prediction of system justification theory (Jost and Banaji, 1994; Jost et al. 2004; Kay et al. 2008).

This paper focuses on and extends one aspect of this debate, which stems directly from the empirical notion of legitimacy described above. Legitimacy is based in an important sense in 'right behavior', but it may also serve to 'make behavior right' (Gerber and Jackson, 2016). Legitimacy may thus shape attitudes inimical to normative concerns about fairness and promote support for an authority that is 'blind' to the moral or ethical content of its behavior. Moreover, the processes that produce and sustain legitimacy, particularly those associated with people's identity judgments, may also correlate with views on potentially problematic aspects of police behavior. And because it is inextricably linked with processes of group identification, police legitimacy may lead to other-directed forms of support for police as group authorities, which in turn may motivate the acceptance of malpractice against denigrated outgroups.

At the threshold, what follows provides a counterpoint to the argument that policing which transgressed norms of procedural fairness over the course of the latter 20th century led to significant institutional pressure and changed police organizations for the better. While policing has indeed changed, one could argue it has not changed very much, or not enough, and there appears to be a relatively high threshold for external pressure on police to 'kick in' and have an effect on police activity (Harkin, 2015; Loader and Mulcahy, 2003; Murray and Harkin, 2016). As well as being a story of change, the history of policing in Great Britain over the last four decades also provides the twin puzzles of why, given the revelation of a whole series of cases involving police malpractice, support for police did not collapse, and why current police organizations, and often personnel, remain essentially unchanged from decade to decade. One answer to these puzzles may be that significant sections of the population are forgiving of malpractice, and are motivated to support police despite sometimes egregious abuses of

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3 power, because the legitimacy police command and the processes that sustain it
4 encourage them to do so (Loader and Mulcahy, 2003).

6 **Legitimacy and attitudes toward police use of force**

7 The argument that legitimacy enables police action lies at the core of procedural justice
8 theory. Many studies have considered the extent to which legitimacy, and associated
9 aspects of people's experiences such as trust, encourage decision acceptance (Tyler &
10 Huo, 2002), generate support for authorities (Sunshine & Tyler, 2003) and are
11 intimately bound up with deference and compliance – and of course a common measure
12 of legitimacy is people's sense that they feel a moral duty to obey the instructions of
13 police officers (Tyler, 2006). On this account, people judge the activity of police and
14 make inferences about the legitimacy the service commands. Legitimacy may attenuate
15 and be withdrawn if those people find that police behaviour does not live up to widely
16 accepted norms of fairness. Legitimacy is thus positioned as the outcome of social
17 relations within which individuals and communities have agency and a reflexive ability
18 to consider and act upon their experiences, judgements and feelings.

19
20 However, procedural justice is not the only factor shaping legitimacy, and indeed
21 legitimacy (and the processes that sustain it) may have outcomes less socially desirable
22 than compliance with the law or public cooperation with police. Why might legitimacy
23 lead to people minimizing or explaining away police malpractice? One reason can be
24 found in theories that stress the extent to which legitimacy involves authorization, or
25 granting a power-holder the right to determine what is proper, desirable and the 'right'
26 thing to do in a given context or situation. Indeed, an act might *become* the right thing to
27 do when it is committed by a legitimate authority. This idea is most closely associated
28 with the work of Herbert Kelman (1973; Kelman and Hamilton, 1989), who has argued
29 widespread acceptance of violent acts can be explained when, and to the extent that,
30 these are committed by authorities that command legitimacy among relevant
31 populations:

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33 “ ... when acts of violence are explicitly ordered, implicitly encouraged, tacitly
34 approved, or at least permitted by legitimate authorities, people's readiness to
35 commit or condone them is considerably enhanced. The fact that such acts are
36 authorized seems to carry automatic justification of them” (Kelman, 1973: 39).

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38 Particularly pertinent is Kelman's argument that subordinates' justification of
39 violence on the part of authorities is related to feelings of threat. When people feel
40 threatened they are more likely to support violent action directed against the
41 threatening party, since “the moral justification for violence depends on the extent to
42 which it is related to the purpose of stopping aggression or neutralizing a threat
43 towards one's self or ... group” (Kelman, 1973: 34). David Garland (2001) and many
44 others have described the extent to which the offender or 'criminal' has been positioned
45 in precisely this light: as a more or less existential threat to the rest of the population
46 and, moreover, part and representative of an “underserving underclass, locked into a
47 culture and mode of life that is both alien and threatening” (2001: 135). While the fall in
48 crime since the turn of the millennium may have made such stereotypes less
49 immediately compelling, they appear to have lost none of their valence, particularly in
50 relation to the putative existence of an irredeemable, criminal, *lumpenproletariat*. The
51 legitimacy police command might therefore shape the extent to which forceful,
52 aggressive or violent police action against members of this underclass – that is,
53 offenders – is construed as justified or acceptable. It is telling in this regard that the first
54 official response to an incident of police use of force is often an attempt to label the
55 victim as an offender, as for example in the Mark Duggan case in London (the shooting
56 of Duggan by police was the trigger for the 2011 riots – Bridges, 2012).

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3 Indeed, in exploiting the contrast between unruly offenders and agents of social
4 justice, violence itself might be recalibrated. Police and offender are placed at
5 antithetical, even archetypal, odds, giving moral impetus to police conduct and enabling
6 the use of force to be positioned as necessary in the service of the 'law-abiding' citizen.
7 Moreover, this contrast between threat and protector may serve to produce a locus of
8 ideas around which the 'respectable' majority can cohere in accounting for their *lack* of
9 violent contact with police. That force is used rarely, discerningly, and against only a
10 minority of citizens suggests there must be something exceptional or unique about
11 those instances where it *is* used to warrant extreme measures (Berki, 1986). On this
12 logic, culpability may be imputed to victims from the very fact of their victimization
13 (Bandura, 1990). Police use of force, by contrast, may be seen not only as a final
14 recourse, used when all other options have been exhausted and found to be ineffective,
15 but also as a defensive *reaction*, compelled by provocation (ibid: 39). The power of
16 police as legitimate 'namers' of problems (Loader and Mulcahy, 2001) may extend to an
17 ability to assign the 'initial' instigation to violence to the non-police actor, vindicating
18 the reasonableness of the police response and serving to obscure (if not entirely
19 displace) causal agency from police and cast doubt on the faultlessness of the victim.
20 Seen in such a light, violent police action might well be conceived as justifiable, not least
21 because the agents enacting it are perceived as legitimate – i.e. as a positive moral force
22 that serves to protect the 'law-abiding majority' against the criminal minority.
23

24 There are other reasons why people might accept or support the use of violence
25 by an authority they perceive as legitimate. One idea is that is simply cognitively easier
26 for people to believe that legitimate authorities always 'do the right thing'. Crandall and
27 Beasley (2001: 79) draw on Heider to argue that we are "motivated to have an
28 affectively uniform impression" of other individuals or organizations. People tend to
29 avoid the cognitive difficulty associated with holding contradictory views by, for
30 example, distorting memories of a person or agency if these contradict the uniformity of
31 an impression. On this account those who believe that the police in a general sense share
32 their own values will be reluctant to believe officers transgress those values. The
33 reverse is also true, of course:
34

35 "naïve [lay] psychology is tautological; bad actions indicate a bad person, and
36 actions are bad when bad people perform them. The result is that if we have some
37 reason to believe a person is an immoral or untrustworthy entity, then we tend to
38 see all their actions, beliefs and values in a negative light" (Crandall and Beasley,
39 2001: 82)
40

41 A version of fairness heuristic theory may also be relevant here (van den Bos et
42 al. 1997). On this account, people use process fairness as a heuristic for judgments about
43 outcome fairness. They are often not in a position to judge whether the outcomes they
44 receive at the hands of criminal justice actors are distributively or substantively fair, not
45 least because they usually lack referent information (e.g. they will not know whether
46 others in a similar position received similar outcomes). Process fairness, which people
47 are more likely to have direct knowledge of, can stand as a substitute for, and indeed
48 driver of, trust in the authority concerned, for example in relation to the outcomes it
49 delivers, and motivate acceptance of its decisions.
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51 Legitimacy may play a similar role in people's perceptions of criminal justice
52 actors, particularly to the extent that it is based on a sense that police and police activity
53 are broadly aligned with societal expectations regarding the appropriate use of power.
54 In the absence of full information or knowledge about what transpired in a given
55 situation, such beliefs may provide a heuristic upon which to base assessments of officer
56 behavior. A strong sense of normative alignment with police, in particular, might
57 encourage people to judge police actions as justified, even if they lack full knowledge,
58 precisely because they believe in a general sense that the police 'do the right thing,' i.e.
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3 act in ways that accord with societal expectations about the appropriate use of power
4 (Jackson et al. 2012a, 2012b). Police themselves are reasonable, authorized, and
5 legitimate, therefore police actions are reasonable, authorized, and legitimate. This is
6 not to suggest a blind or uncritical deference to police authority, but is rather indicative
7 of the privileged place police occupy in many social contexts and the extent to which
8 police officers are imputed, by many, a certain technocratic benevolence: they are acting
9 on society's behalf, in society's best interest. Actions are justified not merely as means to
10 an end, but also because they are deeply embedded within an ideological tradition that
11 couples policing with justice (Loader and Mulcahy, 2003). In evaluating police behavior,
12 people may default to this basis of accepted legitimacy.
13

14 *Procedural justice and group identity*

15 Three reasons why legitimacy might promote acceptance of police use of force and/or
16 malpractice were outlined above. It is equally likely, however, that some of the attitudes
17 and processes that lead to or promote legitimacy might have the same effect. As the
18 reference to fairness heuristic theory suggests, the perception that police generally act
19 in a procedurally fair manner might be one factor: promoting legitimacy, a broader
20 sense that the motives of the police are the correct ones, and the idea that officers make
21 the right decisions for the right reasons. In this paper, though, we concentrate on the
22 association between the legitimacy of the police, as representative of a particular social
23 category, and the identity judgements of the policed. Does affiliation with particular
24 social identities predict greater support for police activities?
25

26 Social identity is central to procedural justice theory. The core idea is that when
27 people feel they share group membership with police, and believe that police are and
28 behave as prototypical representatives of the group concerned, they are more likely to
29 conceive as legitimate the position of the police within the group and the particular set
30 of social relations that determine this position (Turner and Reynolds, 2010). In other
31 words, when people categorize themselves as members of a social group to which they
32 feel police also belong – and represent – they are motivated to support the police
33 because they perceive the police to be legitimate authorities of that group.
34

35 On this account police behavior carries identity relevant information that people
36 use to help constitute and shape their sense of self (Tyler and Blader, 2000, 2003).
37 Broadly speaking, fairness indicates inclusion, status and belonging, thus strengthening
38 shared group identities (between police and citizen, and possibly also between citizen
39 and citizen) and therefore legitimacy (Bradford et al. 2014b, 2015). Fairness also
40 indicates that police are behaving in morally acceptable ways and thus that they are
41 valid and appropriate group representatives, and there is a reflexive aspect to this
42 process. People judge police behavior against established norms of probity and fairness,
43 and actively assess whether police can and should be considered representative of their
44 group (Stott and Drury, 2000; Stott et al. 2012).

45 This line of thinking resonates strongly with the positioning of the British police
46 as representatives of a social order closely associated with a particular vision of the
47 nation state that harks back to an imagined post-war era of stability and cohesion
48 (Loader and Mulcahy, 2003; Reiner 2010). Here, though, what the police do is rather
49 less important than what they represent and their symbolic power (Bourdieu, 1991) to
50 define respectability, belonging and membership (Waddington, 1999). People's reasons
51 for feeling a sense of shared group membership with police are unlikely to be limited to
52 perceptions of fairness/unfairness, and may instead relate in important ways to their
53 wider sense of social and political embeddedness and affiliation.

54 Social identity is always based in distinction and in judgments about 'us' and
55 'them' (Turner and Onorato, 2010). While this process need not and does not inevitably
56 lead to in group bias and discrimination against out groups (Spears et al. 2001), it does
57 not seem unreasonable to suggest that under some conditions the extent to which
58 people feel they share a group identity with the police will influence their propensity to
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3 support police action against members of out groups – particularly relevant other(s)
4 against which the group shared with police is defined. Premised on basic in-group
5 solidarity and out-group prejudice, identity-related support may attach to the police
6 irrespective of what they are doing and to whom.

7 These ideas seem particularly pertinent given that the identity most often
8 associated with police, in the Anglophone world at least, is that of the nation, state and
9 community, or more concretely, the 'law-abiding citizens' of these communities
10 (Bradford et al. 2014b, 2015). Research using UK and Australian data has found
11 consistent associations between this type of social identity and judgements about the
12 fairness and legitimacy of the police. People who identify more strongly as law-abiding
13 citizens tend to have experienced procedural fairness at the hands of officers, believe
14 police are fair in a general sense, and grant more legitimacy. One relevant 'other' here is
15 obvious: the 'non-law abiding citizen' or 'offender' (another may often be ethnic and
16 other minority groups, particularly in contexts where ethnocentrism is strong and the
17 police represent the dominant ethnic group). It may therefore be that the degree to
18 which people identify as 'law abiding citizens' predicts support for aggressive police
19 activity in relation to offenders.
20

21 *Alternate explanations*

22 Clearly there are many other potential reasons why people may or may not support
23 police use of force. Silver and Pickett (2015: 653) distinguish between "utilitarian
24 concerns" about crime, security and the control of deviance, and "symbolic beliefs"
25 rooted in "long-term political orientations" (Tyler and Boeckmann, 1997: 163). The
26 former seem to be only weak and inconsistent predictors of police use of force, as
27 evidenced by Silver and Pickett's own analysis of the US General Social Survey. By
28 contrast outgroup prejudice – as discussed above – and political ideology seem to be
29 consistent predictors of support for police use of force.¹ Notably, conservatives seem to
30 be more supportive of police than those on the left/liberal end of the political spectrum.
31 People high in social dominance orientation and right-wing authoritarianism may also
32 be more supportive of police use of force (Gerber and Jackson, 2016).
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35 **Hypotheses**

36 The discussion above can be distilled into two hypothesis that will guide analysis.
37 Hypothesis 1 is that those who grant the police more legitimacy will be more ready to
38 support police use of force against offenders. Hypothesis 2 is that those who identify
39 more strongly with a group the police might plausibly be said to represent – "the law-
40 abiding citizen" – will be more likely to support police use of force against offenders
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43 **Data and methods**

44 *Participants and procedure*

45 Data are drawn from a national probability sample survey of adults in England and
46 Wales that was conducted as part of the Fiducia project (funded by the European
47 Commission 7th Framework Programme: see www.fiduciaproject.eu). This was a
48 telephone survey, with the sample generated using random digit-dialling, and the
49 interview lasting on average twenty minutes ($n=1,004$). There was a typically low
50 response rate for a telephone survey (6.3%). In the US, for instance, the average
51 response rate for telephone surveys conducted by the Pew Research Centre – a research
52 organization that is a reasonable comparator for the company that conducted the
53 current study – decreased from 37% in 1997 to 9% in 2012 (Kohut et al. 2012; for more
54 general trends see Tourangeau and Plewes, 2013). The situation in the UK is very
55 similar (Curtice n.d.)
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57 ¹ Two other measures that Silver and Pickett (2015) included in their study, religious fundamentalism and
58 'gun culture', are not applicable in the UK context.
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3 But because data are weighted to adjust for non-response and deviations from a
4 representative sample, the sample hopes to reach towards a national sample for
5 England and Wales. Post-stratification adjustment involved weighting respondents'
6 responses based upon gender, age, ethnicity, education, income, region and primary
7 language. We do, of course, acknowledge that the representativeness of our estimates is
8 largely unknown. But we would like to stress two points. First, it has been shown that
9 non-representative sampling methods can produce relatively accurate results with
10 proper statistical adjustment (e.g. Wang et al. 2015). Second, when one is modelling
11 estimated conditional correlations, as opposed to simple means or proportions in a
12 particular population, the representativeness of the sample is arguably less important.
13 By inferring to some sort of super-population rather than a finite-population, one is
14 doing model-based rather than design-based estimation and inference. This view is
15 typically adopted if the study has an analytic focus where one is interested in
16 uncovering mechanisms/relationships that apply more generally, that relate to the data-
17 generating mechanisms driving a particular phenomenon, than simply to a specific
18 finite-population.
19

20 *Constructs and Measures*

21 **Acceptability of police use of force (FORCE).** To measure attitudes towards police use
22 of force (our response variable) respondents were asked whether they thought it was
23 acceptable for officers to use force in the following four scenarios (with the response
24 alternatives ranging from 1=very acceptable to 4=not at all acceptable):
25

- 26 • Use deadly force against a person who is armed and believed to pose a threat to
27 other people's lives
- 28 • Strike a citizen who uses his fists to attack the policeman
- 29 • Use physical force against an offender who is handcuffed and in police custody
- 30 • Use force to arrest an unarmed person who is not offering violent resistance
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33 The scenarios therefore ranged from one in which it seems likely force would actually
34 be justified (deadly force against armed threat) to one in which it would probably not
35 (force in arrest of person not resistant). Two items refer to prima facie justified use of
36 force, that is, and two to unjustified, and all relate to individuals implicitly or explicitly
37 identified as offenders. We acknowledge, however, that there is some ambiguity in the
38 four scenarios, particularly the third and fourth. The application of force is, at least in
39 certain circumstances, permissible during the arrest of an unarmed person who is not
40 offering violent resistance – for example if they are attempting to flee. The items do not
41 provide sufficient information for respondents to make fine-grained decisions about the
42 putative police actions concerned. What we are plausibly tapping into are, instead,
43 respondents' 'gut reactions' to hearing about police use of force. It seems reasonable to
44 suggest, therefore, that respondents will *typically* judge these latter scenarios as
45 involving unreasonable use of force.
46

47 There are three main explanatory variables. Two are related to **Police legitimacy**.
48 We differentiate between entitlement to be obeyed and the right to power (Jackson et al.
49 2012a; Tyler & Jackson 2013). To measure felt obligation to obey police authority
50 (OBEY), respondents were asked:
51

52 *Now some questions about your duty towards the police in the UK, where duty means*
53 *you have a moral responsibility to obey the police. Using a scale from 1 to 7 where*
54 *1=not at all my duty and 7=completely my duty, to what extent do you feel it is your*
55 *moral duty to...*
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- ... back the decisions made by the police because the police are legitimate authorities?
- ...back the decisions made by the police even when you disagree with them?
- ...do what the police tell you even if you don't understand or agree with the reasons?

To measure the right to power, respondents were asked to rate whether the police acted in ways that aligned with normative expectations regarding appropriate and desirable conduct (NORM):

- The police usually act in ways that are consistent with my own ideas of right and wrong.
- The police can be trusted to make the right decisions
- The police generally have the same sense of right and wrong as I do.

The response alternatives were: : (1) strongly disagree, (2) disagree, (3) neither disagree nor agree, (4) agree, and (5) strongly agree.

The third explanatory variable was **Social identity** (ID). Respondents' social identification was measured using four items:

- I see myself as a member of the British community
- It is important to me that others see me as a member of the British community
- I see myself as an honest, law abiding citizen
- It is important to me that others see me as an honest, law-abiding citizen

The response alternatives were 'not important at all', 'not very important', 'fairly important' and 'very important.'

Three further variables were included in the models in order to tap into aspects of the wider processes that generate legitimacy. First was **Procedural fairness** (PJ), which was measured by four items:

- Based on what you have heard or your own experience, how often would you say the police generally treat people in the UK with respect?
- (and) how often would you say the police try to do what is best for the people they are dealing with?
- About how often would you say that the police make fair and impartial decisions in the cases they deal with?
- And when dealing with people in the UK, how often would you say the police generally explain their decisions and actions when asked to do so?

The response alternatives were: (1) not at all often, (2) not very often, (3) fairly often and (4) very often.

The second additional variable was **Effectiveness** (EFF). Respondents were asked (using a scale from 1 to 7):

- ... how successful do you think the police are at preventing crimes in the UK where violence is used or threatened? (1=extremely unsuccessful; 7=extremely successful)
- ... how successful do you think the police are at catching people who commit house burglaries in the UK? (1=extremely unsuccessful; 7=extremely successful)
- If a violent crime were to occur near where you live and the police were called, how slowly or quickly do you think they would arrive at the scene? (1=extremely slowly; 7=extremely quickly)

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4 Finally, we included a measure of **Political ideology** (LEFTRIGHT) based on a
5 standard single indicator. This measure represents an important control variable in the
6 analysis:

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- In politics people sometimes talk of “left” and “right”. On a scale of 1 to 7 where
12 1=completely on the left and 7=completely on the right, where would you place
13 yourself politically?

14 *Descriptive statistics*

15 The structure of the sample and descriptive statistics for key variables are shown in
16 Appendix Tables 1 and 2. Note that respondents were much more likely to find police
17 use of force acceptable in the first two scenarios than in the second two (Appendix Table
18 2). For example, 60% felt the use of deadly force against an armed threat was ‘very
19 acceptable’; by contrast, only 1% felt the same way in relation to the use of force to
20 arrest an unarmed person who is not offering violent resistance. This would seem to
21 support our claim, above, that the first two items refer to what many might consider the
22 justified use of force, while the second two items refer, broadly speaking, to the
23 apparently unjustified use of force.

24 *Analytical strategy*

25 Structural equation modeling (SEM) was used to estimate relations between constructs.
26 We used MPlus 7.2 to do the analysis. Full information maximum likelihood estimation
27 was used to take into account item non-response. Indicators were set as categorical
28 where appropriate so as not to violate scale of measurement assumptions. The data do
29 not permit causal inference. But by collecting data from a representative (weighted)
30 sample, this method allows estimation of conditional correlations between latent
31 constructs in the adult population of England and Wales.

32 The general model tested is shown in Figure 1. It reproduces one form of the
33 basic procedural justice model, in that perceptions of police procedural justice and
34 effectiveness are linked to legitimacy both directly and via the mediating construct of
35 social identity (see for example Bradford et al. 2014b). Political ideology was added to
36 this as a potential predictor of legitimacy (since conservatives seem to be more
37 supportive of police) and of the ultimate outcome indicator acceptability of police use of
38 force. Four separate models were estimated, one for each of the four use of force items.

39
40 **Figure 1 near here**

41 **Results**

42
43 Results from the SEMs are shown in Table 1. The approximate fit statistics indicate an
44 adequate fit to the data in every case (Hu and Bentler 1999); the exact fit statistics (Chi-
45 square) are typically ignored in such instances.

46
47 The most striking finding is that identifying more strongly as a ‘law-abiding UK
48 citizen’ was consistently associated with greater acceptance of police use of force.
49 Across all four scenarios, those who identified more strongly were more likely to
50 support the police use of force as described in the vignettes. Hypothesis 2 was therefore
51 supported by our data.

52
53 By contrast, legitimacy judgments had associations with some of the response
54 variables but not others. Normative alignment was associated with the first and second
55 scenarios but not the third and fourth. Given the first two vignettes represent situations
56 where police use of force might plausibly be justified – although, of course, it might not,
57 and the vignette does not provide conclusive detail one way or the other – it could
58 indeed be that feeling the police share and act on appropriate norms and values acts as a
59 heuristic, enabling judgements about the appropriateness of police action in a low
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3 information environment or where there is uncertainty about what transpired. When
4 the police action involved is more clearly 'wrong' (e.g. there are relatively few situations
5 where use of physical force when arresting someone not offering resistance is justified),
6 this aspect of legitimacy had no significant association with justification of police
7 actions. Duty to obey had a significant association with only one of the response
8 variables, 'Force on handcuffed offender'; conditioning on the other variables in the
9 model, there was no association between perceived duty to obey the police and any of
10 the other outcome measures. This finding is a little hard to explain, given the
11 consistency of the other statistical effects, and it may be little more than a type I error.
12 Hypothesis 1 was therefore only partially supported by the data – legitimacy was
13 associated with attitudes toward police violence, but only in certain circumstances.
14

15 **Table 1 near here**

16
17
18 A further notable finding from the models shown in Table 1 is that while political
19 affiliation had some association with attitudes toward police of force – those who placed
20 themselves further to the right tended to be more supportive – this statistical effect was
21 generally smaller and less consistent than that of the identity measure.

22 Finally, the indirect statistical effect of perceptions of or trust in police fairness
23 on acceptance of the use of force is also worth noting. This was negative, and significant
24 ($p < .05$) in all four models (average std. $\beta = -.15$). People who believed that police were
25 procedurally just tended to be more ready to accept the use of force. To investigate
26 further all four models were re-estimated, this time allowing in each a direct path from
27 trust in procedural fairness to the use of force variable. However this path was not
28 significant in any model ($p > .10$ in every case): the influence of trust in procedural
29 fairness on acceptance was entirely mediated by the legitimacy and identity measures,
30 suggesting that our original model specification, shown above, was the correct one.
31 Perceptions of procedural justice (which relate primarily to trust in the police) did not
32 shape acceptance of force directly, but only via association with the legitimacy and
33 social identity measures.
34

35 **Discussion and conclusion**

36 The findings reported above provide evidence for the idea that identifying with the
37 police and social groups associated with police is linked to greater acceptance of the use
38 of force. Recall that the survey items comprised very brief 'vignettes,' in which
39 respondents were offered no contextualizing evidence. This, in turn, suggests that in
40 ambiguous or uncertain circumstances people tend to default to identity judgments,
41 inferring intentions and attributing causality according to the characteristics associated
42 with a particular group (Hewstone and Jaspars, 1984). In order to make sense of the
43 police use of force, people may interpret police behavior in light of shared group
44 membership (Turner, 1984) – or the lack thereof. Those individuals who associate more
45 strongly with the group police represent (who see themselves as 'law-abiding citizens')
46 may be motivated to support police actions because they perceive police behavior
47 through the lens of what they imagine to be common values and norms, and because
48 they seek to sustain favorable self-concepts (Tajfel and Turner, 1986). 'Strong
49 identifiers' are motivated to believe police do the right thing because this is in a sense to
50 believe that they themselves do the right thing: sharing a group with police means also
51 sharing norms and values. Conversely, those who identify less strongly with police may
52 be more ready to be critical of police precisely because they are inclined to see police
53 activity as indicative of *conflicting* norms and values, i.e. those of a group other than
54 their own.
55

56 It is also likely that violence can shift people's sense that they share group
57 membership with police. Hearing about or seeing unjustified acts of violence might lead
58 people to infer that police do not share their values, encouraging a sense that police are
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3 representatives of a group to which they would *not* want to belong (since its authorities
4 behave badly) or, perhaps more likely, that police have lost their claim to represent the
5 community of the law-abiding and indeed have excluded themselves from it. This
6 suggests there are likely important feedback loops in the processes described in the
7 paper, which cross-sectional data cannot address. This is a major limitation to this
8 study, and longitudinal and experimental research into these issues in the future would
9 be most welcome.

10 That said, what has perhaps been captured best here is an insight into the way
11 people process and react to stories about police violence in low information contexts
12 (such as, for example, media reports). It is entirely plausible to suggest that they 'read'
13 such stories in the light of their pre-existing opinions of, or relationships with, police,
14 and judge the acceptability of police action accordingly. Social identity judgments –
15 essentially, in-group favoritism – may be an important factor in sustaining wide public
16 support for police in the face of behavior that might otherwise undermine it. There is
17 likely a deductive element to this process, such that the characteristics of discrete
18 individuals (i.e. police officers) are inferred from the attributes of a group as a whole
19 (e.g., that the group, and the police as representatives of it, are legitimate, just and
20 proper). There is also likely an inductive element, such that the defining characteristics
21 of the groups involved are inferred from the typical or common attributes of group
22 members/actions (i.e., because most police-public encounters are legitimate, police may
23 be seen as legitimate) (Turner, 1984: 527). Social identity judgments and legitimacy
24 may thus reproduce and sustain each other in a recursive cycle. While this paper has
25 only touched the surface of the theoretical and practical implications of this process, it
26 may go some way in accounting for the simultaneous, even complementary, existence of
27 police legitimacy and malpractice.
28

29 However, it is important to note that legitimacy, as measured, does not appear to
30 give police carte blanche. The findings here accord with those of Gerber and Jackson
31 (2016), who draw a convenience sample of MTurk participants in the US, to find that
32 legitimacy was associated with support for reasonable but not excessive violence (and,
33 as mentioned earlier in the paper, that right-wing authoritarianism and social
34 dominance orientation were associated with support for excessive but not reasonable
35 violence). The values people are thinking about when they assess the extent of
36 normative alignment between themselves and the police, premised most importantly in
37 notions of fairness, equity and respect (procedural justice), seem to impede acceptance
38 of police actions that can more clearly be identified as wrong – but a sense of shared
39 values may serve to reduce uncertainty when use of force appears justified. This
40 highlights the complexity of people's relationships with the police. Procedural justice,
41 for example, seems to be linked to both a broadly unquestioning support for the police,
42 via social identity, and with a more value-based support, via normative alignment.
43 Which of these processes is more important in a given context or situation may go
44 some way to explaining why public assessments of police change, or remain stable, over
45 time.
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Table 1: Results from four SEM models predicting acceptance of police use of force against offenders

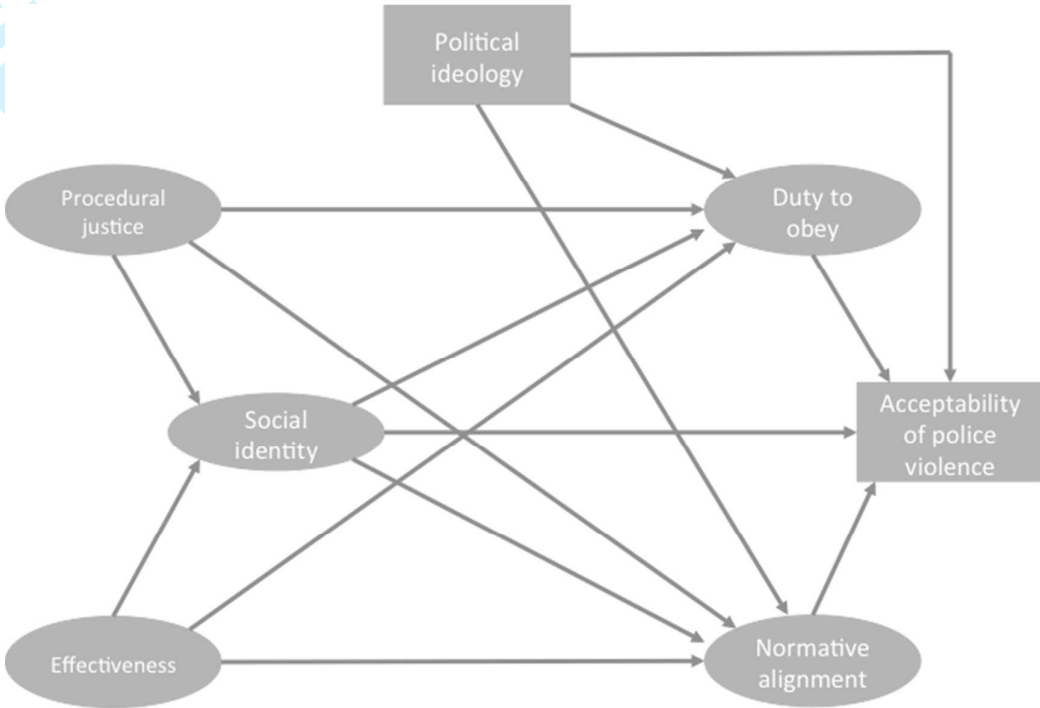
Response variables coded such that high=less acceptable

			Deadly force against armed threat	Stikes citizen who attacks	Force on handcuffed offender	Force in arrest of unarmed person
PJ	-->	ID	.264***	.263***	.246***	.245***
EFF	-->	ID	.057	.062	.085	.087
PJ	-->	OBEY	.233***	.233***	.237***	.242***
EFF	-->	OBEY	.215***	.213***	.210***	.203***
ID	-->	OBEY	.328***	.327***	.322***	.323***
LEFTRIGHT	-->	OBEY	.053	.055	.054+	.052
PJ	-->	NORM	.603***	.606***	.604***	.604***
EFF	-->	NORM	.124**	.120**	.127**	.127**
ID	-->	NORM	.115**	.111**	.107**	.108**
LEFTRIGHT	-->	NORM	.067*	.069*	.068*	.066*
ID	-->	FORCE	-.289***	-.114*	-.164**	-.173**
OBEY	-->	FORCE	.086	.047	-.163*	-.017
NORM	-->	FORCE	-.142**	-.186**	-.042	-.059
LEFTRIGHT	-->	FORCE	-.038	-.092*	-.003	-.087+
PJ	<->	EFF	.611***	.611***	.611***	.611***
PJ	<->	LEFTRIGHT	.129**	.130**	.129**	.128**
EFF	<->	LEFTRIGHT	.081*	.076+	.083*	.088*
OBEY	<->	NORM	.415***	.418***	.417***	.418***
ID	<->	LEFTRIGHT	.227***	.228***	.228***	.228***
Chi2			362.0	380.0	384.8	371.6
DF			117	117	181	117
p-value			<.0005	<.0005	<.0005	<.0005
RMSEA			0.04	0.05	0.05	0.05
CFI			0.98	0.98	0.98	0.98
TLI			0.97	0.97	0.97	0.97

*** p<.001; ** p<01; * p<.05; + p<.1

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Figure 1: General form of model tested



Appendix Table 1: Structure of the sample

			Percentages
Age		Employment status	
18-24	13	Full-time employee	33
25-34	13	Part-time employee	13
35-44	9	Self-employed	12
45-54	20	Unemployed	4
55-64	20	Student	5
65-74	17	Retired	27
75 and over	8	Other	5
Gender		Highest qualification	
Female	47	Degree-level	42
Male	53	Below degree level	45
		No qualifications	12
Ethnic group		Political affiliation (7-point scale)	
White British	88	Left (1-3)	30
Any other	12	Centre (4)	37
		Right (5-7)	34
Area type			
Urban	75		
Rural	26	Unweighted n (=100%)	1,004

Note: Totals may not sum to 100 due to rounding

Appendix Table 2: Variables for analysis

	Mean	Std. Dev.	Min	Max
Latent variables				
Procedural justice	-0.02	0.73	-2.60	1.56
Effectiveness	0.00	0.96	-2.89	2.42
Duty to obey	-0.01	1.23	-3.78	1.96
Normative alignment	-0.01	0.64	-2.17	1.27
Social identity	-0.03	0.41	-1.55	0.86
Attitudes toward police use of force				
Deadly force against armed threat	1.49	0.69	1	4
Stikes citizen who attacks	1.95	0.95	1	4
Force on handcuffed offender	3.37	0.84	1	4
Force in arrest of unarmed person	3.62	0.64	1	4

Table 1: Results from four SEM models predicting acceptance of police use of force against offenders

Response variables coded such that high=less acceptable

All other variables coded such that high='more'

			Deadly force against armed threat	Stikes citizen who attacks	Force on handcuffed offender	Force in arrest of unarmed person
PJ	-->	ID	.264***	.263***	.246***	.245***
EFF	-->	ID	.057	.062	.085	.087
PJ	-->	OBEY	.233***	.233***	.237***	.242***
EFF	-->	OBEY	.215***	.213***	.210***	.203***
ID	-->	OBEY	.328***	.327***	.322***	.323***
LEFTRIGHT	-->	OBEY	.053	.055	.054+	.052
PJ	-->	NORM	.603***	.606***	.604***	.604***
EFF	-->	NORM	.124**	.120**	.127**	.127**
ID	-->	NORM	.115**	.111**	.107**	.108**
LEFTRIGHT	-->	NORM	.067*	.069*	.068*	.066*
ID	-->	FORCE	-.289***	-.114*	-.164**	-.173**
OBEY	-->	FORCE	.086	.047	-.163*	-.017
NORM	-->	FORCE	-.142**	-.186**	-.042	-.059
LEFTRIGHT	-->	FORCE	-.038	-.092*	-.003	-.087+
PJ	<-->	eff	.611***	.611***	.611***	.611***
PJ	<-->	LEFTRIGHT	.129**	.130**	.129**	.128**
EFF	<-->	LEFTRIGHT	.081*	.076+	.083*	.088*
OBEY	<-->	NORM	.415***	.418***	.417***	.418***
ID	<-->	LEFTRIGHT	.227***	.228***	.228***	.228***
Chi2			362.0	380.0	384.8	371.6
DF			117	117	181	117
p-value			<.0005	<.0005	<.0005	<.0005
RMSEA			0.04	0.05	0.05	0.05
CFI			0.98	0.98	0.98	0.98
TLI			0.97	0.97	0.97	0.97

*** p<.001; ** p<.01; * p<.05; + p<.1

Appendix Table 1: Structure of
the sample

		Percentages
Age		
18-24	13	Full-time employee 33
25-34	13	Part-time employee 13
35-44	9	Self-employed 12
45-54	20	Unemployed 4
55-64	20	Student 5
65-74	17	Retired 27
75 and over	8	Other 5
Gender		
Female	47	Degree-level 42
Male	53	Below degree level 45
		No qualifications 12
Ethnic group		
White British	88	Political affiliation (7-point scale)
Any other	12	Left (1-3) 30
		Centre (4) 37
		Right (5-7) 34
Area type		
Urban	75	
Rural	26	Unweighted n (=100%) 1,004

Note: Totals may not sum to 100 due to rounding

**Appendix Table 2: Variables
for analysis**

	Mean	Std. Dev.	Min	Max
Latent variables				
Procedural justice	-0.02	0.73	-2.60	1.56
Effectives	0.00	0.96	-2.89	2.42
Duty to obey	-0.01	1.23	-3.78	1.96
Normative alignment	-0.01	0.64	-2.17	1.27
Social identity	-0.03	0.41	-1.55	0.86
Attitudes toward police use of force				
Deadly force against armed threat	1.49	0.69	1	4
Stikes citizen who attacks	1.95	0.95	1	4
Force on handcuffed offender	3.37	0.84	1	4
Force in arrest of unarmed person	3.62	0.64	1	4

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