

## **UNIVERSITY STUDENTS AND POLICE LEGITIMACY: THE SOUTH AFRICAN POLICE SERVICE BEFORE THE LOUDSPEAKER**

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### **—Abstract—**

Although criminological researchers in Western democracies – and to a lesser extent in contemporary African societies – have explored the importance of police legitimacy in eliciting public law-abiding attitudes, they have largely focused on the general population, with little consideration for specific segments of the population. One of such segments is university students. Given the dearth of research on perceptions of police legitimacy in South Africa, the study explored the views of university students on the police, and an effort was made to determine how their perceptions influenced their confidence in the legitimacy of police actions. A cross-sectional survey design was adopted for the study and a sample of 620 student participants was drawn from a large university in South Africa for the survey. The data specifically assessed these university students' perceptions regarding the legitimacy of the South African Police Service (SAPS) as well as the factors that shaped their perceptions. The main findings revealed that university students experienced the police as ineffective due to misconduct and that this influenced their perceptions of police negatively and thus hampered their confidence in the legitimacy of police actions. The implications of the findings suggest that police officers should adhere to the fundamental ethos of policing, particularly in a transitional society such as the one South Africa is

experiencing now. It was concluded that if police legitimacy is to be enhanced, especially in the view of university students, measures that will promote mutual respect and cooperation and that will enhance perceptions of police legitimacy should be introduced and sustained.

**Key Words: university students, police, legitimacy, South Africa**

**JEL Classification: L84**

## **1. INTRODUCTION**

Since Tom Tyler's (1990) ground-breaking presentation on the legitimacy of legal institutions, there has been a renaissance of interest in the field of criminology and criminal justice, with specific reference to the importance of police legitimacy in engendering public law-abiding attitudes (Tankebe, 2008, 2014; Bottoms, 2002). Such interest might have stemmed from the realisation that, in modern democracies, an orthodox deterrence approach to public compliance with the law and general cooperation with legal authorities has not been effective (Brogden & Nijhar, 2005; Sunshine & Tyler, 2003). Therefore, without completely jettisoning the deterrence model, many countries have embraced community policing as a viable alternative to securing public cooperation with the police and compliance with legal authorities. However, for such cooperation and compliance to be achieved and sustained, public confidence in the police, especially in terms of the legitimacy of police actions, is fundamental. Several studies have explored police legitimacy and the factors that promote it in society (Jackson, Bradford, Hough, Myhill, Quinton & Tyler, 2012; Kochel, 2012; Sunshine & Tyler, 2003). One common characteristic of these studies is that they focused extensively on the factors that shape citizens' perceptions of police legitimacy from the general population's perspective, with little consideration given to the views of specific segments of the population.

In recent times, South African universities have become synonymous with protest actions and pockets of illegitimate activities, irrespective of the academic and democratic values that underpin their organisation and operations (Bello & Steyn, 2019). A dilemma has consequently been created due to a dearth of research that explores students' perceptions of police legitimacy. In light of this gap in scholarly knowledge, the study that this article expounds sought to explore university students' perceptions of police legitimacy in South Africa. To achieve this goal, a representative sample of students was drawn from one of the largest universities in South Africa.

Justification for this study was underpinned by the need to understand whether university students – who may later become police officers, crime prevention experts, policy makers or academics – have a robust understanding of what constitute police legitimacy and how it influences society when compromised. Moreover, academics need to be conversant with the views of university students about police legitimacy as well as the factors that influence their views and how their perceptions can change in the course of their academic pursuits. This article aims to address two pertinent questions: (1) What are the factors that shape South African university students' perception of police legitimacy? and (2) What is the role of police effectiveness in university students' evaluation of police legitimacy?

With reference to the views of a sample of 620 university students who participated in a survey between the first and second quarters of 2018, this article assesses some specific perceptions that were held by these students regarding the legitimacy of the South African Police Service (SAPS) as well as the factors that shaped their perceptions. More specifically, the discourse explores university students' experiences and perceptions of police corruption, cynicism, abuse, brutality and other misconducts that may have had a significant effect on their confidence in police legitimacy. It is envisaged that the findings will contribute to the field of police science and to more effective policing in South Africa.

## **2. LITERATURE REVIEW**

### **2.1. Police legitimacy, procedural justice and public cooperation**

Crime control, order maintenance and public safety are part of the cardinal roles of the police in different parts of the world, but it requires voluntary public cooperation for the actualisation and sustainability of police effectiveness. Previous studies have adopted different models in explaining factors that shape citizens' willingness to interact, obey and cooperate with the police (Tyler, 1990; Tyler, 2004; Sunshine & Tyler, 2003; Tyler & Fagan, 2008). One of these models assumes that the police can only secure public cooperation when they have been effective in order maintenance and social control (Tyler, 2004; Tyler & Fagan, 2008; Reisig, Tankebe & Meško, 2012). According to this model, cooperation is founded on a cost-benefit basis as citizens are less likely to obey the police and comply with legal requirements if doing so will incur more costs than benefits. Conversely, citizens are more likely to obey, defer to and assist the police in crime control and other order maintenance activities if doing so will accrue more benefits than cost (Reisig, Tankebe, & Meško, 2014).

Researchers have identified police effectiveness as a major determinant of the public's perception of police legitimacy (Tankebe, 2013; Jackson et al., 2012; Tyler, 2003). Fundamentally, wide consensus considers effective police response to the security challenges and safety needs of citizens as an incentive for reconstructing public perception of police legitimacy (Bottoms & Tankebe, 2012; Tankebe, 2013). Moreover, efforts to reduce crime rates and maintain public order serve as normative performance indices that shape public perception of police legitimacy (Tankebe, 2013). Studies have also shown that citizens' cooperation with and willingness to assist the police in crime control are shaped by their perception of police legitimacy (Bradford, Huq, Jackson & Roberts, 2013; Tyler & Fagan, 2008; Tyler, 2006). Under this model, people obey laws and "express moral and social norms that are widely held by both dominant and subordinate social groups" (Tyler & Fagan, 2008:234–235). Contrary to individuals' pursuit of self-interest that characterised the former model, the legitimacy model holds that people obey laws, voluntarily defer to those in positions of authority, and cooperate with such figures because they view this as their moral obligation.

Legitimacy essentially occurs when legal authorities earn public support (Akinlabi, 2017; Reisig, Tankebe & Mesko, 2014; Bradford et al., 2013), hence legitimacy exerts a great deal of influence on legal compliance. Simply put, legitimacy is the right to govern and the recognition of that right by the governed (Tankebe, 2007; Coicand, 2002). It is the basis upon which police authority is built and what citizens recognise in the police that make them duty-bound to obey them (Tyler, 2006).

Public perception of police legitimacy is undeniably shaped by police officers' lawful conduct (Bradford, 2014) and it is exemplified in the ability of police officers to conform to established rules within specific societies and under specific circumstances. Legitimacy implies policing within the confines of the law, or policing based on strict adherence to the rule of law when police officers execute their constitutional responsibilities. Thus the police should only enforce and not make or formulate laws (Bottoms & Tankebe, 2012). Where citizens witness or have vicarious knowledge/experience of police brutality (such as the killing of crime suspects), or when they witness the police receiving kickbacks from lawbreakers or engage in any form of misconduct, their perceptions of police legitimacy is eroded (Jauregui, 2013). Such unlawfulness will inhibit what Tankebe, Reisig and Wang (2016:16) describe as "the construction, maintenance, and reproduction of [the] legitimate power" of the police.

Scholars have argued that the most powerful determinant of police legitimacy is procedural justice (Muratbegović, Vujović & Fazlić, 2016; Tyler & Jackson, 2013). Judgments about procedural fairness or procedural justice have shaped perceptions of police legitimacy and public compliance with the law (Tyler & Jackson, 2013; Tyler & Fagan, 2008; Murphy, Murphy & Mearns, 2010). Citizens who have experienced unfair or disrespectful treatment by legal authorities are likely to query the legitimacy of the law and those in authority, which may have an adverse effect on their willingness to comply with the law.

## **2.2. Police corruption and brutality and the effects of such behaviour on perceptions of police legitimacy in South Africa**

Although police practice and operational style in post-democratic South Africa differ from the pre-independent style of policing, these phenomena are still reflected in some structural ideals that branded policing during the apartheid era. Despite the changes in the police institutional nomenclature from a force to a service, it seems that the pre-independence orientations of human rights abuses that materialised in police brutality, high-handedness and corruption have not been eradicated from police practices. In recent years, South Africans have witnessed an upsurge in incidences of police corruption, brutality and other ancillary acts of misconduct. These incidences have brought unprecedented local and international media attention upon the SAPS and it has invited heavy criticisms due to publicised events of police killings (Burger, 2013). Prominent among these cases is the killing of protesting mine workers at Marikana, otherwise described as the 'Marikana massacre', and the killings of Andries Tatane and Emidio Macia (Burger, 2013). The recent spate of police corruption and other misconducts has compelled many citizens to ask whether SAPS members are there to serve and protect the public or the interest of a certain politico-aristocratic class.

Regardless of varying views about the above debate, incidences of police abuse, corruption and other forms of misconduct inarguably shape public perception of police legitimacy in South Africa. While studies in the West and in Africa have explored public perceptions of police legitimacy (Sunshine & Tyler, 2003; Murphy, 2015), their results may not hold traction in South Africa as a transitional society. Moreover, findings from cohesive societies of the West may not be consistent with those of less cohesive societies of Africa and, more particularly, South Africa. Moreover, these studies primarily focused on the views of the broader population, with little consideration for the opinions of specific segments of the population (Boateng, 2016). Against this backdrop, the goal of this paper is

to contribute to existing literature on police legitimacy by evaluating current views of university students on the topic of police legitimacy.

Trust in the police and officers' procedural fairness becomes vital when cases of police corruption and brutality are on the rise. Any inconsistencies impact public perceptions negatively and diminish perceptions of police legitimacy (Akinlabi, 2017; Tankebe, 2010). Bolstering this argument, Gerber and Mendelson (2008) opine that police corruption and brutality reduce citizens' support and acceptance of any claim the police might have to legitimate power, and the public's willingness to defer to them is then compromised. The public's resentment also lowers or completely erodes the normative 'respect' citizens accord the police. This scenario is commonplace in several contemporary African societies where citizens take the law into their hands by meting out 'jungle' or 'mob' justice upon suspected criminals, even when the police have been alerted (Alemika, 1999).

Socio-political environments also play a significant role in shaping citizens' perceptions of their obligation towards the police. Although this position has not really gained traction in criminological literature, it has been identified as a major determinant of citizens' attitudes towards the police (Akinlabi, 2015). Therefore, public perception may not only be influenced by the levels of police abuse, brutality, corruption and other misconducts, but it is also linked to the failure of the government to provide service delivery to its citizens. Public dissatisfaction with service delivery often fuelled protest actions that resulted in violent clashes with the police. All these indicators may provoke public cynicism towards the police and political institutions, causing political cynicism (Akinlabi, 2015).

### **3. METHODS**

#### **3.1. Participant selection and survey procedures**

The data were collected by means of a cross-sectional survey of 620 students from the University of KwaZulu-Natal (UKZN) in Durban, South Africa between the first and second quarters of 2018. Participants were selected using a convenience sampling technique due to the busy schedules of students in the survey period. Efforts were made to achieve a sample that would be reflective of the demographic diversity and composition of students at the selected university.

After obtaining permission from all relevant gatekeepers, lecturers teaching specific courses were requested to administer the questionnaires during the first few minutes of their lecture periods. The students were informed of the purpose of the study, all ethical factors, and all participation requirements. A total of 800

hard copy questionnaires were administered but 620 were retrieved, indicating a response rate of 85.3%.

### **3.2. Quantitative data analysis measurements**

#### **3.2.1. Dependent variables**

To determine the university students' assessment of police legitimacy, three dependent variables informed the study: trust, confidence in the police, and police effectiveness and procedural fairness.

##### ***Trust and confidence in the police***

This variable was operationalised using a four-item scale. The data were recorded according to a 5-point Likert-type scale (1 = strongly disagree to 5 = strongly agree). The responses were combined to create a trust and confidence index (Cronbach alpha of  $\alpha = 0.69$ ; mean = 9.10; SD = 3.42).

##### ***Police effectiveness***

Police effectiveness was measured using six items. Each item had a response set ranging on a scale of 1 to 5 (1 = strongly disagree to 5 = strongly agree). All the data were combined to create a police effectiveness index (Cronbach alpha of  $\alpha = 0.82$ ; mean = 13.54; SD = 5.19).

##### ***Procedural fairness***

Police procedural fairness was measured using a seven-item scale that was measured on a 5-point Likert-type scale (1 = strongly disagree to 5 = strongly agree). The Cronbach alpha was  $\alpha = 0.77$ ; mean = 15.63; SD = 4.01.

#### **3.2.2. Independent variables**

The effects of the above-mentioned dependent variables were examined on the independent variables which were: experiences of police corruption, police legitimacy, police abuse and brutality, and demographic variables.

##### ***Police corruption***

Police corruption was measured using a three-item scale. The items assessed the supposition that students' personal experiences of police corruption shaped their confidence in the police. The instrument was adapted from the original of Tankebe (2010) and Sunshine and Tyler (2003). The data were measured on a 5-point Likert-type scale (1 = strongly disagree to 5 = strongly agree). The Cronbach alpha was  $\alpha = 0.88$ ; mean = 6.92; SD = 3.30.

### ***Political cynicism***

Political cynicism was measured using a five-item scale in line with the conceptualisation measured by Akinlabi (2015). The purpose was to assess the extent to which students held political authorities, and by extension the police, accountable. The data were measured on a 5-point Likert-type scale (1 = strongly disagree to 5 = strongly agree) and a Cronbach alpha of  $\alpha = 0.71$ ; mean = 13.25; SD = 3.84 were observed. Ascending scores indicated an increasingly positive perception of police legitimacy.

### ***Police abuse and brutality***

University students' personal experiences or vicarious experience/knowledge of police abuse and brutality were measured using a five-item scale. The items measured whether experiences/knowledge of police abuse and brutality shaped their willingness to cooperate with the police and whether they accepted the legitimacy of the police. This scale was adapted from the subscale proposed by Akinlabi (2015) to measure police abuse and brutality. The responses were measured on a 5-point Likert-type scale (1 = strongly disagree to 5 = strongly agree). The results revealed a Cronbach alpha of  $\alpha = 0.70$ ; mean = 9.53; SD = 3.53. Ascending scores indicated an increasingly positive perception of police legitimacy.

## **4. RESULTS**

### **4.1. Students' perceptions of and confidence in police legitimacy**

To determine the respondents' perception of the SAPS, frequency distributions and descriptive statistics were conducted, and the results are presented in Table 1. Three broad inferences were established from the observed patterns. From the trust/confidence perspective, the participants had a moderate low confidence in the police as 68% indicated that the police could not be trusted to make the right decisions, while 65% had little confidence that the police could do their job well. In terms of the procedural justice and fairness of the police, similar results were obtained as 67% held the belief that the police did not give people the opportunity to express their views before decisions were made, while 71% indicated that the police often did not make decisions based on facts but based on their personal biases and opinions. In terms of police effectiveness, the participants rated the performance of the police as almost average as 49% believed that the police did not respond promptly to calls about crime, while 43% indicated that the police were always not able to provide the assistance the public needed from them.



**Table 1: Percentage distributions of students' perceptions of and trust in the police (n=682)**

Items	Rating options (%)				
	(1)	(2)	(3)	(4)	(5)
<i>Trust and confidence in the police<sup>a</sup></i>					
The police are trustworthy.	30.3	32.1	18.2	13.2	6.1
The police can be trusted to make the right decisions.	32.3	35.5	17.1	10.0	5.2
I have absolute confidence that the police can do their job well.	31.5	33.7	17.6	11.8	5.5
The police are generally honest.	32.6	31.6	17.4	12.3	6.1
<i>Procedural justice<sup>b</sup></i>					
If you are treated unfairly by the police, it is easy to get your complaint heard.	31.3	34.0	17.4	9.5	7.7
Overall, I am satisfied with how the police treat people and handle problems in my community.	30.2	35.5	17.4	9.8	7.1
Police treat all people fairly and equally.	26.6	29.0	18.1	9.0	7.3
Police allow people to express their views before decisions are made.	35.6	31.8	17.6	7.7	7.3
The police always act within the law.	32.4	34.7	18.4	8.4	6.1
The police treat everyone with respect and dignity.	30.3	35.2	19.0	9.5	6.0
Police make decision based upon facts, not their personal biases or opinions.	39.7	31.5	15.2	7.3	6.5
<i>Police effectiveness<sup>c</sup></i>					
The police respond promptly to calls about crime.	26.5	22.4	31.0	15.8	4.4
The police are always ready to provide satisfactory assistance to victims of crime.	11.0	24.2	44.0	18.4	2.4
The police are always able to provide the					

assistance the public need from them.	15.0	28.1	33.4	18.5	5.0
Overall my neighbourhood is a good place to live in terms of security.	18.7	34.2	28.4	11.6	7.1
Overall the police are doing a good job in my neighbourhood.	12.7	24.7	40.3	16.6	5.6
When the police stop people they usually handle the situation well.	34.2	31.0	18.7	8.4	7.7

*a, b & c* (1) strongly disagree; (2) disagree; (3) neutral; (4) agree; (5) strongly agree.

## 4.2. Determinants of university students' perception of police legitimacy

To determine the factors that shaped these university students' perceptions of the police in South Africa, analyses were conducted using three different Ordinary Least Square Regression (OLSR) models (Table 2). In the model pertaining to confidence (trust) in the police, experience of police corruption exerted a significant effect on the students' reported level of confidence in the legitimacy of the police. A unit increase in the students' experience of police corruption resulted in a .36 decrease in the level of confidence in the legitimacy of the police. Demographic variables such as age, sex and academic level also exerted a significant effect on the students' confidence in the police. The explanatory power of the independent variables in the confidence in police model was  $R^2$  of .12.

In the second model (procedural justice/fairness), police abuse and brutality were negatively related to the students' perception of the procedural justice and fairness of the police. This implies that students who had either had personal or vicarious experiences/knowledge of police abuse and brutality tended to rate police fairness significantly lower. A unit increase in the students' experiences of police abuse and brutality result is a .19 decrease in their assessment of the procedural fairness of the police. The explanatory power of the independent variables in the procedural justice/fairness model was relatively weak ( $R^2$  of .09).

In the third model (police effectiveness), experience of police corruption exerted a significant effect on the students' level of confidence in police effectiveness. Students who had experienced police corruption tended to rate police effectiveness lower. A unit increase in the students' experience of police corruption resulted in a .21 decrease in the level of confidence in police effectiveness. Demographic variables such as age, sex and academic level also exerted a significant effect on the students' views on police effectiveness. The model explained 7% of the variation in police effectiveness.

**Table 2: The effects of police corruption, abuse and brutality on students’ perceptions of police legitimacy**

	Confidence and trust in the police		Procedural justice/fairness		Effectiveness	
	S.E.	$\beta$	S.E.	$\beta$	S.E.	$\beta$
Age	0.63**	-0.26	1.02	0.77	0.76	-0.19
Sex	0.31**	0.47	0.50	-0.02	0.37	0.64
Academic level	0.13	0.58	0.20	-0.03	0.15	0.72
Political cynicism	0.04	0.24	0.62	0.07	0.30	-0.07
Police corruption	0.50	-0.36**	0.08	0.02	0.60	-0.21*
Police abuse & brutality	0.40	-0.24	0.06	-0.19*	0.05	-0.03
F		0.912		1.15		5.71
R <sup>2</sup>		0.12		0.09		0.07

Note: Entries are standardised coefficients ( $\beta$ ) and standard errors (S.E.).

\* P <0.05, \*\* P <0.01, \*\*\* P <0.001

## 5. DISCUSSION

The aim of the study was to examine various factors that shape South African university students’ perception of police legitimacy. Using the data that were delineated to UKZN students, the study was able to corroborate and extend previous findings on factors that influence the perception of police legitimacy. In general, the study found that students did not have a favourable perception of police legitimacy. Fundamentally, the effect of the experience/knowledge of police corruption had a significant impact on their negative perception of police legitimacy. There are several plausible explanations for this. First, there has been a plethora of media reports and publications on police corruption in South Africa, and this exposure could have provoked negative perceptions of the police among students (Lange, 2017). Moreover, the students themselves could have had personal or vicarious experience/knowledge of police corruption, such as bribery

to defeat the ends of justice. This is consistent with previous findings on public perceptions of police legitimacy (Akinlabi, 2017; Boateng, 2016; Tankebe, 2010). For instance, Akinlabi (2017) argues that young peoples' attitude towards the police is significantly shaped by public perception of police corruption, and that this attitude erodes confidence in police legitimacy.

Similarly, students' personal and vicarious experience/knowledge of police abuse and brutality shaped their assessment of police legitimacy. As was alluded to under police corruption, media reports are often saturated with both stale and current reports of police abuse and brutality in South Africa (Burger, 2013). Such news inarguably has the capacity to engender a low opinion of the police and to project them in a bad light. Moreover, it is commonplace in South Africa that police fire bullets at protesters even if they are university students (Lange, 2017). In the past, police crowd dispersion methods left many students wounded while others, who were trapped in the heat of protest action, were brutally attacked by the police. The experience of the Marikana massacre is a poignant reminder of merciless police action in contemporary South Africa. Another example is the death of students arising from the volatile '#Fees must fall' campaign by South African students (Lange, 2017). The abrasive and unprofessional misconduct by many police officials undeniably affected university students' negative rating of police fairness and legitimacy.

## **6. CONCLUSIONS AND RECOMMENDATIONS**

The uniqueness and strength of the study are premised on that fact that it was the first to explore the perception of university students on police legitimacy in South Africa, particularly in the post-apartheid era. It was also the first study in Western literature that examined some of the predictors of police legitimacy as perceived by university students in the South African multiracial society of the post-apartheid era.

Although the study had limitations, these should not detract from its contribution to the body of knowledge and relevance to police legitimacy literature. The findings add new ideas and knowledge to existing literature on police legitimacy in Africa, including linking knowledge of police legitimacy with procedural justice from students' perspective. It has shown that university students are willing to cooperate and defer to the SAPS and its members if the police adopt measures that students can perceive as fair and indicative of professional policing that is in line with international best practices. For example, rather than applying the 'stick approach', other 'carrot approaches' such as dialogue and maintaining a buffer-zone can be adopted when the police engage with protesting students.

Utilising these so-called ‘carrot approaches’ will go a long way in eliminating structural and historical artificial barriers to a healthy police-student relationship in South Africa and, by extension, will engender positive student perceptions of police legitimacy.

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