Why People Obey the Law

TOM R. TYLER

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PART ONE

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Introduction

Procedural Justice, Legitimacy, and Compliance

Americans are typically law-abiding people. Compliance is never complete, however. Everyone breaks the law sometimes, and some people break it often. In recent years, for example, many people have refused to pay their taxes, used illegal drugs, engaged in illegal sexual practices, and driven when drunk. This book explores the everyday behavior of citizens toward the law and examines why people obey or disobey it.

Legal authorities know that the key to their effectiveness is their ability to make laws and decisions that will be followed by the public, so they try to act in ways that will promote public compliance with the law. On the other hand, social critics opposed to existing authority may try to promote noncompliance. An understanding of why people obey or disobey the law is therefore of interest to both legal authorities and their critics.

The first goal of this book is to contrast the instrumental and normative perspectives on why people follow the law. The instrumental perspective on the citizen underlies what is known as the deterrence literature: people are viewed as shaping their behavior to respond to changes in the tangible, immediate incentives and penalties associated with following the law—to judgments about the personal gains and losses resulting from different kinds of behavior. For example, increasing the severity and certainty of punishment for committing a crime has frequently been viewed as an effective way of reducing the rate at which the crime is committed. When policymakers think about how to obtain compliance, they often adopt implicitly an instrumental perspective.

Although the instrumental perspective has dominated recent examinations of citizens' reactions to the law and legal authorities, this study explores compliance from a normative perspective. It is concerned with the influence of what people regard as just and moral as opposed to what is in their self-interest. It also examines the connection between normative commitment to legal authorities and law-abiding behavior.

If people view compliance with the law as appropriate because of their attitudes about how they should behave, they will voluntarily assume the obligation to follow legal rules. They will feel personally committed to obeying the law, irrespective of whether they risk punishment for breaking the law. This normative

commitment can involve personal morality or legitimacy. Normative commitment through personal morality means obeying a law because one feels the law is just; normative commitment through legitimacy means obeying a law because one feels that the authority enforcing the law has the right to dictate behavior.

According to a normative perspective, people who respond to the moral appropriateness of different laws may (for example) use drugs or engage in illegal sexual practices, feeling that these crimes are not immoral, but at the same time will refrain from stealing. Similarly, if they regard legal authorities as more legitimate, they are less likely to break any laws, for they will believe that they ought to follow all of them, regardless of the potential for punishment. On the other hand, people who make instrumental decisions about complying with various laws will have their degree of compliance dictated by their estimate of the likelihood that they will be punished if they do not comply. They may exceed the speed limit, thinking that the likelihood of being caught for speeding is low, but not rob a bank, thinking that the likelihood of being caught is higher.

From the perspective of the authorities, voluntary compliance with the law has a number of advantages. If police officers and judges need to compel the public to obey by threatening or using force, they are required to expend enormous amounts of resources. Voluntary compliance costs much less and is, as a result, especially highly valued by legal authorities.

A normative perspective leads to a focus on people's internalized norms of justice and obligation. It suggests the need to explore what citizens think and to understand their values. By contrast, an instrumental perspective regards compliance as a form of behavior occurring in response to external factors. It leads to a focus on the extent and nature of the resources that authorities have for shaping public behavior.

Although both morality and legitimacy are normative, they are not identical. Leaders are especially interested in having legitimacy in the eyes of their followers, because legitimacy most effectively provides them with discretionary authority that they can use in governing. Morality can lead to compliance with laws, but it can also work against it. For example, during the war in Vietnam those who believed in the legitimacy of the government fought in the war regardless of their personal feelings about its wisdom. For others the perceived immorality of the war was a factor leading them to oppose and violate the law. With drunk driving, on the other hand, legitimacy and morality typically work together to prevent illegal behavior.

In this book I examine the extent to which normative factors influence compliance with the law independently of deterrence judgments. Data collected in a longitudinal study of randomly selected citizens in Chicago are used to examine the role of normative factors. In the first wave of the study 1,575 citizens were

interviewed about their normative and instrumental views concerning the law, as well as their behavior toward the law. A subset of 804 respondents were reinterviewed about the same topics one year later (this procedure is the basic characteristic of a panel study).

The Evaluation of Personal Experience

The second goal of this book is to explore how people react to their personal experiences with legal authorities. Of particular importance is the impact of these experiences on views of the legitimacy of legal authorities, because legitimacy in the eyes of the public is a key precondition to the effectiveness of authorities. Changes in legitimacy will affect the degree to which people comply with laws in their everyday lives.

I focus in this book on the judgments people make about their personal experience; I identify those aspects of experience that people consider important and I examine the influence of these aspects on their reactions to the experience as a whole. For example, do people distinguish between procedures (how decisions are made) and outcomes (what the decisions are)? Do they distinguish between winning and being fairly treated? To the extent that they do, which of these judgments influences their reactions to their experience?

As before, I contrast a normative perspective with an instrumental one. According to a normative perspective, people will be concerned with whether they receive fair outcomes, arrived at through a fair procedure, rather than with the favorability of the outcomes. A normative perspective is supported to the extent that people want justice from police officers and judges, and evaluate those authorities according to whether they get it. If people have such a normative perspective, police officers and judges can maintain their authority by acting in ways that will be viewed as fair.

The recent literature on citizens' dealings with legal authorities has been dominated by the view that citizens are concerned with winning—that is, with receiving favorable outcomes when dealing with police officers and judges. An alternative, normative perspective is represented by psychological theories of justice, which hold that people care about the justice of outcomes (distributive justice) and of the procedures by which they are arrived at (procedural justice). These justice concerns are seen as acting independently of the influence of an outcome's favorability.

Imagine a person going to traffic court after getting a traffic citation. An instrumental perspective suggests that the person's reaction to the experience is based on the favorability of the outcome: if the ticket is dismissed, the person will

feel positive about the experience; if the person receives a fine or is required to attend traffic school, the reaction will he more negative. Theories of distributive justice suggest that people would like things to come out fairly—that they would like to receive the level of punishment they feel they deserve. Finally, theories of procedural justice suggest that people focus on court procedures, not on the outcomes of their experiences. If the judge treats them fairly by listening to their arguments and considering them, by being neutral, and by stating good reasons for his or her decision, people will react positively to their experience, whether or not they receive a favorable outcome.

In both waves of the Chicago study respondents who had had a recent experience with police officers or judges were asked about it, and their responses were used to identify the normative and instrumental aspects of their experience. The first wave of the study identified 652 respondents who had recently had personal experiences with legal authorities, whereas 291 of the panel respondents had experiences with legal authorities during the year between the two interviews.

It may appear to stretch the definition of the term *normative* to have it refer on the one hand to justice-based reactions to experience and on the other to issues of the legitimacy of legal authorities and the immorality of law breaking. What unites the two uses is that in both cases the reactions of people are determined by their attitudes about what is ethically appropriate, rather than by their assessments of costs and benefits.

The two normative questions raised here—whether legitimacy affects compliance, and whether judgments about the justice or injustice of experiences influence their impact—are not independent of each other. The effect of people's ethical attitudes on their behavior would be especially striking if there were a two-stage process, with people's judgments about the justice or injustice of their experience affecting their views about the legitimacy of the authorities, and these views in turn shaping compliance with the law. This two-stage model will also be explored in this book.

The Meaning of Procedural Justice

The final goal of this book is to explore the meaning of procedural justice by contrasting the normative and instrumental approaches. The instrumental view of procedural justice contained in the control theory of Thibaut and Walker (1975, 1978) suggests that people do not focus directly on the favorability of the outcomes they receive from third parties. Instead, they focus on the degree to which they are able to exert influence over third-party decisions. People recognize that to the extent they have it, control over decisions leads to favorable

outcomes. This control therefore represents indirect control over the favorability of outcomes. Thibaut and Walker suggest that people react to their experiences in terms of the favorability of outcomes, which is the key characteristic of an instrumental model (Tyler 1986b).

The instrumental perspective on procedure suggests that assessments of procedural fairness are based on the favorability of the outcomes received: where people feel that they have control over decisions they believe that the procedure is fair; where they feel they lack control they believe it is unfair.[1] If judgments about procedural fairness do simply reflect the favorability of outcomes, then aspects of procedure not linked to outcomes will contribute little to an understanding of whether people feel fairly treated, beyond what would already be learned by knowing the degree to which they control decisions.[2]

The normative perspective on procedural justice views people as being concerned with aspects of their experience not linked only to outcomes. Normative aspects of experience include neutrality, lack of bias, honesty, efforts to be fair, politeness, and respect for citizens' rights. All these potential features of a procedure are conceptually distinct from its outcome and therefore represent values that may be used to define procedural fairness in terms not related to outcome. The extent to which people define the fairness of a procedure by using aspects of the procedure that are related and unrelated to its outcome reflects the influence of instrumental and normative aspects of experience on their judgments of whether they have received a fair procedure.

The meaning of procedural justice is examined in the same interviews about recent personal experience that are used to explore the impact of experience on legitimacy. Those interviewed were asked a series of questions about different aspects of their experience. These aspects of experience corresponded to elements of procedural justice related and unrelated to outcome.

Design of the Chicago Study

This book draws on the results of a study of the experiences, attitudes, and behavior of a random sample of citizens in Chicago. In spring 1984 interviews were held by telephone with 1,575 respondents for about twenty-five minutes each. A randomly selected subset of 804 respondents was reinterviewed one year later. The data are analyzed in two ways. Cross-sectional analysis looks at the relationship between attitudes and behavior measured at one point in time. Panel analysis uses the data collected at both points in time to examine the relationship between changes in attitudes and changes in behavior. Cross-sectional analyses were conducted using all 1,575 respondents; longitudinal analyses were conducted using the 804 people interviewed twice.

Sociologists have made most of the major recent efforts to understand the attitudinal antecedents of compliance with the law (see for example Eiser 1976; Grasmick and Green 1980; Jacob 1980; Meier and Johnson 1977; Paternoster et al. 1984; Schwartz and Orleans 1967; Silberman 1976). Their research has examined the role of three factors in shaping compliance: the threat of sanctions, the opinions of peers, and personal morality.

In addition to these recent efforts by sociologists, there is a long history of concern among political psychologists about the role of political factors in shaping obedience to the law. Their efforts explore the interactions of citizens' evaluations of the performance of legal authorities, their assessments of the legitimacy of the law and legal authorities, and their compliance with the law. Studies in this area have viewed legitimacy in two different ways: as a perceived obligation to obey the law, and as support or allegiance to political and legal authorities.

In this analysis I use the sociological approach to compliance as a framework for exploring the influence of legitimacy on compliance: the approach of political psychologists is integrated into the sociological framework. Within the context of this combined approach I examine which factors have an independent influence on compliant behavior. In addition, I compare the relative strengths of different influences.

Legal authorities with whom citizens have contact include the police and the courts. Rather than focus on trials, I consider the natural range of citizens' contacts with legal authorities. Although trials are a highly visible legal institution in our society that matter a great deal to those involved in them, few citizens

ever are. Most contacts with legal authorities are more informal. For example, a person may call the police for help with a problem or be stopped by the police for a traffic violation.

Although the study was designed to be inclusive, not all self-reported contacts are used in the analysis. Two criteria were used to define suitable personal experiences: (1) the individual must have had direct, personal contact with the authorities; and (2) the individual must have had a personal stake in the situation. The first criterion excluded citizens who called the police but did not know what happened in response to their call.[1] Based on the second criterion, being a witness or juror was not considered a personal experience. Although such experiences were personal they did not involve a personal stake in the outcome.

Analysis

Two approaches may be used to measure the effects of experience: (1) studying a random sample of the general population, identified through some random selection process; or (2) studying people identified as having had experiences with the police or courts, by using court and police records or interviews in police stations, courtrooms, and prisons. In one study that used the first approach (Tyler, Rasinski, and McGraw 1985), a random sample of citizens was telephoned and interviewed about the fairness of government policies. An example of the latter approach is a study in which litigants were approached as they left misdemeanor court and interviewed in person about their experience (Tyler 1984).

This study used random sampling, for several reasons. Most important, the goal of this research is to investigate the broad range of experiences that people have with legal authorities. The most effective approach is to use a random sample of people, who have presumably had a wide range of experiences, rather than to select subjects from a few segments of the population.[2] Choosing subjects from police and court records also has the problem of ignoring contacts that may be important to citizens but may not appear in formal records. Random sampling increases the possibility of including all contacts among police, courts, and citizens. Finally, random sampling allows a clear separation of the survey from government agencies. Although respondents can always be promised anonymity, this promise is more likely to be believed if there is a clear separation between the authorities and the researcher.

Contact with authorities at two levels might potentially be studied. Earlier research on citizen contact with government authorities has considered agencies

of both the local and national governments. This study is concerned with the police and courts and as a result focuses on local government.

Many legal problems or disputes are resolved through informal mechanisms (Best and Andreasen 1977; Felstiner, Abel, and Sarat 1980—81; Ladinsky and Susmilch 1982) or consultation with lawyers (Curran 1977). Thus the Chicago study does not deal with the full range of social mechanisms through which people solve their problems or disputes: it examines only contact with formal legal authorities, such as the police and courts.

The design of the Chicago study presumes that mundane, everyday experiences with the police and courts influence citizens. There is considerable evidence that they do (Bayley and Mendelsohn 1969; Jacob 1971; Sarat 1977; Tyler 1984; Tyler and Folger 1980; Walker et al. 1972). In addition, a similar effect has been found in ordinary encounters between citizens and federal agencies (Katz et al. 1975). It therefore seems likely that the experiences studied will influence attitudes.

The focus on experiences also presumes that respondents have the ability to recall their past experiences accurately. The studies cited above suggest that respondents do recall at least some of their experiences; others are forgotten. The key issue is whether there are biases associated with recall—that is, whether certain types of experience are more likely than others to be forgotten. This question has been extensively studied by the Department of Justice in connection with the National Crime Surveys. Several studies suggest that within one year after a crime has been committed forgetting is essentially random (it is unrelated to the characteristics of victim or incident; see Gottfredson and Hindelang 1977; Lehnen and Skogan 1981; Schneider 1977).

In addition to the question of whether people recall an incident is that of whether the accuracy of recall changes as time passes. Gutek (1978) examined this issue by using the data of another study (Katz et al. 1975) on encounters with the federal bureaucracy and found that recall did not become substantially less accurate over time, at least not within one year.

These results suggest that respondents' reports of incidents are not systematically biased. All incidents may not be recalled, but reported incidents will reflect the population of total incidents. Further, if an incident is recalled, the memory of the incident will not substantially differ according to the time elapsed since it occurred.

There are two reasons for reinterviewing members of the initial group of respondents. First, doing so strengthens the researcher's inferences about what factors influenced compliance with the law. For example, respondents in the Chicago study were asked how often they broke the law during the year preceding the first interview: the attitudes they expressed during the interview were used in

cross-sectional analyses to deduce their behavior during the one year preceding the interview. In a follow-up interview the attitudes expressed at one point in time (the first interview) were used to predict what behavior had occurred by a second point in time (the second interview).

The second advantage of the panel design is that it enables the researcher to study experiential effects. For example, citizens judge the fairness of the procedures to which they are subject and of the outcome they receive. It must be shown that these judgments reflect the nature of citizens' actual experiences and not their prior views about the agency involved. In other words, it is important to show that all actions taken by the police are not viewed as fair by those who have positive attitudes about the police to begin with. By using panel data it is possible to examine experiences while controlling for prior expectations and evaluations.

Using a panel design raises the potential problem of losing respondents. Ideally every respondent from the first wave of interviews could be reinterviewed one year later. But some respondents cannot be found one year later, or will not agree to be reinterviewed. The key concern is the possibility that those who were not available for second interviews had attitudes or experiences different from those of the people who were available.

Previous research suggests that victims do move more than nonvictims (Reiss 1978), delinquents more than nondelinquents (Polk and Ruby 1978), and young people more than old people (Lansing, Withey, and Wolfe 1971). The Chicago study sought to lessen this problem by tracking respondents who had moved. Fortunately, it is possible to measure any biases due to the inability to reinterview respondents by comparing the panel respondents with the larger group of respondents interviewed during the first wave of interviews.

A list of all operating telephone prefixes in Chicago was used to select respondents. It was based on a list used earlier in the Reactions to Crime Project of the Center for Urban Affairs and Policy Research at Northwestern University (Skogan 1978). A computer program was then used to generate telephone numbers randomly by matching a working telephone prefix with four randomly chosen digits. Once a home was reached, standard procedures were used to select a respondent randomly within the home (according to the modification in Bryant 1975 of the approach used in Troldahl and Carter 1964).[3] The Survey Research Center at Northwestern University conducted interviews lasting twenty to twenty-five minutes (in English or Spanish, depending on the language of the person interviewed). The overall response rate for the first wave of interviews was 63 percent.[4]

The use of telephone interviews raises two potential problems. First, a less random sample of residents may be located by telephone than in person. Second, respondents may be less willing to discuss over the telephone their experiences

with the police and courts. Several studies have compared interviews by telephone with personal interviews and found that they yield similar types of samples (Groves and Kahn 1979; Tuchfarber and Klecka 1976). Research has also found that respondents will discuss sensitive material over the telephone (see Quinn, Gutek, and Walsh 1980 for a review of twenty-three studies). In addition, evidence suggests that accuracy is not lower in the reporting over the telephone of sensitive behavior (Rogers 1976), and may even be increased by the heightened sense of social distance in telephone surveys (Colombotos 1965; Groves, Miller, and Cannell 1981).

The Questionnaire in the First Wave

Those interviewed were asked about their views of the police and courts in Chicago and about their level of behavioral compliance with the law. Each respondent was also asked whether he or she had had any personal experience with the police or courts during the twelve months preceding the interview. In the first wave 47 percent of those interviewed (n = 733) said they had had at least one such experience. Respondents who had had more than one experience with legal authorities (n = 311) were asked which was the "most important," and they were questioned about that experience.[5] The resulting interviews included 384 situations involving calls to the police (52 percent); 202 of being stopped by the police (28 percent); and 147 of going to court (20 percent).

Of those 733 respondents with prior experience with the police or courts, the experiences of 81 respondents were considered too superficial for detailed analysis. Those experiences all involved calls to the police. For example, on some occasions citizens called the police to report a traffic accident or suspicious activity in the neighborhood, and had no knowledge of the consequences of their call. On other occasions they called the police and were told to call another agency to handle their problem. These respondents were treated as if they had had no personal experience with the police, resulting in an actual sample size of 652 (89 percent of those with any kind of experience). Of this final group of respondents 47 percent had called the police for help, 31 percent had been stopped by the police, and 23 percent had been to court.[6]

At the conclusion of the first wave of interviews respondents were asked to provide personal identifying information (their name, nickname, or initials), so that they could be identified when called for the second wave of interviews; 76 percent of respondents agreed to do so. For the call-sheets used during the second wave of interviews, this information was combined with demographic informa-

tion, such as age, sex, education, and position in the household (for example, youngest woman). During the second wave of interviews this information was used to identify the correct respondent.

All respondents randomly chosen for the panel were called again, whether or not they had given their names. If the interviewer had no name for the respondent, he or she used the demographic information to identify the correct respondent, and in any case verified that it was the correct respondent by asking the respondent if he or she had been interviewed before.

In the first wave 43 percent of the sample was male, 52 percent was white, and 77 percent had at least a high school education. The mean age of the sample was forty-two. Annual income was below fifteen thousand dollars for 44 percent of the respondents, below thirty thousand dollars for 78 percent. When asked to describe their politics 29 percent called themselves liberal, 28 percent called themselves conservative, and 42 percent called themselves moderate. As would be expected of a random sample of the residents of Chicago, the sample contains many nonwhite respondents, as well as a large group of poorer ones.[7]

The Second Wave

Of those panel respondents who were reached again, complete reinterviews were obtained from 60 percent.[8] Within the second wave's sample, 329 respondents (41 percent) indicated having had experience with the police or courts during the year following the first interview. As before, those respondents with several experiences (n = 120, or 36 percent of those with any experience) were interviewed about their "most important" experience. Of respondents with experience, 192 (58 percent) had called the police, 64 (19 percent) had been stopped by the police, and 73 (22 percent) had gone to court.

As in the first wave's sample, some respondents had had superficial experiences with the police and courts and were excluded from the analysis. The criteria of exclusion used in the first wave were also used in the second. The remaining sample included 291 respondents with experience, of whom 53 percent had called the police, 22 percent had been stopped by the police, and 25 percent had gone to court.

In the second wave 45 percent of the sample was male, 60 percent was white, and 79 percent had at least a high school education. The mean age of the sample was forty-three. Annual income was below fifteen thousand dollars for 35 percent of the respondents, and below thirty thousand dollars for 74 percent. As for political leanings, 29 percent described themselves as liberal, 30 percent as

conservative, and 41 percent as moderate. Those in the panel were more likely to be white and to have high incomes, because less mobile respondents were more likely to be reached after one year had passed.[9]

It is also possible to identify differences between the samples of the two waves by correlating characteristics of respondents in the first wave with their presence or absence in the sample of the second wave. If the subset of respondents interviewed the second time is a true random sample of the larger population in the first wave of interviews, such correlations should be zero. Correlational analysis confirms that the second wave's sample was more likely to be white, well educated, and of a higher income than the first wave's sample.[10] With each of these three demographic characteristics—race, education, and income—there is a significant nonzero correlation with the likelihood of being reinterviewed. In no case, however, is the relationship very strong.

Another way to compare the two waves' respondents is by examining whether the attitudinal variables dealt with in this study (legitimacy, evaluation, and so on) predicted a second interview. If respondents more favorably disposed toward the law were more likely to be reinterviewed, this could introduce bias into the results of the study. But an examination reveals no significant relationship between the likelihood of being reinterviewed and judgments of one's obligation to obey the law, support for the police and courts, the likelihood of seeking help from legal authorities, any of the sociological factors predicting compliance, or evaluations of how well legal authorities performed. In addition, there is no relationship between self-reported compliance with the law and the likelihood of being reinterviewed.

The most striking difference between the two samples is the lower proportion of respondents in the second who reported having had experience with the police or courts (41 percent as opposed to 47 percent). There are several possible explanations for this finding. One is that the first wave of interviews involved some telescoping (respondents included, incorrectly, experiences that occurred more than a year before). Such telescoping is less likely to have occurred during the second interview, because respondents had the first interview as a reference point.

One can test for telescoping by seeing whether respondents reported a larger number of experiences as having occurred late in the year preceding the first interview. If respondents included many experiences that occurred thirteen to twenty-four months before the interview in their reports of experiences occurring "in the year prior to the interview," this should be reflected in a large number of experiences reported as having occurred ten to twelve months before the interview. No such effect is observed: 24 percent of respondents reported that their experience occurred one to three months before the interview, 23 percent said

four to six months before, 28 percent said seven to nine months before, and 25 percent said nine to twelve months before.

A second possibility is that the second wave of interviews was more likely to find less mobile respondents (who tend to be wealthier, white, and upper-class), and that these respondents were less likely to be involved with the police. The demographic analysis of panel respondents discussed above suggests that less mobile respondents were more likely to be reinterviewed. They are also less likely to deal with the police and courts. There is also a greater proportion of calls to the police among respondents from the second wave (58 percent as opposed to 52 percent). The panel respondents were more likely to have had contact with the police because they initiated the contact by calling them. This is also consistent with the observation that panel respondents are more likely to be white and to have high incomes.

The data examined offer evidence of some bias connected with the second interviews. It is however clear that this bias was unrelated to the attitudes addressed in this study. For example, it is not respondents who support the police and courts who are willing to be reinterviewed. Difficulties in finding and reinterviewing respondents were essentially unrelated to their views about the police, the courts, and the law. Instead these difficulties were related to the nature of the respondents' life-styles. Although an examination of the data collected reveals some biases, the biases are small and do not influence the key variables in this study. The assumptions made in designing the Chicago study are essentially supported by the data, and the study consequently provides data of a high quality for addressing the issues at hand.

PART TWO

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Legitimacy and Compliance

Legitimacy as a Theoretical Issue

Judges, lawyers, legal scholars, and social scientists interested in the exercise of legal authority all know how important it is to secure public compliance with the law and with the decisions of legal authorities like police officers and judges. To be authoritative, legal rules and decisions must affect the actions of those toward whom they are directed. A judge's ruling means little if the parties to the dispute feel they can ignore it. Similarly, passing a law prohibiting some behavior is not useful if it does not affect how often the behavior occurs. To be able to act as an authority, "The lawgiver must be able to anticipate that the citizenry as a whole will . . . generally observe the body of rules he has promulgated" (Fuller 1971, 201),[1] because "the ability to exert influence is the major operational quality of authority" (Hollander 1978, 45). Effective leadership requires compliance with the leaders' decisions from "the bulk of the members [of society] . . . most of the time" (Easton 1975, 185).

Because they are interested in securing compliance with the law, legal authorities want to establish and maintain conditions that lead the public generally to accept their decisions and policies. This is not easy. Anecdotal evidence suggests many types of behavior that police officers and judges have been unable to stop, ranging from tax evasion to drunk driving and drug abuse. On the national level, when Supreme Court justices make controversial decisions about school prayer or desegregation, they cannot take public compliance for granted (Dolbeare and Hammond 1970).[2]

This book is not about noncompliance with particular controversial laws or decisions. It examines the general level of noncompliance with everyday laws regulating behavior. Its concern is with the degree to which people generally follow the law in their daily lives. Why is securing compliance difficult? The nature of the behavior for which compliance is needed makes compliance with legal decisions problematic. Laws are passed and enforced to mandate behavior that people would prefer to avoid, such as paying damages to an injured party, or to discourage people from doing certain things that might benefit them, such as stealing.

Although securing compliance with legal restrictions is difficult, it is important. It is often argued that a society cannot function effectively unless citizens' desires are curbed to some extent (Cohen 1966; Gamson 1968). It is a basic tenet

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of political theory that any society restricts some behavior and fails to provide its citizens with some things they want and feel they deserve (Gamson 1968). For this reason societies develop the governmental and legal institutions needed to formulate rules of acceptable conduct. They also organize and support the legal authorities needed to interpret and enforce these rules. Effective societal functioning requires that citizens obey the decisions of the legal authorities.[3]

Recent research on solutions to social dilemmas provides an example of the positive value of regulatory authorities. In a social dilemma a society must prevent citizens from engaging in actions that are individually beneficial in the short term but that hurt society in the long term. Studies suggest that one solution that groups voluntarily adopt when faced with social dilemmas is to designate formal leaders who are empowered to control the behavior of the group's members (Messick et al. 1983; Samuelson et al. 1984). Similarly, groups develop rules governing members' conduct to preserve valuable social relationships (Thibaut and Faucheux 1965). These informal rules are the precursors of formalized law (Fuller 1971).[4]

It is also important to recognize the potential dangers of giving authorities the power to affect public behavior. Authorities may use that power to advance their own interest, or the interest of a particular group or individual, over the interest of others. It cannot be assumed that authorities will be benevolently motivated and will use their power and legitimacy to promote the positive objectives outlined above. Although they can facilitate the productive exchange of resources to the benefit of all members of society, it is not inherent in the nature of authority that it will function in this way. The effects of authority depend on the motives of those exercising it.

Legal authorities are among the most visible agents functioning to restrict citizens. For example, a major role of the police is to enforce rules that restrict citizens' behavior, often through the use of negative sanctions. The civil and criminal courts also function in this manner. In addition, civil courts must settle disputes arising between citizens through misunderstandings or incompatible desires and goals. In each case, legal authorities must often deliver negative outcomes to parties that the parties may feel are not fair.

Given the importance attached by the legal system to securing citizens' compliance with the law, it is not surprising that social scientists interested in the law should have tried to understand why people comply. Answering this question involves exploring the psychological nature of the citizen—that is, understanding the factors that motivate the citizen's behavior.

Much traditional social theory is built on the assumption that behavior is motivated by rewards and punishments in the external environment. This instrumental perspective is often referred to as the study of social control (Krislov et al.

1972; Wood 1974). It assumes that the nature of the immediate environment influences people's actions (Fishbein and Ajzen 1975; Friedman 1975; Muller 1979; Wrong 1980).

Social control refers specifically to altering citizens' behavior by manipulating access to valued social resources or by delivering or threatening to deliver sanctions. Such social control has been viewed as achieving influence by "changing the nature of the situation" (Parsons 1963, 1967), and as effecting change by securing compliance (Kelman 1958). In either case, legal authorities attempt to modify behavior by rewarding compliance with the rules and punishing or threatening to punish the violation of rules.

Recently the social control approach to compliance has received strong impetus from the emergence of the public choice perspective in policy studies. The public choice perspective represents the extension into the legal arena of economic models of the person. It assumes that the behavior of people in relation to the law is governed by the same types of instrumental judgments that shape behavior in relation to decisions in their private lives.[5]

Like models of social control a public choice perspective suggests that people are intrinsically motivated to maximize their personal gain in their behavior toward the law. Public choice theory has been refined, however, by more complex approaches to modeling judgments of gain and loss, and to combining such judgments with personal utilities recently developed in the field of economics (Layer 1981; Mueller 1979; Tyler 1986b).[6]

The social control and public choice perspectives have led those concerned with securing compliance with the law to focus on the ability of authorities to influence the personal costs of rule breaking. This focus has brought about a large literature on deterrence (Blumstein, Cohen, and Nagin 1978; Gibbs 1975; Tittle 1980; Zimring and Hawkins 1973), which has established that variations in deterrence (primarily variations in the likelihood of punishment) do affect citizens' compliance with the law.[7]

If rewards and punishments alone produced sufficient compliance for society to function effectively, the authorities would find their task simple and straight-forward. They would need only to control societal resources and could focus their attention on how best to deploy them. Such a deterrence-based strategy for securing public compliance is very appealing to political and legal authorities. Social control requires very little effort to communicate with the public or be responsive to it; it focuses on the rewards and punishments associated with obeying and disobeying the law, and allows the authorities to control their own agenda. In contrast, a normative focus on compliance emphasizes the voluntary aspects of compliance, placing a considerable power over the effectiveness of authorities in the hands of those they lead. Of course, in both models people are

ultimately the key to successful leadership: it is they who decide whether or not to comply.[8]

The dominance of the social control and public choice perspectives can be seen in the selection of issues considered important enough to study, and in the way these issues are examined. In studying general compliance with the law, attention has been directed to instances where compliance cannot be easily explained using a simple deterrence perspective. Citizens have been found to obey the law when the probability of punishment for noncompliance is almost nil and to break laws in cases involving substantial risks. Neither form of behavior makes sense from a strictly instrumental perspective. An example of an effort to examine such an issue is that of Ross (1981) to explain why publicity campaigns against drunk driving decrease law breaking, even though they have little or no influence on the likelihood that a person will be punished.

In the public policy arena the economic perspective has directed study toward behavior that appears paradoxical or problematic when viewed from an economic perspective (Tyler 1986b). One such area is the problem of noncompliance with laws that place on citizens such burdens as taxes. The probability of being severely punished for avoiding taxes is low, making equally low the negative utility to inhibit nonreporting of income. From an instrumental perspective people should frequently avoid paying their taxes. In reality, the rate of nonreporting of income is relatively low.[9] This has been called the "free rider" problem, and it appears particularly likely to be a serious social problem if citizens are viewed as motivated solely by personal gain (Barry and Hardin 1982).

In addition to shaping the issues considered important enough to study, public choice perspectives have shaped the way these issues are thought about. People have been viewed as seeking favorable outcomes from the legal and political system and behaving toward it in a manner designed to obtain such outcomes. This perspective suggests that people will break rules when they feel that the likelihood that they will gain from doing so outweighs the potential costs of being caught and punished.

Normative Issues and Compliance

Although the idea of exercising authority through social control is attractively simple, it has been widely suggested that in democratic societies the legal system cannot function if it can influence people only by manipulating rewards and costs (Easton 1965, 1968, 1975; Engstrom and Giles 1972; Gamson 1968; Kelman 1969; Parsons 1963, 1967; Sarat 1977; Scheingold 1974). This type of leadership is impractical because government is obliged to produce

benefits or exercise coercion every time it seeks to influence citizens' behavior. These strategies consume large amounts of public resources and such societies would be "in constant peril of disequilibrium and instability" (Saphire 1978, 189).[10]

The problem of the drunk driver (Ross 1981) illustrates the difficulties of altering public behavior through incentives and the threat of punishment. Policymakers concerned with combating the problem have used various strategies of deterrence. Ross examines these and shows that an extremely high investment of societal resources is needed to have any noticeable effect on citizens' assessments of their likelihood of being caught and punished for driving while drunk.

Ross finds that massive public campaigns have been successful in the past in temporarily decreasing the rate of drunk driving. He however suggests that such effects occur because the high visibility of public education campaigns leads citizens to overestimate the actual probability of being caught and punished. As the massive publicity declines and citizens' experiences lead them to estimate their risks more accurately, the rate of law breaking increases.

Ross's treatment of drunk driving illustrates the practical difficulties of implementing a policy based only on the increased use of threatened or delivered punishment. This is especially true in democratic societies, which minimize governmental intrusiveness into people's lives. For example, the public has resisted the random stopping of motorists at roadblocks to detect drunk drivers. Although control through reward and punishment may be theoretically possible, the government cannot afford to undertake many such expensive efforts to shape how citizens behave.

Given that the regulation of behavior through social control is inefficient and may not be effective enough to allow a complex democratic society to survive, it is encouraging that social theorists have recognized other potential bases for securing public compliance with the law. Two such bases are commonly noted: social relations (friends, family, and peers) and normative values. Concerns about social relations reflect the influence of other people's judgments; normative values reflects a person's own ethical views.

These two influences on behavior have been widely recognized by social scientists. They have emerged in studies by social psychologists on attitudes (Ajzen and Fishbein 1980; Fishbein and Ajzen 1975) and on the changing of attitudes (Kelman 1958), by sociologists on power (Wrong 1980), by political scientists on discontent (Muller 1979), and by psychologists on moral development (Hoffman 1977).

Influence by the social group can be instrumental. Like authorities, social groups reward and punish their members (Wrong 1980), either by withholding or conferring signs of group status and respect, or more directly by channeling

material resources toward or away from particular members. Such variations in rewards and costs are not under the control of public authorities, but they function in the same manner as do public incentives and disincentives. In focusing on peer group pressures, the deterrence literature has recently documented that law breaking is strongly related to people's judgments about the sanctions or rewards their behavior elicits from members of their social group. People are reluctant to commit criminal acts for which their family and friends would sanction them.

Group influence may also exert normative pressure on people, because individuals look to their social groups for information about appropriate conduct. Such normative influences are similar to the influence of personal morality (see below). People's behavior is strongly affected by the normative climate created by others.

The final influence on social behavior is the person's own set of normative values—the sense of what is right or appropriate. Normative influences respond to factors different from those affected by considerations of reward and punishment. People focus not on personal gain or loss within a given situation but on the relationship between various kinds of potential behavior and their assessments of what behavior is appropriate.

The key feature of normative factors that differentiates them from considerations of reward and punishment is that the citizen voluntarily complies with rules rather than respond to the external situation. Because of this, normative influences are often referred to by psychologists as "internalized obligations," that is, obligations for which the citizen has taken personal responsibility. This sense of the internalized quality of moral norms is captured by Hoffman: "The legacy of both Sigmund Freud and Emile Durkheim is the agreement among social scientists that most people do not go through life viewing society's moral norms as external, coercively imposed pressures to which they must submit. Though the norms are initially external to the individual and often in conflict with his desires, the norms eventually become part of his internal motive system and guide his behavior even in the absence of external authority" (1977, 85).

Voluntary compliance is of course important only to the extent that compliant behavior is different from behavior derived from self-interest. Moral influences would be substantially less important if people typically viewed the behavior that most benefited them as normatively appropriate. The suggestion that citizens will voluntarily act against their self-interest is the key to the social value of normative influences. Given this assumption, leaders can gain voluntary compliance with their actions if the actions are consistent with people's views about right and wrong, even if not personally beneficial.

If the effectiveness of legal authorities ultimately depends on voluntary accep-

tance of their actions, then authorities are placed in the position of balancing public support against the effective regulation of public behavior. Legal authorities of course recognize their partial dependence on public goodwill, and are concerned with making allocations and resolving conflicts in a way that will both maximize compliance with the decision at hand and minimize citizens' hostility toward the authorities and institutions making the decision (Murphy and Tanenhaus 1969; Scheingold 1974; Wahlke 1971).

The dilemma faced by legal authorities is not unique to law. All leaders need discretionary authority to function effectively in their roles. Industrial managers must direct and restrict those who work under them. They also require support and cooperation from those they manage. When managers lack the legitimacy they need to secure the cooperation of workers, inefficiencies such as those caused by slowdowns and sabotage occur. Similar problems of authority arc encountered by teachers, political leaders, army sergeants, and any other authorities who need legitimacy to function.

The compliance literature has recognized two important types of internalized obligation. First, citizens may comply with the law because they view the legal authority they are dealing with as having a legitimate right to dictate their behavior; this represents an acceptance by people of the need to bring their behavior into line with the dictates of an external authority (Friedman 1975; Gerstein 1970). Easton makes this the essential component of his definition of authority, suggesting that legitimacy exists when the members of a society see adequate reason for feeling that they should voluntarily obey the commands of authorities (Easton 1958).

A second type of internalized obligation is derived from a person's desire to behave in a way that accords with his or her own sense of personal morality. Like views that accord legitimacy to authorities, personal morality is an internalized sense of obligation characterized by voluntary compliance. It differs from legitimacy in content, however. Personal morality is not a feeling of obligation to an external political or legal authority. It is instead an internalized obligation to follow one's personal sense of what is morally right or wrong.

Consider a specific illegal activity such as using cocaine. What is a person's motivation for complying with the law prohibiting its use? If people refrain from using drugs because they think laws ought to be obeyed, then legitimate authority is influencing their behavior. If they do so because drug abuse violates their convictions, then personal morality is influencing their behavior. If they fear being caught and sent to prison, deterrence is influencing their behavior. And if they do not use drugs because they fear the disapproval of their friends, the social group is exerting its influence.

From the perspective of the authorities in a political or legal system, legitimacy

is a far more stable base on which to rest compliance than personal or group morality, for the scope of legitimate authority is much more flexible. It rests on a conception of obligation to obey any commands an authority issues so long as that authority is acting within appropriate limits. Leaders with legitimate authority have open-ended, discretionary authority within a particular range of behavior. They may act in ways that will most effectively advance their objectives, expecting to receive public support for their actions.

Unlike legitimacy, personal morality is double-edged. It may accord with the dictates of authorities and as a result help to promote compliance with the law, but on the other hand it may lead to resisting the law and legal authorities. The distinction between personal morality and legitimacy suggests that two dimensions underlie the different motivations that can influence compliance. The first is whether the motivation is instrumental or normative; the second is whether the normative motivation is linked to a political authority. (Legitimacy is linked to a political authority, but personal morality may or may not be.)

Because of its value as a normative base for authorities, legitimacy has been an important concern among social scientists. It has been prominent in treatments of law by sociologists beginning with Weber (see Weber 1947), and by psychologists (French and Raven 1959), political scientists (Easton 1965, 1968, 1975; Gamson 1968), and anthropologists (Fried 1967). In each case citizens who accept the legitimacy of the legal system and its officials are expected to comply with their dictates even when the dictates conflict with their self-interest. Legitimacy is regarded as a reservoir of loyalty on which leaders can draw, giving them the discretionary authority they require to govern effectively.

Because they are concerned with securing compliance, legal authorities are interested in public evaluations of the legitimacy of police officers, judges, lawyers, and the like. Interest in these issues is reflected in Roscoe Pound's famous address of 1906 on public dissatisfaction with the courts, as well as in more recent efforts to understand this dissatisfaction (Fetter 1978). Efforts to explore public opinion about the police, the courts, and the law reflect the belief among judges and legal scholars that public confidence in the legal system and public support for it—the legitimacy accorded legal officials by members of the public—is an important precursor to public acceptance of legal rules and decisions. To the extent that the public fails to support the law, obedience is less likely. [11]

This focus on public views of the law and legal authorities has heightened concerns about the extent of public support. A number of social scientists and social commentators have noted the low levels of public support in recent public opinion polls for legal and political authorities. Studies of the public's evaluation of political leadership, of such institutions as the Supreme Court and the presi-

dency, suggest that large segments of the public have little confidence in their legal and political authorities (Lipset and Schneider 1983; Miller 1979; Wright 1981). [12] There is an implicit belief that these low levels of confidence in authority will lessen compliance with the law.

More recently, researchers in political science, sociology, and policy studies have shifted their attention away from theories of the state and issues of legitimacy and toward citizens' assessments of the benefits and burdens of participation in society. The assumption that legitimacy is an important element in the exercise of authority has however remained an essential element in theories of the relationship between citizens and legal authorities.

Legitimacy as an Empirical Issue

Although the assumption that legitimacy enhances compliance has traditionally been accepted by lawyers and social scientists, it has been pointed out that the assumption is not supported by convincing data. Instead of testing the role of legitimacy in compliance, scholars have simply assumed that it is important, and as a result the value of the concept of legitimate authority has not been established. Boulding, for example, suggests that "the nature and underpinnings of legitimacy are among the most neglected aspects of the dynamics of society... We all tend to take legitimacy for granted" (1970, 509). Similarly, Schwartz argues that the view that the impact of law is "deeply affected by the legitimacy accorded to [it] . . . has not yet been subjected to rigorous test" (1978, 588). As McEwen and Maiman (1986) aptly summarize, "The virtual absence of empirical examination of legitimacy leaves us vulnerable to the charge that the concept is a magical one to be invoked when our power of explanation otherwise fails us" (p. 258).

Legal scholars have also recognized the lack of clear empirical support for the value of legitimacy. Hyde (1983) has challenged social scientists to demonstrate convincingly that legitimacy can be distinguished from other factors that may influence compliance, and that it has an independent effect on law-abiding behavior.

To examine whether legitimacy influences behavioral compliance with the law one must first develop indicators for each of the variables to be analyzed. The most direct way in which legitimacy has been measured is as the perceived obligation to comply with the directives of an authority, irrespective of the personal gains or losses associated with doing so. This concept of legitimacy is central to the original work of Weber, which emphasizes the perceived obligation to obey (see Weber 1947). Easton focuses on the belief held by members of a

society that they should obey their leaders: "In a political system in which the governing group bases its activity on a principle which the members of the system consider to be adequate grounds for obeying their rulers, the power is said to be legitimate" (1958, 180). In such a context citizens feel that the rules ought to be obeyed. This concept of legitimate authority has also been important in definitions of legitimacy by social psychologists (French and Raven 1959).

Typically, studies of perceived obligation pose such questions as the following: "If a policeman asks you to do something that you think is wrong, should you do it anyway?" These questions presume a conflict between self-interest or personal morality and the legitimacy of the authority making a request. The central question is whether people will allow their external obligations to authority to override their personal self-interest or their moral views. A second approach to assessing legitimacy is to measure the extent to which authorities enjoy the public's support, allegiance, and confidence (in political science often subsumed under the heading "trust in government"). Citizens are asked to indicate their affective orientation toward government leaders and institutions or to respond to general evaluations, such as "Government leaders can usually be trusted to do what is right," or "Most police officers are honest."

The essential concept in definitions of support is a "favorable affective orientation" toward an authority, an orientation that prepares a citizen to act as directed by the authority (Easton 1965, 1968, 1975; Easton and Dennis 1969; Gamson 1968; Parsons 1963, 1967). A favorable orientation has variously been called support, attachment, loyalty, and allegiance to the political or legal system.

Most empirical work examining legitimacy has focused on issues of allegiance or attachment to the political and legal systems, rather than studied directly the perceived obligation to obey the law. This is due in large part to the influence of Easton's approach on political scientists, who have done most of the empirical work in this area. Although he discussed legitimacy in terms of perceived obligation to obey, Easton measured legitimacy by measuring support (see Easton and Dennis 1969). In addition, the scale of "trust in government" developed for the national election studies provided an index of support suitable for use in political surveys.

The fundamental difference between obligation and support lies in the clarity of the motivation underlying compliance. Theories that measure legitimacy by measuring support assume that support for the government leads to the type of discretionary authority directly tapped by measuring the perceived obligation to obey. Support is therefore a less direct means of examining the role of legitimacy. If a relationship between support and compliance is found, it must be inferred that citizens comply because they feel an obligation to obey.[13]

In addition to the question of whether legitimacy matters is the question of what the object of legitimacy is. Three potential objects of legitimacy have been distinguished by political scientists: authorities, the regime, and the community. The legitimacy of authorities involves support for those in positions of power, such as judges and police officers, for elected representatives, and for the policies and actions of the authorities. The legitimacy of the regime involves support for the offices and institutions that officials occupy and for the procedural rules that guide their conduct. Finally, views about the social groups that make up the political community may also be important.[14] This final type of influence represents the possible overlap of legal and political authorities with members of one's social groups. For example, if members of a society have a common ethnic or religious heritage, they may think of their leaders as members of their own social group as well as formal authorities.

The basic distinction for our purposes is between the legitimacy of particular authorities and the legitimacy of the institutions or procedures of government. Easton refers to the latter type of legitimacy as "diffuse" support for the system, that is, support accorded the procedures and institutions of government. He distinguishes it from support for particular incumbent authorities and their decisions and policies, which he calls "specific" support.[15]

Legitimacy can reside either in a person who occupies a position of authority or in an institution. Political and legal theories of legitimacy have emphasized that using legitimate institutions and rules when making decisions enhances the likelihood that members of the public will comply, even if they do not agree with the decisions or support those who have made them.

Hyde's challenge to social scientists to distinguish legitimacy from self-interest is based on the premise that a theory of legitimacy is not needed to explain why citizens obey rules that they view as personally beneficial. If legitimacy is an important concept, it should lead citizens to behave in ways not always consistent with their short-term self-interest. Unfortunately, Easton's theory of system persistence does not distinguish clearly between the object of legitimacy and its motivation. It assumes that evaluations of incumbent authorities are based in self-interest, whereas evaluations of institutions and processes are at least partly normative.[16] To test the importance of self-interest one must differentiate the legitimacy of authorities and legal institutions from the degree to which their legitimacy is linked to self-interest or normative judgments. If these are separated, then the influence of legitimacy on compliance can be examined.

Why might normative influences be expected to be distinct from issues of short-term self-interest? According to one model, normative judgments are enduring values that develop early in a person's life, during the political socialization

process (Sears 1983). Although potentially responsive to later events, such dispositions are distinct from short-term judgments of self-interest in any given situation.

Of course, normative judgments could be distinct from judgments of short-term self-interest without representing enduring values. They may simply be contemporaneous judgments formed on a different basis. (The discussion of procedural justice in later chapters, for example, considers a normative judgment that may or may not be rooted in enduring values.) The distinction between normative and self-interested judgments is illustrated in Easton's theory of system persistence, which divides legitimacy into two components: diffuse system support is viewed as including a strong residue of the socialization process; specific system support is based on short-term calculations of self-interest.[17] If enduring values are the residue of socialization, behavior will be guided by underlying normative values and will have a consistency from one situation to the next: it will not change as the immediate environment changes.[18]

The separation of support for institutions and procedures from support for incumbent authorities and their actions is clear conceptually but in practice is not likely to be absolute. In the long term the legitimacy of legal and political procedures and institutions, as well as of legal authorities, may be linked to the outcomes they produce. As Kelman suggests, "Ultimately the political system is a way of meeting the needs and interests of the population and unless it accomplishes this, at least to a moderate degree, it cannot maintain its legitimacy in the long run" (1969, 283). In other words, people may accord legitimacy to social systems because of long-term self-interest rather than short-term self-interest.[19]

Studies typically find that those who disagree with the decisions of legal authorities consider these authorities less legitimate (Murphy and Tanenhaus 1969; Wasby 1970). The "cushion of support" provided by diffuse support is therefore not an absolute protection for authorities; it may, however, be an important element in their ability to function effectively as leaders in most situations.

Empirical Issues

There are two ways to examine the relationship between legitimacy and compliance. One is to focus on specific acts of compliance. For example, if a judge makes a decision, do the parties to the dispute obey it? If a policeman tells a person to do something, does he or she do it? Another approach examines overall levels of legitimacy and their relationship to obedience with the law. It examines

whether those who view the law and legal authorities as more legitimate are more likely to obey them.

Because this book is concerned with the role of law throughout the everyday life of citizens, I examine general compliance with the law as well as general views about the legitimacy of legal authority. This approach is drawn from studies by sociologists and political scientists on compliance with legal and political authority, which have focused on overall judgments about legitimacy, morality, and deterrence and their influence on behavior.

Both adults and children feel a strong obligation to obey the law. In Sarat's study, for example, 70 percent of adults said a law "must always be obeyed"; in Iowa, 93 percent of 1,001 adults said a law should always be obeyed regardless of personal feelings (Boynton, Patterson, and Hedlund 1968). Similar feelings are expressed by children and adolescents. In Engstrom's sample of children in the fourth to eighth grades only 4 percent of whites and 8 percent of blacks said they might disobey a policeman if he were "wrong in what he tells you to do" (Engstrom 1970). In a survey of high school students, 77 percent of whites and 72 percent of blacks agreed that "people should always obey the law" (Rodgers and Lewis 1974).

The six studies summarized in table 3.1 address the question of whether feelings of legitimacy lead to behavioral compliance with the law and legal authorities, regardless of whether these feelings are expressed as support for the authorities or as an obligation to obey. Four of the studies examine the relationship between obligation and behavior, three the relationship between support and behavior.

These studies suggest that those who view authority as legitimate are more likely to comply with legal authority, whether the legitimacy is expressed as obligation or as support.[20] They also suggest that the link between legitimacy and compliance is only moderately strong. In Brown's study, which reports the strongest correlations, only 14 percent to 21 percent of the variance in willingness to comply with the law is explained by variations in views about its legitimacy.

What the studies show most strikingly is the lack of research on the relationship between legitimacy and compliance. There are few studies; most involve children or adolescents, examine only a hypothetical willingness to comply with the law, and make little or no effort to control for potential confounding factors like social disapproval and concerns about reward and punishment. Suggestions that the enhancing effect of legitimacy on compliance has not been adequately demonstrated empirically are well founded. Nonetheless, the current literature suggests that it does exist.

The influence of legitimacy on behavior can also be examined in studies of the

Table 3.1

Legitimacy of legal authorities and compliance with the law

Study	Sample	Results
Support		
Gibson (1967)	94 precollege students in England	Support for the police related to low self-reported delinquency (r = .41)
Jaros and Roper (1980)	600 college students in Kentucky	Diffuse support for the Supreme Court related to hypothetical willingness to comply with Supreme Court decisions (gamma = .16)
Obligation		
Rodgers and Lewis (1974)	651 students (tenth grade to twelfth grade)	Perceived obligation to obey the law related to general willingness to comply (gamma = .25), but not to willingness to comply in specific instances
Sarat (1975)	220 residents of Madison	Perceived obligation to obey related to self-report of past law-abiding behavior (r = .33)
Tittle (1980)	1,993 adults	Views about legitimacy related to self-reported law breaking
Support and Obligation		
Brown (1974)	261 adolescents (seventh grade to twelfth grade)	Self-report of compliance related to support (r = .44 for the police; r = .37 for the courts) and to obligation (r = .46)

willingness of citizens to take part in illegal protests. These are peripheral to the issue of general everyday compliance with law, for they involve a violation of the system of law and government itself rather than simple acts of self-interest that contradict existing rules of conduct. Stealing a car is not typically a political statement (although it could be one), nor is running a red light. In addition, in these studies legitimacy is usually expressed as allegiance to the authorities or support for the authorities, rather than as the obligation to obey.

Table 3.2 outlines sixteen studies that examine the behavioral impact of supportive attitudes on social and political protest. Even though less directly relevant, these studies provide a more extensive test of the possible behavioral impact of legitimacy: there are a large number of studies, they examine adult behavior, and they rely less on hypothetical statements about what one would do in a particular situation.[21]

The results of these studies support the hypothesis that behavior is strongly influenced by legitimacy (in this case viewed primarily as support or trust). Citizens with higher levels of support for the authorities are less likely to engage in behavior against the system. Thirteen of the studies found support for the hypothesis, two found mixed support, and one found no support. Further, the relationship is reasonably strong. The average variance explained by the studies that report correlations is 18 percent (r = .42).[22] This level of correlation is quite high. In addition, there are suggestions in several of the studies that the level might be higher still if additional controlling factors were taken into account.

Several authors have noted that the correlation between supportive attitudes and behavior increases when factors of political context are taken into account. Useem and Useem find that nonsupportive attitudes are more strongly expressed in behavior when there are viable political groups for a citizen to join (Useem and Useem 1979). Similarly, Muller finds that nonsupportive attitudes are enacted into behavior when people feel they can effect beneficial change (Muller 1970a, 1970b). Craig (1980) has also suggested that nonsupport is more likely to be expressed in the form of behavior against the system when those involved have a sense that their behavior will be effective—a position supported by several studies (Balch 1974; Flaming 1968; Paige 1971).

That political disaffection promotes unconventional political behavior is consistent with the conclusions reached by two recent reviews of the literature on political behavior (Kinder and Sears 1985; Rasinski and Tyler 1986) and by a review of factors leading to civil disorder (McPhail 1971). Wright (1981), however, finds little relationship between support and unconventional political behavior. (Because Wright deals with many of the studies examined here and in the other reviews cited, his contrary conclusion reflects a different threshold of importance.) Although studies do find a consistent, statistically significant rela-

Table 3.2

Support for authorities and willingness to participate in political protest

Study	Sample	Results
Aberbach (1969); Aberbach and Walker (1970)	855 residents of Detroit	Political distrust leads among blacks to a willingness to riot (gamma = .40); among whites to a willingness to vote for extremists (gamma = .33)
Citrin (1977); Citrin et al. (1975)	963 residents of Bay area	Political alienation leads to a willingness to participate in unconventional political activity (r = .36)
Craig and Wald (1985)	1,500 college students	Diffuse support significantly related to willingness to employ violence for political ends
Farah, Barnes, and Heunks (1979)	Citizens in the United States (1,719), United Kingdom (1,719), Germany (2,307), Austria (1,534), and Netherlands (1,201)	Evaluations of the regime consistently related to potential for protest
Muller (l970a, 1970b)	296 college students	Low support for government procedures leads to a willingness to engage in protests (r = .47)
Muller (1972)	500 residents of Iowa	Low support for political institutions leads to a willingness to riot among those who feel that rioting is in their self-interest (r = .32)

Table 3.2 *(Continued)*

Study	Sample	Results
Muller (1977); Muller and Jukam (1977); Muller (1979);	2,663 German adults	Lack of support for basic values of the system leads to aggressive political behavior (r = .50)
Muller, Jukam, and Seligson (1982)	1,018 residents of New York City	Lack of support for basic values of the system leads to a willingness to engage in aggressive political behavior (r = .44)
Olsen (1968)	154 residents of Ann Arbor	Political disenchantment leads to tolerance for protest activity (eta = .38)
Paige (1971)	237 black males in Newark	Low trust in government related to self-report of having rioted
Schwartz (1973)	500 college students; 67 blacks of low socioeconomic status	Political alienation correlated with self-reported support for revolutionary behavior (r = .47 for students; r = .43 for blacks)
Seligson (1980)	531 Costa Rican peasants	Low trust in government related to participation in strikes (gamma = .19) and land invasions (gamma = .26)

(continued)

Table 3.2 *(Continued)*

Study	Sample	Results
Useem and Useem (1979); Useem (1982)	1,352 adults	Overall trust in government moderately related to support for political protest
Wesbrook (1980)	425 soldiers	Cynicism about government lessened responsiveness to military discipline (tau = .21); lowered reliability (tau = .42); and increased the likelihood of military discharge (tau = .26)
Worchel, Hester, and Kopala (1974)	148 college students	Low legitimacy of authority scores related to willingness to engage in violent protest (r = .39)
	22 members of Young Socialist Alliance	Legitimacy scores significantly lower than for conventional groups
Wright (1976)	1,200 adults	Low trust in government not related to endorsement of civil disobedience or disruption of government

tionship between support and unconventional political behavior, considerable variance remains to be explained.

Evidence for the role of normative concerns in securing compliance can be gathered by examining not only legitimacy but also the effects of personal morality. In studies of these effects, people are asked to what extent a law or rule accords with their own judgments of right and wrong, and these judgments are

correlated to whether they obey the law. Five studies of this kind found that personal assessments of the morality of the law typically have a strong influence on whether citizens say that they break the law (see table 3.3). The average correlation across the studies is .45, suggesting that about 20 percent of variance in obedience to the law can be explained by differences in judgments about the morality of law.

The influence of moral assessment on behavior toward the law is also examined in the large literature on moral judgment and juvenile delinquency. Studies in this area are typically based on the assumption that children who are influenced by instrumental considerations of reward and punishment are more likely to break laws than are children who are influenced by issues of obligation to obey the law. This assumption has been generally supported. Blasi (1980) reviewed fifteen studies and found that ten showed significant behavioral differences of the type predicted by developmental theory. As with legitimacy, studies of personal morality support the suggestion that normative concerns influence compliance.

Although the studies examined differ in many ways, such as in their topics, methods, and subjects, they all reinforce the conclusion that normative support

Table 3.3

Judgments about morality of a law and willingness to obey it

Study	Sample	Results
Grasmick and Green (1980)	400 adults	Those who view a law as moral more likely to say that they have obeyed it (r = .42) and will do so in the future (r = .55)
Jacob (1980)	176 adults	Those who view a law as moral more likely to say they obey it (r = .47)
Meier and Johnson (1977)	632 adults	Those who view using marijuana as immoral less likely to report using it (r = .21)
Silberman (1976)	174 students	Those who view laws as immoral less likely to report that they obey them (r = .56)
Tittle (1980)	1,993 adults	Those who view laws as immoral significantly less likely to report obeying them

for the system leads to compliant behavior.[23] Whether legitimacy operates as obligation or as support, the studies reviewed suggest a moderately strong positive relationship between the legitimacy of legal and political authorities and behavioral compliance.

At the same time, there is merit to the concerns that research has failed to demonstrate compellingly the value of the concept of legitimacy. Given the important theoretical role that legitimacy plays in social science treatments of the law, the weakness of the evidence reviewed is disappointing. The lack of strong studies is especially striking with studies of the obligation to obey the law, the most direct measure of citizens' assessments of legitimacy. The evidence that does exist is positive, but it has clear limits.

The Chicago study tests the hypothesis that legitimacy has a positive influence on compliance. The data collected are used to examine the extent to which legitimate authorities can rely on voluntary acceptance of the law by members of the public. To the extent that they can, authorities have discretionary authority. Assuming that the study confirms that legitimacy is important, the question remains of where the legitimacy of authority resides. Is the attitudinal mechanism through which legitimacy functions the perceived obligation to obey, affective support for authorities, or both? Typically studies have viewed legitimacy in only one of these two ways, and as a result little evidence is available for a direct comparison. The research does suggest, however, that both types of legitimacy have some relationship to compliance. The Chicago study addresses this question by comparing the roles of obligation and support in promoting compliance.

The Chicago study also distinguishes between support for authorities and support for rules and institutions. When other studies have done so they have consistently found the legitimacy of institutions to be most clearly linked to political behavior (Craig 1980; Muller and Jukam 1977). The Chicago study differentiates personal legitimacy of the type that Easton called specific (based in performance) from that which he called diffuse (represented by obligation to obey and generalized affective support). In the case of citizens' dealings with the police and the courts, specific system support refers to citizens' views of how well these legal authorities perform; diffuse support refers to underlying feelings of obligation toward the law, the police, and the courts, or to underlying attachment to them.

The question of whether legitimacy influences compliance has been stated as one demanding an answer either wholly affirmative or wholly negative, but it is likely that the degree to which legitimacy influences compliance depends on the circumstances. Such a conclusion is suggested by the literature on political behavior, which has identified several moderating variables affecting the strength of the relationship between support for the authorities and compliance.

The Chicago study explores in several ways the circumstances in which legitimacy matters. It deals first with the extent to which the relationship between legitimacy and compliance changes when other behavioral factors change. Four such factors are considered: deterrence, peer opinion, personal morality, and the evaluation of authorities. These factors are examined in works on compliance by political scientists and sociologists, and reflect plausible alternative factors which might be affecting compliance. Suppose for example that people thought they could break the law without being caught. In such circumstances, would their degree of compliance be more likely to depend on whether they viewed the law as legitimate? What if they felt that the police and courts performed poorly, or saw law breaking as conflicting with their personal morality? Each analysis poses the question of whether legitimacy is more strongly related to compliance in some circumstances than in others. The question of when legitimacy influences compliance is also extended to the examination of demographic subgroups, to see for example whether the behavior of those who are well educated or have higher incomes is more strongly related to issues of legitimacy than is the behavior of other groups. Finally, the Chicago study explores the impact of past experience on the relationship between legitimacy and compliance—that is, the question of whether poor or unfair outcomes from the legal authorities, or poor or unfair treatment, leads citizens later to base their compliance with the law less on legitimacy and more on other factors.

Measuring Legitimacy and Compliance

The Chicago study focuses on six laws chosen to represent the range of laws people deal with in their everyday lives. The laws examined differ in their severity. The forms of behavior they prohibit are as follows: making enough noise to disturb neighbors, littering, driving a car while intoxicated, driving faster than fifty-five miles an hour, taking inexpensive items from stores without paying, and parking illegally. In each case citizens were asked whether they had often, sometimes, seldom, or never violated the law during the year preceding the interview.

Like most earlier research on compliance, the Chicago study relies on self-reporting of compliant behavior. Its results must therefore be viewed with caution: citizens may not be reporting accurately how often they break the law. On the other hand, self-reporting is the most frequently used method of assessing law breaking (Hirschi, Hindelang, and Weis 1980) and has been found to be related to police records of law breaking (Erickson 1972; Farrington 1973; Kulik, Stein, and Sarbin 1968), to behavioral reports by teachers and friends (Gold 1970), and to unobtrusive assessments of lawbreaking (Erickson and Smith 1974).

An additional potential problem in measuring compliance with the law is the time frame used. In the first wave of interviews respondents were asked about their behavior during the preceding year. Such a broad time frame was chosen so that respondents would be more likely to indicate that they had engaged in at least some illegal behavior. But even with an extended time frame, self-reporting of some forms of behavior was low.[1]

A consequence of the approach used to assess behavior in the Chicago study is that the behavior examined occurred before the interviews, whereas the attitudes reflected the views of people at the time of the interviews. This casts some doubt on the causal order assumed in this study—that attitudes cause behavior; it may in fact be behavior that causes attitudes. The extent to which this is a problem cannot be determined by using cross-sectional data; panel analysis is required.

Respondents' self-reporting on how often they broke the law is shown in table 4.1. People were most likely to say that they had committed less serious offenses, such as parking illegally (51 percent) and speeding (62 percent). Very few respondents said they had stolen items from a store (3 percent). For each of the other offenses, the proportion fell somewhere in between: for making noise, 27 percent; for littering, 25 percent; for drunk driving, 19 percent.

Table 4.1

Frequency of law breaking: first wave (in percentages)

	Mean (standard deviation)	Often	Sometimes	Seldom	Never
Drove over 55 miles per hour on the highways	3.6 (.74)	16	28	18	38
Parked car in violation of the law	3.6 (.69)	6	22	23	49
Made enough noise to disturb neighbors	3.7 (.63)	2	8	17	73
Littered in violation of the law	2.8 (1.1)	2	8	15	75
Drove a car while intoxicated	4.0 (.27)	1	7	12	81
Took inexpensive items from stores without paying for them	3.1 (1.0)	0	1	2	97

n = 1,575
Because of rounding, percentages may not add to 100.

The various indices of law breaking were found to have a moderately strong positive relationship (mean r = .23).[2] As would be expected given the proportions shown in table 4.1, the overall scale of compliance with the law is skewed, with most respondents indicating little law breaking (see appendix C). In all, 22 percent of the respondents said they had never broken any of the six laws during the year preceding the interview.

Because many of the respondents in the first wave of interviews said they never broke the law, the questionnaire used in the second wave was designed to differentiate more finely among members of this "law-abiding" group, by using a more complex scale that included five frequencies of behavior: often, sometimes,

seldom, almost never, and never. It was believed that the additional category, almost never, would be chosen by many respondents who had said in the first interview that they never broke the law.

A more differentiated scale was needed in the second wave especially because the period being asked about was shorter: instead of being asked whether they had broken the law "in the past year," respondents were asked about "the last several months." This abbreviated period was adopted because of concerns about the problem of causal order. Unfortunately, the use of this shorter period also increased the likelihood that respondents would say they never broke the law.

The results of the second wave of interviews suggest that the greater differentiation of the scale of behavior more than counteracted the effects of the shorter time period. Overall, there was slightly more variance in the second wave in self-reported law breaking. The proportions of respondents who acknowledged having broken the law were as follows: for making excessive noise, 35 percent; for littering, 34 percent; for driving while intoxicated, 19 percent; for speeding, 65 percent; for shoplifting, 3 percent; for parking illegally, 53 percent (see table 4.2).

As in the first wave of the study, the six items studied were found to have a low but positive correlation (mean r = .20). The expanded set of categories produced greater variance in responses and as a result a less skewed scale of compliance (see appendix C).

Given differences in compliance among the people interviewed, the first question to be considered is who complies with the law. One way to address the question is by examining demographic correlates of compliance with the law.[3] In this study demographic characteristics explain a substantial proportion of the variance in compliance (24 percent). Age and sex are the major influences: the old and women are more likely to say they comply with the law. Similar findings were obtained in the second wave of interviews.

Influences on Compliance

The sociological framework focuses on three factors that influence compliance: deterrence, peer opinion, and personal morality. Judgments based on deterrence involve assessments of the likelihood of being caught, the likelihood of being punished, the expected severity of punishment, or some combination of these factors. Because research suggests that certainty of apprehension and punishment most strongly influences behavior, this is the factor that was used in this study. As in other recent studies (for example Paternoster et al. 1984), the expected severity of punishment was not assessed.

Table 4.2
Frequency of law breaking: second wave (in percent)

	Mean (standard deviation)	Often	Sometimes	Seldom	Almost never	Never
Made enough noise to disturb neighbors	4.4 (.96)	1	6	10	18	65
Littered in violation of the law	4.4 (.98)	1	7	9	17	66
Drove a car while intoxicated	4.7 (.79)	0	4	6	9	81
Drove over 55 miles per hour on the highways	3.2 (1.5)	17	28	13	8	35
Took inexpensive items from stores without paying for them	5.0 (.27)	0	0	1	2	97
Parked car in violation of the law	3.7 (1.4)	5	22	15	11	47

n = 804
Because of rounding, percentages may not add to 100.

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To establish the strength of concerns about deterrence, citizens were asked how likely they thought it was that they would be "arrested or issued a citation by the police" if they committed each of the six offenses: very likely, somewhat likely, somewhat unlikely, or very unlikely.

Citizens generally thought that the likelihood of being arrested or cited for law breaking was high. In the first wave of the survey 35 percent said this was very likely or somewhat likely for making too much noise; 31 percent said the same for littering; 83 percent said so for drunk driving; 72 percent said so for speeding; 78 percent said so for shoplifting; and 78 percent said so for violating parking rules.

A second factor considered was peer disapproval. Respondents were asked to what degree the "five adults they know best" would "disapprove or feel that [they] had done something wrong" if they were arrested for committing one of the six offenses.[4] For four offenses about half of those interviewed said their peers would disapprove "a great deal" or "somewhat": for making too much noise, 53 percent; for littering, 51 percent; for speeding, 52 percent; for parking illegally, 44 percent. In two cases disapproval was higher: for drunk driving it was 86 percent and for shoplifting 89 percent.

Finally, citizens were asked whether breaking each law was morally "very wrong," "somewhat wrong," "not very wrong," or "not wrong at all." In each case breaking the law was considered very wrong or somewhat wrong by a large proportion of the respondents: 96 percent in the case of disturbing neighbors (very wrong by 61 percent); 96 percent for littering (very wrong by 63 percent); 100 percent for drunk driving (very wrong by 95 percent); 84 percent for speeding (very wrong by 39 percent); 99 percent for shoplifting (very wrong by 92 percent); and 86 percent for parking illegally (very wrong by 37 percent).

Citizens seem to view breaking laws as a violation of their personal morality. Almost all the respondents felt it wrong to break any of the six laws studied. Most also thought that the likelihood of being caught for breaking the laws was high (70 percent to 80 percent felt this way, except for the minor offenses of littering and making too much noise, for which around 30 percent did). But respondents were not likely to feel that their friends or family would disapprove of their breaking the law (except for shoplifting and drunk driving).[5] Peer disapproval therefore seems an unlikely source of pressure to obey the law.

One possibility is that people's views about each of the six laws studied are unrelated. But an examination of the correlations measuring reactions to the six laws suggests that this is not the case. Some viewed the likelihood of being arrested for breaking the laws as higher than did other citizens: the mean correlation between estimates during the first wave was .34. Similarly, the mean correlation of the peer items at the second wave was .39, suggesting a generalized view about peer feelings. Views about the immorality of breaking the various laws were also moderately related (mean r = .31 at the first wave).

An examination of the various sociological factors shows that they also are all related. Those who view law breaking as immoral are more likely to see it as being disapproved of by their peers (r = .46); they are also more likely to think that it will lead to arrest (r = .41), as are those who think that peers will disapprove (r = .41). Finally, all three factors are correlated with self-reported behavioral compliance with the law (for morality, r = .42; for peer disapproval, r = .34; for certainty of punishment, r = .28).

Legitimacy

Legitimacy was examined in two ways: as the perceived obligation to obey the law and as support for legal authorities. This parallels earlier studies. In examining obligation to obey the law, the researchers asked the respondents to what degree they felt they should comply with directives from police officers or judges, irrespective of their personal feelings (see table 4.3).

The extent to which respondents endorsed the obligation to obey is striking. For example, 82 percent agreed that "a person should obey the law even if it goes against what they think is right."[6] This uniformity of responses poses a problem, because without variance in responses it is not possible to identify the antecedents or consequences of views about obligation. To increase variance,

Table 4.3
Perceived obligation to obey the law

	Percentage agreeing
People should obey the law even if it goes against what they think is right.	82
I always try to follow the law even if I think that it is wrong.	82
Disobeying the law is seldom justified.	79
It is difficult to break the law and keep one's self-respect.	69
If a person is doing something and a police officer tells them to stop, they should stop even if they feel that what they are doing is legal.	84
If a person goes to court because of a dispute with another person, and the judge orders them to pay the other person money, they should pay that person money, even if they think that the judge is wrong.	74

n = 1,575

the perceived obligation to obey was examined differently in the second wave: for each statement, respondents could agree strongly, agree, disagree, or disagree strongly.

   The results of the first wave of interviews also suggested that some respondents had difficulty understanding the last two items of the obligation scale, which dealt with compliance in specific instances. To clarify the obligation scale in the second wave, the first four items of the original scale were combined with two new ones: "A person who refuses to obey the law is a menace to society," and "Obedience and respect for authority are the most important virtues children should learn." This elaborated scale seems to have been more effective in capturing variance in the perceived obligation to obey the law (table 4.4).[7]

   It is interesting to compare responses to the items on obligation with those to the items on personal morality. Just as respondents almost universally feel that breaking the law is immoral, they feel a strong obligation to obey the law: both personal morality and the legitimacy of legal authorities encourage citizens to be law-abiding. Although these two forces could be in conflict, in this study they support each other.

Table 4.4
Perceived obligation to obey the law: second wave (in percent)

	Agree strongly	Agree	Disagree	Disagree strongly
People should obey the law even if it goes against what they think is right.	33	52	13	2
I always try to follow the law even if I think that it is wrong.	27	58	15	1
Disobeying the law is seldom justified.	25	57	16	2
It is difficult to break the law and keep one's self-respect.	22	49	25	3
A person who refuses to obey the law is a menace to society.	24	50	23	3
Obedience and respect for authority are the most important virtues children should learn.	31	51	15	3

n = 804

Legitimacy was also examined as a general affective orientation toward authorities, that is, as "allegiance" or "support" for the authorities involved. Support was measured separately for the police (table 4.5) and the courts (table 4.6). In each case the respondent was given a series of general statements about the authority with which to agree strongly, agree, disagree, or disagree strongly.

The respondents were much more evenly split on support than on obligation. Only a narrow majority of citizens agreed with positive statements about the police and the courts. For example, in the first wave 42 percent of the sample disagreed with the statement that police officers in Chicago are generally honest, and 43 percent disagreed with the statement that judges are.[8]

Although support and the perceived obligation to obey represent two aspects of the same underlying construct of legitimacy, the correlation between the two indices was only moderately strong (in the first wave r = .26, p < .001). This suggests that respondents differentiated between their generally positive affect toward the courts and police and their judgments about their personal obligation to obey the law. The revised obligation scale used in the second wave of the study had a higher inter-item correlation, indicating that it is a stronger scale. It nevertheless continued to show only a moderately strong correlation to support (r = .25). Thus in the second wave, as in the first, the two ways of expressing legitimacy proved quite distinct.

Given the existence of two distinct indicators of legitimacy, two approaches can be taken: one is to create a single indicator that combines them; the other is to treat them separately. A preliminary analysis using zero-order correlations suggested that both obligation and support influenced compliance with the law. The major effect was of obligation, but support also had one.[9] Because both conceptualizations of legitimacy influenced compliance, this study compromised by first using a combined indicator and then analyzing separately the two indicators of legitimacy. One consequence of combining into a single indicator obligation, which is skewed, and support, which is not, is that the combined legitimacy scale is less skewed than the obligation scale.[10] Analyzing legitimacy effects with regression and correlation techniques is therefore more reasonable if a combined scale is used.

Who feels obligated to obey the law and who indicates support? An analysis of demographic correlates suggests a weak relationship between the two groups. Demographic characteristics explain 24 percent of the variance in behavioral compliance with the law, but only 10 percent of the variance in legitimacy.[11] As is true with compliance, the major demographic correlate of legitimacy is age. Older respondents view the law as more legitimate, according to each of the indicators of legitimacy. Education also is related to legitimacy, with highly educated respondents less likely to evince high levels of legitimacy. This accords with the earlier association by Sarat (1975) of knowledge with lower support.

Table 4.5
Support for the police (in percent)

	Agree strongly		Agree		Disagree		Disagree strongly	
	First wave	Second wave	First wave	Second wave	First wave	Second wave	First wave	Second wave
I have a great deal of respect for the Chicago police.	19	21	57	61	20	15	4	3
On the whole Chicago police officers are honest.	7	10	51	54	34	31	8	5
I feel proud of the Chicago police.	12	14	54	61	29	22	5	3
I feel that I should support the Chicago police.	20	25	68	66	10	7	3	2

First wave: n = 1,575
Second wave: n = 804
Because of rounding, percentages may not add to 100.

Table 4.6
Support for the courts (in percent)

	Agree strongly		Agree		Disagree		Disagree strongly	
	First wave	Second wave	First wave	Second wave	First wave	Second wave	First wave	Second wave
The courts in Chicago generally guarantee everyone a fair trial.	6	7	53	55	35	33	6	5
The basic rights of citizens are well protected in the Chicago courts.	4	5	53	57	37	34	6	5
On the whole Chicago judges are honest.	4	5	53	57	34	31	9	7
Court decisions in Chicago are almost always fair.	3	3	53	56	39	36	5	5

First wave: n = 1,575
Second wave: n = 804
Because of rounding, percentages may not add to 100.

Correlations reveal that views about the personal morality of law breaking, judgments about peer disapproval, and judgments about deterrence are all related to support and to feelings of obligation to obey the law.[12] These correlations are however small (mean r = .15): the two factors are largely distinct, although not totally so.

Other Influences on Compliance

Another potentially important influence on compliance is the respondents' evaluation of the quality of service received from the authorities. Obviously, less feeling of obligation is required for one to support authorities viewed as solving problems well: if people feel that their interests are being furthered by the authorities, they will support the authorities for reasons of short-term gain. Evaluations of performance should therefore be distinguished from legitimacy, which is a perceived obligation to obey based on motivations other than short-term self-interest. In the Chicago study performance was evaluated separately for the police and the courts. In the case of the police the scale had fourteen items, assessing overall performance and the perceived likelihood of good performance in the future.

Satisfaction with performance was established by asking respondents how good a job the police (or courts) were doing, how well the police (or courts) solved problems and helped those who dealt with them, and how satisfied the respondents were with the fairness of outcomes when they dealt with the police (or courts). The results show general but far from universal satisfaction with legal authorities (table 4.7). In addition, they suggest that satisfaction is higher with the police than with the courts.

Satisfaction with the performance of legal authorities also involves assessing the quality of their work. Quality of performance was measured by asking respondents how frequently the police (or courts) provided satisfactory service, how often they handled problems satisfactorily, and whether they treated citizens fairly and dispensed fair outcomes. Similar questions were asked about those who went to court (table 4.8). The police and courts seem to be viewed as often failing to resolve problems satisfactorily and often as being unfair. Again the courts were viewed more negatively than the police.

Finally, respondents were asked whether they would receive satisfactory and fair outcomes and treatment if they called the police in the future (table 4.9). The answers were affirmative, even though citizens expressed the view that unsatisfactory and unfair treatment of citizens by the police and courts is widespread. They almost universally believe that their future dealings with these authorities will be satisfactory and fair.

Table 4.7
Satisfaction with legal authorities (in percent)

	First wave		Second wave	
	Police	Courts	Police	Courts
How good a job are they doing?				
Very good	10	4	11	5
Good	44	22	48	25
Fair	38	47	36	45
Poor	6	18	5	21
Very poor	2	9	1	4
How satisfied are you with the way they solve problems?				
Very satisfied	17	7	16	7
Somewhat satisfied	55	48	64	52
Neutral (volunteered)	2	1	1	1
Somewhat dissatisfied	21	32	16	32
Very dissatisfied	6	13	3	9
How satisfied are you with the fairness of the outcomes people receive?				
Very satisfied	13	7	12	8
Somewhat satisfied	52	49	65	57
Neutral (volunteered)	2	1	1	1
Somewhat dissatisfied	26	30	18	28
Very dissatisfied	8	12	4	7
How satisfied are you with the fairness of the way that people are treated?				
Very satisfied	14	9	15	8
Somewhat satisfied	56	53	66	59
Neutral (volunteered)	0	0	0	0
Somewhat dissatisfied	24	30	17	28
Very dissatisfied	7	9	2	6

First wave: n = 1,575
Second wave: n = 804
Because of rounding, percentages may not add to 100.

Table 4.8
Perceived quality of legal authorities (in percent)

	First wave				Second wave			
	Police			Courts	Police			Courts
	Called police	Stopped by police	All police		Called police	Stopped by police	All police	
Handle the problem satisfactorily?								
Always	12	12		5	11	10		4
Usually	45	43		29	50	52		38
Sometimes	34	35		49	34	31		48
Seldom	10	10		18	5	7		11

Provide people with
fair outcomes?

Always	7	5	9	5
Usually	43	34	48	42
Sometimes	40	49	38	45
Seldom	10	13	5	8

Treat people fairly?

Always	9	6	9	6
Usually	47	38	53	45
Sometimes	36	45	34	42
Seldom	8	11	4	8

First wave: n = 1,575
Second wave: n = 804
Because of rounding, percentages may not add to 100.

Table 4.9
Expected future behavior toward the respondent (in percent)

	First wave			Second wave		
	Police		Courts	Police		Courts
	Called police	Stopped by police		Called police	Stopped by police	
How satisfied would you be with the outcome?						
Very satisfied	25	20	14	24	19	15
Somewhat satisfied	61	58	67	65	63	71
Somewhat dissatisfied	11	16	16	9	15	12
Very dissatisfied	3	6	3	2	4	3
How fair would the outcome probably be?						

Very fair	24	23	16	24	20	15
Somewhat fair	67	64	70	70	69	73
Somewhat unfair	7	11	11	5	10	9
Very unfair	3	3	3	2	2	3
How fairly would you probably be treated?						
Very fairly	33	27	24	35	30	25
Somewhat fairly	59	63	65	61	64	66
Somewhat unfairly	6	9	9	4	7	7
Very unfairly	2	2	2	1	1	2

First wave: n = 1,575
Second wave: n = 804
Because of rounding, percentages may not add to 100.

A similar distinction between general judgments and feelings about the self can be found in responses to questions about discrimination. When respondents were asked whether the police treated citizens equally or favored some citizens over others, 74 percent said there was favoritism; 72 percent made the same statement about the courts. When asked whether people like themselves were discriminated against, however, most respondents said no (75 percent for the police, 77 percent for the courts). People see widespread unfairness, yet do not see themselves as being discriminated against.[13]

Because the various judgments about the police were found to be highly related,[14] a single scale of performance was used. The ten items concerning the courts also were found to be highly correlated, so for these a single scale was used as well. These two scales for evaluating performance were found to be highly related, and performance evaluations were also related to assessments of legitimacy.

As with legitimacy, the correlation of evaluations of the police and courts with demographic variables was low (mean r = .08). Police evaluations were influenced strongly by race (nonwhites gave more negative evaluations) and by age (older respondents gave more positive ones). Evaluations of the courts were influenced by sex (men gave more positive evaluations), by education (those with less education were more positive), and by income (those with high income were more negative).

The Chicago study's examination of legitimacy and compliance suggests several reasons why people obey the law. One is their instrumental concern with being caught and punished: people typically think it quite likely that this will happen if they commit serious crimes. Deterrence may be exerting an influence on their behavior. Obedience to the law is also strongly linked to people's personal morality. The data suggest a general feeling among respondents that law breaking is morally wrong. A similarly strong feeling emerges in the case of the perceived obligation to obey the law. Most of the respondents interviewed felt obliged to obey the law and the directives of legal authorities. In contrast to the strong normative commitment found in studying personal morality and perceived obligation to obey the law, support for the police and courts was not particularly high, and neither were evaluations of their performance. This does not mean, however, that dissatisfaction with the police or the courts is widespread.

The lack of a strong feeling of peer disapproval toward law breaking is also noteworthy. Although respondents thought that their friends and family would disapprove of some violations of the law, this perceived disapproval applied only to such serious crimes as drunk driving. In more mundane cases respondents thought their peers would not disapprove very strongly of illegal behavior.