

COMPLIANCE WITH THE LAW FOR TRADITIONAL AND GREY CRIMES – A CROSS-NATIONAL COMPARISON OF SEVEN EUROPEAN COUNTRIES

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Structure of the presentation

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- Why do people comply with the law?
- Boundaries, legitimacy and compliance – The contribution
- The Fiducia survey and measures
- Compliance with grey and traditional crimes
- Procedural justice, respect for boundaries, and legitimacy
- Conclusion, future directions of research

Why do people comply with the law?

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- Personal morality as a proxy for what is legal
 - Carlsmith and Darley (2008), Darley (2009), etc.

- For decades: instrumental motivators and deterrence
 - Certainty, severity, and celerity of punishments (Nagin 2013)

- Issue with deterrence: limited effectiveness (e.g., Pratt et al. 2008) and harsh unwanted collateral consequences
 - System avoidance (Brayne 2014), diminished physical and mental health, and employment prospects (Kirk and Wakefield 2018), etc.

Why do people comply with the law?

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- As an alternative: procedural justice and legitimacy
- People obey not because of personal risk assessment but because „it is the right thing to do”
 - Value-driven self-regulation (e.g., Tyler and Jackson 2013)
- If the police treat citizens in procedurally just ways (e.g., with respect, allowing voice, signalling trustworthy motives) it boosts police legitimacy which results in compliance
 - Jackson et al. (2012), McCluskey (2003), Murphy et al. (2009), Sunshine and Tyler (2003), Tyler and Huo (2002), etc.

Boundaries, legitimacy, and compliance

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- Procedural justice focusses on the fairness of treatment and decision making -> they do not have infinite sway (e.g., in case of repeated stops, Tyler et al. 2014)
- A boundary condition should be added, which measures whether police actions are considered as abuse of power
 - Huq et al. (2017), Trinkner et al. (2018)
- This boundary condition could be incorporated into the views regarding appropriate police behaviours

Boundaries, legitimacy, and compliance

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- Legitimacy measured for the police and the law
- Dual component model of legitimacy
 - Duty to obey the police/law – consent to police actions/the letter of the law
 - Normative alignment with the police/law – the police/the laws have/represent the same sense of right and wrong as I do
- Police legitimacy informs legal legitimacy – the police are the most visible representatives of the justice systems making sure that everyone adheres to the law

Boundaries, legitimacy, and compliance

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- Legal compliance – usually measured as one construct
- Yet, considerable variation -> e.g., everyday crimes, such as jumping red lights (Karstedt and Farrall 2006)
- People's perceptions of crimes can and do vary in terms the perceived morality of crimes and whether they have engaged in them
- Traditional and grey crimes?

The Fiducia survey and measures

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- Fiducia project – European Commission (EURO-JUSTIS)
- Seven countries sampled (2013-2014): Bulgaria, Finland, Germany, Italy, Lithuania, Turkey, and the UK -> all (largely) representative after weighting

Country	Sample size	Sampling strategy	Mode of interview
Bulgaria	1024	Two-stage stratified random sampling	Face-to-face interview
Finland	705	Stratified random location sampling	Face-to-face interview
Germany	769	Random digit dialling – quota sampling	CATI
Italy	1000	Random digit dialling – quota sampling	CATI
Lithuania	754	Multi-stage random sampling	Face-to-face interview
Turkey	1000	Stratified multistage clustered – quota sampling	Face-to-face interview
UK	1004	Random digit dialling – quota sampling	CATI

The Fiducia survey and measures

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- Legal compliance, personal morality, risk of sanction:
 - ▣ Did you engage in any of the following activities in the last five years:
 - 1. “...**downloaded music**, TV shows, films and other files from the internet sites that may be illegal?”
 - 2. “...**stolen a DVD** or other media format containing music, TV shows or films from a shop?”
 - 3. “...**bought something** you thought might be **stolen**?”
 - 4. “...**bought** alcohol, cigarettes or other goods that you know have been brought into [country] **without taxes being paid**?”
 - 5. “...**employed somebody** who you know **does not have the right to work** in [country], for example as a plumber or nanny.”

The Fiducia survey and measures

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□ Procedural justice

- e.g., „About how often would you say that the police make fair and impartial decisions in the cases they deal with?”

□ Respect for boundaries

- e.g., “how often (if ever) do you think the police...” “...exceed their authority”

□ Police legitimacy

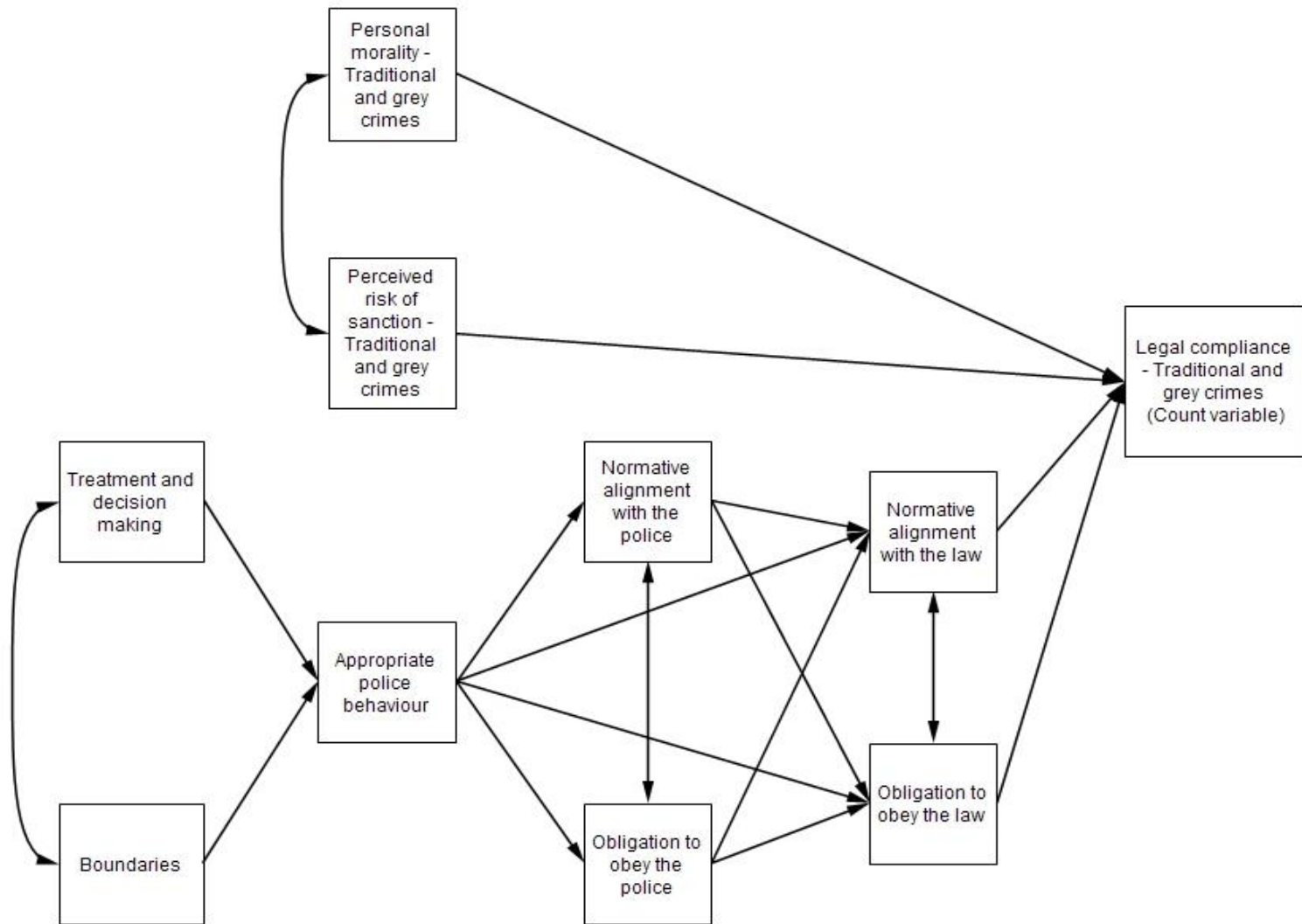
- Duty to obey: e.g., to what extent it is your moral duty to “...back the decisions made by the police even when you disagree with them?”
- Normative alignment: e.g., “The police generally have the same sense of right and wrong as I do”

□ Legal legitimacy

- Duty to obey: e.g., “Even if you disagree with a law, you should always obey it”
- Normative alignment: e.g., “Obeying the law ultimately benefits everyone in society”

The tested model

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Grey and traditional crimes

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- From the measures illegal downloading and buying untaxed goods emerged as grey crimes with...
 - ...**increased frequency** compared to traditional crimes (at least 2-5 times higher)
 - ...**higher levels of perceived morality** in 5 out of 7 countries (except Germany and Italy)
 - ...**larger standard errors** (indicating more disagreement) in 4 out of 7 countries (except Bulgaria, Germany, and Italy)
- The responses to these two „grey” crimes and three traditional crimes were added together to form a count variable

Results for grey crimes

Grey crimes	Bulgaria	Finland	Germany	Italy	Lithuania	Turkey	UK
Personal morality	0.36*** [1.43]	0.49*** [1.62]	0.46*** [1.58]	0.45*** [1.57]	0.40*** [1.49]	0.66*** [1.93]	0.52*** [1.68]
Perceived risk of sanction	-0.08 [0.92]	0.26** [1.30]	-0.05 [0.95]	0.01 [1.01]	0.41*** [1.51]	0.31*** [1.36]	0.03 [1.03]
Normative alignment with the law	0.23*** [1.26]	0.02 [1.02]	0.10 [1.11]	0.03 [1.03]	-0.01 [0.99]	0.15 [1.16]	0.02 [1.02]
Obligation to obey the law	0.09* [1.09]	0.15* [1.16]	0.32* [1.38]	0.35* [1.42]	-0.02 [0.98]	-0.11 [0.90]	0.16* [1.17]

*p<0.05, **p<0.01, ***p<0.001

Negative binomial models for grey crimes – Cross-country comparison

Results for traditional crimes

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Traditional crimes	Bulgaria	Finland	Germany	Italy	Lithuania	Turkey	UK
Personal morality	0.03 [1.03]	0.27 [1.31]	0.70*** [2.01]	0.66* [1.93]	0.26 [1.30]	0.40* [1.49]	0.52*** [1.68]
Perceived risk of sanction	0.03 [1.03]	0.12 [1.13]	-0.23 [0.79]	0.06 [1.06]	0.20 [1.22]	0.52** [1.68]	-0.09 [0.91]
Normative alignment with the law	0.33** [1.39]	0.23 [1.26]	0.13 [1.14]	0.48 [1.62]	0.31 [1.36]	0.24 [1.27]	0.12 [1.13]
Obligation to obey the law	0.18* [1.20]	0.41* [1.51]	0.18 [1.20]	0.12 [1.13]	0.31 [1.37]	0.33 [1.39]	-0.01 [0.99]

*p<0.05, **p<0.01, ***p<0.001

Negative binomial models for traditional crimes – Cross-country comparison

Discussion of the results

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- The identification strategy for grey and traditional crimes received partial support
- Grey crimes were associated with personal morality and either perceived risk of sanction or/and legal legitimacy
 - This implies that for successful interventions local strategies should be sought
- For traditional crimes no consistent picture emerged
 - Limit of the theories?
 - Methodological difficulties? (lower variance)

Results for the inclusion of boundaries

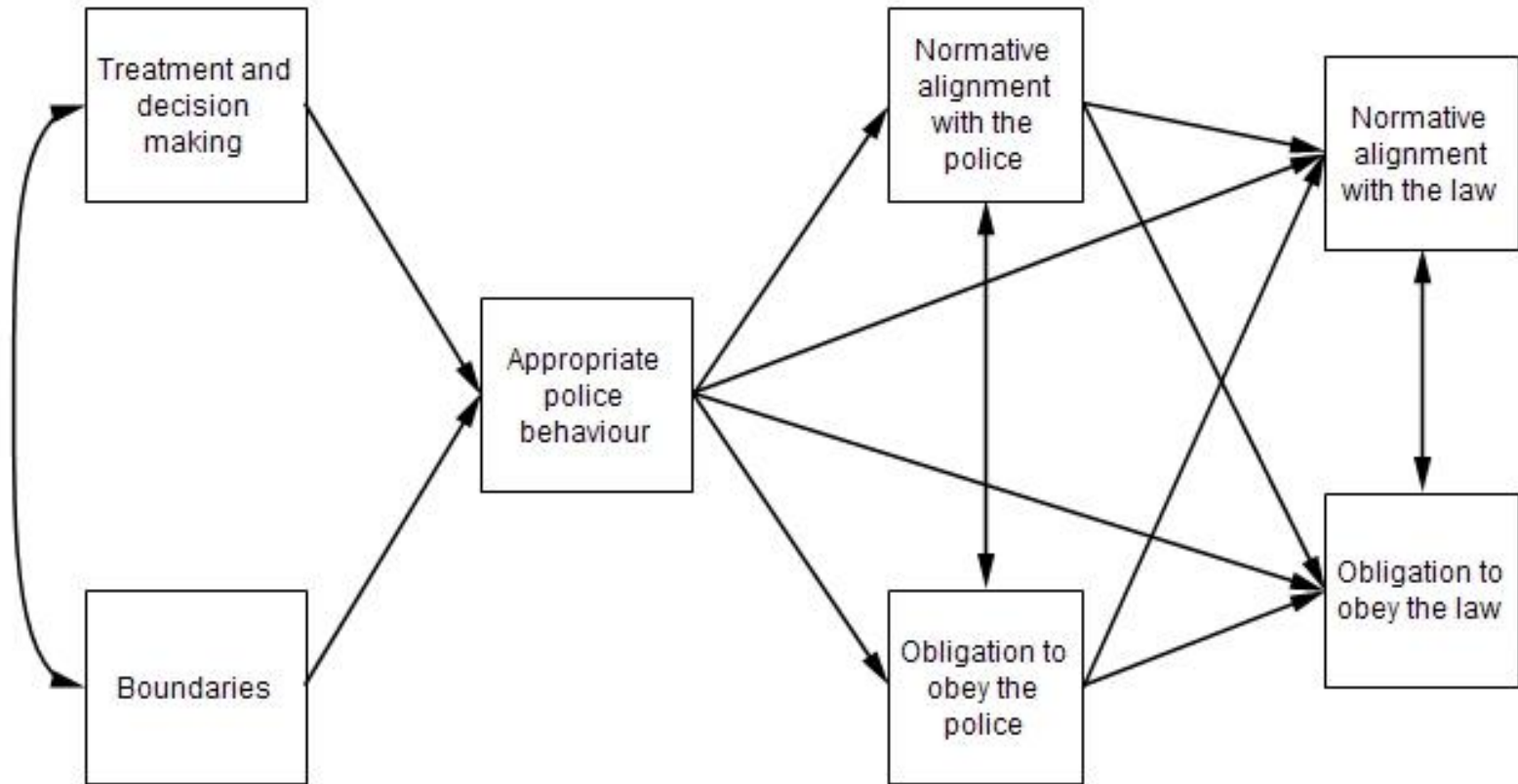
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Explained variance	Obligation to obey the police		Normative alignment with the police		Obligation to obey the law		Normative alignment with the law	
	Initial	New	Initial	New	Initial	New	Initial	New
Bulgaria	15.5% → 20.6%		21.0% → 31.5%		11.4%	11.6%	7.8%	9.6%
Finland	11.6% → 17.0%		28.3% → 38.4%		12.3%	12.0%	7.7%	8.4%
Germany	5.5% → 11.5%		23.9% → 31.0%		21.3%	20.9%	18.5%	17.3%
Italy	8.5% → 11.8%		24.9% → 29.8%		11.6%	11.1%	10.6%	9.8%
Lithuania	12.5% → 17.0%		20.3% → 31.5%		24.1%	24.8%	21.9%	22.9%
Turkey	33.6% → 41.2%		33.8% → 40.8%		17.5%	18.0%	15.2%	14.0%
UK	16.5% → 18.5%		33.7% → 41.8%		16.9%	19.0%	18.3%	20.3%

Explained variance of the initial and new models (with boundaries included)

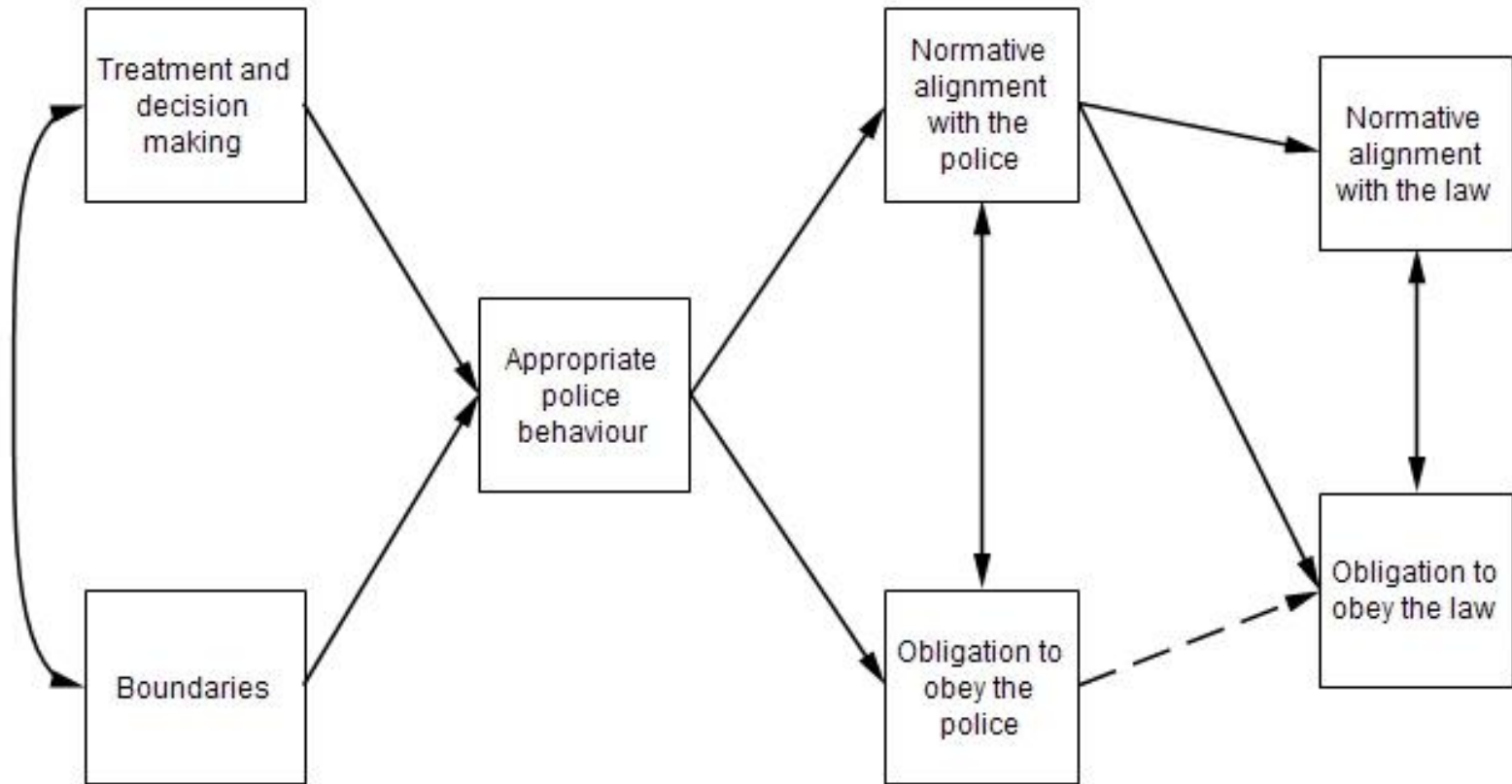
Testing the normative model

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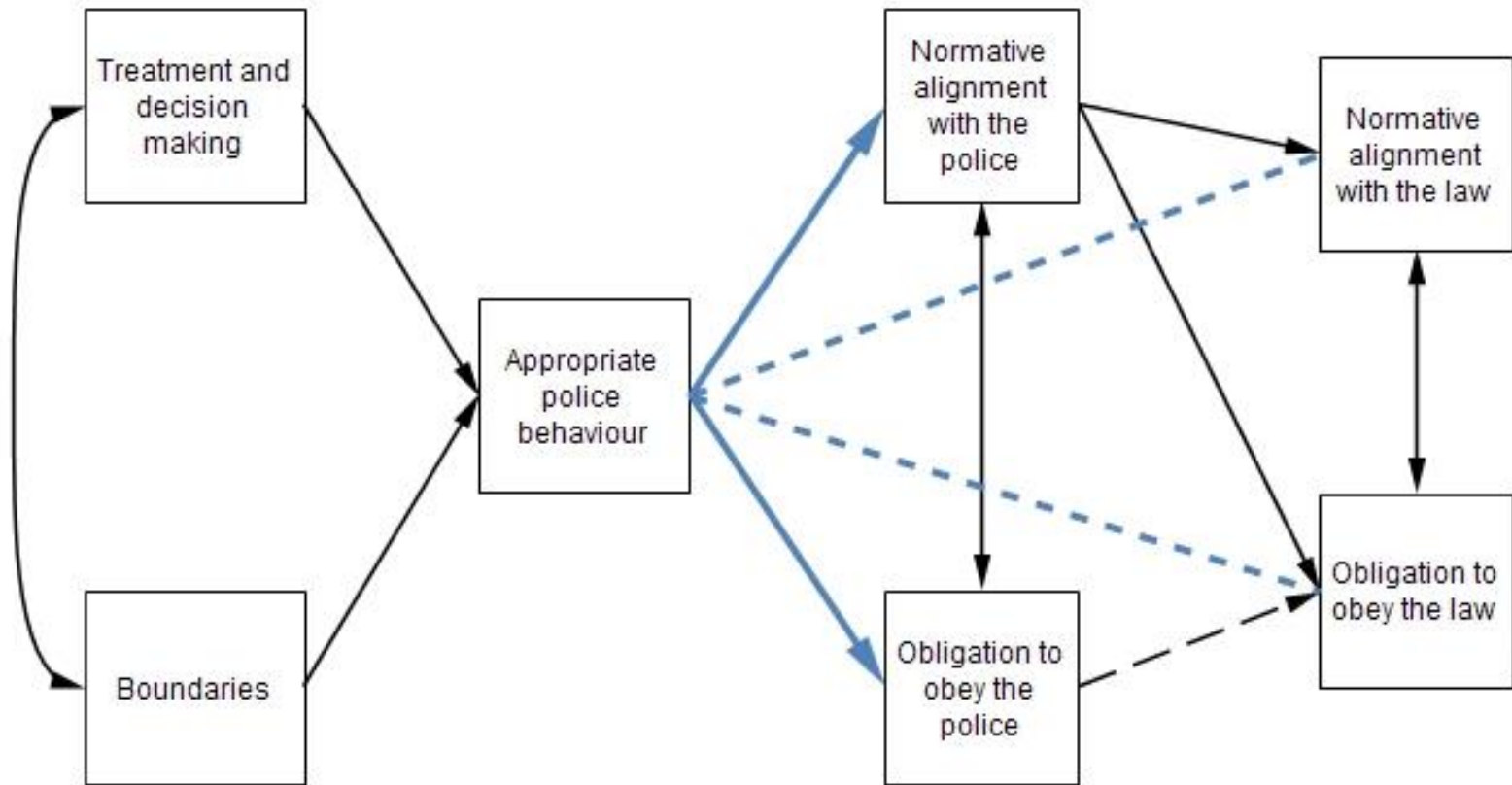
Testing the normative model

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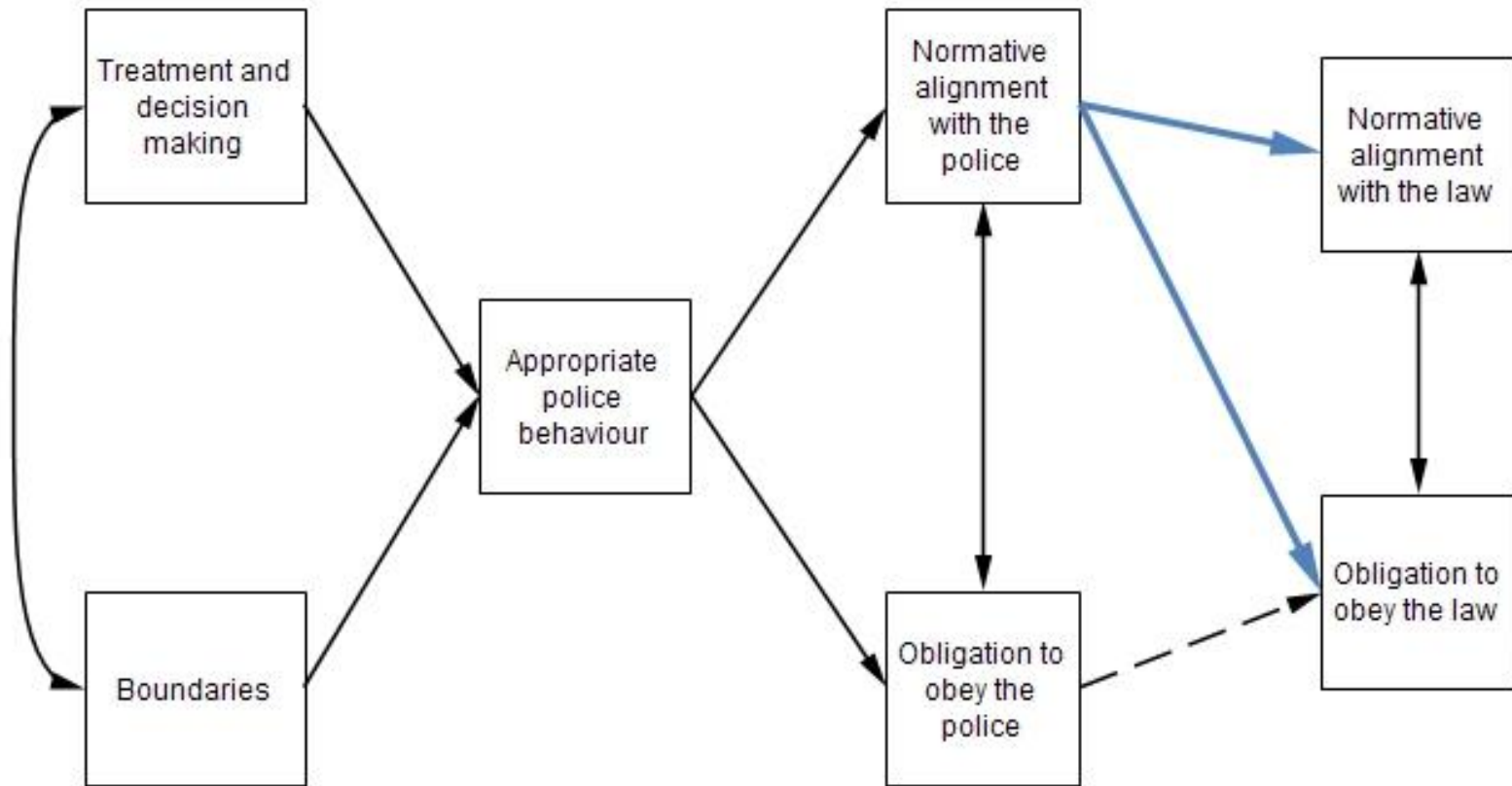
Testing the normative model

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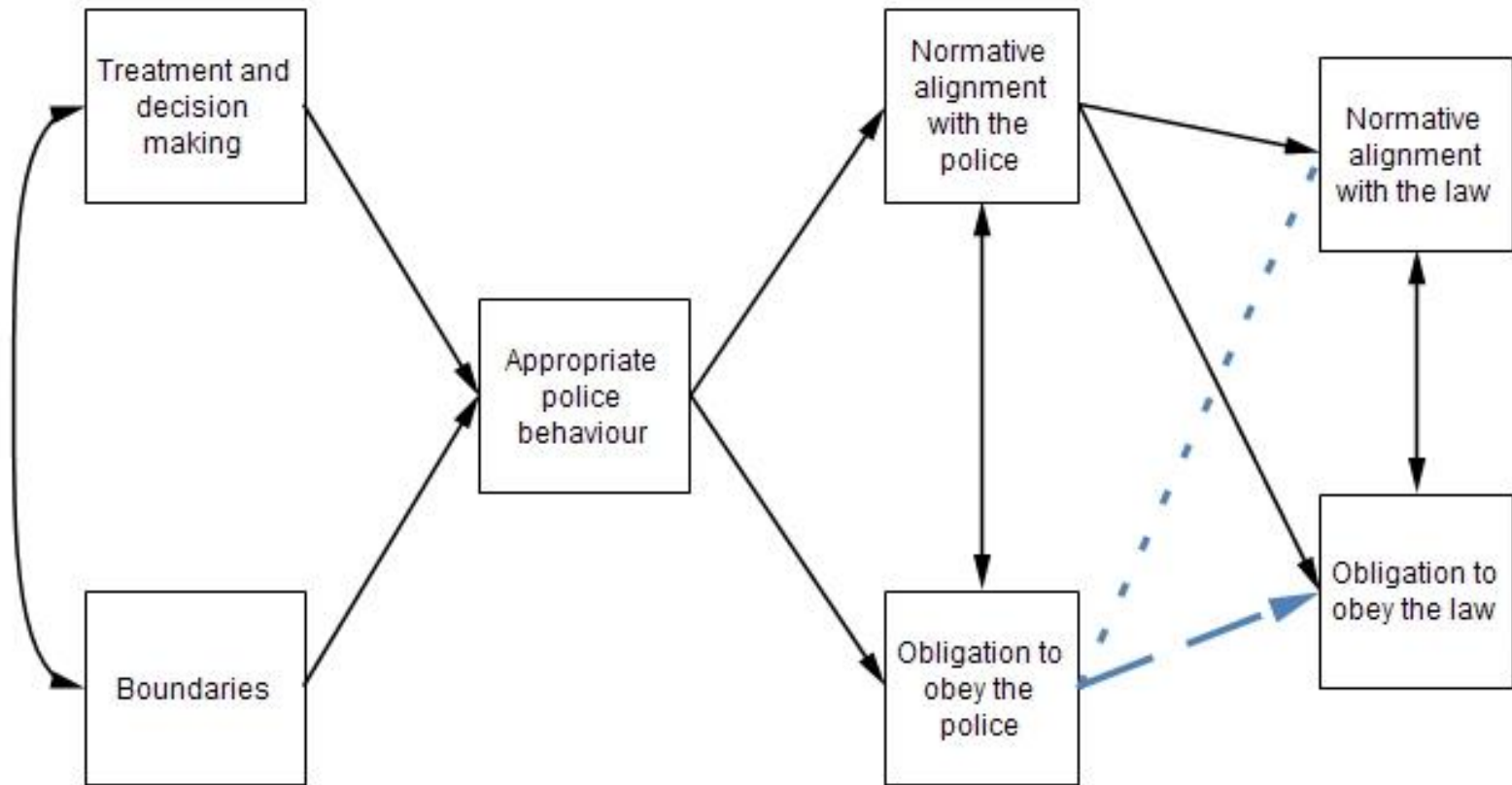
Testing the normative model

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Testing the normative model

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Discussion of the results

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- The inclusion of a boundary condition improves the explanatory power of appropriate police behaviour but only for police legitimacy, not legal legitimacy
- Police legitimacy and especially normative alignment fully mediates the impact of appropriate police behaviour on both aspects of legal legitimacy
- Duty to obey the police has more limited and inconsistent effect implying that appropriateness, not consent is key

Conclusion, future directions of research

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- It is worth distinguishing between different kinds of crimes
- Better methods should be applied to capture compliance (e.g., item-count technique, Kuha and Jackson 2014)
- Boundaries should be included in future research
- It is worth differentiating between different aspects of legitimacy (of the police and the law)
- Observational findings \leftrightarrow causality

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THANK YOU FOR YOUR KIND ATTENTION!