

Chapter 1

Understanding Fairness, Equality, and Police Legitimacy

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ABSTRACT

For decades, research on minority predisposition to comply or cooperate with the police has evolved, as citizens' encounter and experiences with the police can affect their sense of self-belonging in societies. However, less attention has been given to the issues of police act and behaviour in accordance with the laid down principles of policing in their interaction with citizens. For instance, some of the difficulties of the police in fostering its' legitimacy are the events in Tottenham, London in the UK in 2011, and the USA in 2014, 2015 and 2016. This introduction analyses how the police engage with minorities and treat them fairly in order to improve their legitimacy and how violence, brutality and racial profiling has been utilized in police practices. The result revealed a perceived unjust policing and a high level of violence across many societies in the world. Finally, we have tried in this book to identify how police, courts and the penal system officials can improve and facilitate a fair, equal and understanding in their practices in general towards minorities.

INTRODUCTION

The debates about equal justice that is the tenet of every democratic state come into question, especially when the people entrusted with the power to enforce law and order in the pursuit of justice now abuses such powers. The police have discretion to use force when necessary, but those that suffer most from these practices are the minorities. The question is does the fact that police violence often involve minorities suggest inequalities against a particular racial, class or ethnic groups? We have also seen a new move towards strengthening the bonds between police and community and empowering both groups to act effectively against community challenges. If this is the case, why are minorities distrustful of the police in societies? This is not surprising given the experiences of differential treatment in the criminal justice system. Scholars' attentions are focused on understanding and interpreting the relations between police and minority citizens to create paradigms or situate the ways to crystallize the complexities of police and minority relations.

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Research findings have consistently suggested that minorities are more likely than White to perceive the police with suspicions and distrust. Minorities often claim that the police disproportionately single out ethnic minorities and racial groups for double standard of policing. Thus, citizens' perception about the police actions and practices is important criteria of assessing police legitimacy in a democratic state. Police lawfulness means that they follow the constitutional, legislations and professional norms within the society too. Furthermore, distrust of the police by certain segments of the society has a serious consequence, as it undermines the legitimacy of the police and without legitimacy, the police loses the ability and authority to protect citizens effectively (Horowitz, 2007; Weitzer, & Tuch, 2005; and Skogan, 2005). In sum, scholars' analysis has pointed out that many minorities are at a disadvantage in their encounter with the police (Chambliss, 2001; Stevens, 2001; Egharevba, 2014). The various encounters minorities have had point to the various strategies police officer uses in carrying out their duties. In many police departments, they consist of well-educated, trained and equipped officers and the scope of police duties has increased in view of the international terrorism across the world.

Thus, police departments have expanded their technological knowhow to the level that officers now react quicker to any threat than before aftermath of the terrorist attack of September 11, 2001. However, in many police departments, many police officers have different goals and orientation toward work, some of their aggressive strategies are harmful to the police and citizens' relations especially in their use of excessive force that tend to lead to inefficiency in preventing and building trust between the police and the people they are supposed to protect. Some police behaviour and practices have resulted in tension and apprehension in minority citizens and police relations (Weitzer & Tuch, 2006; Skolnick & Fyfe, 1993). The utilization of aggressive approach to policing has evolved over time that include ways of addressing the broader unequal treatment that delineates the opportunity for police use of violence and excessive force against those that have sworn to protect across major cities in the world.

Indeed, for decades' racial violence and police bias have been one of the tools often use by the police to preserve their power and privileges in pushing other citizens into unequal class in the ways they are often treated in the criminal justice systems in the society. Consequently, leading the police to the use race as a concept to buttress their unequal treatment melted out to some group of citizens. This same idea does allow some within the societies while pushing others to the margin of the societies indirectly in policies, social life and employment. Race plays a vital role in police approach and practices towards minorities the significant of this approach is in the opinion and views of many minorities is that the police do not care whether their rights are often being violated by their actions than their White counterparts. This kind of conduct has apparently led to discriminatory treatment be it physical or emotional abuse especially in the police use of racial epithets in their encounter with minorities. Sometimes, mistreatment may not be violent but can be in the form of harassment and humiliation in the form of racial profiling in which only certain class of people are stopped and searched, their documents thoroughly checked while travelling or while driving in certain areas or for driving certain brands of cars. Moreover, the discussion on police violence in the criminal justice system undoubtedly confirms the unjust criminal justice system. Tensions and apprehension in police and citizens' interactions have led in the past to riots across major cities in Europe and America. These kinds of riots increase tensions that undermine the legitimacy of the police in minority and the police relations.

This book is an attempt to offer us an insight into three lines of arguments about the criminal justice systems. First, we should remember that police mirror of the societies in which they are embedded; so, police bias and discriminations are most likely to be found in highly unequal societies in which certain ethnic, religious and linguistic groups are excluded from the mainstream society. Indeed, the theory that

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