

A Comparative Analysis of Public Confidence in National Legal Systems

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With any fears of a new millennium apocalypse forgotten, two very different countries struggled to deal with the same political catastrophe. In both countries, two political factions engaged in a fierce battle for each nation's highest office – the presidency. Throughout the bitter elections, rampant rumors of voter intimidation, fraud, and use of unnecessary force saturated the media. Citizens relished in the fact that the day of the election would finally end these political power struggles. They were wrong. As Election Day turned into Election Night, there were no clear winners in either nation. The elections were too close to call: thousands of votes were still being counted, as accusations flew from all sides of the political dilemmas.

During the next few days, the world waited as the matters were referred to the nations' respective highest courts. Both courts were under enormous domestic and international pressure to order a recount or an entirely new election. Citizens of both countries held their breath, for the prospects of a smooth and non-violent end to these political fiascos seemed to be impossible.

The similarities between these two countries ended with the decision of the courts, however. Each country's court came up with a different resolution, but their reasons for doing so are what set them apart. In November 2004, Viktor Yanukovich and Viktor Yushchenko ran for the Ukrainian presidency. Supported by Russian President Vladimir Putin, Yanukovich seemingly won the election over the pro-Western (and U.S. ally) Yushchenko. However, foreign observers vehemently denounced the election results as invalid and rigged. Due to enormous international pressure, in December 2004, the Ukrainian Supreme Court annulled the November presidential election results and ordered a new election.

Four years earlier, the United States experienced a similar situation when George W. Bush ran for President against Al Gore. Although parallel accusations of invalid election results remained, the U.S. Supreme Court ignored international pleas for a new election, or even a

recount, with the case, *Bush v. Gore*. Though it is too early to tell what impact the Ukrainian Supreme Court's decision will have upon that country, it is clear that the Court's decision was influenced by outside, foreign pressure. In the United States, however, neither domestic nor international concerns for fairness had any effect on the Supreme Court's controversial decision. The question is, "why?" Why were the U.S. Supreme Court justices unafraid to make such a potentially volatile decision? More important, why would the American people, the candidate for which the majority voted, and the international community simply sit by and accept this decision in the U.S., when such entities were unwilling to do so in Ukraine?

The answer lies in institutional legitimacy. Unfortunately, as Gibson and Caldeira (1995, 460) acknowledge, "it is surprising how little we know about legitimacy, as important as it is, and its origins and consequences for the broader legal and political systems." Additionally, most of the research on judicial legitimacy focuses on the United States Supreme Court (Easton 1965; Gibson and Caldeira 1995). A dearth of research exists that explores this vital question comparatively, and among those studies, scholars tend to concentrate on established "Western" democracies.

This paper, therefore, seeks to fill this gap by examining the concept of judicial legitimacy in several countries formerly belonging to the Soviet Union. It is our contention that these countries provide an excellent opportunity to explore legitimacy within fledging democratic institutions. In order to truly understand how judicial legitimacy is attained, one should explore courts within countries that do not possess "traditional" environmental factors (such as stable and prospering economies, recognized civil and political rights, and the seasoned and experienced wisdom that comes with institutional age) that facilitate established institutions. By examining attitudes within similar countries that lack the traditional factors deemed necessary

for legitimacy, this study will provide further insights into how scholars should conceptualize legitimacy and test its development.

THEORETICAL EXPECTATIONS

Institutional legitimacy involves the right, or mandate, of an institution to make decisions for a political community (Gibson, Caldeira and Spence 2003). Specifically, “legitimacy” requires individuals’ acceptance of and compliance with institutional decisions – even if they do not agree with the decisions. Instead, individuals comply because they concede that the institution has the “right” to make the decision in the first place (Canon and Johnson 1999). Accordingly, in order for an institution to maintain effectiveness over time, it must be seen as “legitimate” by its mass public (Gibson, Caldeira and Baird 1998). Institutions without such legitimacy will be limited in their ability to go against majority preferences, even when necessary.

Since courts typically possess neither “the purse nor the sword” (Gibson and Caldeira 1995), the institutions must obtain and maintain their legitimacy to ensure that their decisions are respected and adhered to. Additionally, scholars acknowledge that institutions are only seen as legitimate when citizens acknowledge their “right” to make a decision (whether the individual agrees with the decision or not). Thus, it is the relationship between the citizen and the state that is imperative when studying legitimacy (Gibson and Caldeira 1998; Fraser 1974). Accordingly, a suitable way to measure this relationship is to see how much “support” the courts receive from the public.

The theory of institutional “support” was first considered by Easton (1965) and has since been explored by many others.¹ Judicial scholars note two types of institutional support, however. The first, “diffuse support”, is often equated with, and used interchangeably with, legitimacy (Gibson, et al. 2003). Diffuse support is loyalty to the institution; support does not change with the institution’s immediate outputs. Even when the institutional outputs are unfavorable, long-term support for the institution and its internal processes remain stable. On the other hand, “specific support” refers to favorable or unfavorable support for the actual decisions or activities of the institution. When specific support is low, diffuse support is imperative because it cushions overall dissatisfaction with the institution, through a so-called “reservoir of goodwill” (Gibson, et al. 1998).

If a court possesses diffuse support, it can make independent and potentially controversial decisions without causing serious political repercussions (such as mass riots, violent overthrows of governments, or a complete rejection of the court’s decision altogether). Since it is clear that public support of an institution is a necessary component for its legitimacy, the true test of an institution’s legitimacy is its ability to induce support², even when individuals do not agree with the decisional output.³

Unfortunately, testing public support in courts is not an easy task. As is the case with most survey data, researchers are limited to utilizing what is available, though it may be

¹ For example, studies involving the United States Supreme Court find that most Americans support that institution as a whole (Caldeira and Gibson 1992), and though that support may waver in response to certain decisions, the majority still see the Court as legitimate (Caldeira 1986).

² Other studies have found that public support is a necessary element for gaining compliance with controversial decisions (Gibson 1989). However, the focus of the research project is limited to how courts obtain that support, or trust, and does not attempt to explain how courts move beyond levels of support to acceptance and compliance with decisions.

³ Though there are scholars who focus on the system-level, or macro, studies of legitimacy, this approach is weak because of its tendency to concentrate on formal structures and aggregate processes (Weatherford 1992). Such approaches fail to recognize the need to observe the political system’s “subjective” aspects – or how public opinion shapes institutional legitimacy. Using public opinion surveys is the best way to empirically study legitimacy, as it is the personal relationship between citizen and institution that drives legitimacy in the first place.

imperfect.⁴ Frequently, scholars must rely on survey questions asking respondents if they have “confidence” or “trust” in institutions in order to study the diffuse support necessary for legitimacy. Although institutional legitimacy is certainly related to institutional confidence, the terms cannot necessarily be equated (Gibson, Caldeira and Spence 2003).⁵ “Legitimacy” is an abstract term, consisting of a combination of many variables, including confidence/trust (Gibson, et al. 2003). However, scholars do agree that public confidence in court systems is a necessary component to legitimacy; further, those expressing more confidence/trust in institutions are more likely to see institutions as legitimate (Gibson, et al. 2003; Fraser 1974). Accordingly, limited by available data, this paper tests factors affecting confidence in Eastern European courts, while relying on the theoretical assertion that confidence is a vital component for institutional legitimacy.

Past research on established judiciaries shows that there are a number of factors influencing public confidence in courts (Caldeira and Gibson 1992; Caldeira and Gibson 1995; Gibson, et al. 1998). We focus on two sets of influences: one at the system (or state) level and the other at the individual level. In is our contention that the combination of system and individual level factors provides the most appropriate explanation of judicial confidence.

⁴ As noted by Gibson, Caldeira, and Spence (2003), the proper way to measure diffuse support is to target respondents who disagree with specific outputs and asking them if they believe that the institution had the right to make the decision, as well as whether they think the institution should be altered because of the unfavorable decision. Given the data available, however, such an undertaking is obviously not feasible.

⁵ Scholars such as Gibson, Caldeira, and Spence (2003) have strongly argued that confidence/trust questions are not good measures for legitimacy because such questions really measure specific support and not diffuse support. Thus, they argue that results from these surveys cannot be used to infer institutional legitimacy, since the two concepts cannot be equated. Such criticisms are valid. However, this study makes no attempt to equate confidence with legitimacy. Instead, it tests factors that affect confidence, which is theorized as a necessary component for legitimacy. Even Gibson, Caldeira and Spence (2003) concede that legitimacy and confidence/trust are indeed related; those expressing more confidence/trust in the institution are more likely to see the institution as legitimate (p. 361; see also Fraser 1974). Further, they acknowledge that confidence/trust measures do perform fairly well when studying legitimacy (Gibson, et al. 2003).

At the system level, scholars such as Gibson and Caldeira (1995) note that recognition of democratic norms likely influences confidence in court decisions. Yet, this proposition has not been adequately tested in a comparative setting. Gibson (1989) explores the influence of civil liberties (conceptualized as perceptions of procedural fairness) on legitimacy, but only with regard to the U.S. Supreme Court, and only as it relates to compliance.⁶ In fact, since most studies of legitimacy are performed in countries already recognizing democratic norms such as civil liberties and political rights, the exclusion of tests for democratic influences is understandable. Yet, exploring these influences is essential to understand judicial legitimacy in fledgling democracies. Therefore, we hypothesize that individuals living in Eastern European countries possessing higher levels of political rights and civil liberties will have more confidence in that country's judicial system.

Additionally, previous research demonstrates that the age of the institution affects public confidence. As courts become older, there is an inherent tendency for the public to express increased levels of trust with the institution (Gibson, Caldeira and Baird 1998). However, we expect an opposite effect to exist within Eastern Europe. Older institutions are most likely viewed by the public as remnants of the Soviet era, when the rule of law did not exist. Conversely, the public may view newer judiciaries more positively; expressing their hope that the fledgling institution can establish itself as a viable branch of government. Thus, we hypothesize that the public will express less confidence in older judicial institutions.

Finally, research on American institutions shows that economic factors influence political opinions (e.g. Presidential approval ratings are affected by the economy; MacKuen, Erikson and Stimson 1992). Though courts do not affect the economy directly, judges are responsible for

⁶ In that work, Gibson finds perceptions of procedural fairness have no impact on individuals' willingness to accept a decision.

protecting economic relationships (such as the right to contract), and allocating resources (such as the distribution of property). Thus, we hypothesize that individuals living in Eastern European countries with poorer economic conditions will have less confidence in their country's judicial system.

Our analysis also includes individual level variables to control for idiosyncratic factors related to the respondents. First, research on established democracies demonstrates that individuals express greater confidence in judiciaries if they are more politically aware, or participate more frequently in the political system (Caldeira and Gibson 1992; Weatherford 1992; Gibson, Caldeira and Baird 1998). If Eastern European citizens behave similarly to their Western counterparts, then those individuals with higher levels of political awareness and participation will have more confidence in their judicial system.

Second, it is quite plausible to expect a majority of respondents to equate confidence with the judicial system to confidence in government, generally speaking. Studies within the United States empirically demonstrate this relationship (Caldeira 1986; Caldeira 1991), although the judiciary tends to receive higher votes of confidence than other political institutions (Hibbing and Theiss-Morse 1995). Thus, we hypothesize that individuals expressing greater confidence in government will also register greater confidence in the judiciary.

RESEARCH DESIGN AND METHODOLOGY

This study evaluates survey data from twenty-two Eastern European countries to determine influences on public confidence in national judiciaries (see Appendix A for a list of countries). We obtained these data from the World Values Survey, a comprehensive collection of cross-sectional data consisting of three panels: 1981-1984, 1990-1993, and 1995-1997. Many

researchers use the World Values Survey dataset, as the collection is made up of a series of consistent questions given to respondents in seventy-one countries around the world. Most of the measurements used in this study are obtained from the World Values Survey.

The dependent variable is *Confidence in the Judiciary*, measured using a World Values Survey question that asks respondents to rate their level of confidence in the legal system, with choices ranging from one (no confidence at all) to four (a great deal of confidence).⁷ Due to the composition of survey data, issues of comparative accuracy need to be addressed. We acknowledge that the World Values Survey's use of the vague terms "confidence" and "legal system" may affect the validity of any findings. However, as previously noted, this study makes no attempt to equate confidence with legitimacy. Additionally, the data in this study are carefully organized to be as precise and compatible as possible to ensure proper analysis.

For the system-level variables, our measures of *Political Rights* and *Civil Liberties* are obtained from Freedom House. The Freedom House Organization publishes an annual assessment of all countries' levels of freedom across the world in a project called the "Freedom in the World Survey."⁸ Since it began in 1972, Freedom House assigns nations two scores -- one score representing that country's political rights ratings and the other representing that country's civil liberties ratings. "Political rights" are defined as the right to participate freely in the political process. "Civil liberties" include the freedom to develop views, institutions, and personal autonomy apart from the state. Though scholars note certain limitations of the Freedom House scores (see Herron and Randazzo 2003), better alternatives are as yet, undiscovered. For our analysis, scores range from zero (low level of recognition for civil liberties/political rights) to six

⁷ For information on specific question wording for each variable, and other measurements, see Appendix B.

⁸ See www.freedomhouse.org/ratings.

(high level of recognition for civil liberties/political rights).⁹ We hypothesize a positive relationship between these two independent variables and *Confidence in the Judiciary*.

To measure the age of countries' judicial institutions we rely on information obtained from the Law Library of the U.S. Congress. *Age of Institution* is calculated based on a country's enactment of its first democratic constitution, according to information provided by the Law Library of Congress. We hypothesize a negative relationship between this variable and the dependent variable.

At the macro level, we measure each country's economic conditions by relying on its *Per Capita Gross Domestic Product*. Whenever possible, these statistics are obtained through the World Bank website. The World Bank Group is a development bank that provides loans, policy advice, technical assistance and knowledge-sharing services to low- and middle-income countries to reduce poverty. The Bank houses a dataset entitled "World Development Indicators" (WDI) that includes statistics on economic and social conditions of member countries, which many scholars incorporate into their research (Simmons 2000). Almost all the data reported in its database are derived, either directly or indirectly, from official statistical systems organized and financed by national governments.¹⁰ If the World Bank did not record per capita GDP for a particular year, we then relied on either the Penn World Tables or the CIA World Factbook for the information.¹¹ We hypothesize a positive relationship between *Per Capita GDP* and the dependent variable.

Our primary individual-level variables are obtained from a series of questions in the World Values Survey. The variable *Political Awareness* is measured using the questions

⁹ The original Freedom House scale ranges from one (high level of civil liberties/political rights) to seven (low level). We inverted the original scale to facilitate interpretation of coefficients.

¹⁰ See <http://devdata.worldbank.org/dataonline>.

¹¹ See Appendix B for specific information

concerning interest in politics and frequency of political discussions.¹² The variable *Political Participation* is a summary variable consisting of questions concerning political involvement and political membership.¹³ Finally, the variable *Confidence in Government* uses information obtained from a question – similar to the question on confidence in the judiciary – designed to measure respondents’ trust in government, generally speaking.¹⁴ We hypothesize a positive relationship between these three variables and confidence in courts.

In addition to these individual-level variables, we include several control variables to account for specific respondent characteristics. These variables include *Gender* (a dummy variable coded one if male), *Age* (biological age ranging from one to ninety-nine), *Education* (measured by asking respondents their level of education, with choices ranging from one (lowest level of education for that country) to nine (highest level)) and *Income* (measured by asking respondents to place themselves in an income level between one (highest income category for that particular country) to ten (lowest income category)). We hypothesize positive relationships between these variables and the dependent variable.

EMPIRICAL RESULTS

Because our dependent variable is not continuous – only consists of four categories – regression models are inappropriate (Agresti 1996; Long 1997). Additionally, since our variable is not dichotomous a traditional logit or probit model is not appropriate either. We therefore employ an ordered probit analysis to estimate the model. The results of the ordered probit model

¹² Specifically, the survey asks respondents how interested they are in politics, with choices ranging from one (very interested) to four (not at all interested). The “political discussion” question asks respondents how often they discuss politics with friends, with choices ranging from one (frequently) to three (never).

²²The political involvement question combines questions on petitioning, boycotting, demonstrating, striking, and occupying. The questions ask respondents whether they have engaged in any of these activities with choices ranging from one (have done) to three (would never do). The membership question asks respondents if they are an active member of a political party, with choices ranging from one (active member) to three (do not belong to one).

¹⁴ See Appendix B for the specific survey questions.

are listed in Table 1. A perusal of the table reveals that several independent variables achieve statistical significance: *Political Rights*, *Civil Liberties*, *Age of Institution*, *Confidence in Government*, and the control variables *Age* and *Education*.

Insert Table 1 about Here

According to the table the variable *Political Rights* is significant, but in the opposite direction than we hypothesized. While this result alone is noteworthy, a more interesting finding occurs when one examines the changes in predicted probabilities for each variable, the results of which are reported in Table 2. These probabilities are calculated by adjusting the variable of interest (in this case *Political Rights*) from its minimum to its maximum value while simultaneously holding the remaining variables at their minimum values.¹⁵ Thus, comparisons can be made to the baseline probability (calculated holding all variables at their minimum levels) for each category of the dependent variable. Examining Table 2 reveals that increasing *Political Rights* from its minimum to its maximum value, increases the likelihood of a respondent choosing the lowest level of confidence (Y=1) by 43.5%. Conversely, the likelihood of a respondent choosing the highest level of confidence (Y=4) decreases by 1%. Thus, there is an apparent dramatic, negative effect between a country's level of recognized political rights and confidence in the judiciary.

Insert Table 2 about Here

¹⁵ Predicted probabilities are calculated using the CLARIFY software provided by Tomz, Wittenberg and King (2003). For a more detailed explanation see King, Tomz and Wittenberg (2000).

Equally noticeable is the variable *Civil Liberties*, which is statistically significant and in the expected direction. Examining Table 2 reveals that increasing a country's recognized levels of civil liberties corresponds to a decrease in the likelihood of respondents choosing the lowest level of confidence (Y=1) by 31.4%, and an increase in the likelihood of respondents choosing the highest level of confidence (Y=4) by 14.6%. Therefore, it is apparent that the public in Eastern Europe equates the protection of civil liberties with judicial authority, while the same does not hold for political rights.

The data also indicate that the *Age of Institution* is related significantly (and in the expected direction) to confidence in the judiciary. We hypothesized a negative relationship due to perceptions of older institutions as remnants of the former Soviet era. While the data this hypothesis, the predicted probabilities in Table 2 indicate a minimal impact. Adjusting this variable from its minimum to maximum value produces a miniscule change (less than 10%) in confidence. Thus, perceptions of former Soviet institutions do not substantially affect confidence in the judiciary.

The results of the ordered probit model reveal that three individual-level variables exert significant influences on confidence; the most notable of which is for the variable *Confidence in Government*. This variable is significant and in the expected direction, supporting our hypothesis that respondents will view the judiciary similarly to government in general. Examining the predicted probabilities in Table 2 indicates that as individuals possess higher levels of trust in government (i.e., as the variable moves from its minimum to its maximum value) the likelihood of choosing the lowest level for the judiciary (Y=1) decreases by 35.5%, whereas the likelihood of choosing the highest level (Y=4) increases by 27.8%.

The variable *Age* is statistically significant and negative, indicating that younger individuals are more likely to express high levels of confidence in the judiciary. Examining Table 2, reveals that the substantive magnitude of impact for this variable is not large (less than 10%). Thus, while generational differences exist within the public, the substantive impact of these differences is not meaningful.

Finally, the variable *Education* exerts a significant and positive influence on judicial confidence. Examining the predicted probabilities indicates that as respondents possess increased levels of education (i.e., adjusting the variable from its minimum to its maximum values) the likelihood of choosing the lowest level of confidence (Y=1) decreases by 13.0%, whereas the likelihood of choosing the highest level of confidence (Y=4) increases by 1.4%.

CONCLUSIONS

As we mention earlier, testing theories of judicial confidence – and by extension, legitimacy – is not an easy task. Our paper takes up this challenge by examining public confidence in the judiciaries of Eastern Europe; fledgling democracies where institutional support is not well developed. Using data from the World Values Survey, our analysis provides several notable conclusions.

First, the data indicate that confidence in the judiciary is related significantly to political rights and civil liberties, although not entirely as we initially expected. Though we expected both variables to be positively related to judicial confidence, the data only support this hypothesis for civil liberties. As countries increase the level of recognized civil liberties, the public displays increased levels of trust in the judiciary. We speculate this is due to the fact that many individuals perceive the courts as ‘counter-majoritarian’ institutions, responsible for the

protection of individual rights. Conversely, the courts are not viewed traditionally as guarantors of political rights. If this were true, however, the variable measuring political rights should have appeared as statistically insignificant. The fact that this variable achieved significance is noteworthy, and further research is needed to understand the dynamics of this relationship.

Second, the data indicate that public expressions of judicial confidence are tied directly to expressions of confidence in government, generally speaking. This result supports conventional wisdom that the public has difficulty separating judicial institutions from the other institutions of government, perhaps more so in former Soviet countries since those institutions did not possess unique identities under the iron curtain.

Finally, our analysis indicates that the age of the judicial institution is related inversely to public confidence. This result contradicts findings in Western countries which demonstrate that legitimacy increases over time. We speculate that the difference is the result of perceptions in Eastern Europe that link older institutions to the repressive Soviet regime.

TABLE 1: ORDERED PROBIT ANALYSIS OF JUDICIAL CONFIDENCE

	Coefficient	Robust Standard Error
System Level Variables		
<i>Political Rights</i>	-.250***	.050
<i>Civil Liberties</i>	.333***	.089
<i>Age of Institution</i>	-.054**	.027
<i>Per Capita GDP</i>	-.079	.087
Individual Level Variables		
<i>Political Awareness</i>	.011	.007
<i>Political Participation</i>	.003	.002
<i>Confidence in Government</i>	.605***	.043
<i>Gender</i>	.019	.019
<i>Age</i>	-.001**	.000
<i>Education</i>	.047***	.009
<i>Income</i>	.008	.010
N	21,715	
Log-Likelihood	-24247.200	
Wald Chi-square	1967.390	
Prob > Chi-square	.000	
Pseudo R ²	.095	
Cut ₁	.361	.383
Cut ₂	1.781	.384
Cut ₃	3.090	.392

* p < .10 ** p < .05 *** p < .01

Dependent Variable: Confidence in Judiciary

Note: Parameters are calculated while clustering based on country

TABLE 2: CHANGE IN PREDICTED PROBABILITIES (WITH STANDARD ERRORS IN PARENTHESES)

Variable of Interest	Pr (Y=1)	Pr (Y=2)	Pr (Y=3)	Pr (Y=4)
Baseline Probability	.372 (.088)	.482 (.038)	.135 (.047)	.010 (.007)
System Level Variables				
<i>Political Rights</i>	.435 (.074)	-.301 (.061)	-.122 (.041)	-.010 (.007)
<i>Civil Liberties</i>	-.314 (.078)	-.131 (.112)	.298 (.062)	.146 (.077)
<i>Age of Institution</i>	.082 (.042)	-.041 (.030)	-.039 (.018)	-.004 (.003)
Individual Level Variables				
<i>Confidence in Government</i>	-.355 (.080)	-.263 (.085)	.341 (.060)	.278 (.066)
<i>Age</i>	.060 (.030)	-.028 (.020)	-.029 (.015)	-.003 (.003)
<i>Education</i>	-.130 (.033)	.031 (.035)	.084 (.016)	.014 (.006)

Note: changes in predicted probabilities are calculated by moving the variable of interest from its minimum to its maximum value, while simultaneously holding the other variables constant (at their minimum levels).

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APPENDIX A: COUNTRY LISTING

1. Armenia
2. Azerbaijan
3. Belarus
4. Bosnia
5. Bulgaria
6. Croatia
7. Czech Republic
8. Estonia
9. Georgia
10. Hungary
11. Latvia
12. Lithuania
13. Macedonia
14. Moldova
15. Montenegro
16. Poland
17. Romania
18. Russia
19. Serbia
20. Slovakia
21. Slovenia
22. Ukraine

APPENDIX B: QUESTION WORDING

Dependent Variable

Confidence in national legal systems: Asks respondents to rate whether they have no confidence at all (1); not very much confidence (2); quite a lot of confidence (3); or a great deal of confidence (4) in the country's legal system.

Independent Variables

Civil liberties and political rights: A country's average political rights scores and the average civil liberties scores for the span of years in each panel. For panel 1, it is the average scores from the years 1981-82; Panel 2 (1990-91); Panel 3 (1995-1997). These are determined by the Freedom House Organization: "6" = highest scores (most appreciation for civil/political rights); "0" = lowest scores.

Age of Institution: determined by the country's date of enactment of its first democratic constitution, according to the Law Library of Congress. This date is then subtracted from the last year for each panel. For example, in Panel 1 (taken from 1981-82), the date of the country's enactment of its constitution would be subtracted from 1982 to determine court age. Age of court is scaled as follows: 0 = no constitution at that time (for that Panel); 1 = Constitution less than 10 years old; 2 = Constitution between 10 and 25 years old; 3 = Constitution between 26-50 years old; 4 = Constitution over 50 years old

Per capita GDP: Real GDP Per Capita is in constant dollars (international prices); GDP Panel 1 is determined from the Penn World Tables; GDP Panels 2 and 3 (except for former Soviet Union and former Yugoslavian countries and Germany) are from a dataset found at the World Bank website¹⁶; Former Soviet Union (Panels 2 and 3) and former Yugoslavian countries (Panel 3) and Germany (Panel 3) are from CIA World Factbook available at www.theodora.com. GDP is scaled as follows: 1 = less than 1,000; 2 = 1,001 to 5,000; 3 = 5,001 to 10,000; 4 = more than 10,000

Political awareness: A summary variable consisting of the "interest in politics" and "frequency of political discussions" questions: The political interest question asks, "How interested would you say you are in politics?" (1) = very interested; (2) = somewhat interested; (3) = not very interested; (4) = not at all interested. The political discussion question asks, "When you get together with your friends, would you say you discuss political matters frequently, occasionally or never?" (1) = frequently; (2) = occasionally; or (3) = never.

¹⁶ Dataset is entitled "Global Development Network Growth Database" by William Easterly and Mirvat Sewadeh and is available at <http://www.worldbank.org/research/growth/GDNdata.htm>.

Political participation: A summary variable consisting of the political involvement and membership questions. The political involvement question is a summary variable consisting of questions asking respondents which of the following they have done (1); might do (2); or would never do (3): petition, boycott, demonstrate, strike, occupy. The membership questions asks respondents if they are an active member of a political party (1); inactive member (2); or do not belong to one (3).

Confidence in Government: Asks respondents to rate whether they have no confidence at all (1); not very much confidence (2); quite a lot of confidence (3); or a great deal of confidence (4) in the country's government.

Gender: Dummy variable, with a "zero" representing female respondents and a one representing male respondents.

Age: Two-digit variable (e.g. 1 to 99 years old).

Education: Education level is measured by asking respondents, "What is the highest education level that you have attained?" The choices range from one to nine, with "one" representing the lowest level of education for that particular society and "nine" representing the highest level of education for that society.

Income: Measured by respondents placing themselves in an income level between one and ten, with "one" being the lowest and "ten" being the highest income category for that particular country.