

Reconsidering What Constitutes Trust in the Judiciary

A Quantitative Study on the Influence of Political Attitudes on Trust in the
Judiciary at the Individual Level

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Abstract

The dominant approach to researching trust in the judiciary focuses on perceived procedural justice. This approach does however not study citizens who do not come into contact with the judiciary as a litigant. Yet, this is important to research as judiciaries rely on public trust and support to maintain independence. This thesis therefore examines the relationship between the political attitudes of citizens and their level of trust in the judiciary. Using unique survey data from Germany, Poland, Spain, and the United Kingdom (UK), I employ fixed effects regression models and country-specific regression models to test hypotheses on populist, authoritarian, and technocratic attitudes and their relationship with trust in the judiciary. The results indicate that citizens with strong populist attitudes have less trust in the judiciary. Individuals with stronger technocratic attitudes are found to have more trust in the judiciary. Authoritarian individuals exhibit less trust in the judiciary. However, Spanish citizens with strong authoritarian attitudes – in contrast to citizens of Germany, Poland, and the UK – are shown to have a positive association with trust in the judiciary. Additionally, Polish citizens with strong populist attitudes are shown to have a particular distrust of the judiciary. All in all, these findings have important theoretical implications as they show that not all citizens are alike in how they perceive and evaluate the judiciary and the link between political attitudes and trust in the judiciary is context-dependent.

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1. Introduction

There is a profound societal concern regarding whether citizens have trust in the judiciary. Judiciaries in various countries and periods in time see themselves confronted with a lack of public trust, or even with attacks on their institutional and constitutional positions. In 2005, for instance, the Dutch parliament (*Tweede Kamer*) and Dutch media ascertained that the judiciary had violated the trust bestowed upon them and therefore instigated a public monitoring program on trust in the judiciary (Dekker & van der Meer, 2007: p. 9). The Dutch judiciary is not impervious to public attacks by politicians and political parties either. This is illustrated by politician Geert Wilders attacking the district court judges who convicted him for hate speech directed against a racial minority (PVV, 2016), and the Forum for Democracy party (*Forum voor Democratie*) presenting policy proposals and proposals for constitutional change to combat the "juristocracy", meaning some kind of "rule by judges" (Forum voor Democratie, n.d.).

A multitude of other examples exists. In 2017, the Law and Justice party (*Prawo i Sprawiedliwość – PiS*) in Poland attempted to seize control of the Polish judiciary by introducing new bills that would potentially dismiss all Supreme Court judges, dismiss all members of the agency tasked with guarding judicial independence and nominating judges, and create a powerful disciplinary chamber in the Polish judiciary (van Lit et al., 2023). Developments in Hungary are similar to those in Poland as the Hungarian government adopted controversial changes to the judicial system by lowering the retirement age of judges and giving significant power to the National Office of the Judiciary, which can appoint judges and transfer cases (Gomez, 2021).

The Spanish judiciary has been criticized for a lack of independence and political and ideological bias. Judges are appointed by a General Council, which in turn is appointed by parliament. The General Council is allegedly involved in clientelism and favor exchange. Furthermore, the judiciary's apparent poor handling of the Catalan independence movement saw it using legal instruments to silence political opposition (Urías, 2020). All in all, this indicates a fundamental credibility crisis of the Spanish judiciary. A last example of a judiciary in crisis can be found across the Atlantic. Eijkelenberg (2020) argues that in the

United States (US), former President Trump has used his appointments of federal and Supreme Court judges to secure political power during his 2016-2020 term. This is arguably coming to fruition now that a federal judge appointed by Trump is criticized for showing political bias and allegedly stalling procedures on purpose in the Mar-a-Lago case being made against Trump (Cheney & Gerstein, 2024; Rabinowitz, 2024). This undermines the impartiality of the judiciary as the partisan divide in the judiciary becomes increasingly apparent.

Sterk & van Dijk (2021) argue that accountability is vital to building public trust, which in turn is vital for maintaining independence as a judiciary. Judiciaries, according to Sterk & van Dijk, must build public trust and support by engaging in outreach programs, education, and transparency. Arguably, judiciaries require public trust even when they are not under attack. After all, public trust in the judiciary – or perhaps a more general political trust – fosters cooperation with authorities, institutional legitimacy, and compliance with the law – all of which are essential for judiciaries to function (Grootelaar & van den Bos, 2018; Marien & Hooghe, 2011). Clearly, uncovering and further examining what constitutes trust in the judiciary is an important topic both in societal and scientific terms.

The next logical question to ask is: what then constitutes trust in the judiciary? This question often lies at the heart of research on what is known as procedural justice theory. Tyler (1990) argued that compliance with legal authorities is more heavily influenced by how fair individuals perceive the procedure to be rather than how fair they perceive the outcome of such procedures to be. Legal authorities should therefore focus more on improving the fairness of their procedures to achieve greater institutional legitimacy.¹ Tyler & Lind (1992) further argued that perceptions of procedural justice are dependent on the consequences of procedures for feelings of self-worth. Hulst (2017) additionally posits that litigants in court cases evaluate their contact with judicial authorities on whether these authorities treat and judge them as full-fledged members of the community.

The research on procedural justice theory has undoubtedly contributed greatly to the knowledge of what constitutes trust in the judiciary at the individual level. It does, however, leave other factors largely unexplored. I argue that most citizens will never see the inside of a courtroom as a litigant, but will have at least some idea of what courts and judges do and

¹ The phrasing justice and fairness are often used interchangeably.

whether they can be trusted. Thus, it is important to investigate broader societal factors apart from or alongside procedural justice. It is after all the trust of all citizens that the judiciary seeks to have. Or at least, that is the normative goal that judiciaries should set themselves to maintain their independence, according to Sterk & van Dijk (2021).

Furthermore, there is reason to believe that procedural justice is not the end of the discussion on fostering trust in the judiciary. Esaiasson et al. (2019) convincingly argue that outcome favorability remains the strongest predictor of an individual's willingness to accept a decision.² Achieving the preferred outcome, in their analysis, has a positive effect on perceived procedural justice next to a direct positive effect on decision acceptance. Getting what they want colors an individual's perceptions of procedural fairness. This empirically nuances some of the mechanisms that procedural justice theory argues to be at play, such as the proposition that prior knowledge of the outcome does not influence an individual's judgments on procedural justice (Tyler, 1996).

This thesis thus sees reason to reconsider what constitutes trust in the judiciary from a more broad sociopolitical perspective. To do so, I turn to the advancing literature on political attitudes and political (dis)trust as theoretical and methodological frameworks. The literature on political attitudes shows that these constructs can be accurate predictors of political behavior at the individual level (e.g. Geurkink et al., 2020; Stanojevic et al., 2020; van Hauwaert & van Kessel, 2018; Zaslove & Meijers, 2023). Research on political trust has previously paid extensive attention to macro-level factors, such as institutional corruption, to explain varying levels of political trust between countries (e.g. Anderson & Tverdova, 2003; Hakhverdian & Mayne, 2012; van der Meer & Hakhverdian, 2017; van der Meer, 2010). Recently, more attention has been given to micro-level factors, such as political attitudes at the individual level, in explaining political (dis)trust both theoretically and empirically (e.g. Bertou, 2019; Geurkink et al., 2024; van Noord et al., 2024). Thus, I formulate the following research question to embark on this path of studying how political attitudes influence trust in the judiciary:

² Outcome favorability or satisfaction refers to the situation where the decision is in line with the individual's own preference.

R₁: To what extent do the political attitudes of citizens influence their trust in the judiciary?

To answer this question, I conduct a study that examines and outlines the theoretical background of populist attitudes, authoritarian attitudes, and technocratic attitudes, makes a case for why and how these specific political attitudes impact an individual's level of trust in the judiciary in specific. The study accordingly quantitatively analyzes these relationships using unique survey data from four countries (Germany, Poland, Spain, and the United Kingdom). The inclusion of these three attitudinal concepts is warranted as one of the possible lacunes in research on political attitudes is that they are treated as standalone phenomena (Bickerton & Accetti, 2017; Spruyt et al., 2023).³ Studying the effect of multiple political attitudes can thus provide for a more cohesive understanding. The results of this analysis have the potential to uncover previously unexplored associations or relationships between not only what but also how individual citizens think and their level of trust or evaluations of the judiciary.

The remaining content of this thesis is structured as follows. Chapter 2 outlines the theoretical framework primarily by discussing research on trust in the judiciary, political trust, and political attitudes. Accordingly, hypotheses are formulated. The methods and operationalization of the theoretical constructs are discussed in Chapter 3. Chapter 4 presents and discusses the empirical results. Chapter 5 ends with a conclusion and discussion of the findings, and provides recommendations for further research.

³ Spruyt et al. (2023: p. 548) describe this as a shift in emphasis from studying isolated attitudes and levels of support (*what* people think) to studying the attitudinal embeddedness of attitudes and questions as to *how* people think.

2. Theory

This second chapter sets out the theoretical framework. The coming paragraphs will describe the theoretical notions on which subsequent hypotheses are formulated. I first theorize on trust in the judiciary as a dependent variable in this study (§2.1). Second, I outline theoretical approaches to the concept of political attitudes (§2.2). Third, the three specific political attitudes included in this thesis, populist attitudes (§2.2.1), authoritarian attitudes (§2.2.2), and technocratic attitudes (§2.2.3), are spelled out in terms of theory and hypotheses.

2.1 Trust in the Judiciary

There is a profound concern with trust in the judiciary. This is illustrated by the rich body of literature on the topic. This does, however, not mean that it is an easy task to provide an appropriate conceptual account of the concept. A common way of conceptualizing trust in research within the procedural justice paradigm is as "a confident expectation regarding another's behavior" (Wallace & Goodman-Delahunty, 2021). Trust, according to Wallace & Goodman-Delahunty (2021), carries with it that it is given prospectively without evidence as to how the receiver will behave. These authors further argue that the extender of trust has faith in their own ability to predict the receiver's behavior and that the trusting person understands that the behavior of the trusted other is preferable to them.

The dominant approach to political (dis)trust within the field of (comparative) political science conceptualizes trust as part of the outcome of an evaluative process (Ouattara et al., 2023). This approach revolves around the notion that individuals shape their judgments on the future actions of the trusted person or object on the grounds of their past behavior (Van der Meer & Zmerli, 2017). Causes of political trust are thus examined through a range of object traits. These object traits have been summarized as evaluations of (in)competence, (un)ethical conduct, and (in)congruent interests of political institutions (Bertsou, 2019). Scholars often measure political trust by asking survey respondents to state their level of trust in a variety of different political institutions. The judiciary in particular has not yet been widely studied in political or other social sciences. One exception to this is Dekker & Van der Meer (2007), who found that trust in other political institutions was the most important predictor of trust in the judiciary. Other attitudinal or demographic factors, such as feelings of social malaise (Elchardus & De Groof, 2005), did not have a notable relationship with (dis)trust in the judiciary.

Some have argued that a general conception of trust is too broad to say anything about what it means for an individual to trust a judge in a courtroom setting (Griffiths, 2011), and therefore employ research designs where trust is measured as directly as possible, literally at the doors of the courtroom (Grootelaar & van den Bos, 2018). Furthermore, it might be the case that straightforward measures of trust, which are often employed in survey designs, do not capture the legitimacy of courts in full. Van Dijk (2023) illustrates this by showing how trust in the judiciary is heavily correlated with support for the independence of the judiciary. Legitimacy can therefore not be simply equated to legitimacy. Accordingly, Van Dijk (2023) proposed that behavior as perceived by judges, e.g. implementation of judicial decisions and respect for judicial independence, is a more reliable measure of legitimacy.

This study does not measure trust or other factors directly in a courtroom context as opposed to research conducted in the procedural justice context (e.g. Grootelaar & van den Bos, 2018; Hulst et al., 2017b, 2017a), because no particular theoretical interest is placed in what happens in the individual courtroom experiences of litigants. Rather, the study focuses on political attitudes at the individual level. It is important to study this relationship in a cross-national context with large-N analysis. Only a limited number of citizens will ever be a litigant in a courtroom. Yet, it is a crucial normative goal for judiciaries to build support and trust within the larger population, which can supposedly be achieved by engaging in outreach programs, education, and strengthening transparency (Sterk & van Dijk, 2021; van Dijk, 2021). I thus argue that perhaps a conflated straightforward measure of trust as is often used in regular survey research does still fit the context in which this study positions itself.

2.2 The Foundations of Political Attitudes

This subparagraph discusses the concept of political attitudes in general before diving into theories on specific political attitudes and their influence on trust in the judiciary. The notion of political attitudes broadly speaking refers to views, beliefs, and evaluations individuals hold regarding political objects. The literature on political attitudes does not provide a dominant approach or definition of the concept at large, with most scholars not discussing or deciding upon definitions. Rosenberg (1942) put forward that political attitudes refer to mental or emotional sets with which individuals approach a political problem, and which determine their line of conduct towards that problem. Similarly, Rokeach (1960) views authoritarianism – a specific attitude – as a coherent belief system, which can either be more rigid or more open. In a more ontological discussion of political attitudes, Ondish & Stern (2019: p. 488) have argued that "attitudes toward political issues permeate everyday life and therefore hold a high level of prominence in guiding the way that people engage with and perceive the world". Political attitudes can be both evaluations of certain aspects of society as well as attitudes toward more general aspects of society. In this sense, they are perhaps best viewed as the coherent belief systems of individuals.

The concept of political attitudes has proven fruitful in predicting political behavior. Authors have linked specific attitudes to, for instance, voting behavior (Akkerman et al., 2014; Stanojevic et al., 2020), support for (liberal) democracy (Zaslove & Meijers, 2023), and conspiratorial thinking (Balta et al., 2022). Rather than seeking explanations for why individuals hold certain political attitudes, this study examines how populist, authoritarian, and technocratic attitudes influence evaluations of or trust in the judiciary. In other words, this study examines how some of the coherent belief systems that individuals are known to guide the way in which they view the judiciary. The next subparagraphs will discuss the respective political attitudes in light of the dependent variable and formulate hypotheses accordingly.

2.2.1 Populist Attitudes

In recent decades, the academic literature has paid attention to definitions of populism (e.g. Mudde, 2004; Taggart, 2000), measuring populism in political parties (e.g. Jagers & Walgrave, 2007; Meijers & Zaslove, 2021; Rooduijn et al., 2023; Rooduijn & Pauwels, 2011), and measuring populism at the individual level (e.g. Akkerman et al., 2014; Hawkins et al., 2012).

I adopt the ideational definition of populism as "a set of political ideas which sees political contestation as a struggle between the virtuous people and the corrupt elite" (Zaslove & Meijers, 2023: p. 3). The ideational approach to populism sees populism primarily as a set of ideas. There are three main theoretical elements to this approach. First, there is the notion that society is ultimately divided into two groups: the virtuous (good) people as a homogenous group with a general will (*volonté générale*), as opposed to a supposed corrupt (bad) elite. Second, there is an emphasis on the sovereignty of the people, meaning that only the people are the ultimate legitimate source of political power. Third, the relationship between the people and the elite is of a moral and antagonistic (sometimes referred to as Manichean) nature, meaning that the relationship should be viewed as a conflict between good and evil (Mudde, 2004; Spruyt et al., 2023; Zaslove & Meijers, 2023).

Other definitions, as Zaslove & Meijers (2023) have noted, view populism as a political strategy, a political or communication style, or an understanding of representative democracy. Weyland (2017) argues that populism is not so much a set of ideas, but rather a strategy of personalized leadership that is used to mobilize voters to vote for a given party. Moffitt & Tormey (2014: p. 387) adopt a model of populism as a political style, which is defined as "the repertoires of performance that are used to create political relations." These authors adopt a particular interest in the performances involved between populist leaders and "the people". Ostiguy (2017) puts forward a socio-cultural approach to populism, viewing populism as a "flaunting of the low". The "low" refers to a crude, personalistic, and nativist mode of politics, whereas "high" refers to a polished, composed, and formally mannered mode of politics. Whereas this approach is different from others, it is similar to Weyland (2017) in arguing that populism is mobilizational or transgressive, and similar to the ideational approach – among other approaches – in recognizing the antagonistic nature of populism.

The comparative advantage of the ideational definition of populism lies in its minimal definition and its versatility. This allows for quantitative measurement of populism in political parties and individuals in a variety of contexts and regarding a wide variety of types of populism (Mudde, 2017). This brings us to the measurement of populist attitudes of individuals. A variety of authors have measured populist attitudes and have used it to predict political behavior (e.g. Akkerman et al., 2014; Elchardus & Spruyt, 2016; Hawkins et al., 2012), employing several scales consisting of multiple measurement items (Castanho Silva et al.,

2020). The aforementioned authors have demonstrated that measuring populist attitudes at the individual level is possible in a theoretically consistent and empirically robust manner.

The theoretical question regarding populist attitudes that is most relevant for this thesis is about how populist attitudes guide the way in which people behave toward and evaluate the judiciary as an institution. Several political theorists have long painted the picture of populism as a threat to the foundations of liberal democracy (Zaslove & Meijers, 2023). Rummens (2017) argues that populism has illiberal and authoritarian tendencies. Because of populism's understanding of the people as a homogenous group, it views minorities who do not conform to this idea of a collective identity as outsiders. It accordingly undermines liberal democracy by threatening the individual liberties of minority groups and disregarding constitutional checks and balances. Urbinati (2019) views populism as a *pars pro parte*, a movement that seeks to rule solely in its own interest as opposed to ruling for all of society, yet claims to rule in the interest of "the people". Moreover, both Urbinati (2019) and Müller (2017) underscore the anti-pluralist nature of populism. In disregarding pluralism, populism directly opposes fundamental values of liberal democracy, such as the protection of minority rights.

It is more than apparent that populist politicians have been undermining the position of the judiciary throughout Europe. Following their electoral victory in 2015, the Law and Justice Party (PiS) in Poland enacted a series of political and legal reforms (Sadurski, 2018). In concrete, the Law and Justice party (*Prawo i Sprawiedliwość – PiS*) in Poland attempted to seize control of the Polish judiciary by introducing new bills that would potentially dismiss all Supreme Court judges, dismiss all members of the agency tasked with guarding judicial independence and nominating judges, and create a powerful disciplinary chamber (van Lit et al., 2023)

Moreover, populist politicians in the Netherlands have made accusations in previous years towards the judiciary for being too "activist" or not respecting the separation of powers in the sense that the legislator had not been given their right to decide on a topic before the courts had ruled on the matter (Davies & Tinnevelt, 2022). A concrete illustration of this phenomenon lies in how the Forum for Democracy party (FvD) has adopted a frame or rhetoric that poses that the Netherlands has become a "juristocracy" (*diskastocratie*) – a supposed mode of governance in which judges hold the power to rule as opposed to the

people. This party even goes as far as to present plans for reforms that amend the constitution in fundamental ways to battle this juristocracy (Forum voor Democratie, n.d.).

Whereas populist ideology can be at odds with the judiciary within the framework of liberal democracy, and populist parties make attempts at undermining the role and legitimacy of the judiciary, the question remains whether the same negative relationship is the same at the individual level as research has shown that populist individuals might not hold the same ideas as populist parties (Zaslove & Meijers, 2023). I argue that citizens with strong populist attitudes are likely to have less trust in the judiciary. The judiciary as an institution consists of judges, who are – in most countries – unelected officials tasked with exercising a considerable amount of fiat power in comparison to the legislative and executive branches within the framework of the separation of power.⁴ This is at odds with the supposed preference for sovereignty of – and rule by – the people. Moreover, judiciaries are usually not subjected to accountability mechanisms in the same manner as political representatives are.⁵ Whereas political accountability of represented officials allows these officials to be "voted away" by popular mandate, this mechanism does not exist for judges. There is no basic need for the judiciary to be responsive to the broader public other than those reasoned from normative goals that they set themselves internally.

Furthermore, whereas populist parties and populist citizens might not "think" exactly alike, political parties do have an important role in affecting citizens' evaluations of democracy. Frames adopted by populist parties as discussed in this subparagraph and Chapter 1 illustrate that judiciaries are subject to negative framing by populist parties. If one views citizens as being embedded in political parties, it is not unlikely that populist citizens possibly share at least some views with populist parties in this regard. After all, it is possible that the activation of populist attitudes is a result of messaging by political parties (Spruyt et al., 2023). According to the theoretical expectations above I formulate the following formal hypothesis:

H₁: The stronger the populist attitudes of an individual are, the less trust they have in the judiciary.

⁴ A notable outlier is the United States, where judges are directly elected by the people of their given district.

⁵ I do not recognize a right of recusal as such, as the recusal request is most likely to be handled by a different (combination of) judge(s) and is therefore essentially a procedure that exists solely within the judicial context.

However, the contrary to the aforementioned hypothesis should also be kept in mind. Zaslove & Meijers (2023) found no evidence for the hypothesis that populist are less likely to find it less important that courts can constrain the government when their policies are unlawful. Similarly, populist citizens did not find adherence to existing rules and procedures less important and were not less supportive of minority rights and equality before the law. Lastly, I note that political attitudes and attitudes towards the judiciary are context-dependent. How populist attitudes are "activated" can influence to what extent they can predict political behavior (Hawkins et al., 2020). Also, judiciaries are largely idiosyncratic as countries have their own judicial and constitutional culture (Uzman, 2024). Citizens' attitudes toward the judiciary in their respective countries might therefore differ from citizens of other countries. I thus explicate and recognize that the opposite of H₁ might be supported by the empirical findings in this study.

2.2.2 Authoritarian Attitudes

The concept of authoritarianism is studied and defined differently in various academic disciplines (Mudde, 2007). This subparagraph aims to provide a solid theoretical framework for studying authoritarianism in the desired context for this study. In doing so, I approach the concept at hand from the psychological and sociological literature. I argue that this is warranted as individuals are the unit of analysis of this study, rather than political parties or political regimes, which is perhaps more common for other subdisciplines of political science (Levitsky & Way, 2002; Linz, 2000; Mudde, 2007).

Among the first to study authoritarianism were Adorno et al. (1969), who viewed authoritarianism as "a general disposition to glorify, to be subservient to and remain uncritical toward authoritarian figures of the ingroup and to take an attitude of punishing outgroup figures in the name of some moral authority" (Adorno et al., 1969: p. 228). These authors proposed the so-called "F-scale", conceived to measure personality traits constituting fascism. The F-scale supposedly also measured general authoritarianism in individuals. As Mudde (2007) has pointed out, this approach is not unproblematic as Adorno et al. (1969) conflated authoritarianism with other attitudes and ideological features.

Altemeyer (1981), building on Adorno et al. (1969), later based his definition of right-wing authoritarianism (RWA) on several elements of the F-scale. Altemeyer (1981: p. 147-148) defined right-wing authoritarianism as the covariation of three attitudinal clusters: (i)

authoritarian submission – "a high degree of submission to the authorities who are perceived to be established and legitimate in the society in which one lives", (ii) authoritarian aggression – "a general aggressiveness, directed against various persons, which is perceived to be sanctioned by established authorities", and (iii) conventionalism – "a high degree of adherence to the social conventions which are perceived to be endorsed by society and its established authorities."

Rokeach (1960) had a different approach and focused on the more cognitive aspects of authoritarianism. He understood belief systems as organized frameworks of beliefs and disbeliefs that shape an individual's worldview. Crucially, Rokeach distinguished between "open" and "closed" belief systems. An open belief system is receptive to new ideas or "flexible", whereas a closed belief system is more resistant to change or "rigid". Closed belief systems are associated with authoritarian attitudes and intolerance. Rokeach developed Dogmatism and "Opinionation" scales to measure openness and closedness in belief systems. Authoritarianism is characterized by rigid belief systems, intolerance of ambiguity, conformity to authority, and prejudice against individuals with different beliefs.

One of the common denominators of the "classical approach" as characterized by the aforementioned authors is that this approach views authoritarianism as a stable personality trait that does not change over time. Contemporary debate on authoritarian attitudes focuses on the causes and stability of authoritarian attitudes. One strain of scholars argues that authoritarian attitudes are a dispositional phenomenon that is socialized in early childhood – with some making a case for genetical determination. Other researchers argue that authoritarian attitudes are influenced by time-sensitive exterior conditions (Schnelle et al., 2021).

However, this study does not concern itself with the origins and causes of authoritarian attitudes, but rather with the influence of authoritarian attitudes on trust in the judiciary. The bottom line of the approaches to authoritarianism as discussed in this subparagraph so far is that authoritarian individuals are more inclined to accept authority in comparison to individuals without authoritarian attitudes. It is precisely the adherence to authority and the subservient nature of authoritarian individuals that is relevant when discussing political trust, or in the case of this study, trust in the judiciary in particular.

The judiciary holds a large amount of (fiat) power within the framework of the separation of powers. A key element of the rule of law is that governmental institutions have to abide by the judiciary's rulings. One example of the judiciary exercising its (binding) authority lies in how the German Constitutional Court (*Bundesverfassungsgericht*) has reviewed the constitutionality of the Maastricht and Lisbon EU Treaties, resulting in an effective veto power over the expansion of European Union politics (Graaf, 2022).⁶ Another more relatable but abstract example would be how a criminal court alone has the legitimate legal power to decide on punishment for criminal behavior. Furthermore, judiciaries are long-established and constitutionally legitimate authorities. I thus expect that individuals with stronger authoritarian attitudes will view the judiciary as an institution whose authority is established and legitimate, and to which a citizen should be subservient. Accordingly, I formulate the following hypothesis:

H₂: The stronger the authoritarian attitudes of an individual are, the more trust they have in the judiciary.

That being said, I expect that the opposite of the abovementioned hypothesis is also conceivable. It might very well be possible that individuals with stronger authoritarian attitudes conceive of the judiciary as a check on state authority rather than an authority itself. After all, a number of the authors discussed in this subparagraph explicitly state that authoritarian individuals believe that the infringement of authority should be (severely) punished.

2.2.3 Technocratic Attitudes

The last political attitudes included in this study are technocratic attitudes. The study of technocracy and technocratic forms of representation has long been understudied in comparison to populism (Caramani, 2017). Definitions of technocracy vary among different scholars of the subject. Tortola (2020) points out that technocracy can be conceptually thought of as a decision-making method, a type of government, and a type of informal regime. The first conceptual approach focused on experts applying their knowledge resulting in optimal policy outcomes. In an ideal situation, this would be in place without any political

⁶ I do not wish to delve into German and EU constitutional law here. For further discussion, I point to Graaf (2022) for his discussion on, among other things, the *Kompetenz, Kompetenz*, and the *Solange I* and *Solange II* judgments of the German Constitutional Court.

bias. The technocracy-as-government approach sees technocrats in key governmental positions aiming to directly implement policies. A possible mode of this approach is a government led by non-partisan experts. The informal regime approach sees technocrats influencing public policy while formally subordinated to political bodies, resulting in the wielding the *de facto* power. This possibly regards hiding politicization, in the sense that technocrats hide their partisan actions under the façade of neutrality. The common denominator to all approaches is the central theme of politicization and depoliticization. Thus, Tortola (2020: p. 62) presents a baseline definition of technocracy as a "depoliticized method of decision-making, located between full and no autonomy vis-à-vis majoritarian institutions."

Much of the literature within political science discusses technocracy and technocratic attitudes in relation to populism. Bickerton & Accetti (2017) suggest that the development of populist and technocratic rhetoric within democracies in the Western world increasingly structures how citizens think about politics at large. Whereas technocracy and populism are often framed as polar opposites to one another, Bickerton & Accetti argue that there is a strong element of complementarity between the two discourses. This lies in the mutual rejection of the political regime of party democracy. In other words: both populism and technocracy are "anti-politics". Similarly, Caramani (2017) argues that both populism and technocracy have a strong objective for a given society, a non-pluralistic view of society, a preference for unmediated forms of government, and a lack of (vertical or horizontal) political accountability.⁷

Bertsou & Caramani (2022: p. 6-7) understand technocracy as "the exercise of political power by technical elite (...), with competence, expertise and efficiency as their source of legitimacy and responsible trusteeship as the principle of representation." This definition brings forth three dimensions of technocratic attitudes as measured at the individual level. The first dimension is elitism, which is characterized by a critique of the reliance on popular support, which results in short-termism and responsiveness to uniformed citizens. Second, technocracy has an anti-politics dimension as it questions the political establishment and party democracy

⁷ The notion of vertical accountability refers to political representatives being sanctioned, whereas horizontal accountability refers to constraints of mostly legal nature, such as the rule of law and human rights.

in particular. Third, there is an expertise dimension to technocratic attitudes as technocracy views expertise and the scientific approach as superior. This is inherently positivist as there is a belief that there is a "best solution" or "trust" for society that can be found scientifically. Bertou & Caramani (2022) analyze these dimensions using confirmatory factor analysis (CFA) and find empirical support for these theoretical notions.

Interestingly, Spruyt et al. (2023) make a theoretical and empirical distinction between "anti-populist elitism" and "expertise elitism". The notion of anti-populist elitism refers to the rejection of the primacy of the general will of the people. Second, the notion of expertise elitism refers to a rejection of party democracy, which is in theory compatible with both populism and technocracy. Their results provide support for the distinction between these two kinds of elitism.

I argue that there is a clear-cut theoretical connection between citizens with strong technocratic attitudes and their level of trust in the judiciary. Judges are undoubtedly experts in the field of law. As Fernández-Vázquez et al. (2023: p. 76) have argued: "Experts, by definition, are a minority that distinguishes itself from common citizens by having specialised and scarce knowledge and training." The basic requirements for becoming a judge are rather high. A bare minimum is a university degree in law and additional training which sometimes lasts for years. For instance, in Germany, judges have to complete their legal studies at university, pass a first exam, do an apprenticeship, and pass a second state exam (Riedel, 2013).⁸ I thus argue that judges are undoubtedly experts, and are likely to be viewed as such by technocratic individuals. This thus connects directly to the expertise dimension of technocratic attitudes as discussed in this subparagraph.

Arguably, the judiciary and its judges fit within both anti-populist elitism and expertise elitism frames as Spruyt et al. (2023) have distinguished. The expertise elitism frame fits because of the position of judges as experts in their field as argued hereabove. I hold it possible that technocratic citizens view the judiciary along the lines of an anti-populist elitist dimension as

⁸ To illustrate this further: judges in the Netherlands are required to have obtained a full university degree in the field of law, at least 6 years of experience in practicing law, of which at least 2 outside of the judiciary. Applications are subject to selection by a national selection committee (*Landelijke Selectiecommissie Rechter – LSR*). Once accepted the nominee judge is subject to three years of apprenticeship (*rechter in opleiding – rio*) under supervision of senior judges, before becoming a fully mandated judge.

well. Judges arguably derive their legitimacy not from a popular mandate but from their expertise as their source of legitimacy. The anti-politics dimension of technocratic attitudes does not *prima facie* apply to the judiciary from a theoretical standpoint, as this dimension largely regards a critique of party politics and government. I present the following formal hypothesis:

H₃: The stronger the technocratic attitudes of an individual are, the more trust they have in the judiciary.

The question remains whether how the technocrat might perceive judges as persons also translates to a higher level of trust in the judiciary as an institution. After all, it is a very different thing to trust a person than to trust an institution. The latter is a more abstract and depersonalized concept, rather than a person such as a judge.

3. Methods

This third Chapter is on the methods, data and operationalization of the study. First, I will provide background information on the used dataset (§3.1). Second, I will operationalize the hypotheses formulated in Chapter 2 (§3.2). Third, I specify the methods used for the analysis of the data (§3.3).

3.1 Data

I use unique data gathered by YouGov on the commission of the Department of Political Science of Radboud University Nijmegen to test the hypotheses formulated in the previous chapter. The YouGov data was collected in four European countries (Germany ($N = 2071$), Spain ($N = 2030$), Poland ($N = 2034$), and the United Kingdom ($N = 2017$) in each country's respective primary language. The total number of respondents is 8152. The survey data was fielded from the 25th of February to the 3rd of March 2022. The case selection of Germany, Spain, Poland, and the UK is relevant for this study, as these countries have varying judicial cultures and judiciaries.⁹

Data was collected using quota regarding age, gender, and region. The table below displays the exact amount of respondents per country. In order to ensure the representativeness of the samples to the corresponding countries, the data was weighted using a rim weighting algorithm which accounted for age, gender, and region. Rim weighting employs an algorithm to assign weights to individual respondents. This better aligns the samples' respondents with the demographics of the populations of the countries they are supposed to represent in terms of age, gender, and region. All models run for this study employ the weights assigned by the rim weighting algorithm.

3.2 Operationalization

It is not uncommon for a master's thesis in comparative politics to use pre-existing data, gathered before the initiation of the research. The same goes for this master's thesis. Subsequently, it was not possible to fit the operationalization in the data-gathering process. Arguably, some of the phrasing of survey questions is not ideal for the theoretical concepts that derivative variables should reflect. I will reflect on this in the coming subparagraphs

⁹ See Chapter 1.

where needed. The next subparagraphs will set out how the concepts formulated in Chapter 2 are operationalized.

3.2.1 Operationalizing Political Attitudes

The independent variables – populist, technocratic, and authoritarian attitudes – are all latent variables. This means that these are theoretical constructs that cannot be observed directly. It is not possible to simply ask a respondent for instance how populist they are through survey questions. Authors within the academic discipline of political science thus commonly measure political attitudes using multiple measurement items (Ondish & Stern, 2019).¹⁰ These measurement items are then combined to create a scale variable by taking the mean of all measurement items per respondent. The remainder of this subparagraph will discuss the operationalization of populist attitudes, technocratic attitudes, and authoritarian attitudes, which are all operationalized using such measurement scales.

The first attitudinal scale to discuss is the one for populist attitudes. This study employs the Akkerman et al. (2014) measurement scale for populist attitudes. Table 1 below shows the specific measurement items employed in this study. A comparative analysis by Castanho Silva et al. (2020), using confirmatory factor analysis, shows that this scale has high factor loadings and good model fit, thus having high internal coherence. Additionally, it has also been argued that one of the advantages of the scale is its cross-national validity because of the broad range of the concepts (Castanho Silva et al., 2019).

Table 1. Measurement Items for Populist Attitudes

Items	Phrasing
POP1	The Politicians in the Parliament need to follow the will of the people.
POP2	The people, and not the politicians, should make the most important political decisions.
POP3	The political differences between the elite and the people are larger than the differences among the people.
POP4	I would rather be represented by an ordinary citizen than by a professional politician.
POP5	Elected officials talk too much and take too little action.
POP6	What people call 'compromise' in politics is really just selling out on one's principles.

¹⁰ Of course, single-item measurement is also possible.

Castanho Silva et al. (2020), however, also criticize the scale for having a lack of negative-worded items, multidimensionality, and conceptual breadth in terms of (anti-)elitism. Others have also criticized the scale for not fully encapsulating the Manichean nature of populism. The main argument for this is that the scale does not reflect and measure the moral antagonism between the good people and the corrupt elite (e.g. Jungkunz et al., 2021). Whereas it would have been interesting to compare scales, or perhaps, to add measurement items to the Akkerman et al. (2014) scale to address the criticism discussed here, this was not possible as this study uses pre-existing data.

Table 2 below shows the phrasing and origins of the measurement items for technocratic attitudes. The measurement scales adopt items from two existing scales. The underlying goal of the scale was to create a scale for technocratic attitudes with fewer measurement items than Bertsou & Caramani (2022), who used a total of 12 measurement items. TEC1 and TEC2 are adopted from Spruyt et al. (2023) and both measure expertise elitism.¹¹ TEC3 and TEC4 are adopted from Bertsou & Caramani (2022), who argued that these items among others tap into expertise with an emphasis on skills and knowledge. The wording of TEC3 "emphasize[s] the need for leaders with superior education and a scientific approach to society's problems." Bertsou & Caramani (2022: p 10), whereas TEC4 reflects the complexities of modern politics and a plea for problem-solving.¹²

Table 2. Measurement Items for Technocratic Attitudes

Items	Phrasing	Source
TEC1	Our country would be governed better if important decisions were left up to independent experts.	Spruyt et al. (2023)
TEC2	Our society is so complex that important societal decisions should be made by professionals from outside politics.	Spruyt et al. (2023)
TEC3	Social problems should be addressed based on scientific evidence, not ideological preferences.	Bertsou & Caramani (2022)
TEC4	The leaders of my country should be like managers and fix what does not work in society.	Bertsou & Caramani (2022)

I operationalize authoritarian attitudes in two distinct ways. The first operationalization of authoritarian attitudes is done using the Child-Rearing Scale (CRS). Respondents were

¹¹ Spruyt et al. (2023) borrow some of the phrasing of TEC1 from Akkerman et al. (2014).

¹² The wording of TEC4 is slightly different as "Politicians" has been replaced by "The leaders of my country".

presented with a survey question that asked them to choose between two desirable qualities for children to have. They accordingly had to choose between (i) *independence* and *respect for elders*, (ii) *obedience* and *self-reliance*, (iii) *curiosity* and *good manners*, and (iv) *being considerate* or *being well behaved*.¹³ The exact phrasing of the survey question is shown in Box 1 below.

Box 1. Phrasing of the CRS Survey Question

There are a number of qualities that people feel children should have. Some people think certain qualities are more important than others. The following are pairs of desirable qualities. If you had to choose, please indicate which one you think is more important for a child to have.

The Child-Rearing Scale as adopted in this study has been popular among social scientists for several decades and is included in the American National Election Studies (ANES). There are several advantages to this scale. The CRS does not contain items on everyday politics, maintaining applicability across different cultural settings. Furthermore, the CRS can still work in countries where respondents are less willing to express their opinion on political questions out of fear of voice suppression by the regime of their country (Zhirkov et al., 2023). This is also relevant to the case selection of this study since the PiS party in Poland was still in power when the survey was fielded.¹⁴

Zhirkov et al. (2023) point out and discuss four criticisms of the CRS. First, some authors question whether the forced choices on the scale are indeed perceived as such by respondents. Second, research has pointed out that the CRS yields varying results along the lines of respondents' ethnicity. Third, the CRS correlates less with political attitudes in comparison to the RWA scales. This is however to be expected as the CRS does not include political questions, whereas the RWA scale does. Fourth, Hooper (2020) argued that the CRS is not so much a measure of authoritarianism, but rather a measure of liberalism and conservatism. Zhirkov et al. (2023) argue that this is precisely the point of the CRS, as the scholars that popularized it defined authoritarianism along the lines of social conformity.

¹³ The second item (ii) is reverse-coded.

¹⁴ See Chapter 1 and §2.2.1.

The second measure I employ to test the proposed effect of authoritarian attitudes on trust in the judiciary is a more politically oriented one. The YouGov survey used in this thesis contains a survey question on support for (democratic) regimes. Respondents were asked how much they agreed with the statement: *"We should get rid of parliament and elections and have a strong leader who decides things"*. Arguably, this item more directly links authoritarianism to the desired political context in which it is examined in this study, which is an important difference with the CRS which does deliberately not include political questions. The phrasing of this item, however, might be too strong because it also includes "getting rid of parliament", therefore perhaps measuring more of an anti-democratic sentiment rather than true authoritarianism.

In an ideal situation, more questions that link authoritarianism with political phenomena would have been included in the YouGov dataset, as it would have given broader insight into how measuring authoritarian attitudes with political items, such as done through the single item measurement in this study or the RWA or left-wing authoritarianism (LWA) scale (Manson, 2020), would compare to scales that do not include political items, such as the CRS scale that is used here. Furthermore, the use of a single measurement item is not ideal as it cannot cover the full conceptual breadth of authoritarianism. A proxy for measuring authoritarianism, such as attitudes toward the criminal justice system (Akkerman et al., 2017), could also have been used. Table 3 below provides the descriptive statistics for the independent variables.

Table 3. Descriptive Statistics for the Independent Variables

Statistic	N	Mean	St. Dev.	Min	Max
populist attitudes	8,069	5.393	1.152	1	7
technocratic attitudes	7,974	5.225	1.177	1	7
authoritarian attitudes	7,976	1.401	0.318	1	2
political authoritarianism	7,779	2.095	1.785	1	7

Note: N is calculated after filtering out the missing values.

3.2.2 Operationalizing Trust in the Judiciary

As mentioned before in Chapter 2, this study employs a general and straightforward measure of trust in the judiciary. The YouGov survey asked respondents to give their level of trust in several democratic institutions on a scale from 0 – 10 in series, in which 0 indicated *no trust at all* and 10 indicated *full trust*. These institutions used were: the government, the judicial system, political parties, the media, science, the police force, and the civil service. I employ two operationalizations of trust in the judiciary using the aforementioned survey question. The first operationalization is *absolute* trust in the judiciary, meaning just the score respondents provided on the judicial system. The second operationalization is *relative* trust in the judiciary. A new variable was created which takes the mean score of trust for all but the justice system and then subtracts this from the score on absolute trust in the judiciary.

Table 4. Descriptive Statistics for the Dependent Variable

Statistic	N	Mean	St. Dev.	Min	Max
absolute trust	7,871	5.000	2.792	0	10
relative trust	7,870	0.159	2.122	-9.429	8.571

Note: N is calculated after filtering out the missing values.

There are some limitations to the approach that I adopt. One clear limitation is that there is only one measure of trust in the judiciary in the dataset. In an ideal situation, several phrasings could have been used, meaning that respondents would not only have been asked to state their level of trust in the justice system but also in judges, courts, et cetera. After all, it might very well be a different thing to individuals to trust a person, such as a judge, than an institution, such as a single court of law or the judiciary of a given country as a whole. This would have made it possible to check whether people express their level of trust in a person or official as opposed to an institution. Another limitation is that respondents were asked to state their level of trust in the aforementioned institutions in series. This method is vulnerable to respondents rather quickly giving one answer to all categories to just be done with the survey question. This is sometimes referred to as "straightlining".

A final limitation I discuss here is that perhaps not only trust could be of interest in investigating the relationships between political attitudes and the position of the judiciary. As discussed before, some authors argue that observed behavior is a more reliable measure of trust in or legitimacy of the judiciary (van Dijk, 2023; Wallace & Goodman-Delahunty, 2021).

Additionally, Zaslove & Meijers (2023) have previously examined the relationship between populist attitudes and support for specific aspects of the judiciary and the rule of law, e.g. the judiciary constraining government actions, protection of minority rights, and equality before the law. Following Spruyt et al. (2023), if the goal is to uncover not only *what* people think but also *how* they think, more specific phrasings, such as Zaslove & Meijers (2023) have previously used, could achieve this perhaps better than a single straightforward trust measurement.

3.3 Model Specification

The YouGov dataset used in this study encompasses respondents from four different countries (Germany, Poland, Spain, and the United Kingdom). Because individual respondents belong to the same four countries, they have some shared characteristics. Values for some of the variables are thus in some part the same for respondents from each respective country. In other words: the data has a multi-level character as there is some hierarchy to it. Ignoring the multi-level character of the data could lead to incorrect standard errors and type I errors (Steenbergen & Jones, 2002). No ordinary least squares (OLS) regression or analysis of variance (ANOVA) would be possible as a result of this violation. Any models using OLS would thus likely be unusable.

I employ a country-fixed effects model to deal with the multi-level character of the data. The fixed effects model includes dummy variables for the four countries. This "takes out" the country-level variance. In doing so, the multi-level character of the data is accounted for. The assumption of independent errors would no longer be violated on this specific ground. A multi-level model could also be employed to deal with the puzzle that multi-level data presents. Such a model has the added value that it allows for the estimation of both micro-level and macro-level variables in a single comprehensive model, the exploration of causal heterogeneity, and a test of the generalizability of findings as it allows for the inclusion of context-dependent (country-level) variables (Steenbergen & Jones, 2002). Other than a fixed effects model, a multi-level model would allow for both dealing with multi-level data and analysis of cross-level interactions.

However, multi-level modeling does not lend itself to the analysis as is put forward in this study. Most importantly, there is no specific interest in country-level variables or cross-level interactions for this study. There is thus no need for a method that is capable of producing a single comprehensive model for both micro and macro-level variables and cross-level

interactions. Second, the data might not lend itself to multi-level modeling as it contains samples from only four countries. Some quantitative scholars argue that multi-level modeling requires a dataset with a larger amount of groups (e.g. Stegmueller, 2013).

The next chapter, in which the results will be presented, will show that I follow the robust dependence approach. The premise of this approach is that it is important to first establish that there is some level of correlation, association, or co-variance, before starting to control for variables that might also explain this correlation. Behind this approach lies the idea that correlation does not imply causation and it is thus a good idea to account for any confounders, which are variables that affect both the dependent and independent variables (Goldthorpe, 2001). To this point, I control for age, gender, and education. I argue that controlling for respondents' level of education will benefit the robustness of the model, as education level can be a possible confounder since it might impact both the independent and dependent variable(s) in the models. Several authors have argued that education negatively impacts authoritarianism in individuals (Schnelle et al., 2021). I expect that the same might hold for other political attitudes, as citizens with higher levels of education have also been shown to have higher levels of political trust and lower levels of populist attitudes (van Noord et al., 2024). Lastly, education has also been found to have an influence on institutional trust varying between societal contexts (Hakhverdian & Mayne, 2012).

Whereas the YouGov data does contain variables on household income, this is measured differently in the four respective countries, and more importantly, this contains a lot of missing variables. I will therefore not control for income, as this might render the total N too low to do any meaningful analysis and the differences in measurement make it difficult to recode it to a useable variable. In an ideal situation, I would have wanted to control for individuals' professions. This is inspired by De Jong et al. (2020), who presented experimental findings on individuals' willingness to accept judicial verdicts. They found that individuals with a legal background or profession were more willing to accept verdicts in comparison to individuals without such a background. I suspect that the same might be true for individuals' level of trust in the judiciary. Additionally, legal professionals might also have stronger technocratic attitudes because of their level of expertise in law.

4. Results

This fourth chapter presents, interprets, and discusses the empirical results. First, the fixed effects regression models for both absolute and relative trust in the judiciary are presented and interpreted (§4.1). Second, the models that were run per country (country-specific models) are presented and interpreted to discuss how the effects of the different independent variables differ across the four countries included in this analysis (§4.2). Third, I discuss what implications the results have for the theories and hypotheses outlined in Chapter 2 (§4.3).

4.1 Country-Fixed Effects Models

This subparagraph presents the fixed effects OLS regression models for both the absolute and the relative variables for trust in the judiciary. Table 5 below presents the models that predict the effects of the included political attitudes on the absolute trust variable, whereas Table 6 presents the same for the relative trust variable. The models gradually include more variables, which allows for a more precise analysis of the effects of individual variables and checks for statistical issues. The first model (1) is empty, meaning that it includes only the constant, which is the mean of the dependent variable. The second model (2) introduces the control variables (gender, age, and education level). Gender (male) uses "female" as the reference category. Age is adopted as a continuous variable. The education level dummy variables (medium and high) both use "low" as the reference category. Second, model (2) introduces the country-fixed effects, which use Germany as the reference category. Subsequently, Models (3) to (6) each introduce one of the political attitudes. Model (7) includes all of the political attitudes, except for the political authoritarianism variable, along with the control variables and country-fixed effects. To recall, the coefficients in the tables indicate how much the mean of the dependent variable decreases or increases for an increase of one unit of the independent variable holding constant for the other variables in the model.

The first mechanism to discuss is the hypothesized negative relationship between populist attitudes and trust in the judiciary. This mechanism is tested individually in model (3) for both absolute trust (Table 5) and relative trust (Table 6). Model (3) in Table 5 shows a negative coefficient (-0.636) of populist attitudes on absolute trust in the judiciary which is significant at $p < 0.01$. Model (3) in Table 6 reflects this by showing a negative coefficient of -0.098, also significant at $p < 0.01$. Whereas the coefficient is smaller for the relative trust as the dependent variable, this was expected as the relative trust variable was calculated by taking

the mean of respondents' trust in all institutions other than the judiciary and then subtracting this from their level of absolute trust in the judiciary. The "full" models (7) for both absolute trust and relative trust show a significant negative coefficient for populist attitudes.

Table 5. OLS models of the predicted effect of political attitudes on absolute trust in the judiciary.

	absolute trust in the judiciary						
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
populist attitudes			-0.636*** (0.026)				-0.739*** (0.028)
technocratic attitudes				0.109*** (0.027)			0.337*** (0.028)
authoritarian attitudes					-0.289*** (0.099)		0.014 (0.100)
political authoritarianism						-0.075*** (0.018)	-0.019 (0.018)
UK (ref. = Germany)		-0.253*** (0.088)	-0.147* (0.086)	-0.263*** (0.089)	-0.254*** (0.089)	-0.244*** (0.089)	-0.135 (0.086)
Spain		-1.255*** (0.088)	-0.866*** (0.087)	-1.330*** (0.091)	-1.215*** (0.090)	-1.248*** (0.090)	-1.054*** (0.090)
Poland		-1.747*** (0.087)	-1.390*** (0.086)	-1.826*** (0.089)	-1.737*** (0.088)	-1.716*** (0.089)	-1.552*** (0.088)
age		-0.002 (0.002)	0.003 (0.002)	-0.002 (0.002)	-0.001 (0.002)	-0.003 (0.002)	0.001 (0.002)
male (ref. = female)		0.056 (0.061)	0.016 (0.059)	0.057 (0.061)	0.073 (0.062)	0.023 (0.062)	0.012 (0.060)
education med. (ref. = low)		-0.065 (0.086)	-0.096 (0.083)	-0.058 (0.086)	-0.056 (0.086)	-0.058 (0.087)	-0.068 (0.084)
education high		0.317*** (0.071)	0.133* (0.069)	0.305*** (0.071)	0.286*** (0.072)	0.288*** (0.072)	0.114 (0.070)
Constant	5.000*** (0.031)	5.748*** (0.122)	8.865*** (0.175)	5.265*** (0.176)	6.132*** (0.178)	5.980*** (0.133)	7.865*** (0.229)
N	7,871	7,826	7,797	7,737	7,737	7,594	7,475
R ²	0.000	0.063	0.128	0.065	0.064	0.067	0.148
Adjusted R ²	0.000	0.062	0.127	0.064	0.063	0.066	0.147
Residual Std. Error	2.792	2.702	2.607	2.698	2.699	2.695	2.573
F Statistic		74.880***	142.708***	67.446***	65.874***	67.891***	117.830***

* p < .1; ** p < .05; *** p < .01

Note: standard errors in parentheses.

Table 6. OLS models of the predicted effect of political attitudes on relative trust in the judiciary.

	relative trust in the judiciary						
	(1)	(2)	(3)	(4)	(5)	(6)	(7)
populist attitudes			-0.098*** (0.021)				-0.127*** (0.023)
technocratic attitudes				0.086*** (0.021)			0.131*** (0.022)
authoritarian attitudes					-0.395*** (0.075)		-0.356*** (0.079)
political authoritarianism						-0.021 (0.014)	0.001 (0.014)
UK (ref. = Germany)		0.216*** (0.067)	0.240*** (0.067)	0.215*** (0.068)	0.218*** (0.068)	0.239*** (0.068)	0.262*** (0.069)
Spain		-0.951*** (0.067)	-0.893*** (0.068)	-1.014*** (0.069)	-0.900*** (0.068)	-0.957*** (0.068)	-0.934*** (0.071)
Poland		-0.916*** (0.066)	-0.863*** (0.067)	-0.977*** (0.068)	-0.896*** (0.067)	-0.918*** (0.068)	-0.925*** (0.070)
age		-0.008*** (0.001)	-0.007*** (0.001)	-0.009*** (0.001)	-0.007*** (0.001)	-0.008*** (0.001)	-0.008*** (0.002)
male (ref. = female)		0.060 (0.047)	0.054 (0.047)	0.059 (0.047)	0.076 (0.047)	0.047 (0.047)	0.070 (0.048)
education med. (ref. = low)		-0.002 (0.065)	-0.013 (0.065)	-0.009 (0.066)	0.002 (0.065)	-0.006 (0.067)	-0.018 (0.067)
education high		0.212*** (0.054)	0.182*** (0.054)	0.209*** (0.054)	0.172*** (0.055)	0.211*** (0.055)	0.149*** (0.056)
Constant	0.159*** (0.024)	0.844*** (0.092)	1.329*** (0.138)	0.462*** (0.134)	1.362*** (0.135)	0.911*** (0.101)	1.333*** (0.182)
N	7,870	7,825	7,797	7,737	7,737	7,594	7,475
R ²	0.000	0.061	0.064	0.063	0.064	0.064	0.073
Adjusted R ²	0.000	0.060	0.063	0.062	0.063	0.063	0.072
Residual Std. Error	2.122	2.054	2.051	2.052	2.050	2.055	2.045
F Statistic		71.940***	66.574***	65.079***	65.901***	64.538***	53.525***

* p < .1; ** p < .05; *** p < .01

Note: standard errors in parentheses.

The second mechanism to discuss is the hypothesized positive relationship between authoritarian attitudes and trust in the judiciary. To recall, authoritarian attitudes were operationalized in two distinct ways. The item in Tables 5 and 6 called authoritarian attitudes entails the operationalization using the Child-Rearing Scale. The item political authoritarianism regards the single-item measurement which is more politically oriented. The results show a strong coefficient for the effect of both authoritarian attitudes and political authoritarianism on trust in the judiciary. For the models on absolute trust, authoritarian attitudes have a coefficient of -0.289, and political authoritarianism has a coefficient of -0.075, both at $p < .01$. The significant effect, however, is not found once the variables are introduced alongside the other political attitudes in model (7). The relationship does look different for the relative trust measure, as the authoritarian attitudes scale has a coefficient of -0.395 at $p < .01$ and remains significant once introduced in model (7) with a slightly smaller coefficient of -0.356. The political authoritarianism variable is however not significant at all when introduced in model (5) and included in model (7) of the relative trust models.

The third and last mechanism is the proposed positive relationship between technocratic attitudes and trust in the judiciary. Model (4) introduces the variable, both for the models on absolute trust and the models on relative trust. As expected, the coefficient is slightly smaller for the model on relative trust (0.086) than absolute trust (0.109), both at $p < .01$. When added to the "full" model (Model (7)), the coefficients increase for both the models on absolute trust (0.337) and relative trust (0.131). All models show a consistent positive effect of technocratic attitudes on both absolute and relative trust in the judiciary.

Tables 5 and 6 include R^2 measures. R^2 measures the explained variance by the model. This allows one to assess the model fit by comparing the R^2 of the different models. Both the R^2 and the adjusted R^2 show that the most amount of variance is explained by model (7), for both absolute trust ($R^2 = 0.146$) and relative trust ($R^2 = 0.071$), which is to be expected as it includes all of the predictors of trust in the judiciary included in this analysis. Model (7) thus has the best model fit for both dependent variables in terms of explained variance.

A last remark that needs to be made in this subparagraph is that the differences in trust in the judiciary between countries seem to be rather large than small. The dummy variables that are used for the country fixed effects mostly have large coefficients with $p < .01$, with the only two exceptions being models (3) and (7) for absolute trust in the judiciary (Table 5). This finding

signifies that there the country that citizens belong to has a considerable role in their level of trust in the judiciary. The next subparagraph will present separate models that were run for each country included in the dataset. This will allow for a more precise assessment of the variation in the effects between countries.

4.2 Country-Specific Models

Table 7 presents models including all variables for each of the countries included in the analysis. Models (1) and (2) are the models for Germany. Interestingly, populist attitudes show a large negative coefficient for absolute trust, whereas the effect of populist attitudes is not significant for relative trust. This is similar to the technocratic attitudes variable as the positive coefficient for absolute trust once more loses its significance for relative trust. The coefficients for authoritarian attitudes are not significant in either model. The political authoritarianism variable, however, shows a negative coefficient significant at $p < .01$ for both absolute (-0.185) and relative trust (-0.088).

The models for Spain are numbered (3) and (4). The models show a significant negative effect of populist attitudes on both absolute (-0.694) and relative trust (-0.308) at a significance level of $p < .01$. Similarly, the positive effect of technocratic attitudes on absolute and relative trust also holds at $p < .01$. Then, contrary to the findings of the models presented in Tables 5 and 6, the effect of authoritarian attitudes on both absolute and relative trust in the judiciary is positive. The models show quite large coefficients (0.402 and 0.321), both at $p < .01$. Last, the effect of political authoritarianism is insignificant for both models.

Models (5) and (6) are the models for Poland. The coefficient for populist attitudes is negative and significant at $p < .01$ in the absolute trust model (-0.918). The same relationship is however not found for relative trust in the judiciary as it is not significant. Similarly, the coefficient for technocratic attitudes on absolute trust (0.184) is positive and significant, but the coefficient for relative trust is not significant. Interestingly, the coefficient for authoritarian attitudes is not significant in the absolute trust model. The coefficient for authoritarian attitudes in the relative trust model (-1.051) is however relatively large, negative, and significant at $p < .01$. Contrary to this, political authoritarianism sees positive coefficients, significant at $p < .05$, thereby also contradicting the findings of the fixed effects models.

Table 7. OLS models for political attitudes on trust in the judiciary per country

	Germany (absolute) (1)	Germany (relative) (2)	Spain (absolute) (3)	Spain (relative) (4)
populist attitudes	-0.918*** (0.046)	-0.049 (0.032)	-0.694*** (0.069)	-0.308*** (0.057)
technocratic attitudes	0.406*** (0.050)	0.032 (0.036)	0.402*** (0.061)	0.321*** (0.051)
authoritarian attitudes	-0.120 (0.191)	-0.115 (0.136)	0.678*** (0.209)	0.384** (0.175)
political authoritarianism	-0.185*** (0.036)	-0.088*** (0.026)	0.047 (0.036)	0.044 (0.030)
male (ref. = female)	-0.003 (0.003)	-0.005** (0.002)	0.001 (0.005)	-0.018*** (0.004)
age	0.404*** (0.113)	0.130 (0.080)	-0.064 (0.126)	0.013 (0.105)
education med. (ref. = low)	-0.130 (0.148)	-0.012 (0.105)	-0.244 (0.215)	-0.148 (0.179)
education high	0.100 (0.132)	0.167* (0.094)	0.158 (0.149)	0.138 (0.124)
Constant	8.913*** (0.391)	1.109*** (0.277)	5.085*** (0.536)	-0.311 (0.447)
N	1,889	1,889	1,897	1,897
R ²	0.225	0.017	0.066	0.044
Adjusted R ²	0.222	0.013	0.062	0.040
Residual Std. Error	2.419	1.713	2.718	2.269
F Statistic	68.300***	4.144***	16.742***	10.821***

* p < .1; ** p < .05; *** p < .01

Note: standard errors in parentheses.

Table 7. OLS models for political attitudes on trust in the judiciary per country (continued)

	Poland (absolute) (5)	Poland (relative) (6)	UK (absolute) (7)	UK (relative) (8)
populist attitudes	-0.421*** (0.064)	-0.012 (0.053)	-0.659*** (0.054)	-0.125*** (0.042)
technocratic attitudes	0.184*** (0.060)	0.093* (0.050)	0.350*** (0.052)	0.104** (0.041)
authoritarian attitudes	0.142 (0.215)	-1.051*** (0.180)	-0.595*** (0.183)	-0.733*** (0.142)
political authoritarianism	0.085** (0.033)	0.056** (0.028)	-0.148*** (0.038)	-0.067** (0.030)
male (ref. = female)	-0.014*** (0.004)	-0.018*** (0.004)	0.013*** (0.003)	0.005* (0.003)
age	-0.220* (0.126)	-0.006 (0.106)	-0.070 (0.110)	0.124 (0.085)
education med. (ref. = low)	-0.036 (0.220)	-0.232 (0.184)	0.056 (0.137)	0.183* (0.106)
education high	-0.015 (0.134)	-0.009 (0.113)	0.250 (0.152)	0.360*** (0.118)
Constant	5.778*** (0.517)	1.410*** (0.433)	7.648*** (0.454)	1.574*** (0.353)
N	1,820	1,820	1,869	1,869
R ²	0.040	0.041	0.127	0.047
Adjusted R ²	0.036	0.036	0.124	0.043
Residual Std. Error	2.669	2.237	2.352	1.830
F Statistic	9.378***	9.574***	33.950***	11.509***

* p < .1; ** p < .05; *** p < .01

Note: standard errors in parentheses.

Models (7) and (8) are the models for the United Kingdom (UK). These models largely reflect the results of the fixed effects models. The coefficients for populist attitudes are negative and significant at $p < .01$ for both absolute and relative trust. The coefficients for technocratic attitudes are positive and significant at $p < .01$. Last, the coefficients for both authoritarian attitudes and political authoritarianism are negative and significant at $p < .01$. Interestingly, the coefficient of authoritarian attitudes on relative trust is larger than the coefficient on absolute trust. This indicates that UK respondents might have less trust in the judiciary than other institutions the stronger their authoritarian attitudes are.

4.3 Checks for Issues and Assumptions

The use of OLS regression warrants the addressing of its assumptions. The core assumptions I address in this subparagraph are normality, homoscedasticity of variance, and independence of errors.

Q-Q plots were used to assess the normality of the residuals for each model. Appendix A includes Q-Q plots for model (7) of Tables 5 and 6 respectively, and Q-Q plots for the county models. The Q-Q plots indicate that the normality assumption is not violated to the extent that the models become unusable, as the residuals for the models show approximate normal distribution.

Residual plots were used to assess the homoscedasticity of the residuals. Appendix B includes residual plots for model (1) and model (7) for both the absolute trust and relative trust models (Tables 5 and 6) and all the models that were run for the individual countries. The residual plots do not raise concern for heteroscedasticity of the variance for any of the models included. If this were the case, there would be some noticeable deviation, possibly "cone-shaped". In other words, there are no meaningful violations of the homoscedasticity assumption.¹⁵

The independent errors assumption entails the notion that the models' residuals for individual cases should not be correlated with the residuals for other cases. Including several political attitudes as independent variables in a regression model can provide some difficulty in this regard. Models (7) in Table 5 and Table 6 show that some effects are not significant once included in a model that encompasses all the political attitudes and control variables. The same goes for some of the country-specific models, where some of the effects were found to be nonsignificant. This is to be expected, as political attitudes are latent constructs, and the measurement items used for the scales are prone to correlate with items from other scales.

This might indicate multicollinearity because this combination of independent variables might explain the same "part" of the variance in the dependent variable. If this is the case, this might result in inflated standard errors and untrustworthy coefficients. To be sure, Variance Inflation

¹⁵ Please note that the absolute trust in the judiciary variable has categories from 0 to 10, and therefore, the residual plots show 11 "lines". This is normal for such a variable. It is different for the relative trust in the judiciary variable because the way it was calculated resulted in a very large amount of possible scores.

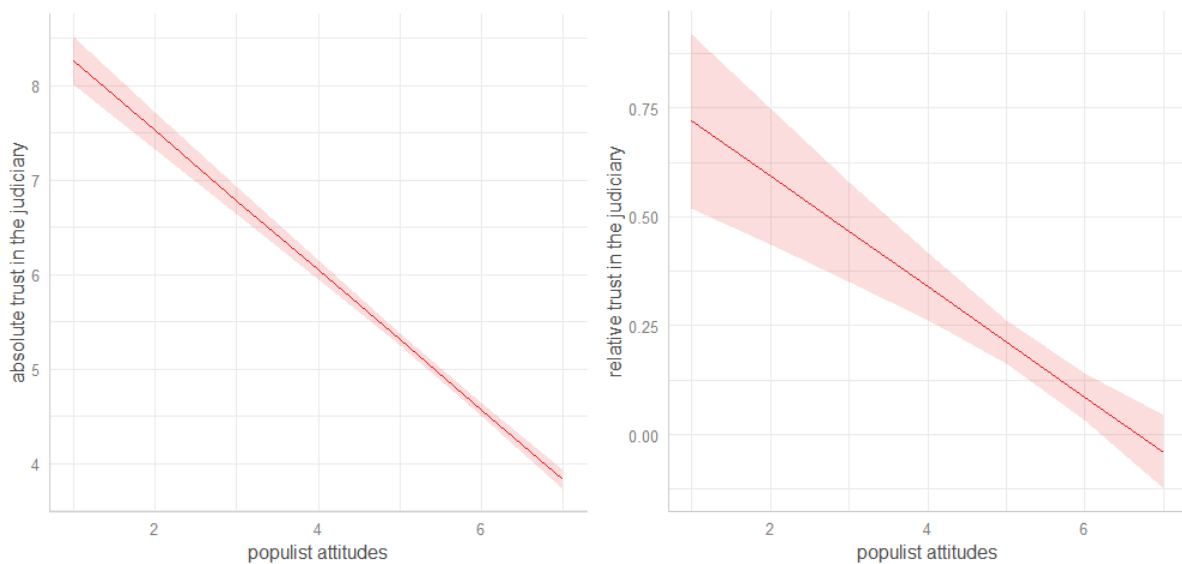
Factor (VIF) scores were calculated, which are included in Appendix C. Generally, a VIF score of between 1 and 5 is deemed to be acceptable, whereas anything between 5 and 10 is thought to signify considerable multicollinearity in the data.¹⁶ For the models run, VIF scores did not indicate that any multicollinearity presents a problem. Also, the standard errors do not show any sign of inflation, even though some of the coefficients become larger, in the "full" models (7), and as noted some of the coefficients become insignificant. Moreover, the sample size remains large enough in "full models" to prevent general multicollinearity issues ($N = 7475$).

4.4 Theoretical Implications of the Results

4.4.1 Populist Attitudes

The models presented in Tables 5 and 6 as well as the country models presented in Table 7 provide support for H_1 . The relationship between populist attitudes and both absolute and relative trust in the judiciary is negative and significant. I theorized that citizens with strong populist attitudes would have less trust in the judiciary because the judiciary holds power without having a popular mandate or having the formal need to be responsive to the people. Thus, this is a breach of the sovereignty of people and their general will.

Figure 1. Predicted Values for Populist Attitudes on Absolute and Relative Trust in the Judiciary



Interestingly, as the negative relationship holds for the relative trust measure, this means that citizens with strong populist attitudes have a particular distrust of the judiciary. The models

¹⁶ This is of course a rule of thumb.

that were run for individual countries, however, provide an important nuance. The specific models for Germany and Poland show insignificant coefficients for populist attitudes on relative trust. This indicates that citizens with strong populist attitudes in these countries perhaps evaluate the judiciary from a more general political distrust rather than a specific institutional distrust in the judiciary. This is interesting as the countries are quite different in how their judiciary functions. Whereas the Polish judiciary has been under attack from the PiS party in recent years, this is not so much the case for the German judiciary.¹⁷

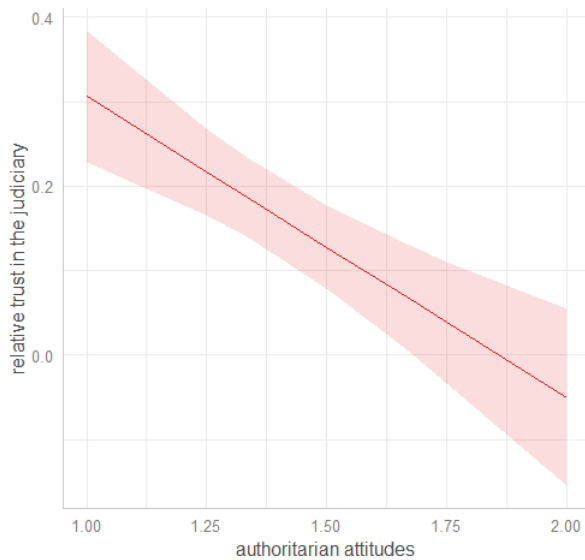
4.4.2 Authoritarian Attitudes

In Chapter 2, I proposed that citizens with strong authoritarian attitudes would have more trust in the judiciary, as they would view the judiciary as an established and legitimate authority to which one should submit itself. This would therefore drive them to more positively evaluate the judiciary and their level of trust in the judiciary. Accordingly, H₂ put forward that citizens with stronger authoritarian attitudes would have more trust in the judiciary. The country-fixed effects models that were run, however, indicate the opposite as the apparent relationship between authoritarian attitudes and trust in the judiciary is negative. This could indicate that citizens with strong authoritarian attitudes perceive the judiciary as an illegitimate "check" on political power exercised by other political powers.

The alternative operationalization for authoritarian attitudes, what was dubbed "political authoritarianism", is not significant in the full country-fixed effects models on absolute trust in the judiciary. The effect is significant in model (6) of the relative trust models, but it loses significance once introduced in model (7). This alludes to political authoritarianism perhaps being too much of a crude measurement in comparison to the Child-Rearing Scale which was used for the authoritarian attitudes variable. This could be due to the use of a single measurement item in comparison to the CRS which uses multiple measurement items.

¹⁷ See Chapter 1 and 2 for a discussion on this.

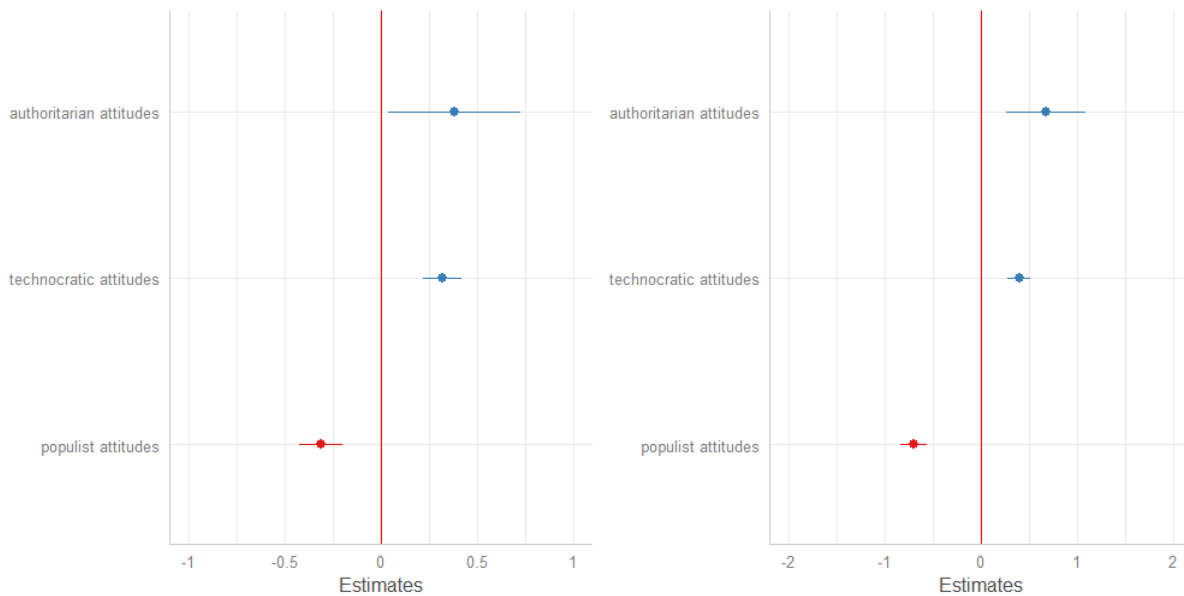
Figure 2. Predicted Values for Authoritarian Attitudes on Relative Trust in the Judiciary¹⁸



The specific models for Spain show a large positive coefficient of authoritarian attitudes for both absolute and relative trust in the judiciary. This is contrary to the models for the other countries, which all show a negative relationship between authoritarian attitudes and trust in the judiciary. Substantively, this could mean that Spanish citizens with strong authoritarian attitudes view the judiciary differently than citizens from the UK, Germany, and Poland. It could be the case that Spanish citizens with stronger authoritarian attitudes are supportive of the allegedly more conservative and politically influenced judiciary in Spain, triggered by the judiciary's handling of the Catalanian independence movement and the accusations of being politically influenced, as I have noted in Chapter 1. This is an important finding as it presents empirical evidence of how political attitudes guide the way in which people "engage with and perceive the world" Ondish & Stern (2019: p. 488) varies across socio-political contexts – in this case: countries. Figure 4 below shows coefficient plots for authoritarian, technocratic, and populist attitudes in the Spain models. A caveat here is that, while the effects are significant at a minimum of $p < 0.05$ (see Table 7 above), the standard errors for authoritarian attitudes are larger than those of the other variables, which makes it harder to make accurate statements on the exact size of the effect.

¹⁸ A figure for the predicted values of authoritarian attitudes on absolute trust in the judiciary is not included as the effect was not significant.

Figure 4. Coefficient Plots for the Spain Models on Absolute (left) and Relative (right) Trust in the Judiciary



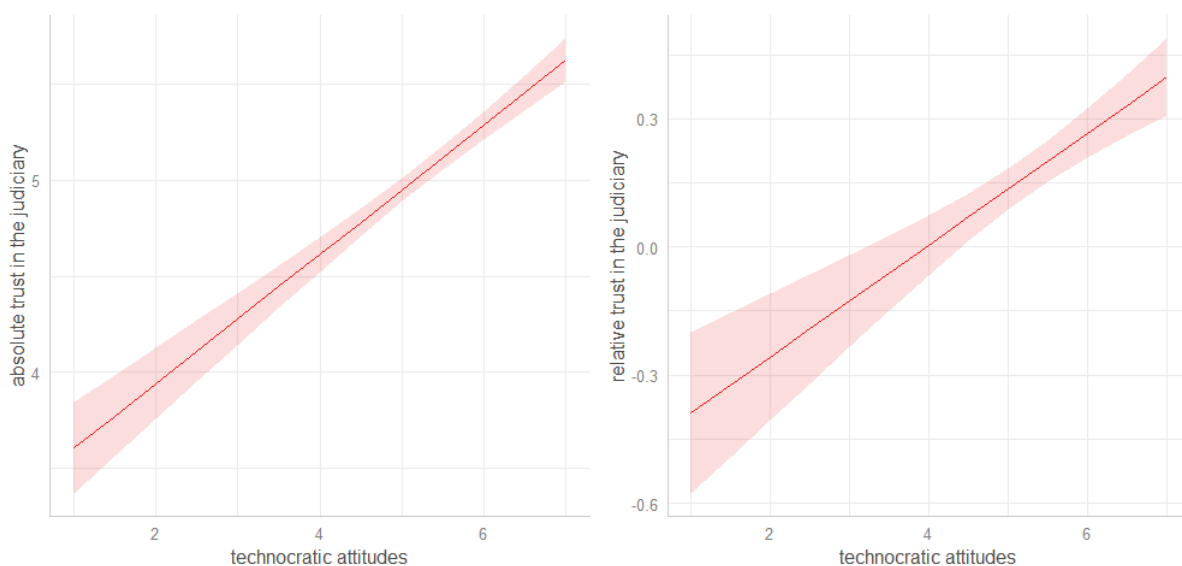
The effect of authoritarian attitudes on relative trust in the judiciary for the specific model for Poland showed a large and significant negative coefficient. This indicates that Polish citizens with strong authoritarian attitudes have lower trust in the judiciary more so than other institutions. Perhaps, this is related to the rule of law crisis that Poland has gone through in recent years. This is not unthinkable as the survey used in this analysis was fielded in 2022, at which time the pressure on the judiciary from PiS reforms was still ongoing. The political authoritarianism measure in the Poland models shows a positive effect which was significant for both absolute and relative trust in the judiciary. There is no apparent theoretical reason for this finding, other than that the Child-Rearing Scale and the political authoritarianism measure differ in whether they ask political questions or not. However, from a methodological point of view, this could point to the crudeness of measuring political authoritarianism with a single measurement item.

Whereas more research would be needed to get a hold on the exact (causal) mechanisms that are at play, it might be the case that authoritarian citizens in Germany, Poland, and the UK view the judiciary as an illegitimate check on political authority, whereas Spanish authoritarian citizens view the judiciary as a legitimate authority as of itself. The latter was what I theorized when formulating H₂. I however reject H₂ because of a lack of empirical support.

4.4.3 Technocratic Attitudes

In Chapter 2, I theorized that the stronger an individual's technocratic attitudes are, the higher their level of trust in the judiciary would be (H₃). The basis of this was the technocratic citizen's preference for modes of decision-making, government, or informal regime by experts. Judges, so I argued, are likely to be perceived by citizens as experts in their fields following the definition of experts as "a minority that distinguishes itself from common citizens by having specialised and scarce knowledge and training" (Fernández-Vázquez et al. (2023). Furthermore, judges derive their legitimacy from their expertise and efficiency rather than a popular mandate, which fits within the understanding of technocracy that Bertou & Caramani (2022) put forward.

Figure 4. Predicted Values for Technocratic Attitudes on Absolute and Relative Trust in the Judiciary



The empirical results provide support for H₃. The models that include the technocratic attitudes variable separately and the full models with all the independent variables included show a positive and significant relationship between technocratic attitudes and both absolute and relative trust in the judiciary. The exception to this is found in the models for Germany and Poland. The coefficients for technocratic attitudes are not significant in the relative trust models for these two countries. The same was the case for populist attitudes in these two countries as I have previously noted.

4.4.4 General and Other Findings

On a more general note, the results largely support the claim that political attitudes do have a relationship with trust in the judiciary at the individual level. As I have argued in the previous sections, the results provide support for H₁ and H₃. Whereas the results do not provide support for H₂, which has led to a rejection of the hypothesis, they do indicate that the relationship between authoritarian attitudes and trust in the judiciary is negative, and there thus is a relationship. This is of theoretical importance as the main aim of this study was to assess to what extent political attitudes influence trust in the judiciary at the individual level. The findings as presented here in Chapter 4 indicate that there is indeed a relationship between the included political attitudes and trust in the judiciary. Importantly, this relationship seems to not only exist for the absolute trust operationalization but also for the relative trust operationalization of trust in the judiciary. The political attitudes included are therefore not just associated with a general level of political (dis)trust, but also with evaluations of the judiciary in particular. In answering the research question of this study, I ascertain that political attitudes influence trust in the judiciary at the individual level to the extent that they have a role that cannot be neglected.

A valuable but unforeseen finding of the analysis is that the influence of the respective political attitudes on trust in the judiciary is not ubiquitous. The results indicate that Spanish citizens with strong authoritarian attitudes have more trust in the judiciary, whereas the contrary was indicated by the country-fixed effects models and the models specific to Germany, Poland, and the UK. Substantively, this mostly means that how political attitudes are used to predict other behavior should pay attention to the context in which the individuals with political attitudes are placed. This follows and corroborates Hawkins et al. (2020), who argued that populist attitudes are made salient through specific political contexts. Importantly, a common notion within political psychology is that certain attitudes are less consciously articulated and therefore require activation through external triggers.

One category of possible exponents of this "activation theory" within the analysis of this study could be Polish citizens with strong authoritarian attitudes who have a considerably lower level of trust in the judiciary. The external trigger to the activation of the ideas that constitute this relationship could lie in the rule of law crisis regarding judicial reforms by the PiS party (Sadurski, 2018; van Lit et al., 2023). Another category could be Spanish citizens with stronger

authoritarian attitudes who display a greater level of trust in the judiciary to the contrary of their peers in the other countries included in this analysis. The external trigger here, from a theoretical standing, could be the Spanish judiciary's handling of the Catalanian independence movement and accusations of political influence, clientelism, and favor exchange.¹⁹

Another unforeseen finding is that the results point out that citizens in various countries might evaluate the judiciary differently. The models for Germany and Poland showed significant effects of populist and technocratic attitudes on absolute trust in the judiciary. These effects, however, were not significant for relative trust in the judiciary. Thus, citizens perhaps evaluate their level of trust in the judiciary from a more general standing on political (dis)trust. This corroborates the findings of Dekker & Van der Meer (2007), who found that other levels of trust were the greatest predictors of trust in the Dutch judiciary over any other factors they examined. This finding aligns somewhat with the argument posited by Van Dijk (2023) that citizens largely conflate their ideas on trust in the judiciary with notions about support for its independence.

¹⁹ See Chapter 1.

5. Conclusion

It was the aim of this study to reconsider what constitutes trust in the judiciary from a broad sociopolitical perspective. The dominant approach to investigating trust in the judiciary mostly limits itself to analyzing the roles of perceived procedural fairness and outcome favorability, placing a particular interest in individual experiences with the judiciary or other legal authorities. I have argued that most citizens will never see the inside of a courtroom as a litigant. Yet, more or less all citizens have an idea of what their opinion on the judiciary is and whether it can be trusted. Building such support is critical for maintaining independence as a judiciary, both when a judiciary is under pressure from other political powers and to perform its basic functions. Reconsidering what constitutes trust in the judiciary has led this study to examine the relationship between several political attitudes that citizens might hold and their level of trust in the judiciary. These political attitudes hold the promise to be important predictors of trust in the judiciary and other (political) objects as they reflect everyday life and have an important role in guiding how people engage with and perceive the world around them (Ondish & Stern, 2019).

The first category of political attitudes included in this study is populist attitudes. I have argued that citizens with strong populist attitudes are likely to have lower levels of trust in the judiciary. These "populist citizens" arguably evaluate the judiciary as unresponsive to the general will of the people (*volonté générale*). Additionally, they likely view the judiciary's position of power as illegitimate as it is not derived from the sovereignty of the people. This arguably fits in the populist framework of a moral conflict between the virtuous people and the corrupt elite, with judges being viewed as the latter. Second, I argued that citizens with stronger authoritarian attitudes were likely to have more trust in the judiciary. These authoritarian citizens are believed to have a subservient nature and are therefore more inclined to accept authority. The judiciary, so I argued, is an established authority, which holds a large amount of fiat power. After all, one of the key elements of the rule of law is that one has to abide by the judge's verdict. Third, I proposed a positive relationship between technocratic attitudes and trust in the judiciary. These technocratic citizens arguably view judges as experts, whose legitimacy derives from their competence and expertise rather than a popular mandate or responsiveness to the people of sorts. Judges are experts as they are part of a minority, as opposed to common citizens, by having specialized and scarce

knowledge and training. Judges require at least a university degree in law and additional training, which is often rigorous as it takes years to complete and to become a fully mandated judge.

Quantitative analysis to test these hypotheses was conducted using unique survey data fielded by YouGov. Several measurement scales were used to operationalize the political attitudes as independent variables. Trust in the judiciary, as the dependent variable, was operationalized as *absolute trust* on the one hand and trust in the judiciary relative to other institutions on the other hand. I first employed country-fixed effects regression models to study the relationships at large. These models provide support for the proposed relationships between political attitudes, technocratic attitudes, and trust in the judiciary respectively by showing a negative association between populist attitudes and trust in the judiciary, and a positive association between technocratic attitudes and trust in the judiciary. The suggested positive relationship between authoritarian attitudes and trust in the judiciary is not supported by these models as the effect is negative rather than positive. The latter could indicate that citizens with stronger authoritarian attitudes view the judiciary as an important and impermissible check on political authority, rather than a legitimate authority to which one should be subservient as of itself.

Further analysis saw country-specific regression models in which all independent and control variables were included per country. These models indicate that Spanish citizens with strong authoritarian attitudes do have more trust in the judiciary. This is contrary to the findings of the country-fixed effects models. I have argued that this could be related to the scrutinization of the Spanish judiciary for not being independent enough, and more specifically, to the judiciary's handling of the Catalan independence movement. Also, the models for Poland indicated a strong negative relationship between authoritarian attitudes and the relative trust measure, meaning that Polish citizens with strong authoritarian attitudes have a particular distrust of the judiciary. I have argued that this is likely due to the rule of law crisis and judicial reforms Poland has seen in recent years. Also, citizens in Germany and Poland might evaluate the judiciary and their level of trust therein from a more general position of (dis)trust. This is the case as the effects of populist attitudes and technocratic attitudes were significant in the absolute trust models, but not in the relative trust models. This supports the notion that

political attitudes are activated differently in various political contexts as has been argued by Hawkins et al. (2020).

The findings of this study are important to judges, policymakers, and those who share their concern for the demise of public trust in the judiciary and seek to prevent democratic backsliding. Not all citizens are alike in how they perceive and evaluate the judiciary. How citizens perceive the judiciary is guided by their coherent belief systems which differ from person to person. Concretely, this means populist and authoritarian citizens might have a lower (base) level of trust in the judiciary on the one hand, and technocratic citizens might have a higher (base) level of trust in the judiciary on the other hand. This is important information for judiciaries to take into account when discussing how to maintain public trust and support. Moreover, this is important information for the judiciary in discussing accusations of judicial activism and what the position of the judiciary should be in relation to the executive and legislative branches of government respectively.²⁰

5.1 Recommendations

The findings of this study are intriguing as it is uncovered that authoritarian attitudes at the individual level have contrasting relationships with trust in the judiciary at the country level. This does, however, raise questions on the relationships between attitudes and political objects. What differences in (political) contexts explain why Spanish authoritarian citizens have more trust in the judiciary whereas German, Polish, and British authoritarian citizens seemingly have less trust in the judiciary? A similar question is raised for the particular distrust Polish authoritarian citizens have in the judiciary. Whereas I have pointed to known information about the Spanish and Polish judiciaries, the exact mechanism at play remains obfuscated. Future studies could continue the investigation of the mechanism(s) regarding authoritarianism and trust in the judiciary using qualitative methods to get a grasp on why and how these authoritarian citizens distrust the judiciary of their country in particular.

This study contributes to the ongoing literature on political attitudes as it once more shows how these attitudes can be used to predict a diverse palette of behavior toward political objects. One clear limitation, as I have noted before in Chapters 2 and 3, is that trust in the

²⁰ See Chapter 1 and Davies & Tinnevelt (2022) for their discussion of accusations of political activism by populist politicians in the Netherlands.

judiciary as a dependent variable might not fully capture the breadth of the relationships between political attitudes and citizens' evaluations of the judiciary. The next step would be to use more particular items than a straightforward measure of trust as has been used in this study. For instance, survey items similar to those used by Zaslove & Meijers (2023) on judicial constraints of government, the protection of fundamental rights by the judiciary, and so on could be used to better map how citizens with particularly strong political attitudes evaluate individual aspects of the judiciary. Alternatively, support for and trust in the judiciary could be measured using behavior as observed by judges in the courtroom, as Van Dijk (2023) has put forward.

Finally, it is my recommendation that scholars of procedural justice theory consider political attitudes as antecedents to perceived procedural fairness. If one is to understand political attitudes as having an important role in how individuals perceive and evaluate (political) objects, one should also consider that this could color how they perceive their treatment by these objects and whether this treatment is fair or just. One might, for instance, hypothesize that citizens with populist attitudes also perceive a lower amount of procedural justice, next to populist attitudes having a direct negative relationship with trust in the judiciary. Further research can investigate the various causal flows between these attitudes and perceived procedural justice in contributing to a willingness to accept a judicial outcome or public trust and support in the judiciary.

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Appendix A

Figure A1. Q-Q Plot for the Model (7) on Absolute Trust in the Judiciary

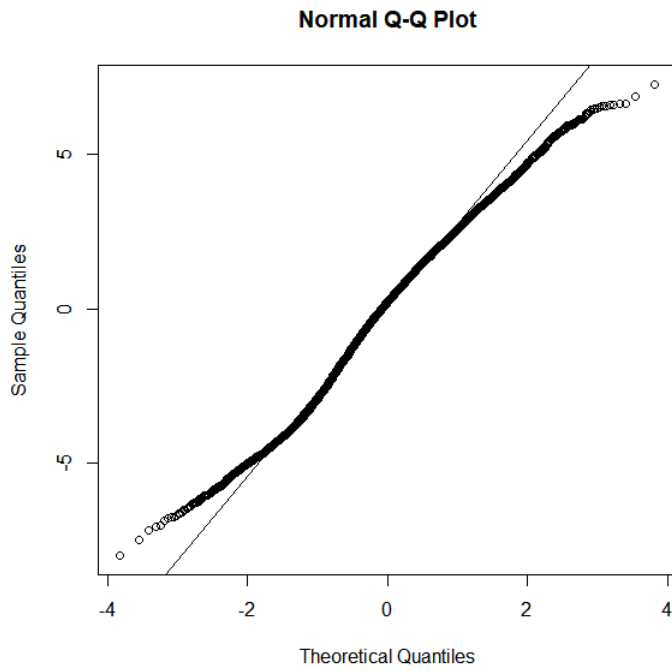


Figure A2. Q-Q Plot for the Model (7) on Relative Trust in the Judiciary

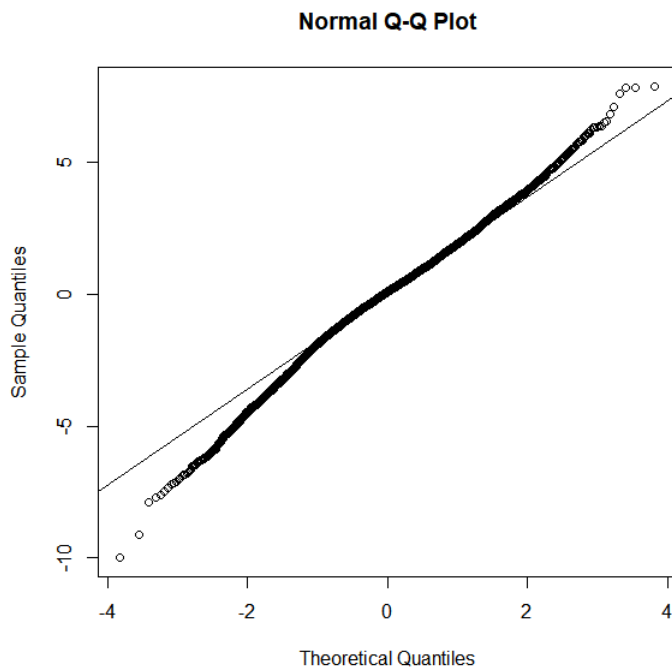


Figure A3. Q-Q Plot for the German Model on Absolute Trust in the Judiciary

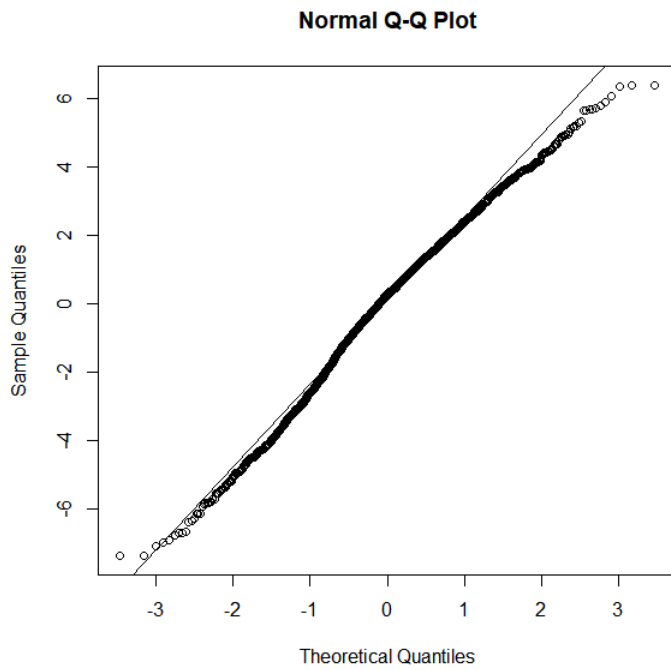


Figure A4. Q-Q Plot for the German Model on Relative Trust in the Judiciary

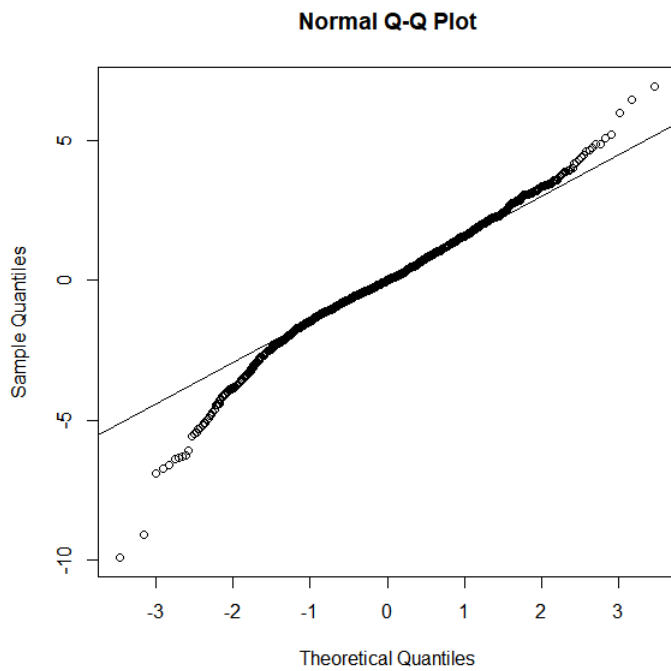


Figure A5. Q-Q Plot for the Spain Model on Absolute Trust in the Judiciary

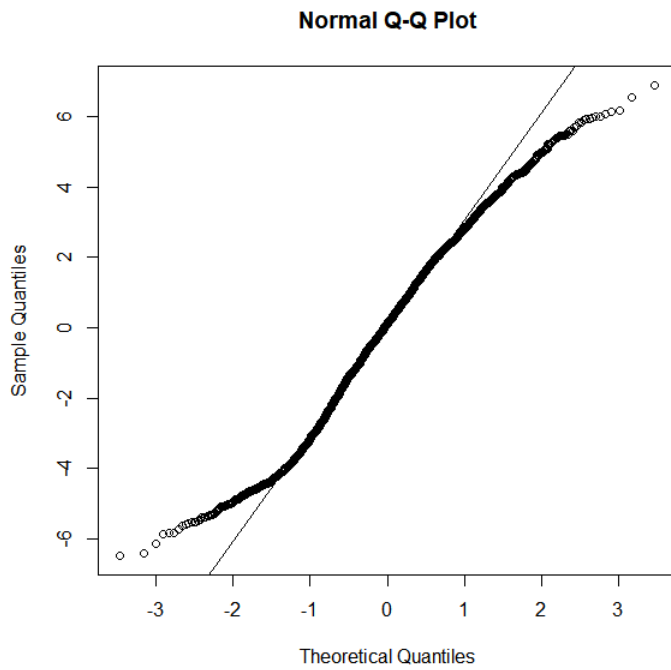


Figure A6. Q-Q Plot for the Spain Model on Relative Trust in the Judiciary

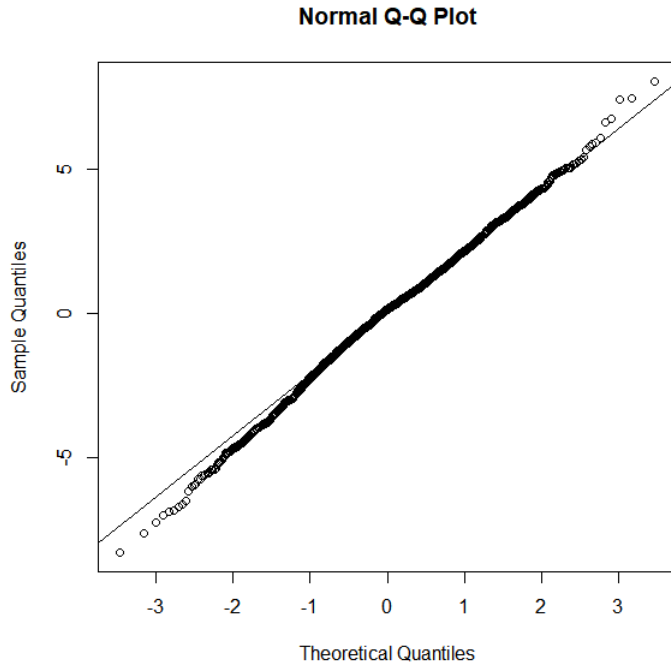


Figure A7. Q-Q Plot for the Spain Model on Absolute Trust in the Judiciary

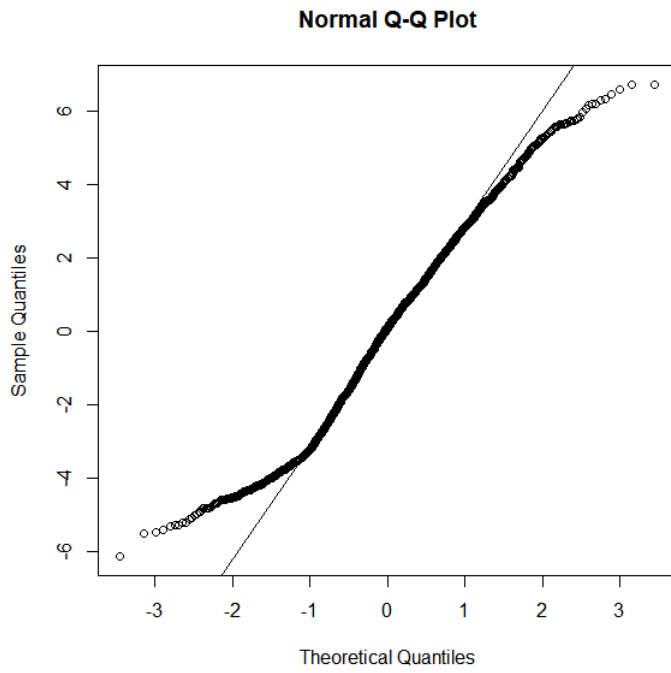


Figure A8. Q-Q Plot for the Spain Model on Relative Trust in the Judiciary

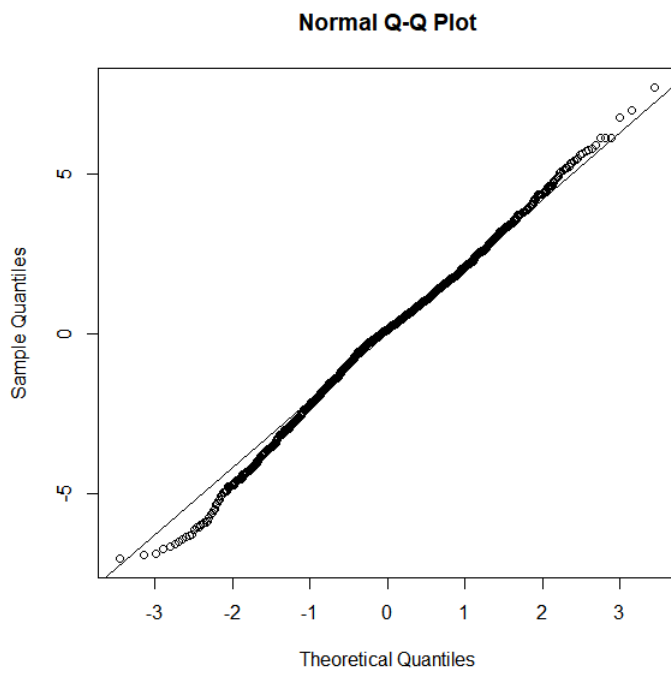


Figure A9. Q-Q Plot for the UK Model on Absolute Trust in the Judiciary

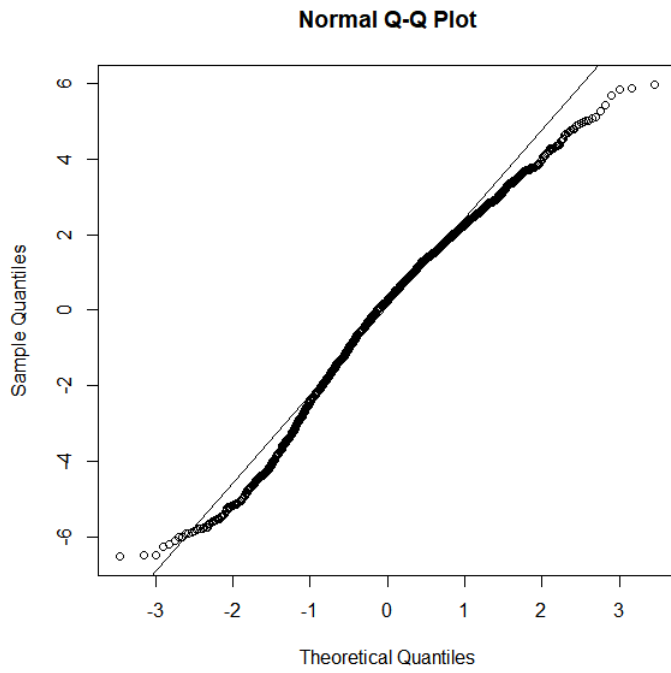
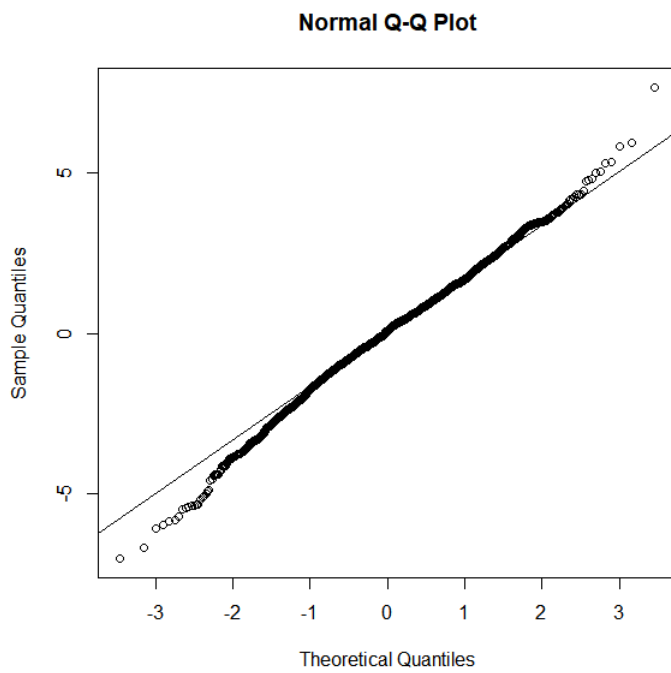


Figure A10. Q-Q Plot for the UK Model on Relative Trust in the Judiciary



Appendix B

Figure B1. Residual Plot for Model (7) on Absolute Trust in the Judiciary

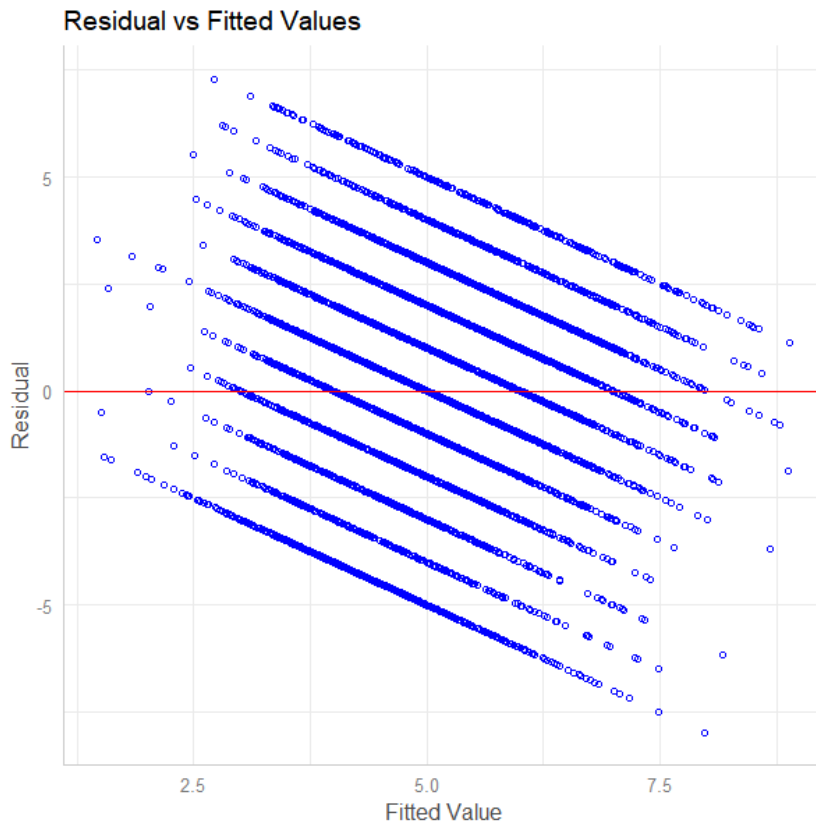


Figure B2. Residual Plot for Model (7) on Relative Trust in the Judiciary

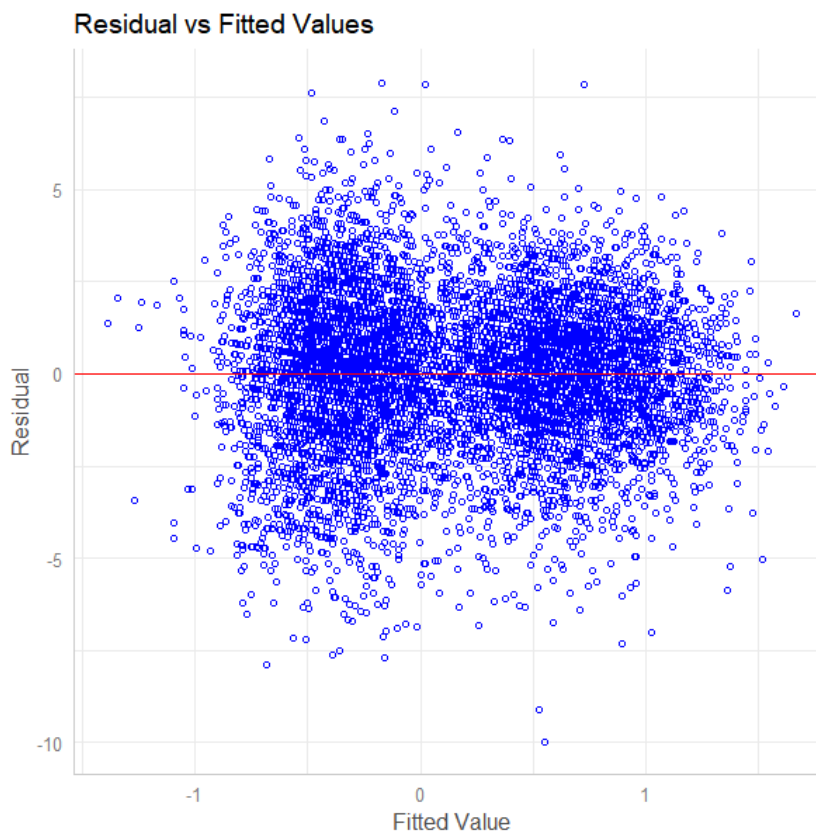


Figure B3. Residual Plot for the Germany Model on Absolute Trust in the Judiciary

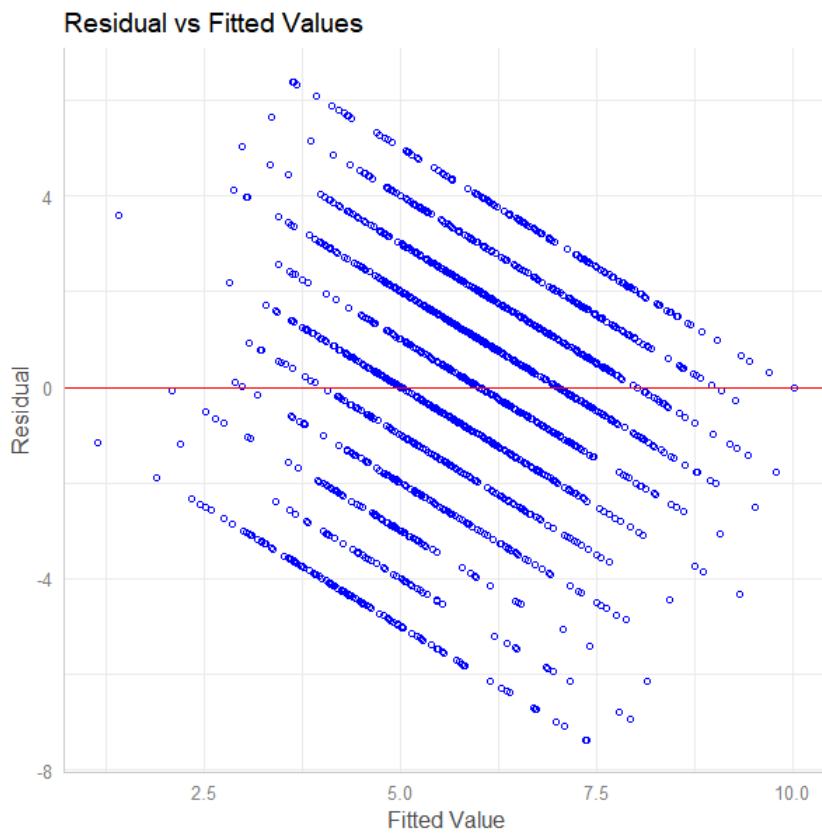


Figure B4. Residual Plot for the Germany Model on Relative Trust in the Judiciary

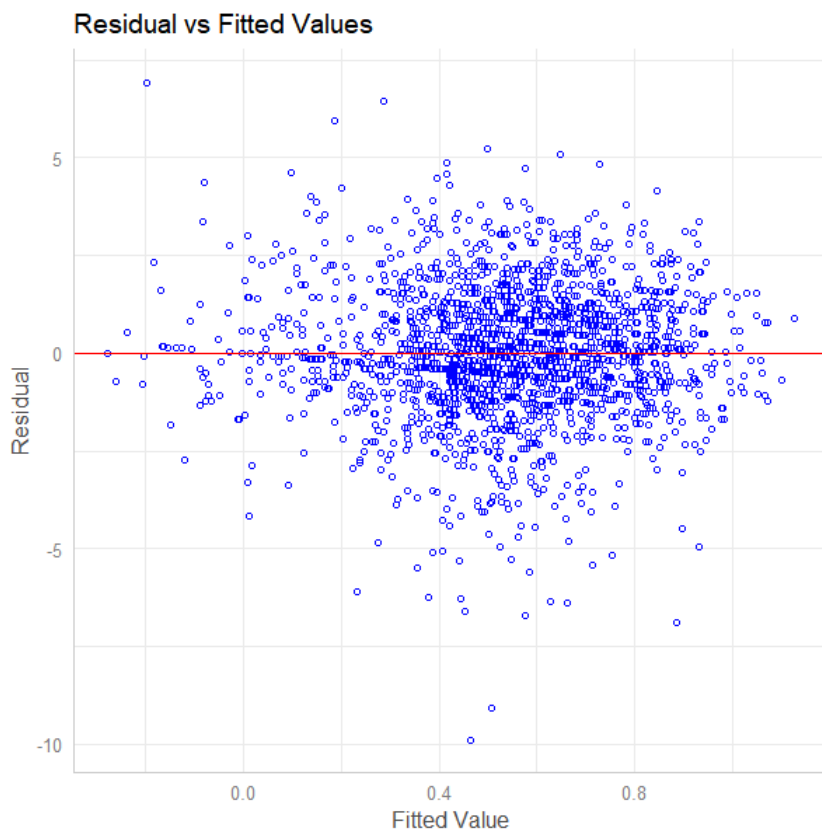


Figure B5. Residual Plot for the Spain Model on Absolute Trust in the Judiciary

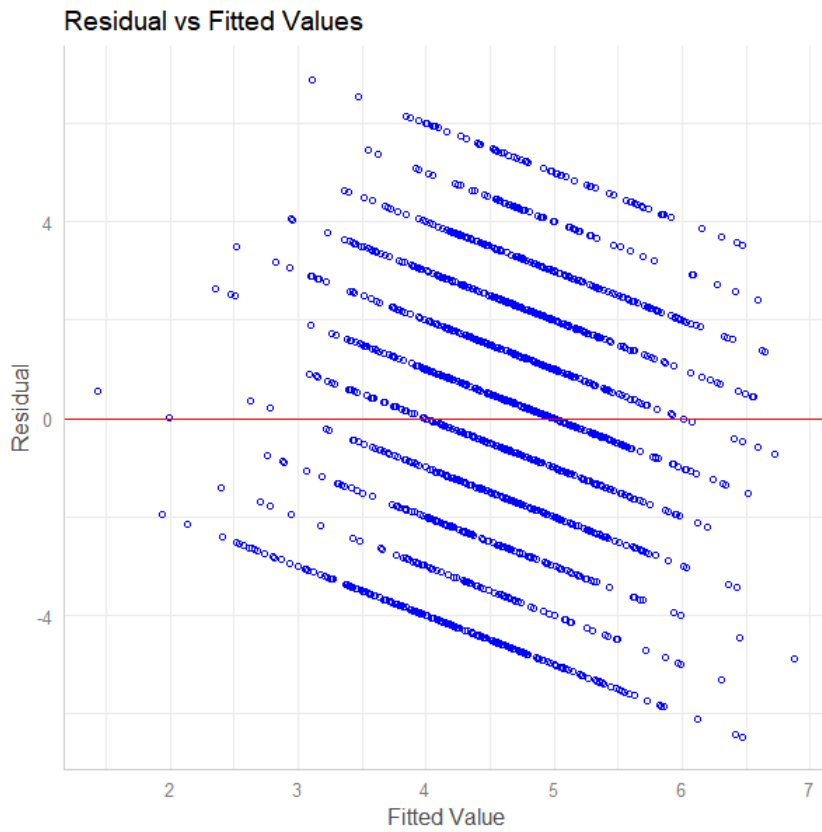


Figure B6. Residual Plot for the Spain Model on Relative Trust in the Judiciary

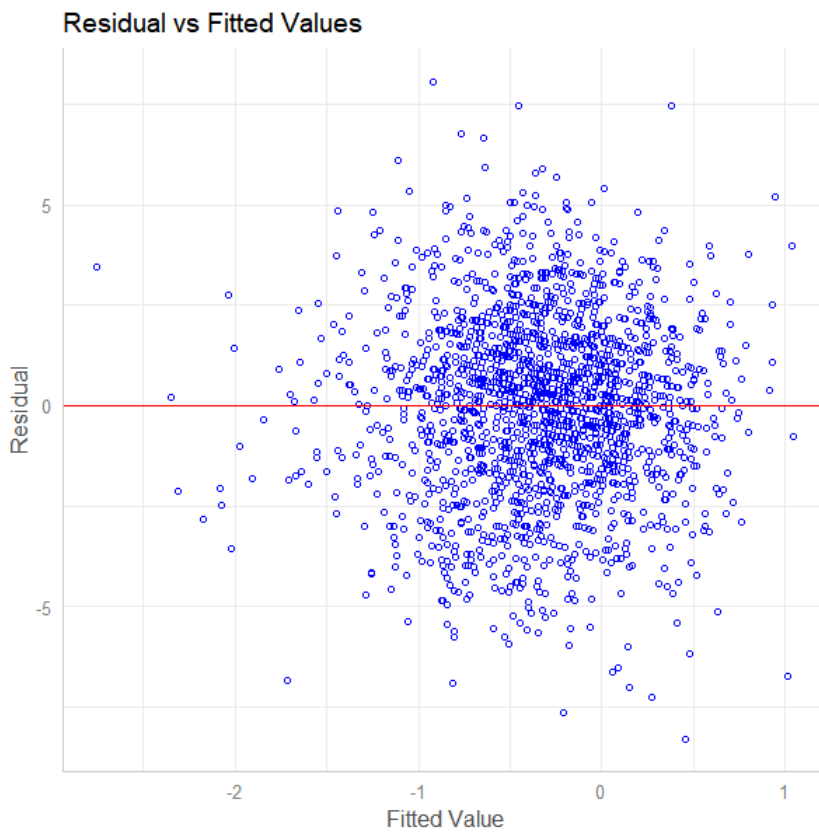


Figure B7. Residual Plot for the Poland Model on Absolute Trust in the Judiciary

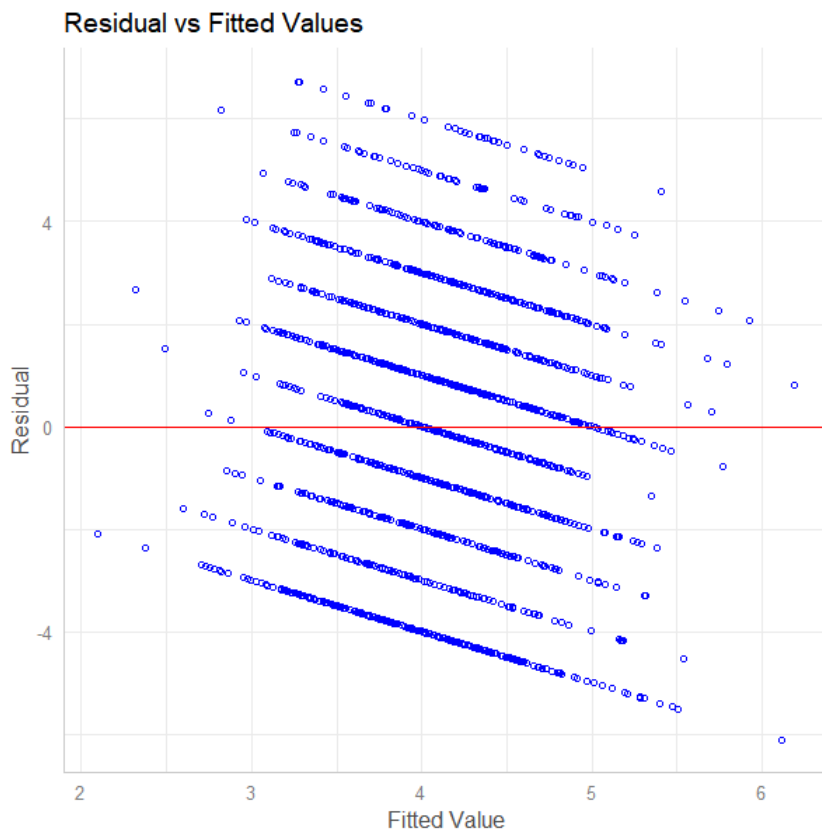


Figure B8. Residual Plot for the Poland Model on Relative Trust in the Judiciary

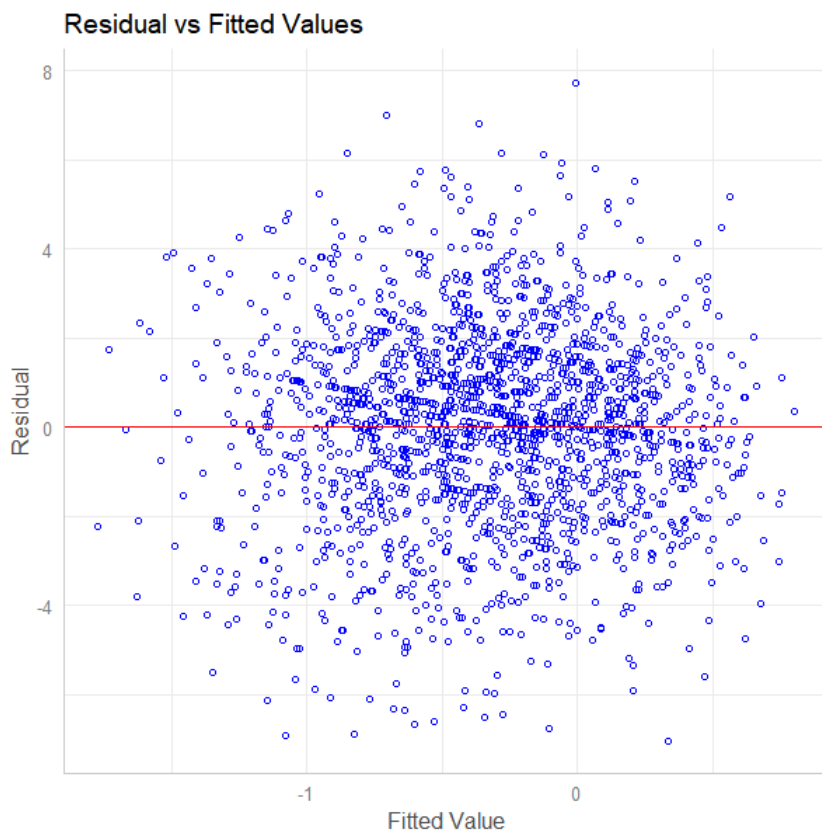


Figure B9. Residual Plot for the UK Model on Absolute Trust in the Judiciary

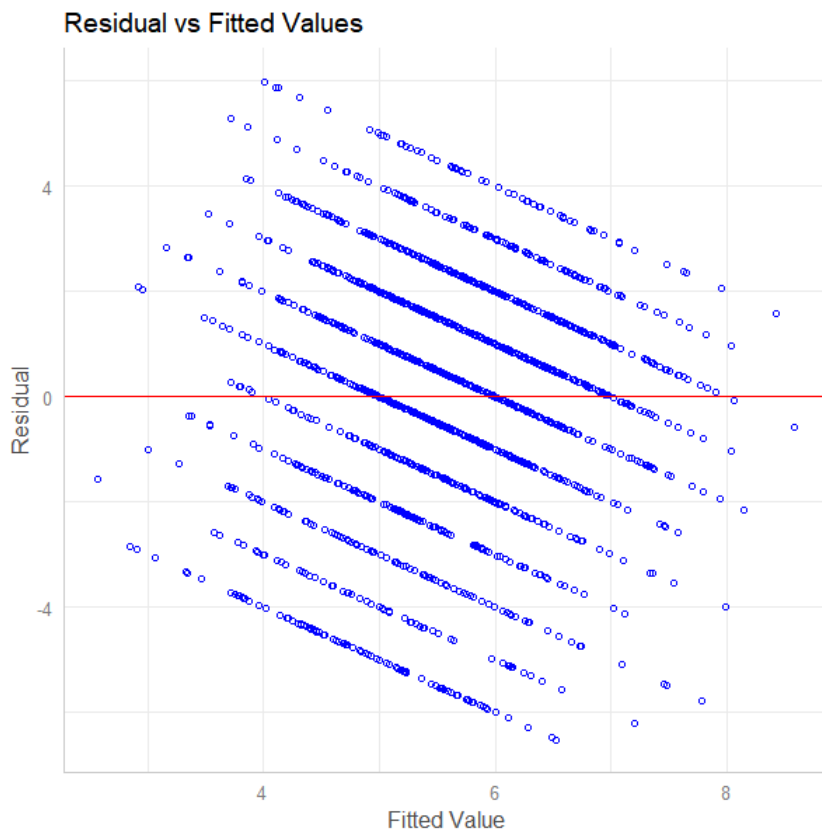
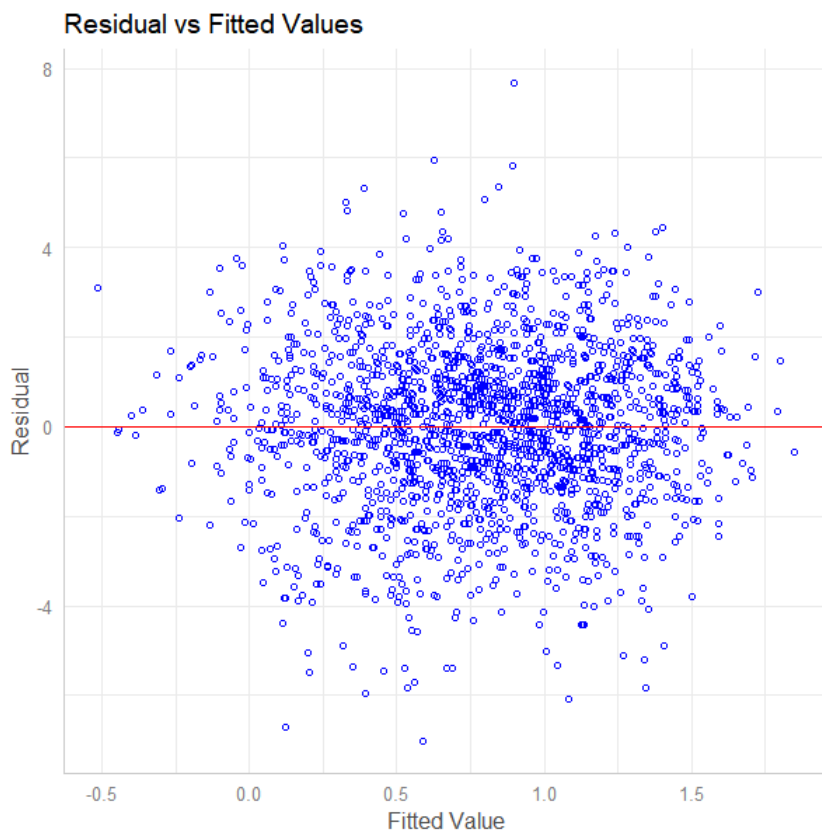


Figure B10. Residual Plot for the UK Model on Relative Trust in the Judiciary



Appendix C

Table C1. VIF scores for the country-fixed effects model for absolute and relative trust in the judiciary

Statistic	VIF
populist attitudes	1.19
technocratic attitudes	1.19
authoritarian attitudes	1.12
political authoritarianism	1.14
UK	1.56
Spain	1.71
Poland	1.61
age	1.06
male	1.01
education (medium)	1.33
education (high)	1.35

Note: see models (7) in Tables 5 and 6.

Table C2. VIF scores for the Germany-specific models for absolute and relative trust in the judiciary

Statistic	VIF
populist attitudes	1.19
technocratic attitudes	1.19
authoritarian attitudes	1.12
political authoritarianism	1.14
age	1.06
male	1.01
education (medium)	1.33
education (high)	1.35

Note: see models (1) and (2) in Table 7.

Table C3. VIF scores for the Poland-specific models for absolute and relative trust in the judiciary.

Statistic	VIF
populist attitudes	1.19
technocratic attitudes	1.15
authoritarian attitudes	1.09
political authoritarianism	1.11
age	1.08
male	1.01
education (medium)	1.11
education (high)	1.12

Note: see models (3) and (4) in Table 7.

Table C4. VIF scores for the United Kingdom-specific models for absolute and relative trust and the judiciary.

Statistic	VIF
populist attitudes	1.12
technocratic attitudes	1.06
authoritarian attitudes	1.22
political authoritarianism	1.12
age	1.09
male	1.00
education (medium)	1.53
education (high)	1.65

Note: see models (5) and (6) in Table 7.

Table C5. VIF scores for the Spain-specific models for absolute and relative trust and the judiciary.

Statistic	VIF
populist attitudes	1.18
technocratic attitudes	1.17
authoritarian attitudes	1.08
political authoritarianism	1.09
age	1.09
male	1.01
education (medium)	1.33
education (high)	1.35

Note: see models (7) and (8) in Table 7.