SP1 - COOPERATION

SSH7

GRANT AGREEMENT NR 217311

SCIENTIFIC INDICATORS OF CONFIDENCE IN JUSTICE:

TOOLS FOR POLICY ASSESSMENT

Work Package 6:	**EURO-JUSTIS methodology: Conceptualisation of new and improved indicators of public confidence in justice**
Task nr: 6.2	Assessing survey based indicators through statistical analysis
Deliverable nr:D6.2	Statistical and contextual assessment of survey-based attitudinal indicators

Version:	1	Date	July 4, 2011
Type:	Deliverable		
Confidentiality:	Unrestricted		
Responsible Partner:	LSE		
Editor:	ICPR		
Contributors:	CSD, HEUNI, IPS, ICPR, LSE, UNIPR and NPLC		

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Summary

The research project EUROJUSTIS (Scientific Indicators of Confidence in Justice: Tools for Policy Assessment), which is funded primarily by the European Commission from the 7th Framework Programme for Research, is designed to provide EU institutions and Member States with new indicators for assessing public confidence in justice.

This report presents the findings from the Euro-Justis demonstration project – a survey of a national-probability sample of three[1] European countries (Bulgaria, Italy and Lithuania). This survey trials new indicators of trust in justice and the legitimacy of legal authorities. In this report we also present national data on system-level legitimacy of criminal justice systems and governance in these three countries.

Key points in the report are as follows:

- Latent variable modelling is used to examine the dimensionality of survey data and to condense the information into relevant indices. The survey indicators combine well into indices of trust and legitimacy.
- Our indicators of trust and legitimacy are more robust for the police than for the courts, appearing to measure constructs that were clearly predicted by the conceptual framework within which we developed the measures.
- Although our indicators of trust and legitimacy relating to the courts perform less well against conventional measurement criteria, we have proposed ways in which they can and should be used.
- Spidergrams provide an accessible and balanced graphical representation of a multi-dimensional portfolio of indicators that are conceptually and methodological consistent.
- The police and criminal courts generate greater public trust and legitimacy in Italy than in Bulgaria and Lithuania.
- Corruption is a particular problem in Bulgaria and Lithuania.
- In all three countries, moral alignment with the criminal courts is low, relative to findings from similar surveys elsewhere. This is the belief that the courts protect the interests of ordinary people and pass sentences that reflect the crime.

[111] A pilot survey with an amended questionnaire was carried out in France with a questionnaire modified to enable detailed exploration of the experience and of ethnic minorities. Results are not presented here. The Euro-Justis survey was also mounted in the Czech Republic by an associate of the Euo-Justis team; again, results are not presented here.

1. Introduction

In this document we assess survey-based and national-level indicators of trust in justice and the legitimacy of legal authorities. We begin with a conceptual review, outlining the ideas that underpin the current project. In Sections 2 and 3 we present the results of the demonstration survey in Bulgaria, Italy and Lithuania and secondary data on the legitimacy of the justice system. Specifically, we use latent variable modeling to examine the dimensionality of the survey data, to test measurement equivalence across the three countries, and to condense the information into relevant indices. Section 4 presents a series of graphical presentation tools, providing a balanced, parsimonious but multi-dimensional portfolio of indicators of trust and legitimacy in Bulgaria, Italy and Lithuania. Importantly, we present data on the legitimacy of the justice system that reflect both 'bottom-up legitimacy' (citizen-conferred) and 'top-down legitimacy' (system-conferred). Section 5 concludes with some discussion on the key findings of this study.

What is trust in justice?
We define trust in the police and criminal courts as the belief that an institution has the right intentions towards citizens and is competent to act in specific ways in specific situations (Hardin, 2002). More strategic than particularised, to trust in the police and criminal courts is to believe that these institutions (and the actors in these institutions) have appropriate motives and are technically competent (in the roles assigned to them within social relationships and systems) to carry out their fiduciary obligations. Actors and institutions place the interests of others above their own, performing their duties both effectively and fairly.

Placing trust involves assuming that actors will act according to expectations framed by the functions of the institution. Consider the police. Trust in the police refers to general beliefs that the police are performing their social function to the best of their ability. What is their social function? The police are a public service: we look to them to respond to emergencies, to prevent crimes, and to deal with criminals. But the police are also a state-sponsored institution whose work involves the use of coercive force and intrusion: we look to the police to be fair, impartial and restrained in their use of authority.

Trust is demonstrated, earned, and justified in particular encounters we have with officers. Coming into contact with the police as victims, witnesses and suspects, we have vested interests in the outcomes of such encounters. Because officers have a significant degree of discretion in how they might act, these outcomes are placed at risk from their (mis)behaviour (cf. Tilly 2005). Trust is won and lost by acting effectively and fairly, by taking the interests of citizens into account, and by communicating and engaging with citizens (Bradford et al., 2009; Hohl et al., 2010). While people's views on legal authorities are not expected to be in a state of constant review, trust is subject to revision through experience, whether direct, vicarious, or mediated, including:

- single incidents, involving accidents, incompetence, incivility or malpractice;
- perceived changes in levels of police visibility;
- perceived declines in availability and readiness to intervene; and

- increasingly widespread ideas that police do not treat everyone the same.

We divide trust in the police and criminal courts into three dimensions, reflecting their general social function:

- trust in effectiveness;
- trust in procedural fairness; and
- trust in distributive fairness.

Trust in the effectiveness of an institution is focused on outcomes rather than the efficiency of the institution, although of course an inefficient police force and inefficient court systems might be bad at providing services. Are the police (for example) effective at dealing with crime and preventing offences? Trust in distributive justice refers to fairness of the 'goods' that the police and criminal courts distribute? Do they treat all members of society equally? Do they provide the same service to different groups? Trust in the procedural fairness of an institution turns the focus on process. Specifically, procedural justice considers the ways in which institutions wield their authority. Do the criminal courts treat people fairly and do they make fair decisions?

What is legitimacy?
Defined most generally, legitimacy is the right to govern and the recognition by the governed of that right (Beetham, 1991; Coicaud, 2002; Tankebe, 2007). The legitimacy of the criminal justice system resides most fundamentally in recognition of its right to exist, in the justification of its authority in determining the law, governing through the use of coercive force, and punishing those who act illegally. Although they vary widely, a key feature of many definitions is that legitimacy confers the right to command and promotes the duty to obey (Weber, 1948; Tyler, 2006a). Most importantly, people defer to, and cooperate with, legitimate authorities because they feel it is right to do so (Tyler, 2003, 2006b; Hough *et al.,* 2010).

For Weber the legitimacy of institutions denoted approval or sincere recognition of a norm, law or social arrangement. The law is legitimate when people see the legal system and its authorities as providing an appropriate standard of conduct. This authorisation involves the belief that the law is to be complied with not because of external sanction but because it is the correct standard. Such a citizen-conferred ('subjective' and 'empirical') account states that a system is legitimate when the public grant it legitimacy. An observer sitting outside the system might find a particular arrangement unjust and unacceptable, yet they must nevertheless conclude that it is legitimate in the eyes of the governed when the latter believe it to be so. According to this perspective, to say something is legitimate is to make a factual claim about the subjective state of mind of particular individuals that belong to one political society (Beetham, 1991; Caocaud, 2002; Tankebe, 2010).

A normative concept of legitimacy sets out further, more 'objective' criteria according to which an authority or institution is legitimate (Hinsch, 2008). Normative legitimacy refers not to the subjective state of mind of the governed, but to whether the actions of authorities meet certain substantive requirements (usually requirements of justice and rationality, for which objective evidence can be adduced). Operating at the level of the institution, legitimacy is here a property of performance and structure (captured by national-level statistics of efficiency,

accountability, legality, and so forth). Any normative conception of legitimacy has to describe why meeting these criteria confers authority on institutions or persons. Normative legitimacy means substantive recognition that the truth (or validity) of these arrangements is right and just.

What qualities must an institution possess to warrant its justified authority? Some political philosophers have followed a loosely Weberian tradition, situating legitimacy in individual's perceptions that the rule of an authority is justified. Here there might be just one criterion of legitimacy for the justice system: that individuals feel an obligation to obey the rules set forth by the legal system and enforced by legal authorities such as the police. According to the empirical concept of legitimacy, we might thus say that the police are legitimate when citizens feel obligated – as distinct from coerced – to obey police directives. Tyler's work would then suggest that legitimacy is won and lost partly through the experience of procedural justice and injustice. Yet, others maintain that, because legitimacy is granted by the individual to the institution, it must rest in part on the value judgements of those individuals. This is a decision by the individual, whether conscious or not, that the institution shares a certain moral or ethical position (Beetham, 1991). Legitimacy is not just about power, it is also about the justification of power. Such accounts point to normative concepts of legitimacy, and extend our area of interest to perceptions of the justice system that provide a normative justifiability of power.

Tankebe (2010b) refers to normative justifiability, in this context, as being '…the need for rules and police practices to be rooted in the shared beliefs of society', which includes working towards the general interests and collective goods of society, and limiting the use of power through a restrained use of authority. Legitimacy is thus sustained by avoiding unnecessary and discriminatory restriction of the freedom of citizens and avoiding the deployment of power against political opponents. A parallel can be drawn here with Tyler & Blader's (2003: 359) group engagement model, which argues that the procedural injustice experienced by those on the receiving end of racial profiling '…communicates marginality and exclusion from important protections that are extended to most other group members – for example, "freedom from arbitrary arrest and seizure".'

A guiding premise of the Euro-Justis project is that judgements among individuals about the legitimacy of an institution are based to some degree on assessments of the congruence between its goals, practices and behaviours, and their own. Legitimacy becomes a kind of 'moral alignment' between individuals and the legal/criminal system around them. Beetham (1991) adds a third criterion: the perceived legality[2] of legal authorities. Legitimacy, for him, turns on the moral justifiability of the power relations bound up in the state and its justice system – conformity to people's values, its ability to satisfy public interests and normative expectations, and in the legality of power (cf. Tankebe, 2009: 1280-1281). All considerations of legitimacy must involve a normative, ideological or moral element, he argues: those granting legitimacy always do so on the basis that it is an expression of common shared values.

[2] It might be argued that the perceived legality of legal authorities is an element of procedural justice that confers legitimacy, rather than a core element of legitimacy itself. We have taken the view that procedural justice – fair and respectful treatment of the policed – is lnked to, but conceptually separate from, perceived legality, which is an intrinsic dimension of legitimacy.

Following Tyler (2006, 2008), Beetham (1991) and Tankebe (2010b), our framework is premised on the idea that the justice system can be considered empirically legitimate when individuals governed by it feel (a) an obligation to obey the authority (as a special case of Beetham's notion of expressed consent), (b) that the authority expresses shared morals – people justify the existence of legal authorities when they judge that they enact, defend and strengthen the moral values they themselves share – and (c) that the justice system follows its own internal rules as these are understood by individual citizens. We reason that the moral alignment between citizens and police officers (for example) provides a measure of whether the police are to seen to operate according to a shared ethical and moral framework; but also that such alignment provides the police with the *moral authority* to act as a source of guidance or an exemplar of proper conduct.

Developing indicators that span Individual perceptions and system-level performance

Trust is – by definition – at the individual-level. The Euro-Justis demonstration project asked a national probability sample of Italians, Bulgarians and Lithuanians about their expectations, assumptions and judgments regarding the police and criminal courts. As noted above, we focus on trust in the effectiveness, distributive fairness and procedural fairness of each institution. The central focus of this deliverable is to examine the scaling of these items and to integrate the data into graphical presentational tools to communicate levels of trust and legitimacy in the three countries.

Legitimacy is more complicated: we assume that the legitimacy of an institution rests in part on the beliefs of citizens residing in the social and political system, and in part of established institutional-level measures of performance and arrangements that morally justify their existence and power. A key challenge is not just to bring together measures of legitimacy at both levels, but also to integrate them into parsimonious and multi-dimensional social indicators.

2. Topline findings

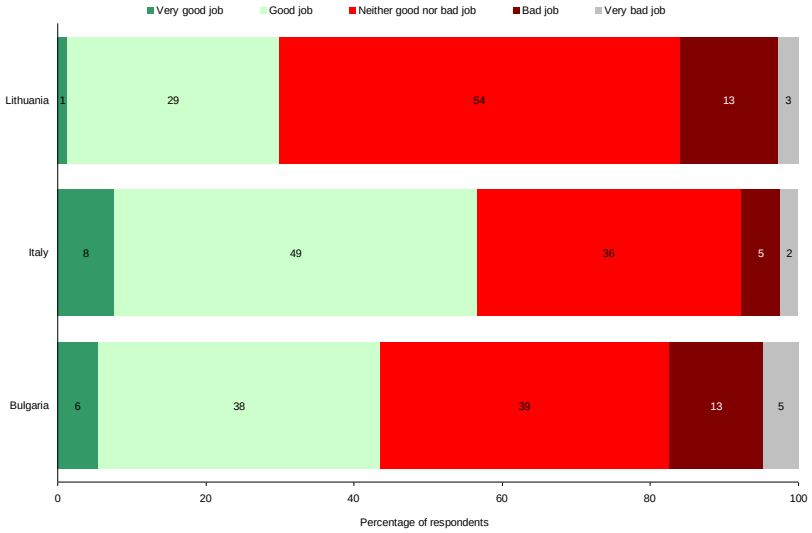
In this section we detail the survey measures of trust and legitimacy, by way of introduction to the scaling work contained in section 3. It is important to consider the wording of the specific items. We present the (weighted) results by each country in order to bring alive the measures. But the focus here is not on comparisons between countries; that it is the goal of section 4.

2.1. Police

Overall confidence

Figure 2.1 shows estimates of a general 'job rating' of the police in the general populations of Lithuania, Italy and Bulgaria. In general, Italians rate the police highly than Bulgarians and (especially) Lithuanians.

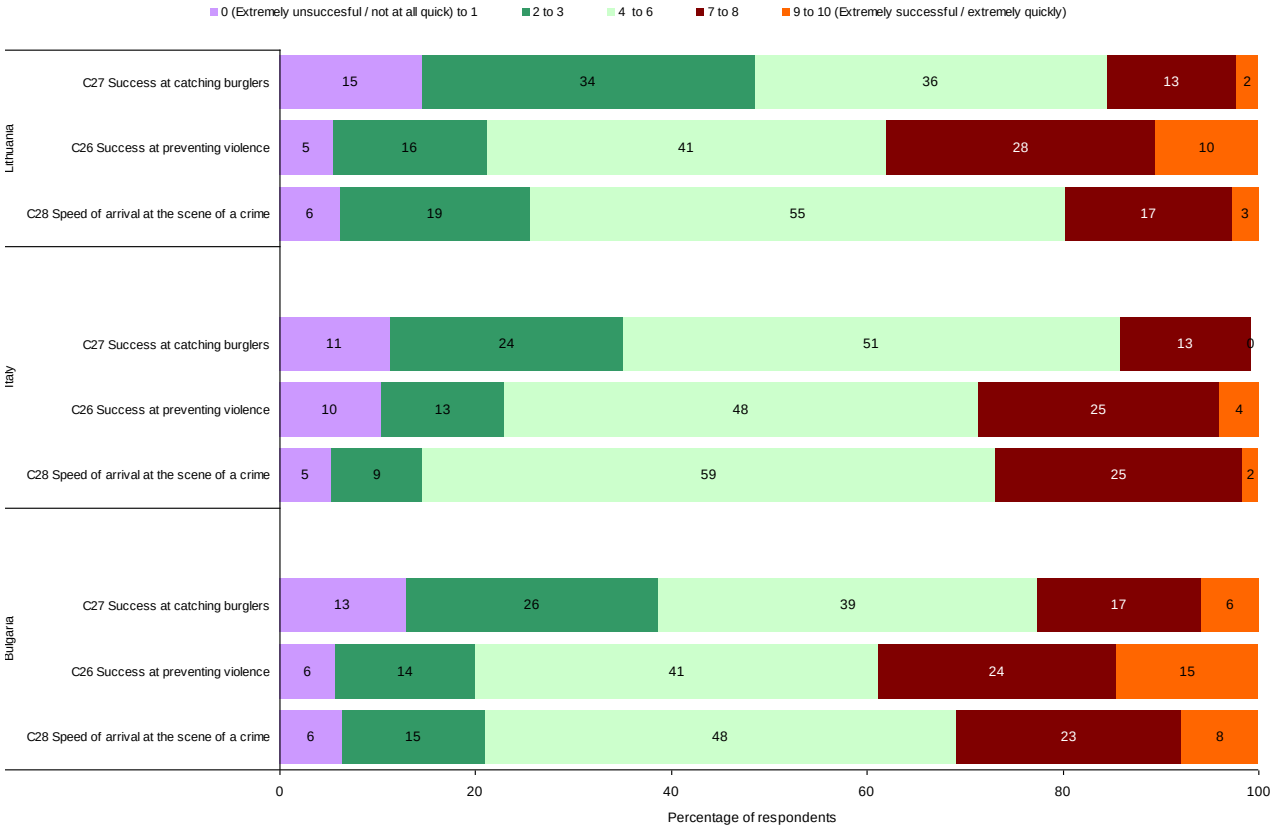
Figure 2.1: top-line findings on overall confidence in the police



Effectiveness

While overall levels of confidence are useful summaries, public assessments of the effectiveness and fairness of the police provide a more nuanced and differentiated picture of public opinion. Our survey fielded three measures of trust in police effectiveness. Section 3 assesses scaling issues (do they scale together to reflect a single idea of trust in effectiveness, and does the scale work in comparable ways in different countries?) Section 4 also makes formal comparisons of countries based on the joint distribution of these items. For now it is instructive to examine the wording of the items (see Figure 2.2). In general, the police are seen to be more effective at preventing violence than they are at catching burglars or arriving quickly at the scene of a crime.

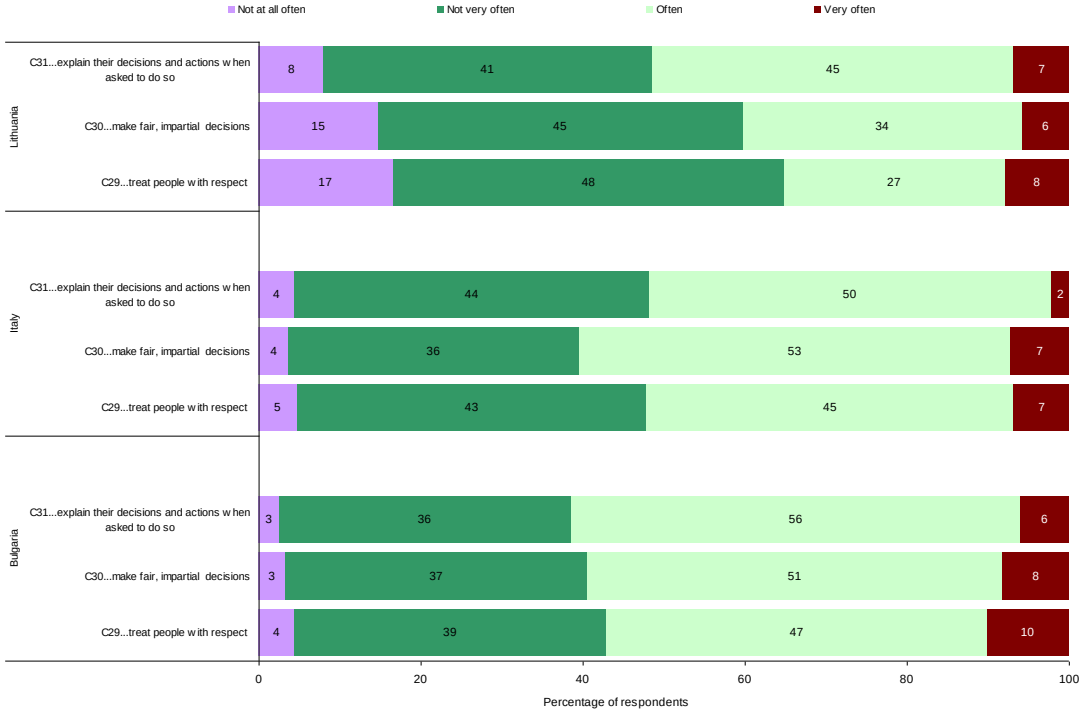
Figure 2.2: top-line findings on trust in police effectiveness



Procedural justice

Three measures of trust in procedural fairness asked individuals whether they thought that police explain their decisions and actions (when asked to do), whether they made fair, impartial decisions, and whether they treat with respect (Figure 2.3). In general, more respondents believed that the police explain their decisions and actions 'often' or 'very often' compared to making fair, impartial decisions ('often' or 'very often') and treating people with respect ('often' or 'very often').

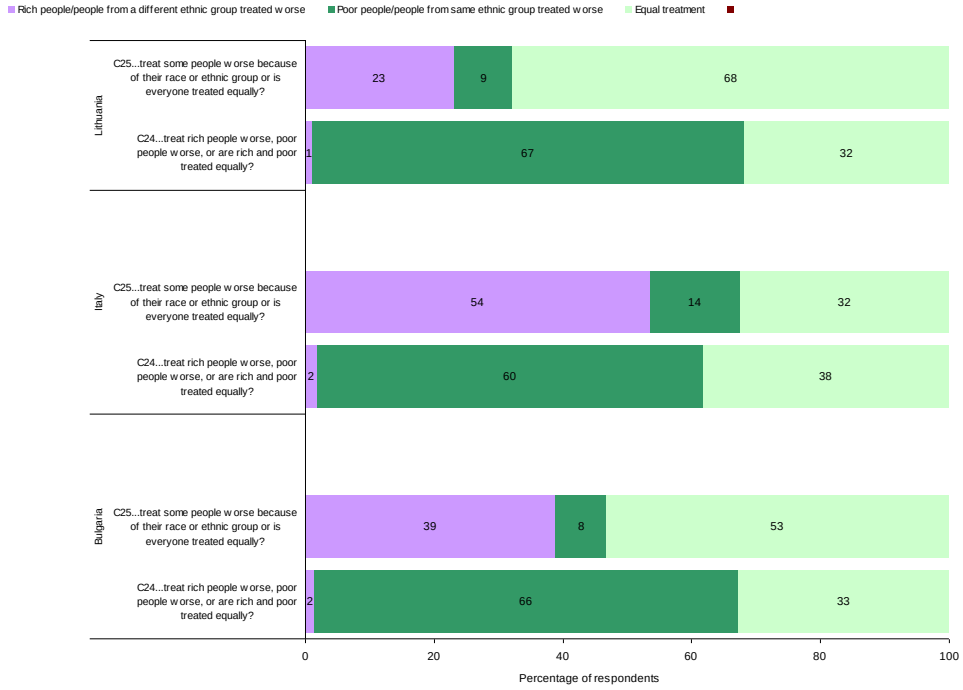
Figure 2.3: top-line findings on trust in police procedural justice



Distributive justice

Unlike trust in effectiveness and procedural justice, only two measures of distributive justice were fielded (Figure 2.4). The first related to differences in treatment according to wealth, and the second according to ethnicity. Would poor people or people from a different ethnic group receive worse treatment from the police than rich people or people from the dominant ethnic group? Strikingly, most respondents believed that poor people would be treated worse than rich people.

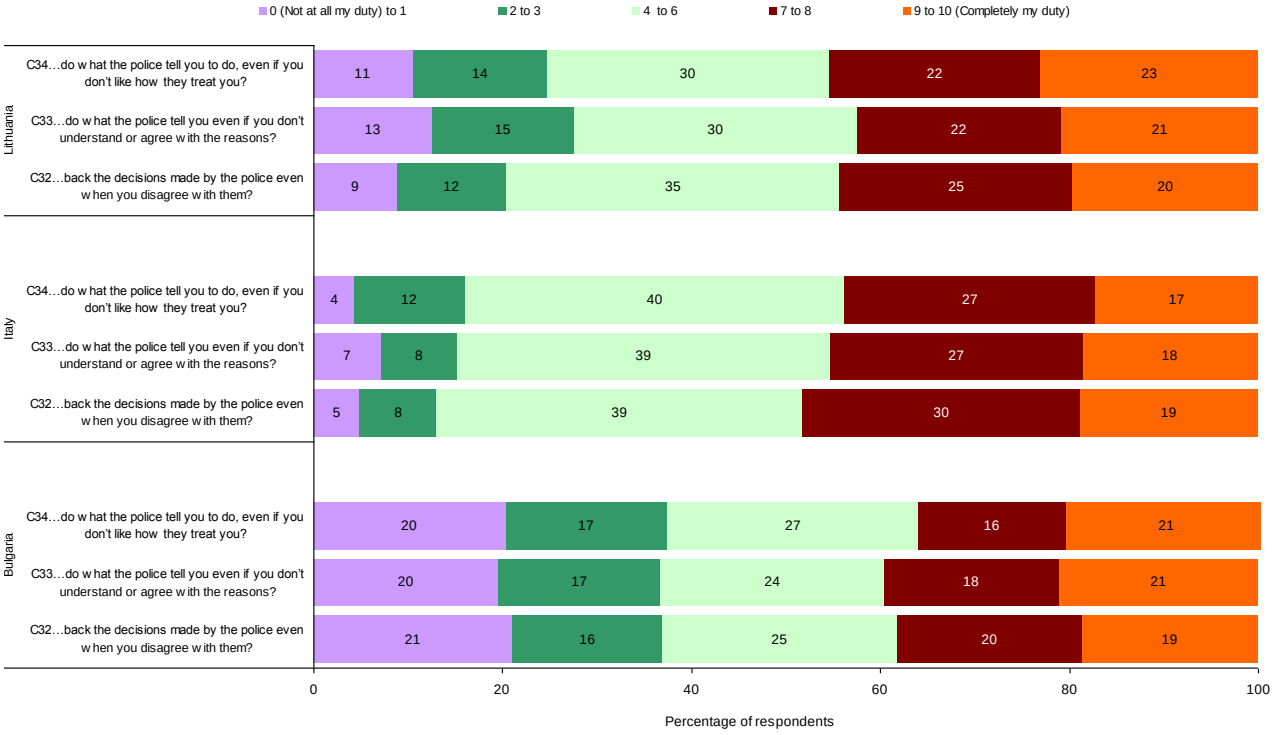
Figure 2.4: top-line findings on trust in police distributive justice



Obligation to obey the police

A key aspect of police legitimacy is felt obligation and conferred authority, because people justify the existence of legal authorities when they feel they have an obligation to obey the rules set forth by the legal system and enforced by the authorities (such as the police). We asked respondents whether they would do what the police told them to do, even if they didn't like how they were treated or didn't understand or agree with the reasons (Figure 2.5). We also asked respondents whether they would back the decisions made by the police even if they disagreed with the decisions.

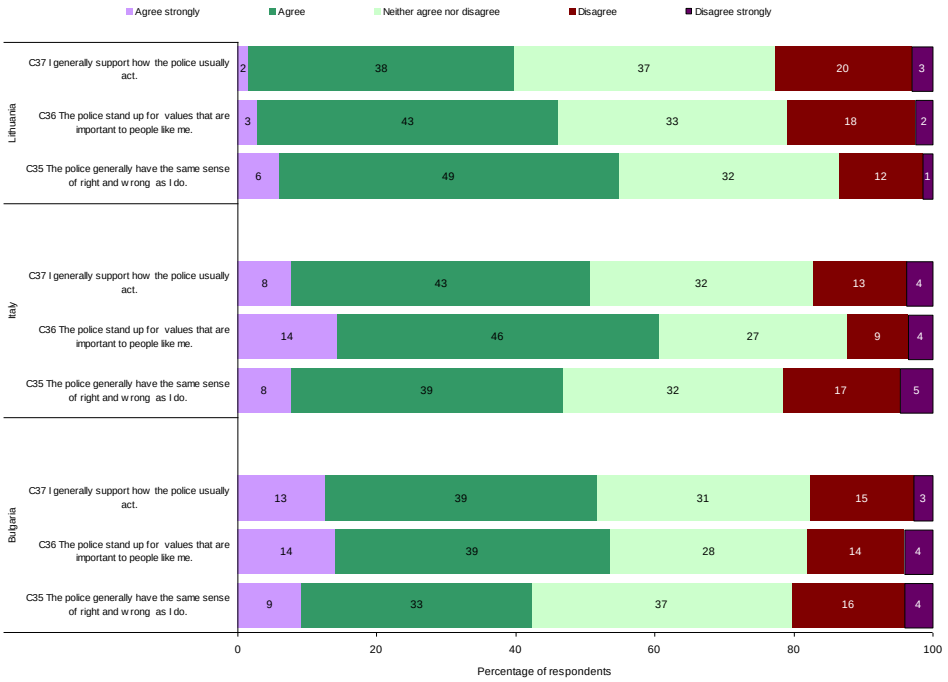
Figure 2.5: top-line findings on obligation to obey the police



Moral alignment with the police

Moral alignment with the police is the belief that the police make decisions that are right for individuals, share their general moral values, and stand up for people like them (Figure 2.6). This is a sense that the police officers behave in justifiable ways, not in terms of generating the feeling that one should obey their directives, but in terms of achieving social order and control on behalf of individuals and communities.

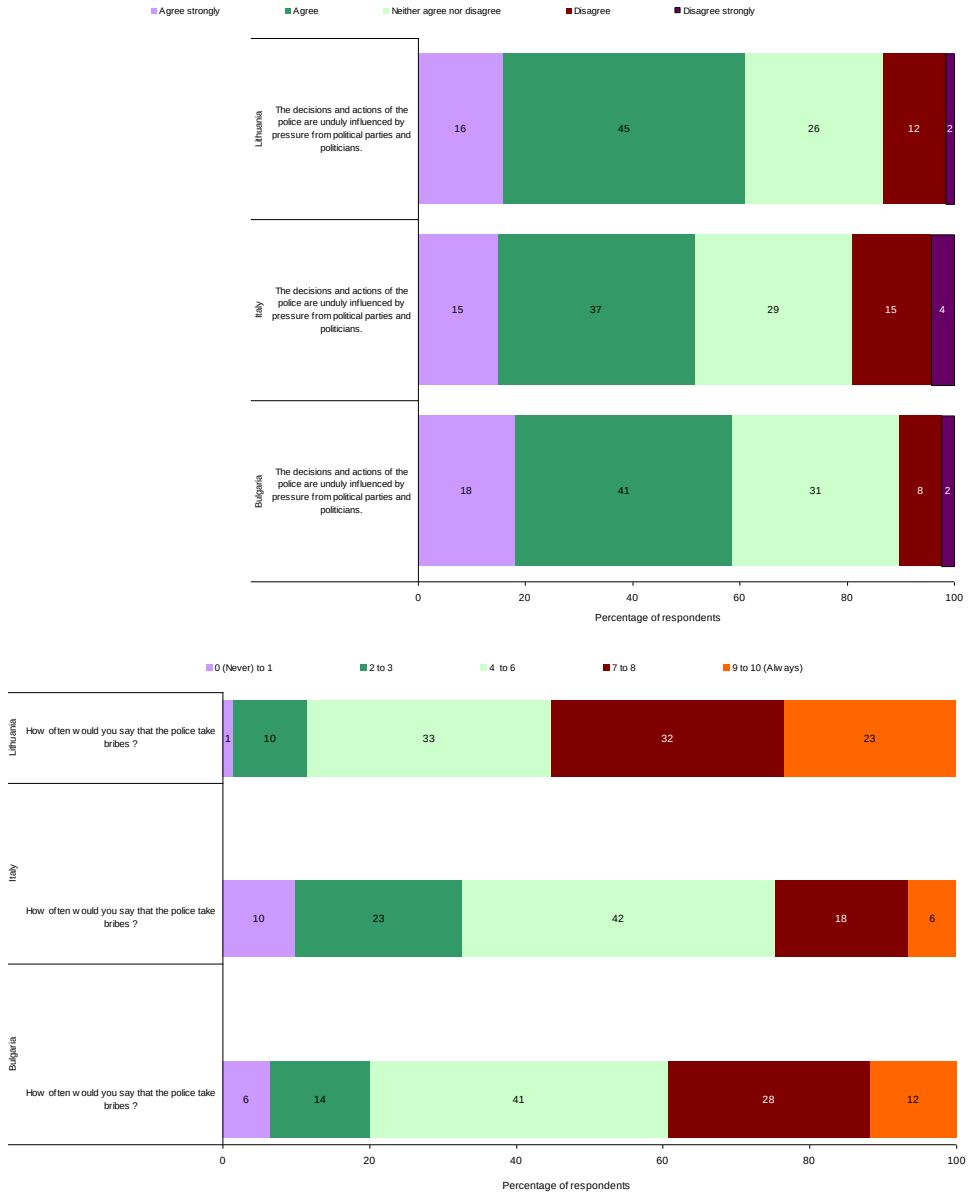
Figure 2.6: top-line findings on moral alignment with the police



Police legality

Two measures of perceptions of police legality were fielded (Figure 2.7). The first asked whether the decisions and actions of the police were unduly influenced by pressure from political parties and politicians (C38). The word 'unduly' is important here: a legitimate police force makes independent decisions according to the rule; it is not swayed by pressure from powerful people in society. The second concerned whether the police took bribes (C39).

Figure 2.7: top-line findings on beliefs about police legality and corruption

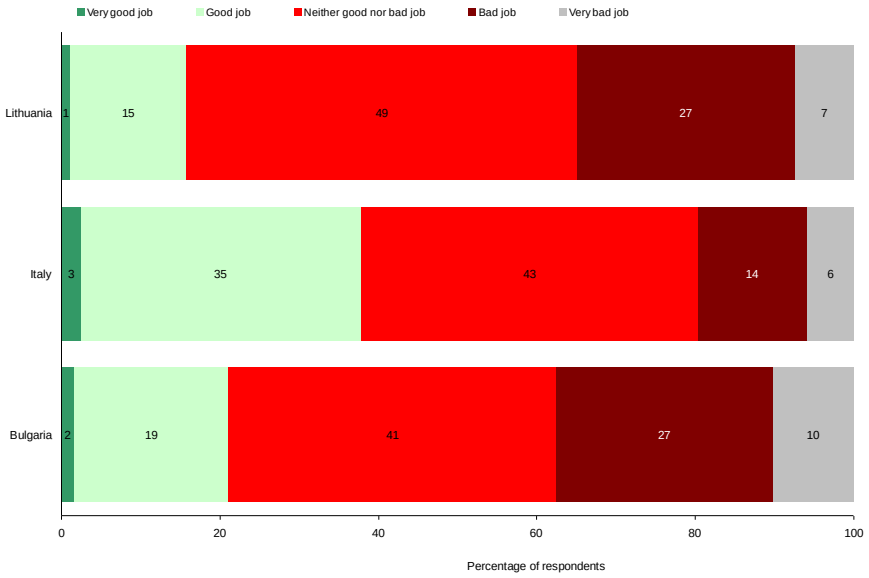


2.2. Criminal courts

Overall confidence

Figure 2.8 shows estimates of a general 'job rating', this time for the criminal courts. As with the police, Italians rate the courts highly than Bulgarians and Lithuanians.

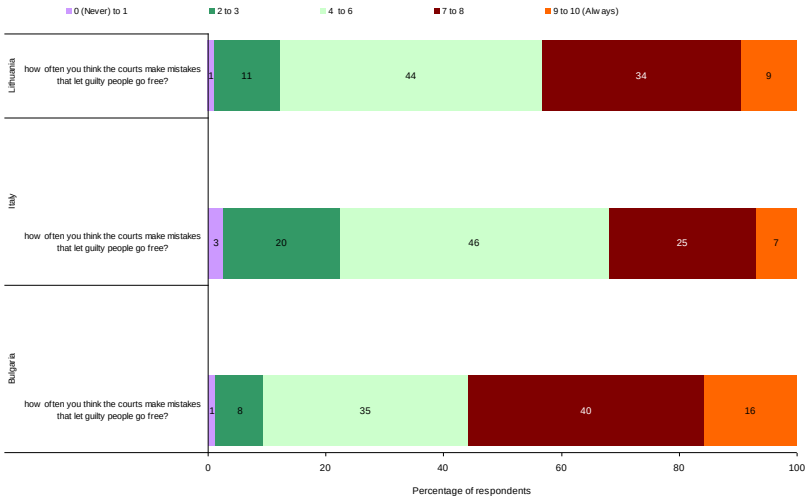
Figure 2.8: top-line findings on overall confidence in the criminal courts



Effectiveness

Unlike trust in the police, the three dimensions of trust in the courts were each measured using single indicators (Figure 2.9). This has significant implications for scaling and compiling into an overall graphical presentation, and we will consider this issue in Sections 3 and 4. To measure trust in court effectiveness, respondents were asked about the frequency with which courts make mistakes that let guilty people go free (C49). In this regard, the Bulgarians were most critical of their courts.

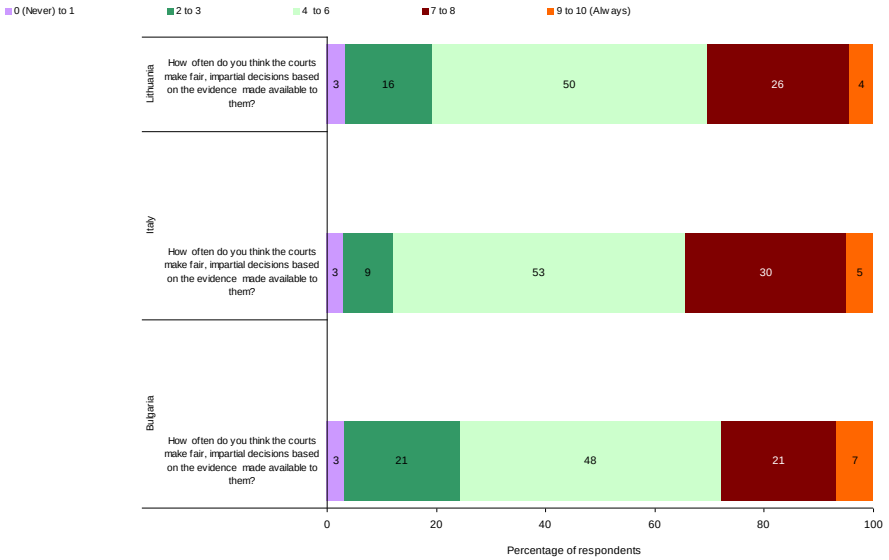
Figure 2.9: top-line findings on trust in court effectiveness



Procedural justice

The single indicator of trust in court procedural fairness focused on decision-making: do the courts make fair, impartial decisions based on the facts presented to them (C50)? Again, Bulgarians were most critical (Figure 2.10).

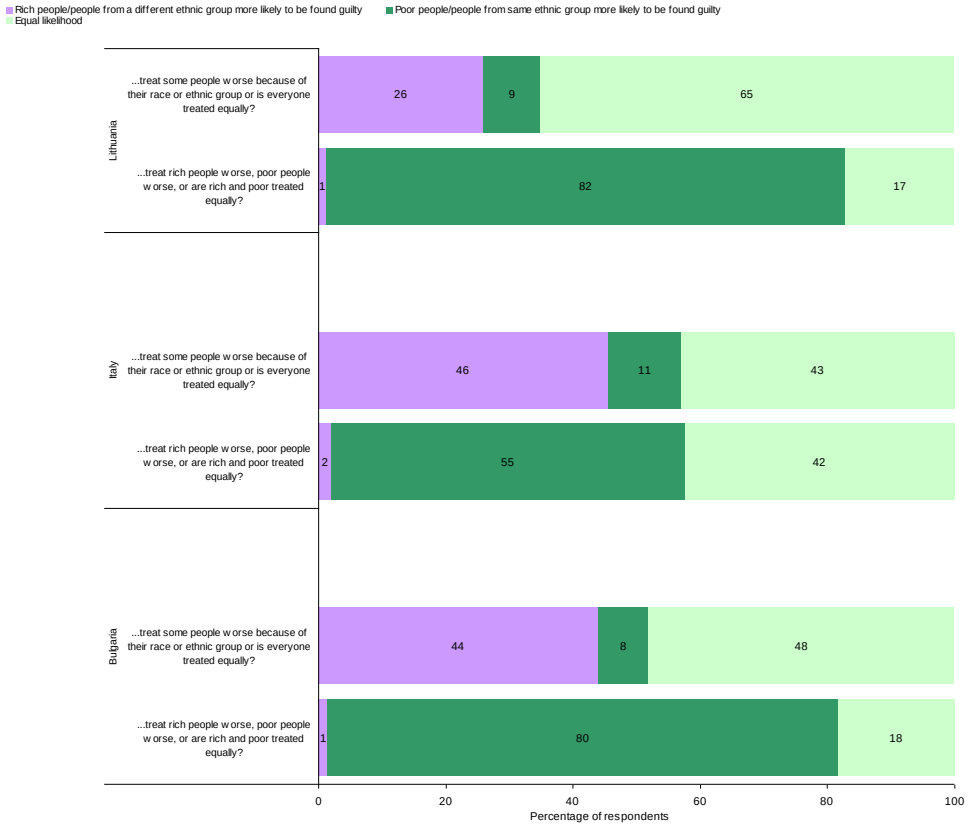
Figure 2.10: top-line findings on trust in court procedural justice



Distributive justice

There were two indicators of trust in court distributive fairness (Figure 2.11). As with the police, this focused on rich versus poor (C52) and dominant ethnic group versus minority ethnic group(s) (C53). Consistent with trust in the police, most respondents felt that poor people were more likely to be found guilty than rich people.

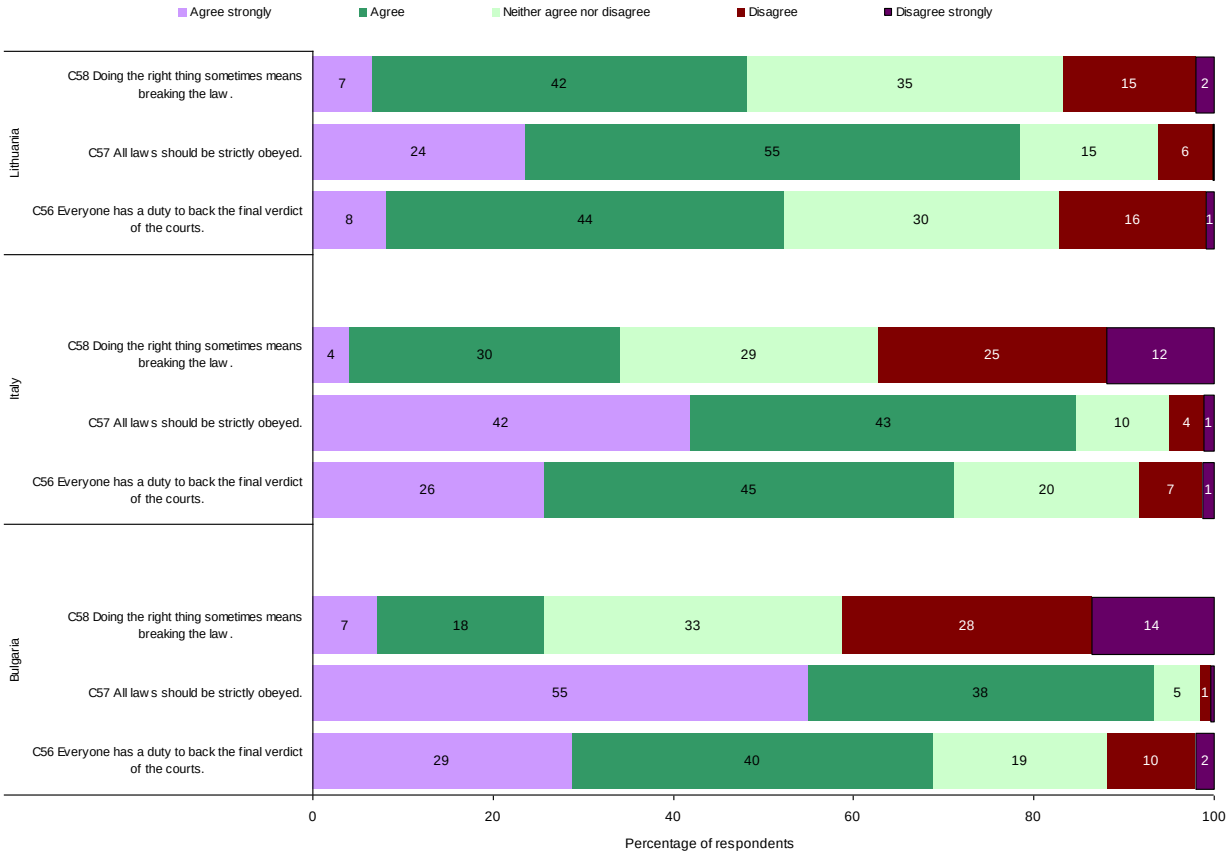
Figure 2.11: top-line findings on trust in court distributive justice



Obligation to obey the courts and the law

The obligation questions covered the courts but also the law more generally (Figure 2.12). Respondents were asked about whether they felt that laws were psychologically binding and whether they felt a duty to back the final verdict of the courts (implicitly, even if they disagreed with the outcome and decision). More people agreed with the sentiment that 'all laws should be strictly obeyed' than they agreed with the statement 'everyone has a duty to back the final verdict of the courts.'

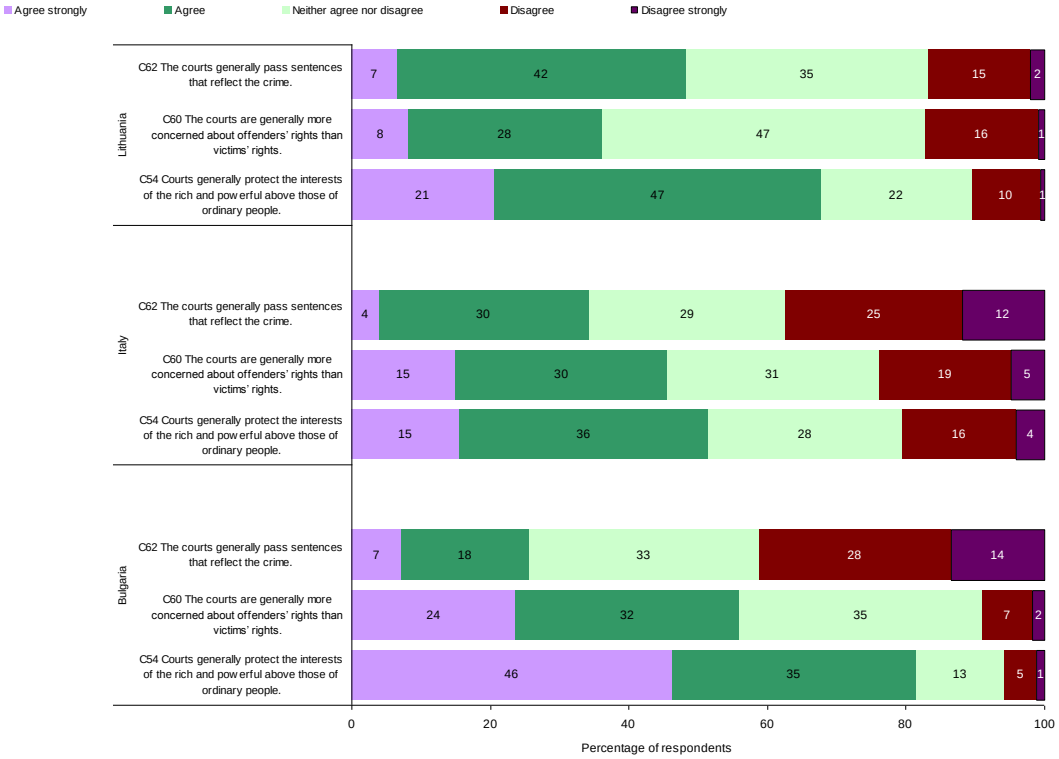
Figure 2.12: top-line findings on obligation to obey the courts and law



Moral alignment with the courts

Respondents were asked about the sentences that courts pass (does the sentence fit the crime?), whether the courts are more concerned with the offenders' rights rather than the victims' rights, and whether the courts protect the interests of the rich and powerful (above those of citizens more generally). Bulgarians were particularly like to agree that the courts protect the interests of the rich and powerful.

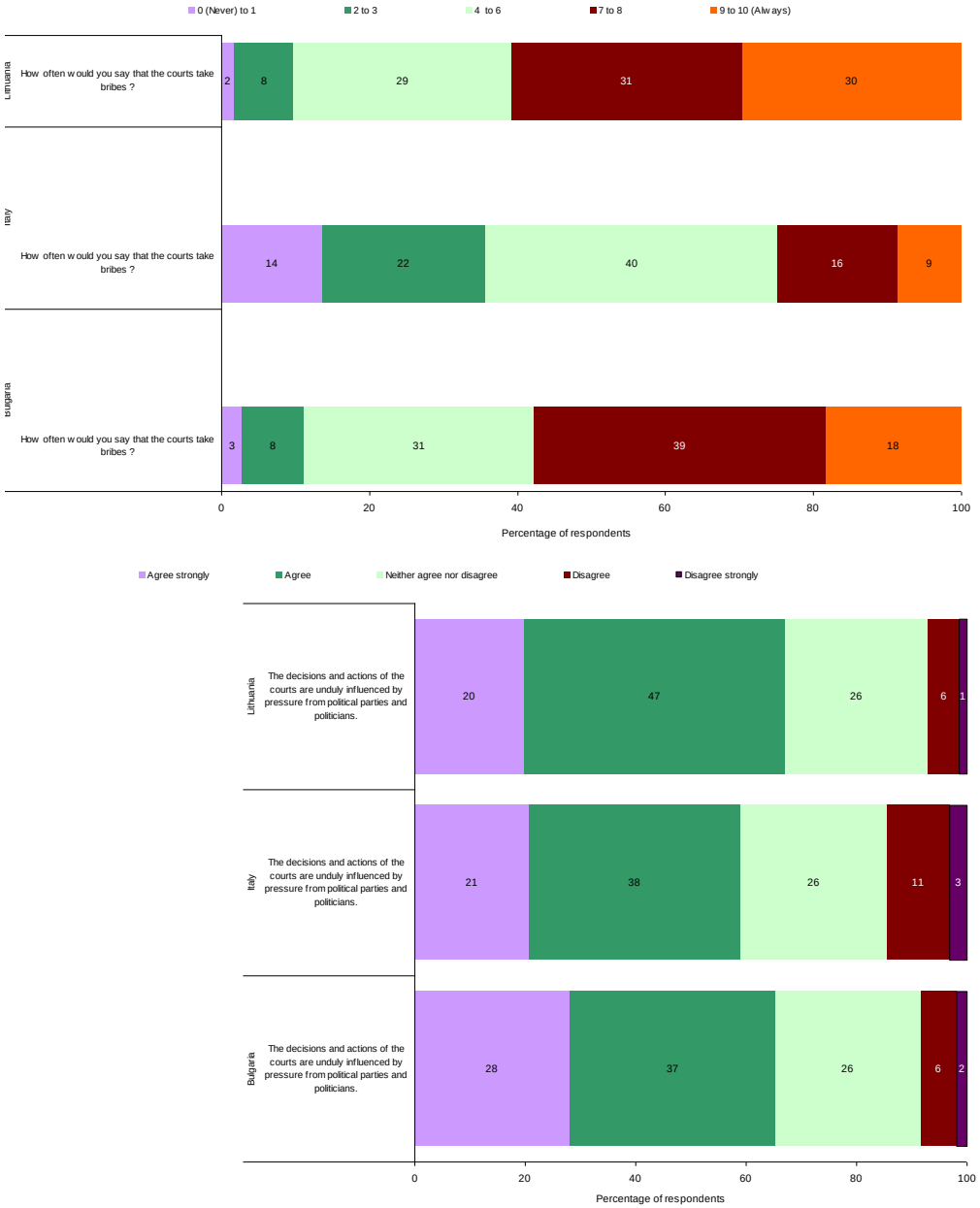
Figure 2.13: top-line findings on moral alignment with the courts



Legality of the courts

As with perceptions of police legality, two measures of court legality were fielded. The first asked whether the decisions and actions of the courts were unduly influenced by pressure from political parties and politicians (C59). The second concerned whether the courts took bribes (C53).

Figure 2.14: top-line findings on beliefs about court legality and corruption



2.3. National-level data

Central to the Euro-Justis project is the idea that legitimacy is conferred by both citizen obligation and identification with authorities and institutional performance and arrangement. Legitimacy is thus measured not just using survey data, but also national-level data on corruption, accountability, transparency, and so forth. It is important that national-level data map on to the three dimensions of legitimacy that underpin the survey-based measures.

- To measure expressed consent of the populace we might collate (from existing surveys) national-level estimations of reporting rates. At present, however, there are no separate sources of data on reporting rates or feelings of obligation to authorities for Italy, Bulgaria and Lithuania. The only available data from our own survey.
- To measure normative justifiability of power we might collate national-level data on transparency, accountability and accordance to democratic principles (from existing indicators published by the Vera Institute, Transparency International, the Economist Intelligence Unit and the World Bank, for example). As over-arching indicators (i.e. covering governance more generally), in this document we draw upon the 'civil liberties' and 'democratic political culture' sub-scales from the Economist Intelligent Unit's Democratic Index 2010. For indicators specific to justice systems, we draw upon the Global Integrity Report 2010.
- To measure legality we might collate national-level data on corruption (again, from existing work done by the Vera Institute, Transparency International and the World Bank, for example). As over-arching indicators we draw upon the 'functioning of government' subscale from the Economist Intelligent Unit's Democratic Index 2010. For indicators more specific to justice systems, we draw upon Transparency International's Perceptions of Corruption Index 2010.

2.3.1 Country level statistics on the normative justifiability of power

Specific to the justice system

Tankebe (2010) refers to normative justifiability as: '…the need for rules and police practices to be rooted in the shared beliefs of society', which includes working towards the general interests and collective goods of society, and limiting the use of power through a restrained use of authority. Legitimacy is sustained by avoiding unnecessary and discriminatory restriction of the freedom of citizens and avoiding the deployment of power against political opponents.

The Global Integrity Report 2010 collates data on (a) the strength of anti-corruption legal frameworks (anti-corruption laws and anti-corruption agencies or equivalent mechanisms) in a given country, on (b) judicial independence, fairness and citizen access to justice, and (c) on safeguards against conflicts of interest in law enforcement. Table 2.1 recreates the findings. The three countries have similar profiles. We see strong showings in each country on anti-corruption law, but weaker safeguards against conflicts of interest in law enforcement.

Table 2.1: Secondary data on the normative justifiability of criminal justice systems

	Bulgaria	Italy	Lithuania
Anti-Corruption Law	100	100	100
Anti-Corruption Agency or Equivalent Mechanisms	71	76	83
Judicial Independence, Fairness, and Citizen Access to Justice	81	92	80
Law Enforcement: Conflicts of Interest Safeguards and Professionalism	77	75	65
Overall (Anti-Corruption Legal Framework, Judicial Impartiality, and Law Enforcement Professionalism)	82	86	82

Source: Global Integrity Report 2010: http://www.globalintegrity.org/report
Bulgaria: http://www.globalintegrity.org/report/Bulgaria/2010/scorecard.
Italy: http://www.globalintegrity.org/report/Italy/2010/scorecard
Lithuania: http://report.globalintegrity.org/Lithuania/2008/scorecard

On governance more generally

The normative justifiability of the power of justice systems should be seen within a broader context: the extent of civil liberties in the country, and the strength of its democratic political culture. The Economist Intelligent Unit's Democratic Index 2010 collates national-level data on these (and other aspects). Data on civil liberties consider the existence of free (electronic and print) media, freedom of expression, whether the judiciary is independent of government influence, the degree to which citizens are treated equally under the law, and religious tolerance and freedom of religious expression. Data on democratic political culture consider the degree of popular support for democracy, public views on military leadership, and the separation between church and state. Table 2.2 recreates the findings.

Table 2.2: Secondary data on the normative justifiability of governance

	Bulgaria	Italy	Lithuania
Democratic culture	4.4	8.1	9.1
Civil liberties	8.8	8.5	6.3
Average	6.6	8.3	7.7

Source: Economist Intelligent Unit's Democratic Index 2010,
http://www.eiu.com/public/topical_report.aspx?campaignid=demo2010

2.3.2. Country level statistics on legality and corruption

Specific to the justice system

Transparency International's Perceptions of Corruption Index 2010 collates data from 13 sources by 10 institutions, measuring the overall extent of corruption in public and political sectors. Measuring the actual amount of corruption is difficult because corruption is often a hidden activity. Perceptions of corruption may be a reliable estimate, and corruption ratings have been made by country experts focused on a range of institutions. Most pertinent here are the ratings of the police and judiciary (collated by Global Insight and drawn into the Transparency International's Perceptions of Corruption Index 2010). These institutions are given a rating from 1 (not at all corrupt) to 5 (extremely corrupt) as part of the expert survey (see Table 2.3).

Table 2.3: Secondary data on legality of action of justice systems

	Bulgaria	Italy	Lithuania
Police	3.8	3.0	3.7
Judiciary	4.3	3.4	4.0

Source: Transparency International's Perceptions of Corruption Index 2010:
Based on expert surveys, where 1 mean 'not at all corrupt' and 5 means 'extremely corrupt'. The EU+ average is 3.1 for police and 3.4 for the judiciary.

Data on governance more generally

The degree to which the police and courts follow their own rules (taking the normative position that there should be rules against being pressured and taking bribes) should also be seen within it broader context, this time, the broader functioning of government. This is the 'functioning of government' subscale from the Economist Intelligent Unit's Democratic Index 2010 (see Table 2.4). Is the government open and transparent, free of undue influence from special groups or the military, with an effective system of checks and balances?

Table 2.4: Secondary data on Normative justifiability of governance

	Bulgaria	Italy	Lithuania
Functioning of government	5.71	6.79	5.71

Source: Economist Intelligent Unit's Democratic Index 2010,
http://www.eiu.com/public/topical_report.aspx?campaignid=demo2010

3. Measurement properties of the survey questions

3.1. Introduction

In this section we examine in more detail the data on the survey questions (items) on dimensions of trust in the criminal justice system and the legitimacy of legal authorities. The items on the police are considered in Section 3.2, with trust (S. 3.2.2) and perceived legitimacy (S. 3.2.3) analysed separately. We will often use shortened titles to refer to the constructs that the items measure, when their meaning is clear from the context; for example, instead of "Perceived moral alignment with the police", in S. 3.2.3 we typically refer to just "Moral alignment". The coding of all the items used below has been defined so that high values indicate high levels of trust and legitimacy. This required reversing the original coding of the items c7, c35, c36, c37, c39, c40, c49, c53, c56, c57, and c62. For more information on the coding and the question that each code refers to, see Sections 2.1 and 2.2.

The sample sizes are 1007 for Bulgaria, 521 for Italy and 1021 for Lithuania, giving a total of 2,549. Sample sizes for individual items are typically smaller, due to survey non-response. Note, however, that the analyses use also incomplete observations for which only some of the items under consideration are available, so that only those respondents who did not answer any of the relevant items are omitted from the analysis.

The statistical method used here is standard linear factor analysis, in both its exploratory and confirmatory forms (see e.g. Bollen 1989 for an overview). In parts of the analysis we explore specifically the question of cross-national *measurement equivalence* of the items, that is, whether the survey items appear to function similarly across countries as measures of the relevant constructs. Accessible overviews of the concepts of measurement equivalence, and how they can be examined in the context of factor analysis, include Steenkamp and Baumgartner (1998) and Vandenberg and Lance (2000).

The analyses of this section have two main purposes. First, they are used to derive new variables which summarise the survey items in a single measure for each of the dimensions of trust and legitimacy regarding the police and courts. These will then be used in Section 4 to give country-level summaries of the concepts. Second, we examine the measurement behaviour of the items in the survey. This means, in particular, trying to identify individual items which do not appear to measure the relevant constructs as clearly as they should, or which do not work consistently across the countries. This part of the analysis is mostly preliminary, in that it is used mainly to flag up such potentially problematic items for future attention. The items will be examined again, in greater detail, when data from a much larger number of countries become available from the European Social Survey, toward the end of 2011. In this spirit, the (mainly small) irregularities of measurement that are identified are not (with one exception) taken into account here when we derive the summary measures that are used in this report. For trust and legitimacy regarding the courts, the results of the multivariate analysis are rather less clear, so a quite different, simplified

approach is adopted to select the measures that are used in Section 4.

3.2. Trust in the police

3.2.1 Preliminaries

We first derived a new measure of distributive fairness. This concept was measured by survey items c24 and c25. Because of the structure of the measures, these cannot be treated in the analyses as ordinal, pseudo-continuous variables in the same way as the other items. Instead, we transformed c24 and c25 into a single measure of distributive fairness, which is defined as the total number of responses, indicating belief that different groups would be treated equally by the police. In other words, the value of this variable is 2 if the respondent felt that rich and poor would be treated equally (item c24) and also that everyone would be treated equally regardless of their ethnic group (c25). Similarly, the value of the new variable is 1 if a respondent gave only one of these responses, and 0 if he/she did not give the equal-treatment response to either c24 or c25. This variable, which is labelled *djfair* in the tables below, is used in all subsequent analyses instead of c24 and c25.

As a preliminary to the main analyses, exploratory factor analysis (EFA) was carried out on all 15 items on the police together, using the data on all three countries combined. This represents a step away from the conceptual framework that guided the development of the survey items, because the analysis then takes no account of the theoretical expectations of which of the items should measure which of the theoretical concepts. Nevertheless, EFA can be a useful exploratory tool, as it allows us to examine whether patterns that are consistent with the conceptual framework are actually seen in the observed data, even when that framework is completely omitted from the specification of the analysis. Here this is found to be the case for the items on trust in the police.

Table 3.1 shows factor loadings from EFA with 5 factors. This model fits the data very well, according to conventional model selection criteria. The coloured blocks in the table indicate the largest loadings for each factor. The kind of pattern observed here, where each factor has a small number of large loadings and the remaining loadings are small, suggests a relatively “clean” measurement structure. Each factor is measured only by a small number of items, and can thus be interpreted in terms of the substance of those items. Here the model clearly picks out the constructs of effectiveness (factor 1 in Table 3.1), procedural fairness (2), obligation to obey (3) and moral alignment (4), exactly according to expectations. The only concepts for which the factor patterns are slightly less clear are distributive fairness and legality. This is not entirely surprising given that distributive fairness is measured by only one item and that (as will emerge from the more detailed analyses below) one of the two items for legality (c38) does not work very well and will end up being dropped. In summary, Table 3.1 thus provides tentative evidence that the survey items on trust in the police scale well and in line with the pre-specified conceptual framework.

Table 3.1: Factor loadings for a six-factor exploratory factor analysis of 15 survey items on Trust in the police, using data from Bulgaria, Italy and Lithuania combined. The largest factor loadings for each factor are highlighted in colour.

	Factor				
Item	1	2	3	4	5
C26	0.700	0.022	0.000	0.085	0.015
C27	0.858	-0.023	0.003	-0.060	0.012
C28	0.483	0.135	0.025	0.093	-0.033
C29	0.002	0.818	0.001	-0.033	-0.053
C30	0.019	0.758	-0.013	0.018	0.092
C31	-0.013	0.567	0.079	0.035	0.018
DJFAIR	0.098	0.287	-0.014	0.109	0.058
C32	0.016	0.010	0.731	0.081	-0.009
C33	0.013	-0.019	0.967	-0.036	0.030
C34	-0.014	0.027	0.881	0.008	-0.019
C35	0.012	0.024	0.007	0.671	-0.133
C36	-0.026	0.012	0.043	0.785	0.028
C37	0.097	-0.003	-0.020	0.751	0.025
C38	0.147	0.027	0.004	-0.051	0.392
C39	-0.011	0.017	0.009	0.314	0.556

Note: N=2445. Obliquely rotated factor analysis solution. Goodness of fit statistics: CFI=0.998, RMSEA=0.018.

3.2.2 Analysis of the items on trust in the police

We proceed to a more detailed analysis of the seven survey items that are, according to the conceptual framework, measures of the three dimensions of trust in the police (trust in effectiveness, trust in procedural fairness, and trust in distributive fairness). Here confirmatory factor analysis is used. The model we consider is represented by the diagram in Figure 3.1. Distributive fairness is captured by the single variable *djfair*, so it is shown as a square which indicates an observed variable. In contrast, effectiveness and procedural fairness are treated as latent (unobserved) variables, which are represented as circles. Each of these two latent variables is measured by three observed survey items (c26-28 and c29-31 for effectiveness and procedural fairness respectively). In essence, this means that the model sets to 0 most factor loadings in an exploratory factor analysis model like the one in Table 3.1, leaving only those loadings that are indicated by the conceptual framework. Finally, the curved arrows between the three constructs of interest in Figure 3.1 indicate that these constructs may be correlated with each other.

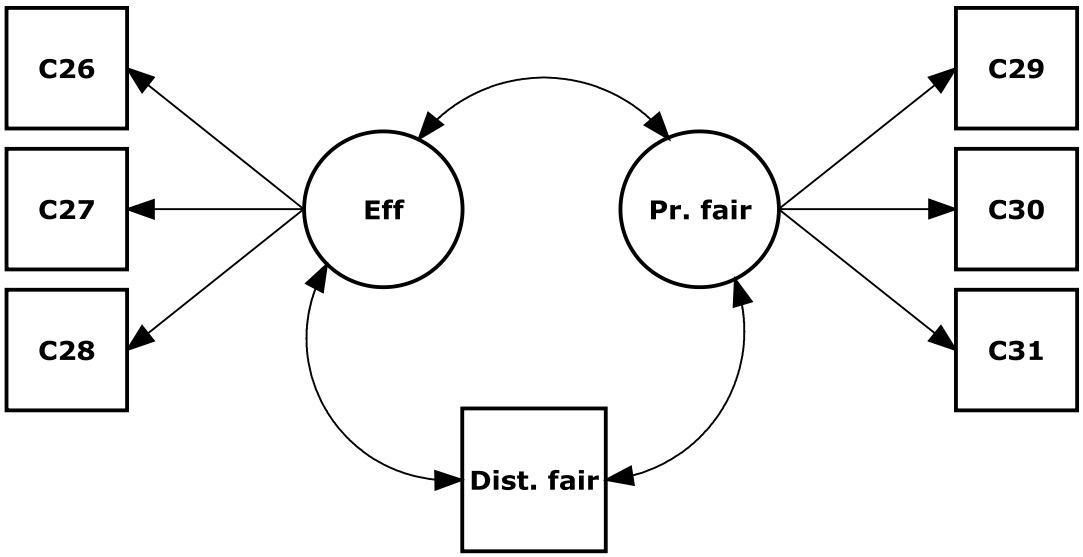
The model represented in Figure 3.1 was first fitted to data from each country separately. In each case the model fits well, according to conventional model selection criteria. The only lack of fit worth noting even briefly can be traced back to item c28, which turns out to be somewhat less strongly correlated with c26 and c27 than these are with each other. Here this did not give reason to modify the model, but we note this item for particular attention in analyses of the forthcoming European Social Survey data.

The model was then fitted to data on the three countries combined. The estimated parameters are shown in Table 3.2. Of most substantive interest in a model like this are the distributions (means, variances and correlations) of the three dimensions of trust, which are

allowed to be different across countries. Comparisons of these (or rather the closely related comparisons in terms of derived factor scores) will be discussed in Section 4.

In the model in Table 3.2, the measurement models of effectiveness and procedural fairness were constrained to be the same in all the countries. Such a model is said to have the property of complete *equivalence of measurement* across countries. In essence, it states that the survey items "work the same way" in all the countries as measures of the corresponding latent constructs. This assumption is the conventional starting point in the analysis of cross-national survey data, but it is not essential and it can be examined and, if necessary, relaxed. This involves allowing some parameters of the measurement models to be different in different countries, and comparing the fit of the resulting models to that of the equivalence model.

Figure 3.1: Diagrammatic representation of the model for the survey items on trust in the police considered in Section 3.2.2. Here "Eff" denotes Effectiveness, "Pr. fair" Procedural fairness, and "Dist. fair" Distributive fairness.



The measurement equivalence of each of the items c26-c31 was examined. For the most part, the items were found to function equivalently across the three countries, although some statistically significant deviations from equivalence could be detected. The most prominent of these concerned the intercept terms of the measurement models of items c28, c30 and c31. For example, when the intercept of c28 was allowed to vary, its estimated values were 4.386 in Italy, 4.944 in Bulgaria, and 5.246 in Lithuania, compared to the common estimate of 4.958 in Table 3.2. What this means is that the synchronisation of the expected levels of this item and of the related items c26 and c27 is somewhat different in different countries. For example, a person with a particular level of perceived effectiveness, as measured by the three items together, is expected to give a more negative response (by about 0.9 points) to item c28 than a similar person in Lithuania.

Similarly, the country-specific intercepts of item c30 were between 2.212 and 2.343, and those of c31 between 2.036 and 2.233, in a model were they were allowed to vary. We will again note these results for future attention in analyses of these items for more countries. For the rest of this report, however, we still proceed with the measurement equivalence model shown in Table 3.2. Doing so has little effect on the conclusions on country comparisons discussed in Section 4.

Table 3.2: Parameter estimates for the model for measures of trust in the police.

Measurement model:

Item	Intercept	Factor loading	Error s.d.
Effectiveness (scale 0-10)			
c26	4.482	1.735	1.304
c27	3.529	1.566	1.512
c28	4.958	1.881	1.925
Procedural fairness (scale 1-4)			
c29	2.349	0.492	0.439
c30	2.245	0.521	0.367
c31	2.102	0.461	0.620

Distributions of the three dimensions of trust:
Means (and standard deviations):

Variable	Bulgaria	Italy	Lithuania
Effectiveness [E]	0.486 (1.098)	0.380 (0.838)	0.213 (0.857)
Procedural fairness [P]	0.578 (1.136)	0.668 (1.043)	0.573 (0.942)
Distributive fairness [D]	0.891 (0.831)	0.681 (0.828)	1.012 (0.796)

Correlations:

Variables	Bulgaria	Italy	Lithuania
correlation(E, P)	0.687	0.423	0.576
correlation(E,D)	0.413	0.377	0.258
correlation(P,D)	0.475	0.449	0.360

Goodness of fit statistics: CFI=0.955, RMSEA=0.061.

The final step of the scaling analyses was to derive two variables that will be used as measures of trust in the effectiveness and trust in the procedural fairness of the police (recall that trust in distributive fairness is already measured by the single variable *pdfair*). These new variables are *factor scores*, i.e. predictions of the latent variables in Figure 3.1 for each respondent, based on the estimated model and the person's observed responses to the survey items.

We first note that standard factor scores for the model in Table 3.2, as they are usually defined, have the property that they depend on all the observed variables and also on the country. This means, for example, that two respondents who gave exactly the same answers to questions c26, c27 and c28 would still get assigned a different score for their perception of police effectiveness if they gave different responses to any of the other four observed variables and/or came from different countries. This property of the factor scores, while entirely appropriate for some purposes, seems somewhat unsatisfactory when, as here, the calculation of the scores is treated largely as a recipe for deriving measures of the constructs.

To avoid this behaviour, we make a small modification to the calculation of the factor scores, while still using the estimated parameters of the model in Table 3.2. First, the scores are conditioned only on those observed variables that are direct measures of the relevant construct, e.g. c26, c27 and c28 for the score on Effectiveness. Second, the scores are derived from a model where the country-specific distributions of the latent variable are replaced by a common distribution for all the countries.[3] The resulting score is a weighted sum of the relevant survey items. For example, the derived score for a respondent who answered all three items on Effectiveness is given by

[Effectiveness score] = -1.872 + 0.209*c26 + 0.141*c27 + 0.104*c28

where c26, c27 and c8 denote the observed values of these items for the respondent. The possible values of each of these items are between 0 and 10, so the smallest and largest possible values of the derived score, corresponding to the lowest and highest level of perceived effectiveness respectively, are -1.872 and 2.668.

3.2.3 Analysis of the items on legitimacy of the police

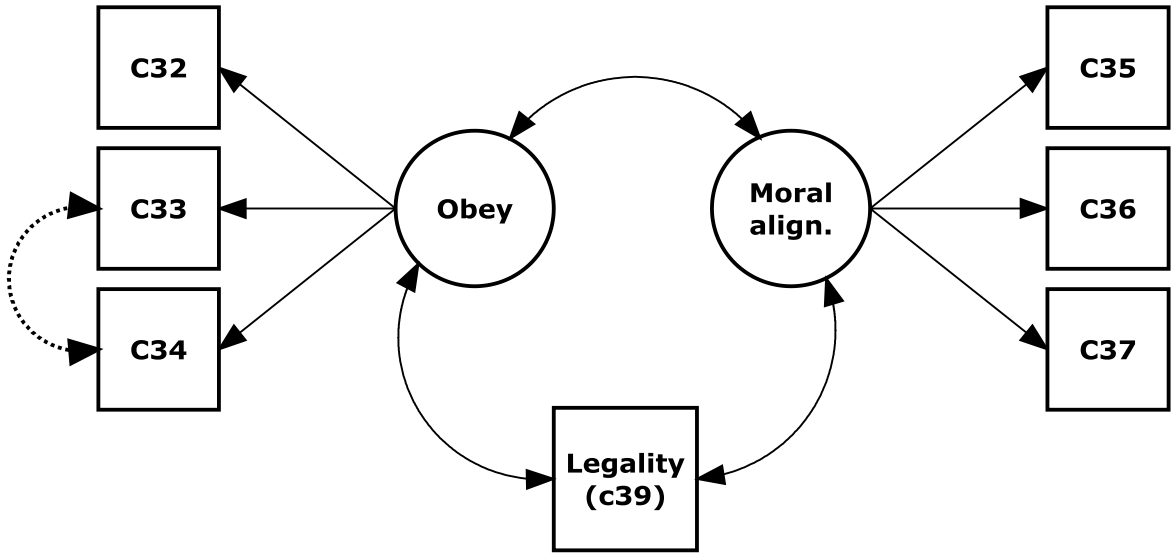
The sequence of analyses reported here is the same as in Section 3.2.2, so the discussion is more concise.

Eight of the survey items are regarded as measures of the three dimensions of perceived legitimacy of the police (obligation to obey, moral alignment and perceived legality of action). However, initial analysis (not shown here) strongly suggested that item c38, which is one of the two measures of legality, was problematic. It was fairly weakly correlated with the other legality item c39, to the extent that in some countries c39 was more correlated with some of the other items than it was with c38. This caused problems for the observed goodness of fit of models for the items. It was decided to omit c38 from the analyses considered here. Because this leaves c39 as the only measure of perceived legality, caution is required in interpreting the conclusions from the analyses. Although we will continue to call the construct “Perceived legality”, it is clear that the one indicator is more specifically a measure of perceived *corruption*.

The basic model for the items on legitimacy of the police is (apart from the dotted curved arrow, discussed below) of the form represented by the diagram in Figure 3.2. This is interpreted in the same way as the model for trust in the police in Figure 3.1.

[3] Specifically, we use for this a normal distribution with mean and variance given by averaging in an appropriate way those of the country-specific distributions in Table 3.2, with weights equal to the proportions of the countries in the sample.

Figure 3.2: Diagrammatic representation of the model for the survey items on perceived legitimacy of the police considered in Section 3.2.3. Here "Obey" denotes Obligation to obey and "Moral align." denotes Moral alignment. The error correlation represented by the dotted curved arrow is not included in the model that is reported in Table 3.3 and used for subsequent analyses.



Initial analysis of the data for each of the countries separately suggested one consistent deviation from the basic model. This was that the responses to items c33 and c34 were even more strongly correlated with each other than the model allowed, i.e. that they were correlated over and above the association implied by the fact that they are both measures of the same underlying concept, obligation to obey. This residual correlation is symbolised by the dotted curved arrow in Figure 3.2. One plausible explanation for this association is that it may be induced by the rather similar wording of these items (both of which include the phrase "...it is your duty to do what the police tell you...") which may have caused respondents some difficulty in distinguishing between the questions. We again note the issue for future analyses. The residual correlation is not included in the models considered below. Even without it, the model in Figure 3.2 fits well in each of the countries separately.

Examination of the measurement equivalence of the items across the three countries reveals a somewhat less satisfactory picture than was the case for the measures of Trust in the police. When the model in Figure 3.2 (without the error correlation) is fitted to the data for all the countries combined, its goodness of fit falls somewhat below conventional criteria of good statistical fit. The fit can be improved by allowing non-equivalence of some aspects of a model, in a number of alternative ways. For example, this can be achieved by allowing the error correlation between c33 and c34 and letting its strength (as well as the variances of the corresponding errors) vary across countries, *and* allowing the measurement parameters of one of the moral alignment items also to be different in different countries. These variations will again be considered in similar analyses of future data on more countries.

Here, however, we proceed with the model which imposes the same measurement parameters in all the countries. Its estimated parameters are shown in Table 3.3. Finally, this model was used to derive single summary measures for Obligation to obey and Moral alignment (recall that Legality is here measured by the single item c39). This was done using factor scores, in the way explained in Section 3.2.2.

Table 3.3: Parameter estimates for the model for measures of Perceived legitimacy of the police.

Measurement model:

Item	Intercept	Factor loading	Error s.d.
Obligation to obey (scale 0-10)			
c32	4.388	2.451	1.887
c33	3.887	3.101	1.061
c34	4.035	2.908	1.334
Moral alignment (scale 1-5)			
c35	2.868	0.576	0.699
c36	2.775	0.737	0.554
c37	2.716	0.706	0.574

Distributions of the three dimensions of perceived legitimacy:
Means (and standard deviations):

Variable	Bulgaria	Italy	Lithuania
Obligation to obey [O]	0.394 (1.022)	0.694 (0.779)	0.593 (0.906)
Moral alignment [M]	0.993 (1.135)	0.952 (1.119)	0.725 (0.881)
Legality (c39) [L]	4.576 (2.475)	5.241 (2.514)	3.536 (2.304)

Correlations:

Variables	Bulgaria	Italy	Lithuania
correlation(O,M)	0.402	0.359	0.408
correlation(O,L)	0.208	0.123	0.247
correlation(M,L)	0.474	0.362	0.385

Goodness of fit statistics: CFI=0.930, RMSEA=0.101.

3.3. Trust and legitimacy regarding the criminal courts

Statistical analysis of the survey items on trust in the criminal courts reveals that their measurement properties are much less clear-cut than those of the items on the police. Even before the analysis, there were reasons to expect that more difficulties might arise here. First, there were fewer items in the survey on the courts than on the police (and fewer still in the European Social Survey, where some of the court items were further omitted for reasons of space). Second, the items on the courts were somewhat less clearly derived from – and aligned with – the dimensions of trust and perceived legitimacy specified by the conceptual framework. In essence, these concepts were defined and refined by reference to the police, and then applied partly by analogy also to the courts. Thirdly, even *a priori* we might suspect that many respondents would

be less familiar with the work of the courts than of the police, so their perceptions of different dimensions of trust in the courts might not be very clearly defined. The results of the analysis suggest that it is indeed difficult to use all the court items to produce scales of the dimensions of trust. Instead, we come to a decision to use, at least for the purposes of this report, a subset of them as single indicators of different aspects of trust.

Table 3.4 shows results of a five-factor exploratory factor analysis of the court items, using data for all the countries combined[4]. This is analogous to Table 3.1 for trust in the police. Recall that in that analysis the estimated measurement model of the survey items was very cleanly aligned with the patterns suggested by the conceptual framework. Here, in contrast, a similarly clear picture does not emerge. In several cases, items that prior considerations would suggest to be measures of different constructs are related to the same factor in the estimated model. For example, factor 2 is associated with a collection of items which could otherwise be posited as measures of as many as five different dimensions of Trust in the courts. Similarly, the two items which load most strongly on factor 1 are c49 (how often courts make mistakes that let guilty people go free) and c53 (how often judges take bribes), which would appear to be rather different in nature (unless, for example, c49 is interpreted by the respondents to refer to *deliberate* mistakes by the courts, which was certainly not the intention of this item).

In this situation, a further confirmatory factor analysis does not provide substantial further clarification of the behaviour of the items, so it is not pursued here. Instead, we opt directly for a much simpler alternative approach for the measures of trust in the courts. In this, we select a subset of the items that are then used individually as single measures of different aspects of trust, instead of combining them through multivariate analysis as was done for the items on Trust in the police. The items that we will use for the country comparisons in Section 4 are the following:

- "Efficiency": c49 (How often courts make mistakes that let guilty people go free)
- "Procedural fairness": c50 (How often courts make fair, impartial decisions based on the evidence made available to them)
- Distributive fairness: cdfair (derived by combining c51 and c52)
- "Obligation to obey": c56 (Everyone has the duty to back the final verdict of the courts)
- "Moral alignment": c54 (Courts generally protect the interests of the rich and powerful above those of ordinary people)
- "Legality": c53 (How often judges take bribes)

Note that all of these items are also included in the shortened set of court items in the European Social Survey. The names of the theoretical concepts are here put in quotation marks, because identifying them with single indicators is an uncertain exercise; to put it another way, each of these single items can with as much or more justification interpreted as just a measure of what its specific wording refers to, rather than of a broader concept. This confounding of the specific with the general is a key limitation of a single-measure approach, and the primary motivation of measurement scales derived from multiple survey items. Here, however, it may be the best that

[4] This includes the variable *djfair*, which is a measure of distributive fairness, obtained by combining items c51 and c52. The definition of this variable is similar to that of *djfair* for distributive fairness of the police, which was explained in Section 3.2.2.

can be achieved for many of the constructs for the criminal courts, as the survey items do not provide sufficiently clear-cut multiple-indicator scales.

Table 3.4: Factor loadings for a five-factor exploratory factor analysis of 11 survey items on trust in the criminal courts, using data from Bulgaria, Italy and Lithuania combined. The largest factor loadings for each factor are highlighted in colour.

	Factor				
Item	1	2	3	4	5
C49	0.377	0.027	0.096	0.012	0.193
C50	0.015	0.463	0.089	0.003	-0.014
DJFAIR	0.047	0.305	0.050	0.043	0.107
C56	0.040	0.160	0.623	0.008	-0.076
C57	-0.012	-0.082	0.696	-0.003	0.040
C58	-0.032	-0.011	0.331	-0.014	0.547
C54	0.000	0.000	0.000	3.058	0.000
C60	0.000	0.420	-0.074	0.021	0.285
C62	-0.062	0.380	0.013	-0.027	-0.239
C53	1.179	-0.002	-0.012	-0.004	-0.009
C59	0.047	0.379	-0.036	0.000	0.416

Note: N=2445. Obliquely rotated factor analysis solution. Goodness of fit statistics: CFI=0.998, RMSEA=0.015.

4. Spiderplots

4.1. Police

Figure 4.1 shows survey-based estimates of public trust and institutional legitimacy regarding the police. All are indexed from 0 (centre of the spiderplot) to 1 (edge of the spiderplot), where 1 equals strong trust and legitimacy. At the top is overall confidence in the police, measured as the proportion of people in the country who believe that the police "do a good job". Moving clockwise, we see scores on the three dimensions of trust, then scores on the three dimensions of legitimacy. In general, we see that the respective populations of the three countries rate the police rather similarly, with two exceptions. First, Lithuanians tend to think that the police are more just (in a distributive sense) than Bulgarians or Italians. Second, Italians tend to think that the police are less corrupt than Bulgarians, with Lithuanans thinking their police are the most corrupt.

Figure 4.1: Spidergram of trust and legitimacy regarding the police in Bulgaria, Italy and Lithuania. All are survey-based estimates.

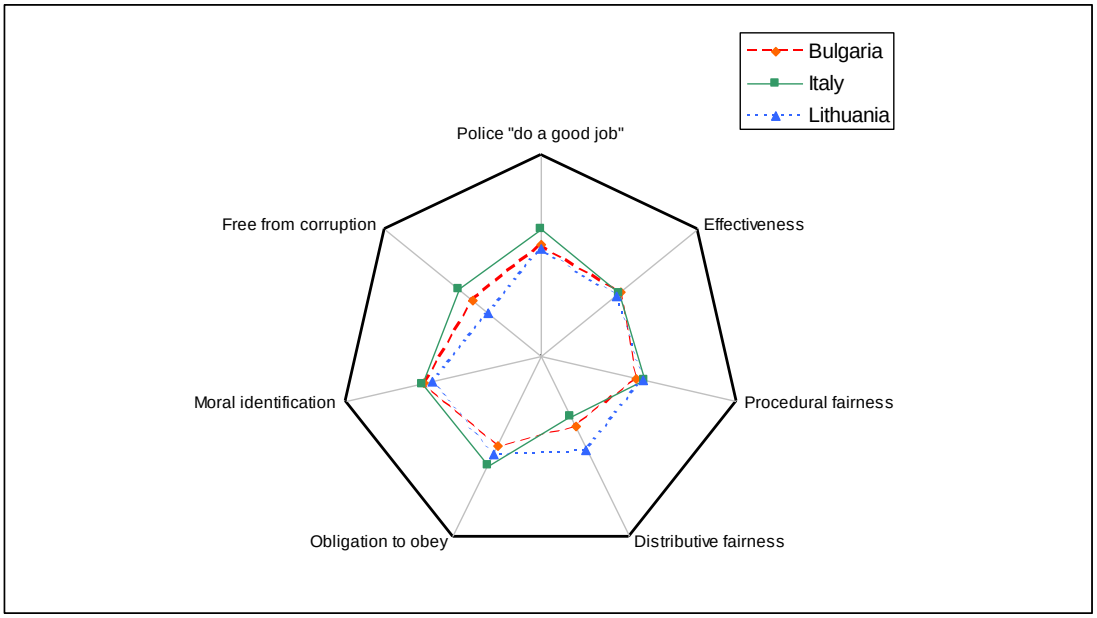
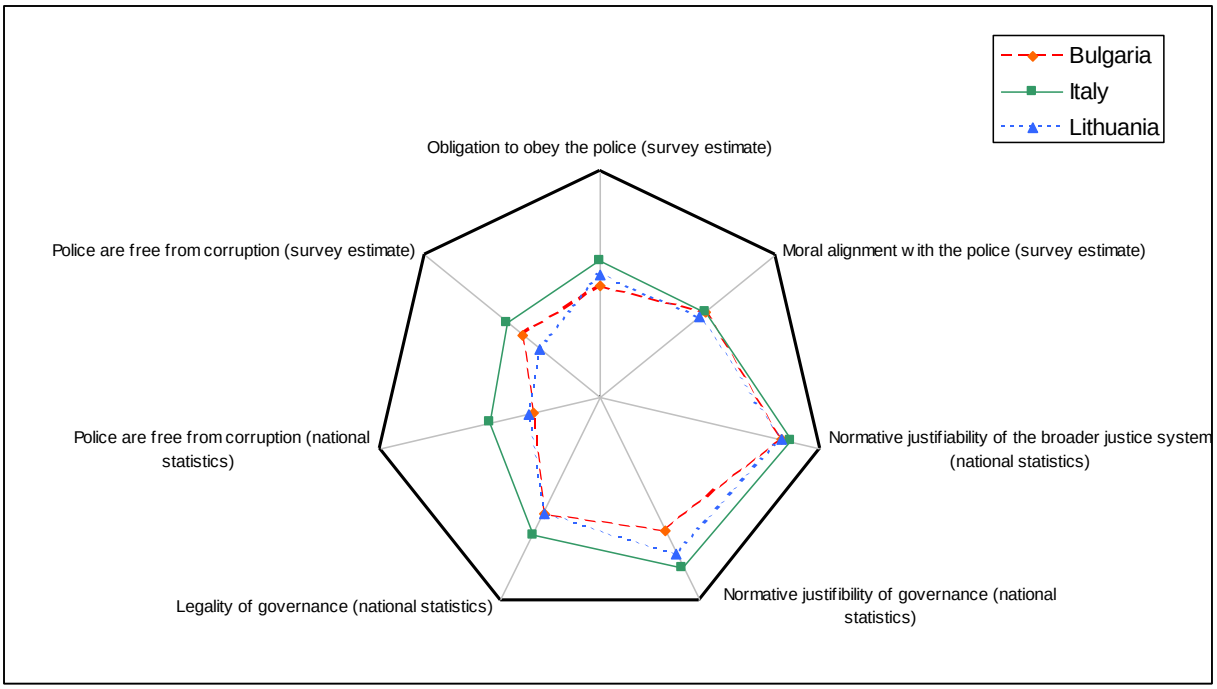


Figure 4.2 shows survey-based estimates institutional legitimacy and secondary data on legitimacy drawn from a number of different sources. The survey-based measures are found in the top three segments. All are indexed from 0 to 1, where 1 equals strong legitimacy. In general, Italy scores the highest. According to public perceptions and expert statistics, the legitimacy of the courts (and the legitimacy of the justice system more generally) is higher in Italy than it is in Bulgaria and Lithuania. For all countries, the highest scores were in normative justifiability of the broader justice system (i.e. the strength of anti-corruption legal frameworks, judicial independence, fairness and citizen access to justice, and safeguards against conflicts of interest in law enforcement) and normative justifiability of governance (e.g. civil liberties, whether the judiciary is independent of government influence, the degree to which citizens are

treated equally under the law, popular support for democracy, public views on military leadership, and the separation between church and state).

Figure 4.2: Spidergram of legitimacy regarding the police and the justice system in Bulgaria, Italy and Lithuania. Combines survey-based estimates with secondary data on system-level performance.

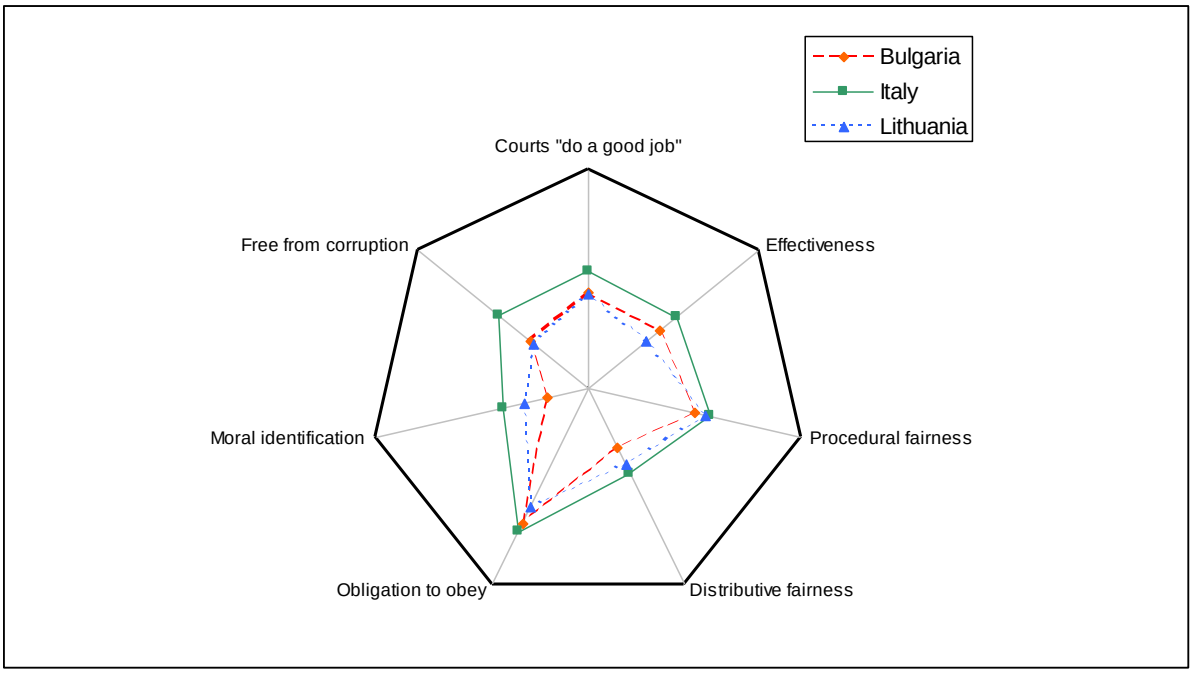


Multiple sources of data, all rescaled to range from 0 to 1.
Clockwise from top:
Obligation to obey (survey estimate derived from the Euro-Justis survey), weighted mean of three indicators
Moral alignment (survey estimate derived from the Euro-Justis survey), weighted mean of three indicators
Normative justifiability (national statistics on the justice system): Global Integrity Report 2010
Legality of governance (national statistics): Economist Intelligent Unit's Democratic Index 2010, 'functioning of government' index.
Free from corruption (national statistics): Transparency International's Perception of Corruption Index 2010, expert view on police corruption
Free from corruption (survey estimate derived from the Euro-Justis survey), weighted mean of three indicators

4.2. Criminal courts

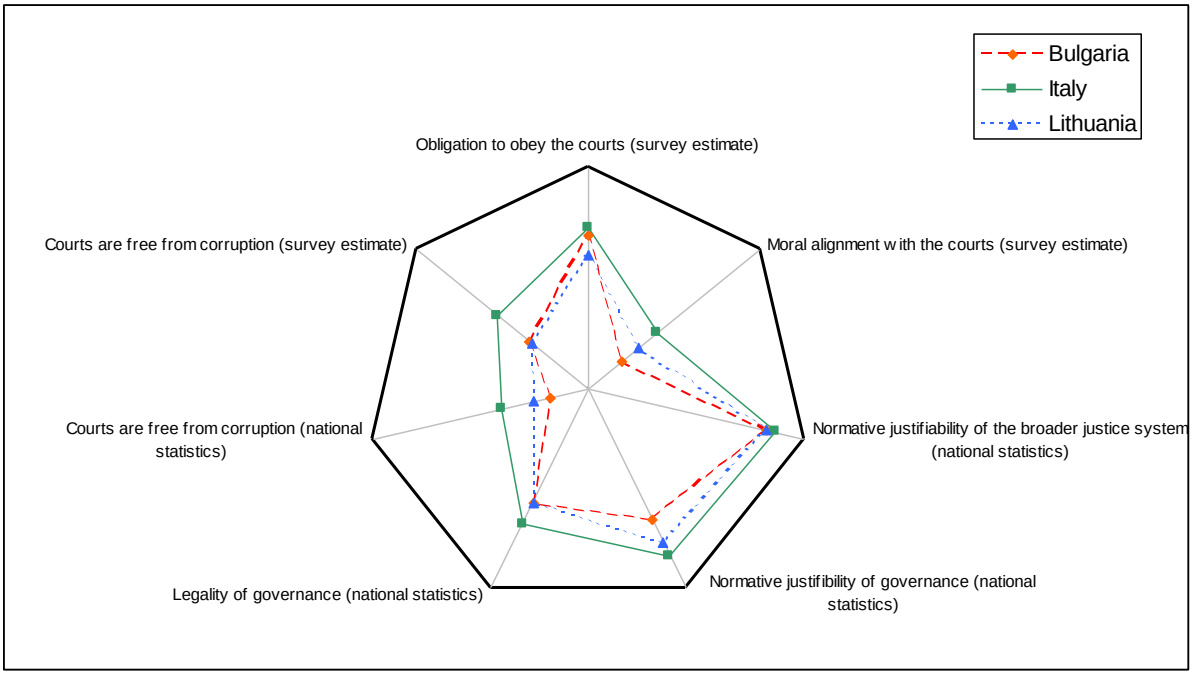
Again, Italy rates higher than Bulgaria and Lithuania (Figure 4.3). There are particular differences in freedom from corruption and moral alignment with the courts. In all countries, felt obligation to obey the courts is higher than moral alignment and freedom from corruption.

Figure 4.3: Spidergram of trust and legitimacy regarding the criminal courts in Bulgaria, Italy and Lithuania. All are survey-based estimates.



National-level statistics on legitimacy (Figure 4.4) are even more different from public perceptions for the criminal courts. This suggests a problem in the amount of legitimacy that is conferred by citizens. For example, moral alignment (the sense that the courts protect the interests of ordinary people and pass sentences that reflect the crime), which is especially low in Bulgaria, gives a different picture than the normative justifiability of the broader justice system (e.g. citizen access to justice). Again, Italy ranks highest. There are significant problems of corruption according to expert perceptions in the judiciary in Bulgaria and Lithuania.

Figure 4.4: Spidergram of legitimacy regarding the courts and the justice system in Bulgaria, Italy and Lithuania. Combines survey-based estimates with secondary data on system-level performance.



Multiple sources of data, all rescaled to range from 0 to 1.
Clockwise from top:
Obligation to obey (survey estimate derived from the Euro-Justis survey), weighted mean of three indicators
Moral alignment (survey estimate derived from the Euro-Justis survey), weighted mean of three indicators
Normative justifiability (national statistics on the justice system): Global Integrity Report 2010
Legality of governance (national statistics): Economist Intelligent Unit's Democratic Index 2010, 'functioning of government' index.
Free from corruption (national statistics): Transparency International's Perception of Corruption Index 2010, expert view on police corruption
Free from corruption (survey estimate derived from the Euro-Justis survey), weighted mean of three indicators

5. Concluding thoughts

We focus with some brief reflections on the Euro-Justis demonstration project. In most cases, the survey measures worked well. They captured the core concepts in comparable ways across the three countries in question. They could also be combined into effective tools, capturing the complexities of public trust and institutional legitimacy.

Secondary data on institutional-level performance and arrangements can also be successfully integrated into a system of social indicators. This reflects the essential 'top-down' and 'bottom-up' nature of the legitimacy of institutions. A criminal justice system is legitimate when citizens confer it legitimacy and when the system accords to certain substantive requirements. Such normative legitimacy means substantive recognition that the truth (or validity) of these arrangements is right and just, in part generated by safeguards against the misuse of power and ensuring that rules and practices are rooted in shared, democratic standards.

It would seem that we have been more successful in developing indicators of trust and legitimacy for the police than the courts. The various policing items intercorrelate in the way that we predicted, and appear to measure latent constructs very much as our conceptual framework would suggest. This is less true for our court items. This could reflect the fact that people have much less direct – and, indeed, indirect – experience of the courts than of the police. Nor can the possibility be ruled out that against European norms, all three countries could be outliers – two of them having significant problems of judicial corruption according to various measures, and the third being characterized by striking levels of delay.

Our analysis of the 5th European Social Survey will enable us to unravel these issues more effectively (Jackson *et al.,* 2011). These data will allow us to develop and test social indicators of trust in justice for 28 rather than 3 countries.

Whatever the outcome of the ESS analysis, we can be confident that the Euro-Justis project has developed robust measures of trust and legitimacy for the police, and viable measures for the courts. We have fielded these measures in 29[5] European countries. Variants of the survey have been, or will be, fielded in a further four countries in other continents: Chile, Japan, South Africa and the United States. The findings should considerably extend understanding of the relationships between trust in justice, legitimacy, compliance and cooperation – and the ways in which these relationships vary across country and culture.

[5] 28 countries participating in the ESS, plus the pilot survey in Italy, which decided against ESS participation.

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