

Justice for All?

Economic Situation, Political Attitudes, and Trust in the Judicial System in Poland

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Note: Tables can be found at the end of the document.

Introduction

The judicial system is a foundational democratic institution that is charged with the legal protection of citizens and their rights. Recent events in the United States regarding inequalities and the judicial system have sparked social movements and inspired debate on the relationship between disadvantaged groups and the judicial system's tendency towards justice or, in some cases, injustice. There is a well-established literature on demographic and attitudinal correlates of trust in institutions, especially in the United States with its long-serving system of laws (Levi & Stoker 2000). This literature finds that the economically advantaged are more likely to trust the judicial system than the disadvantaged (Levi & Stoker 2000; Smith 2010). While there is a large international literature on trust in institutions, there is very little on trust in the judicial system, specifically. In the context of the Central and Eastern Europe (CEE), with its relatively recent institutionalization

of democratic law, the association between demographics and political attitudes on one side of the equation, and trust in the judiciary on the other, is not well-established. The main research question of this project is, "To what extent does economic situation and political attitudes influence individual trust in Poland's judicial system

I examine this question in the context of Poland. One of the largest countries in Europe, and the largest of the CEE, Poland had a Communist government from the end of World War Two until 1989. Poland continues to experience radical social change: In addition to the upheavals of 1989, the rush to European Union accession in 2004, and the late lustration policies of 2005-2007, the judicial and other governance institutions went through major reforms. In 2015, Law and Justice (PiS), a populist Catholic nationalist political party which was last in power during the 2005-2007 period, sought to change the laws that govern the operation of the constitutional courts. These

changes to the judicial system have sparked mass demonstrations and a rebuke from the European Union that Poland is slipping away from its democratic ideals.

To address my research question, and to meaningfully add to the debates on economic situation, political attitudes, and trust in the judicial system, I have analyzed the Polish Panel Survey, POLPAN, a nationally representative panel dataset of Poles who were interviewed every five years since 1988. I focused on the 2008 and 2013 waves. These years cover the longest period of political stability in Poland's post-Communist history: Civic Platform, a centre-right political party that promotes the European Union, globalization and free markets, held the majority in parliament from 2007 to 2015.

Theory and Hypotheses

I engage with theories of institutional development, trust in institutions, and social stratification. Institutional development is the idea

that institutions evolve through time: major changes are in terms of function, whether the new institution has been constructed over top of the old, or if the institution loses its relevance to society (Murillo and Levitzky 2009). Murillo and Levitzky (2009) argue that new institutions can be weakly enforced, and as such the masses can question the validity of the rule of law. This, in turn, breeds uncertainty and an erosion of trust in institutions. Corruption, or the appearance of corruption, matters, too. Rothstein and Uslaner (2005) argue that, “Countries that start out with high levels of inequality and corrupt governments will be caught in a vicious circle or ‘inequality trap’ (45). After 1989, Poland built its judicial system based on Western European standards, but it developed in the post-Communist context of radical changes and deep distrust in government and its system of laws. I focus on two major correlates of trust in the judicial system. One is economic situation. On the topic of economic disadvantage and trust, Smith (2010), argues that disadvantaged members of society trust less because they perceive, and are likely to experience, discrimination across multiple institutions, including that of the judicial system. The other correlate is trust in other political institutions. Nannestad (2008) argues that trusting one institution can lead to the growth and prosperity of others. Mishler and Rose (2001) showed that 48 percent of Poles included in their survey distrust the courts. The rest of the survey respondents were relatively split between trusting the courts (28 percent), and neither trusting nor distrusting, i.e. neutral (23 percent). Corruption,

or the appearance of corruption, can influence trust in the judicial system, too (Toma 2015). Countries with the highest aggregate corruption levels were found to suffer the lowest levels of aggregate trust in institutions, and those countries with low government performance most frequently experienced lower levels of trust (Sullivan and Transue 1999; Armingeon and Guthmann 2014; Rothstein & Uslaner 2005; see also Czarnota and Krygier 2006). Mishler and Rose’s (2001) survey used a seven point Likert Scale measuring from strong distrust on one end of the spectrum, to strong trust on the other—similar to the format of the POLPAN questionnaire. As Mishler and Rose (2001: 38) argue: “When there are major dislocations in society, however, especially when accompanied by fundamental changes in social and political institutions such as have occurred in post-Communist societies, then political trust will be relatively volatile, and cultural and institutional theories can provide very different, even contradictory, predictions about political trust.” Mishler and Rose (2001) argued that attitudes toward the success of government policies and the character of political institutions, along with one’s life experiences with the institution, are also correlated with trust in political. Armingeon and Guthmann (2014) included information from 26 European countries; of those countries, Poland ranked 25th in regards to country-level satisfaction with democracy, and 26th in regards to trust in parliament. Poland’s economy has grown in the past few decades, and a significant number of those surveyed in the past felt favorably towards it.

I posit the following hypotheses for Poland during 2008 to 2013:

Hypothesis 1: Advantaged social classes express greater trust in the judicial system than disadvantaged classes, controlling for age, gender, religion and trust in political institutions.

Hypothesis 2: Those with high trust in the judicial system are also likely to have high trust in parliament and political parties, controlling for social class, age, gender and religion.

Hypothesis 3: Those who perceive that the government has a positive impact on corruption will be more likely to have high trust in judicial system, controlling for social class, age, gender, religion, and trust in political institutions.

Data, Variables and Methods

POLPAN is a panel survey of Poles that began in 1988. Respondents were re-interviewed every five years thereafter. The latest wave of responses was collected in 2013 (for details on the survey, see Slomczynski et al 2015). I use the 2008 and 2013 waves. POLPAN contains data on various aspects of human social life, including those pertinent to this study: economic situation, trust in institutions, political attitudes and demographics such as gender, age, and education.

My primary dependent variable is trust in the judicial system, measured with the item, “I will list various institutions. Please indicate to what extent you have trust in them: justice system.” The response categories range from “to

a very high extent” (5) to “very little or not at all” (1). For the purpose of this research, the phrase “judicial system” will encompass the function and motives of the phrase “justice system”. The main independent variables are economic situation and political attitudes. For economic situation, I will use an objective indicator, combining respondent’s years of education and a measure of the frequency of privileged respondents in the 2008 wave of POLPAN. I will also include a subjective indicator of economic situation, which is that of respondent’s self-ranked social status on a 10-point scale.

I include three types of political attitude variables. First, I include trust in other institutions, including trust in parliament and in political parties. Second, I include perception of government effectiveness against corruption, with the item: “Many countries experience such problems as unemployment and corruption. Do you evaluate the effectiveness of actions undertaken by the current Polish government towards reducing corruption as very high, somewhat high, average, somewhat low or very low?” Third, I have included a measure of confidence in the government, through respondent’s evaluation of the phrase: “In Poland, there has yet been no government which could be trusted to undertake the right actions”. In addition, I have included the control variables gender, age, and religiosity (frequency of attending Church services).

Results

Table 2 illustrates the strength and direction of the relationship between these selected variables and

the dependent variable, trust in the judicial system. Only lack of confidence in the government, subjective social status, and age proved to be significant at $p < 0.05$, and a confidence interval of 95 percent. Age has the strongest relationship with trust in the judicial system. Table 3 was used as a mechanism to test hypothesis 1, that advantaged social classes express greater trust in the judicial system than disadvantaged classes, controlling for age, gender, religion and trust in political institutions. Because there was no statistically significant correlation found to exist between privileged social class and trust in the judicial system, the variable has not been included in any subsequent tables. The model represented by Table 3 shows us that only 6.1 percent of the variance in trust in the judicial system can be accredited to the selected independent variables, and that age has the strongest impact on trust in the judicial system. I found that older respondents are less likely to trust the judicial system than younger respondents. In addition, we can reject the null hypothesis that advantaged social classes express the same level of trust in the judicial system as disadvantaged classes.

In terms of our initial measure of advantage, subjective social status, hypothesis 1 cannot be rejected: The greater the subjective level of privilege, the greater the trust in the judicial system, controlling for lack of confidence in the government, gender, years of education, age, and religiosity. Similarly, we can surmise from this same data that those that are economically disadvantaged will trust less. Interestingly, years of education is negatively related to trust in the judicial sys-

tem: as education increases, trust decreases, *ceteris paribus*.

Table 4 informs us that there is a moderate positive relationship between trust in political parties, trust in European Parliament and trust in the judicial system: as trust in political parties and European Parliament increase, trust in the judicial system will increase, as well. The model presented in Table 5 is meant to test hypothesis 3, in which 12.6 percent of the variance in the dependent variable can be explained by these selected independent variables. Table 5 illustrates that the stronger the belief that the government can influence the level of corruption, the greater the level of trust they will have in the judicial system.

Conclusion and Discussion

This article examines the relationship between economic situation, political attitudes, and trust in the judicial system. Hypothesis 1, that advantaged social classes express greater trust in the judicial system than disadvantaged classes, controlling for age, gender, religion and trust in political institutions, is empirically supported. Hypothesis 2, that those with high trust in the judicial system are also likely to have high trust in parliament and political parties, also has empirical support. Hypothesis 3 proposes that those who perceive that the government has a positive impact on corruption will be more likely to have a high level of trust in the judicial system, and this, too, is empirically supported.

Tables 3 and 5 were most surprising in terms of the strength of the variables and their influence on trust in the judicial system. In

Table 3, years of education was one of the most significant variables. In Table 5, when the influence of the government on corruption is considered, years of education becomes the least significant variable; it is unclear why this is the case. In both models, age was shown to have the greatest impact; as age increases, trust decreases. Further research regarding the relationship between age and political trust is needed.

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body." <http://www.theguardian.com/world/2015/dec/12/poland-thousands-march-war-saw-against-democratorship-government>.

iii) Deutsch Welle. "EU launches first-ever rule of law review against Poland." <http://www.dw.com/en/eu-launches-first-ever-rule-of-law-review-against-poland/a-18975646>. In a related article, "The European Commission, the European Union's executive branch, has launched an unprecedented inquiry into whether Warsaw's new nationalist-minded government has breached the bloc's democracy standards in taking more control of the judiciary and public media" (<http://www.reuters.com/article/us-poland-usa-idUSKCN0V20PX>).

iv) Trust can be a very general term. Levi and Stoker (2000) differentiate between "diffuse support" to represent trust in an institution and "specific support" to represent trust in an individual. My research focuses on diffuse support of the judicial system as an institution, rather than on specific aspects of the system.

Appendix & Tables

Table 1: Recoding Variables Trust in the Judicial System (2013):
 recode E05C (9=.) (1=5) (2=4) (3=3) (3.1=3.1) (4=2) (5=1), gen (trustj13)
 label var trustj13 "1=Very Low Degree 2=Low Degree 3=Average Degree 3.1=DK 4=High Degree 5=Very High Degree"

Lack of Confidence in the Government (2008):

recode VM02A (9=.) (1=5) (2=4) (3=3) (8=3.1) (4=2) (5=1), gen (nogovtrust08)
 label var nogovtrust08 "1=Disagree Strongly 2=Disagree Somewhat 3=Neutral 4=Somewhat Agree 5=Strongly Agree"

Privileged Social Class (2008):
 recode Clss3cat2008 (1 2 =0) (3=1), gen (spriv08)
 label var spriv08 "1=Privileged 0=Neutral & Disadvantaged"

Subjective Social Status (2008):
 rename VSUBJ_STATUS08 status-subj08
 label var statussubj08 "1= Lowest 10=Highest"

Years of Education (2008) :
 Did not recode
 Gender:
 Did not recode
 Respondent's Age (2013):
 Did not recode

Religiosity (2008):
 recode VW21 (98=.) (1=0) (2=1) (3=2) (4=3), gen (mass08)
 label var mass08 "0=Never 1=Once a month or less frequently 2=Between once a month and once a week 3=About once a week or more than once a week"

Influence of the Government on Corruption (2013):
 recode C04B (9 -1=.) (1=5) (2=4) (3 8=3) (4=2) (5=1), gen (govco13)
 label var govco13 "1=Very Low 2=Rather Low 3=Average 4=Rather High 5=Very High"

Trust in Political Parties (2013):
 recode E05D (1=5) (2=4) (3=3) (8=3.1) (9=.) (4=2) (5=1), gen (trustpp13)

label var trustpp13 "1=Very Low Degree 2=Low Degree 3=Average Degree 3.1=DK 4=High Degree 5=Very High Degree"

Trust in European Parliament (2013):
 recode E05E (9=.) (1=5) (2=4) (3=3) (8=3.1) (4=2) (5=1), gen (trustep13)
 label var trustep13 "1=Very Low Degree 2=Low Degree 3=Average Degree 3.1=DK 4=High Degree 5=Very High Degree"

Table 2: Correlation of Trust in the Judicial System (2013) with Lack of Confidence in the Government (2008), Subjective Social Status (2008), Years of Education (2008), Gender, Age (2013), Religiosity (2008)
 pwcorr trustj13 nogovtrust08 statussubj08 Eduyrs08 sex AGE2013 mass08, sig obs

Table 3: Linear Regression of Trust in the Judicial System in 2013 on Lack of Confidence in the Government in 2008 and Other Selected Variables
 regress trustj13 nogovtrust08 statussubj08 Eduyrs08 sex AGE2013 mass08, vce(robust) beta

Table 4: Partial correlation of Trust in the Judicial System (2013) with Trust in Political Parties (2013) and Trust in the European Parliament (2013)
 pcorr trustj13 trustpp13 trustep13

Table 5: Linear Regression of Trust in the Judicial System (2013) on Influence of the Government on Corruption (2013) and Other Selected Variables
 regress trustj13 govco13 nogovtrust08 statussubj08 Eduyrs08 sex

AGE2013 mass08, vce(robust) beta

Table 1. Descriptive Statistics for All Variables

Name of variable (year of POLPAN wave in parentheses)	Original variable as listed in the data set	Coding of the variable as used in this paper	Distribution		
			Means or proportions	Standard Deviation	Number of Observations <i>N</i>
Dependent Variable(s)					
Trust in the Judicial System Q: To what extent do you trust the justice system? trustj13 (2013)	E05C	1=Very Low Degree 2=Low Degree 3=Average Degree 3.1=DK 4=High Degree 5=Very High Degree	2.44	0.96	2194
Independent, Control, and Additional Variables					
Lack of Confidence in the Government Q: Evaluate the statement "In Poland, there has yet been no government which could be trusted to undertake the right actions" nogovtrust08 (2008)	VM02A	1=Disagree Strongly 2=Disagree Somewhat 3=Neutral 4=Somewhat Agree 5=Strongly Agree	4.00	1.00	1470
Privileged Social Class spriv08 (2008)	Class3cat2008	1=Privileged 0=Neutral & Disadvantaged	0.11	0.31	6016
Subjective Social Status	VSUBJ_STATUS08	Ranges 1 through 10,	5.24	1.74	1421

Q: Please indicate where on this scale you would locate yourself among other [social] groups? statustsub08 (2008)		1 being the lowest on the scale and 10 the highest			
Years of Education Eduyrs08 (2008)	Eduyrs08	5, 8, 10 through 14, 16, 17, 21 years of education	11.88	3.11	1468
Gender sex	sex	1= males 0= females	0.47	0.50	7359
Respondent's Age AGE2013 (2013)	AGE2013	(Range 21 years old to 91 years old)	45.54	19.58	2196
Religiosity Frequency of Mass Attendance mass08 (2008)	VW21	0=Never 1=Once a month or less frequently 2=Between once a month and once a week 3=About once a week or more than once a week	2.15	0.96	1375

Influence of the Government on Corruption Q: In your opinion, the effectiveness of the actions undertaken by the current Polish government towards reduction of corruption is... govco13 (2013)	C04B	1=Very Low 2=Rather Low 3=Average 4=Rather High 5=Very High	2.32	1.10	1923
Trust in Political Parties Q: To what extent do you trust political parties? trustpp13 (2013)	E05D	1=Very Low Degree 2=Low Degree 3=Average Degree 3.1=DK 4=High Degree 5=Very High Degree	1.70	0.80	2190
Trust in European Parliament Q: To what extent do you trust the European Parliament? trustep13 (2013)	E05E	1=Very Low Degree 2=Low Degree 3=Average Degree 3.1=DK 4=High Degree 5=Very High Degree	2.58	0.87	2195

Table 2. Correlation of Trust in the Judicial System (2013) with Lack of Confidence in the Government (2008), Subjective Social Status (2008), Years of Education (2008), Gender, Age (2013), Religiosity (2008)

Trust in the Judicial System (2013)	Total Correlation	N Number of Observations
Lack of Confidence in the Government (2008)	-0.127*	1049
Subjective Social Status (2008)	0.134*	1014
Years of Education (2008)	0.021	1048
Gender	-0.025	2194
Age (2013)	-0.234*	2194
Religiosity (2008)	0.001	981

* p<0.050

Table 3. Linear Regression of Trust in the Judicial System in 2013 on Lack of Confidence in the Government in 2008 and Other Selected Variables

Independent and Control Variables	Trust in the Judicial System (2013)		
	b Coefficient	Robust Standard Error	Beta
Lack of Confidence in the Government (2008)	-0.110*	0.031	-0.115
Subjective Social Status (2008)	0.059*	0.019	0.104
Years of Education (2008)	-0.018**	0.010	-0.058
Gender	-0.050	0.062	-0.025
Age (2013)	-0.011*	0.002	-0.189
Religiosity (2008)	0.010	0.033	0.009
Constant	3.329	0.249	.
<i>Fit Statistics</i>	F=9.770* (df=6) R2= 0.061 Root MSE=0.948		N=945

* p<0.050

** p<0.100

Table 4. Partial correlation of Trust in the Judicial System (2013) with Trust in Political Parties (2013) and Trust in the European Parliament (2013)

Trust in the Judicial System (2013)	Total Correlation	Controlling for Subjective Social Status (2008), Years of Education (2008), Gender, Age (2013), Religiosity (2008)	N Number of Observations
Trust in Political Parties (2013)	0.258*	0.300*	2189
Trust in the European Parliament (2013)	0.228*	0.215*	2189

* p<0.050

Table 5. Linear Regression of Trust in the Judicial System (2013) on Influence of the Government on Corruption (2013) and Other Selected Variables

Independent and Control Variables	Trust in the Judicial System (2013)		
	b Coefficient	Robust Standard Error	Beta
Influence of the Government on Corruption (2013)	0.176*	0.034	0.200
Lack of Confidence in the Government (2008)	-0.105*	0.035	-0.107
Subjective Social Status (2008)	0.054**	0.022	0.091
Years of Education (2008)	-0.001	0.011	-0.002
Gender	0.029	0.067	0.015
Age (2013)	-0.015*	0.002	-0.211
Religiosity (2008)	-0.006	0.036	-0.006
Constant	2.874	0.297	.
<i>Fit Statistics</i>	F= 14.830* (df=7) R2= 0.126 Root MSE= 0.912		N=769

* p<0.050

** p<0.100