

## JUSTICE AS A PILLAR OF QUALITY OF LIFE: DISTRIBUTION OF TRUST IN JUSTICE ACROSS EUROPEAN COUNTRIES

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You shall not distort justice;  
you shall not be partial, and you shall not take a bribe,  
for a bribe blinds the eyes of the wise and perverts  
the words of the righteous (*Deuteronomy*, 16:19 NASB95)

### 1. Introduction

The term *justice* has often been emerging in public debate and government policies. *Justice*, however, contains a twofold meaning. This point was emphasized by Aristotle (200 [335-322 BC]: Book V), who distinguished between *distributive* justice, which involves equal shares for equals, unequal for unequals and different in different regimes, and *corrective* justice, which is meant to restore a fair balance in interpersonal relations when that balance has been violated. This second meaning is at the core of Hobbes' *Leviathan* (1985 [1651]), the work that laid the foundations of modern political science. According to Hobbes, in order to move from the state of nature to that of civil society, people must create rules of justice by means of agreements. These rules must then be enforced by a higher authority in charge of deterring people from violating them, protecting the law-abiding citizens, and making them obtain recovery for the injuries they have suffered.

In the last decades, the first meaning of justice seems to have attracted more interest than the second one. The term *justice* has been widely used as a synonym for social justice. This, in its contemporary sense, implies a fair income distribution among the community members and a better distribution of opportunities at the hands of the State. However, while social justice represents a complementary attribute of civil society, justice in itself – in its corrective form – is a necessary condition for the existence of civil society. Without corrective justice, rules would be breached with impunity, and the covenant between people and political authority, which is the source of civil society, would be structurally violated. Indeed, the individual would give up the freedom that he/she had in the state of nature, without receiving the expected return of the protection of the law. Therefore, a trustworthy justice system is the fundamental prerequisite of civil society. Yet, in many countries, the justice system suffers from corruption and ineffectiveness, and citizens might perceive judges and prosecutors as dishonest and/or incompetent.

On the other hand, social justice is not in opposition to corrective justice. A civil society with an efficient and fair justice system may also provide a substantial level

of social justice. In contrast, extended social justice policies can be accompanied by an inefficient and/or unfair justice system. In fact, in both past and present, totalitarian regimes, in which political power dominates over the justice system, have often adopted extensive redistribution and social assistance policies. Several countries with fairly level income distributions (World Bank, 2022a) and broad social assistance policies have a relatively poor justice system, as rated by international agencies (World Justice Project, 2022).

Despite the attraction exerted by the social justice issue, there has been over the past years an increasing interest in measuring the citizens' trust in justice, the effectiveness and timeliness of the justice systems, the judges' independence, fairness and competence (European Union, 2020; European Union, 2021; World Bank, 2022b; World Justice Project, 2022). Over the last decades, *trust* has been regarded as a primary determinant of both the quality of life and development, via the creation of social capital (Putnam, 1993; Fukuyama, 1995). Still, trust concerns not only confidence in other people but also confidence in institutions. In the last case, trust can be defined as the probability – as perceived by citizens – that an institution delivers on its commitments, conditional on its past behaviour (World Bank, 2017). Ultimately, citizens' trust in their country's justice system is an irreplaceable opportunity for gauging the correctness and efficiency of that system, the quality of society, and, in general, the quality of life. Still, surveys meant to assess life satisfaction and quality of life (e.g. Eurofound, 2018) – while measuring also features relatively more individual, such as health and social relations – do pay special attention to the functioning of the welfare state by focusing on income distribution, social benefits, and public services. But, more often than not, they ignore citizens' satisfaction with an institution such as the justice system.

In the present paper, we will focus on the reliability of justice systems across European countries, as perceived by their citizens. We hypothesize that:

- H1. The perceived quality of the justice system varies across countries, but citizens' opinions are consistent over time, and find external confirmations.
- H2. The perceived quality of the justice system significantly impacts the quality of life, as shown by one's life satisfaction.

## 2. Data and methods

Micro data on trust in justice are the primary measure in this paper. They come from Standard EuroBarometer Surveys (European Union, 2021), which ask citizens from 40 European countries whether they “tend to trust” or “tend not to trust” justice and their country's legal system. EuroBarometer gathers citizens' opinions about the justice system as well as other opinions and attitudes regarding a variety of issues.

Thus, EuroBarometer allows micro-level analyses of the impact of trust in justice on other aspects of the interviewee's life. Of particular interest are the interviewees' opinions about their life satisfaction ("On the whole, are you very satisfied, fairly satisfied, not very satisfied or not at all satisfied with the life you lead?").

World Bank Governance Indicators (hereafter WGI), in turn, provide further measures related to justice and the legal system (World Bank, 2022b). The indicators consist of macro data covering 214 world countries and are based on information provided by various sources. Among them are surveys of individuals or domestic firms with first-hand knowledge of the governance situation in the country (e.g., World Economic Forum's Global Competitiveness Report, Gallup World Poll). A second source are analysts at major development agencies (e.g., European Bank for Reconstruction and Development and World Bank) and other public sector providers (e.g., the United States Department of State). A third source are nongovernmental organizations (e.g., Freedom House and Bertelsmann Foundation). And a fourth source are business information providers (e.g., Economist Intelligence Unit).

WGIs comprise six measures: voice and accountability, political stability and absence of violence/terrorism, government effectiveness, regulatory quality, rule of law, and control of corruption. The last two measures are particularly relevant to the functioning of the justice/legal system. Rule of law captures "the extent to which agents have confidence in and abide by the rules of society, and in particular, the quality of contract enforcement, property rights, the police, and the courts, as well as the likelihood of crime and violence" (Kaufmann *et al.*, 2011). Control of corruption, in turn, captures "perceptions of the extent to which public power is exercised for private gain, including both petty and grand forms of corruption, as well as 'capture' of the State by elites and private interests" (Kaufmann *et al.*, 2011).

World Justice Project (hereafter WJP) (2022) provides additional data on the functioning of the justice system. WJP publishes macro data covering 139 world countries (2021). Its source is twofold: a qualified respondents' questionnaire completed by in-country legal practitioners, experts, and academics, and a population survey conducted by local polling companies, using a representative sample of 1,000 respondents in each country. WJP produces a rule of law index summarizing eight factors: constraints on government powers, absence of corruption, open government, fundamental rights, order and security, regulatory enforcement, civil justice, and criminal justice. Apart from the absence of corruption, which largely corresponds to control of corruption by WGI, the factors civil justice and criminal justice are potentially more suitable to measure the quality of justice systems. Civil justice measures whether civil justice is affordable, free of discrimination, corruption and improper government influence, not subject to unreasonable delay and effectively enforced. Criminal justice measures whether criminal justice is impartial, free of corruption and improper government influence,

timely and effective, the rights of the accused guaranteed, criminal investigation effective and the correctional system effective in reducing crime.

### 3. Results

Figure 1 shows the distribution of trust in justice across European countries. One can immediately perceive the wide deviation from the mean shown by the values of certain countries. Because trust in justice values consist in percentages, ordinary measures of the amount of variation or dispersion of a set of values – such as the standard deviation – are not appropriate to the task. We recurred, therefore, to the median absolute deviation (MAD) from the average value.<sup>1</sup> In as many as eight countries, trust in justice values exhibit a positive/negative deviation of more than 1.5 MAD, confirming the dispersion of the trust in justice values, of which at H1. We notice also a polarization of the geo-political areas, with “Balkans and Southeastern Europe” and “Western and Nordic Europe” at the two ends of the scale.

Next, we assessed whether trust in justice values of the 2021 survey are consistent with values recorded in previous surveys. Table 1 shows the correlations between the values from the EuroBarometers of 2015, 2017, 2019 and 2021. The minimum correlation value is 0.865 and the maximum 0.955, with an average of 0.901. The consistency over time of trust in justice data is evidence of their reliability. Yet, this consistency is not absolute and slightly declines as the time gap increases. Figure 2 shows the distribution of trust in justice values recorded in 2021 against the values recorded in 2015. We can notice some values relatively distant from the predicted ones. Most of them are produced by values for the year 2021 significantly lower than those recorded in 2015. In particular, the broadest decrease in value regarded Montenegro, followed by Turkey, Croatia, North Macedonia, and Poland. These countries have registered, since 2015, political changes that – according to the evaluations made by international agencies – have affected the independence and impartiality of their justice systems (Amnesty International 2022). Ultimately, the analysis of the evolution of trust in justice values suggests that the citizens’ perception of their justice system – while being consistent over time – is reactive to major political and social changes.

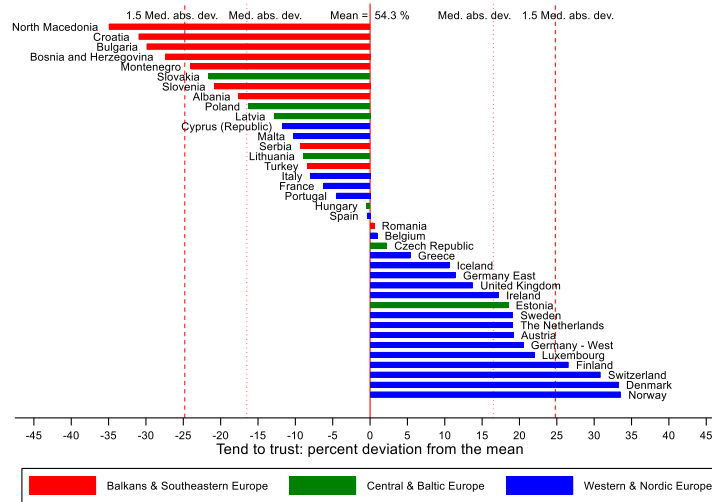
Nevertheless, these qualities of trust in justice values do not make them impervious to subjectivity. Trust in justice is based on the citizens’ perception, which

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<sup>1</sup> We wanted to obtain 1.5 MAD intervals relatively wider to identify only outermost outliers. Therefore, we chose the deviations from the mean, which are larger than those from the median. Then, we chose the median of the deviations because our distributions were left-skewed and the medians greater than the means.

personal values and attitudes can heavily influence. Moreover, poor knowledge of the situation in other countries could distort this perception. It is therefore essential to check whether citizens’ trust in justice is in tune with indicators of legality, justice system efficiency and enforcement actions based on the opinion of experts working for international evaluation agencies. Table 2 reveals that trust in justice values strongly correlate with expert evaluations on the rule of law, control of corruption, civil justice, and criminal justice.

**Figure 1** – Trust in justice across European countries. Bars with 1 and 1.5 MAD intervals.



Source: Standard Eurobarometer 2021.

**Table 1** – Trust in justice over time. European countries. Pearson correlations and (p-value).

Variables	(1)	(2)	(3)
(1) Tend to trust 2021	1		
(2) Tend to trust 2019	0.935 (0.000)	1	
(3) Tend to trust 2017	0.904 (0.000)	0.953 (0.000)	1
(4) Tend to trust 2015	0.865 (0.000)	0.920 (0.000)	0.955 (0.000)

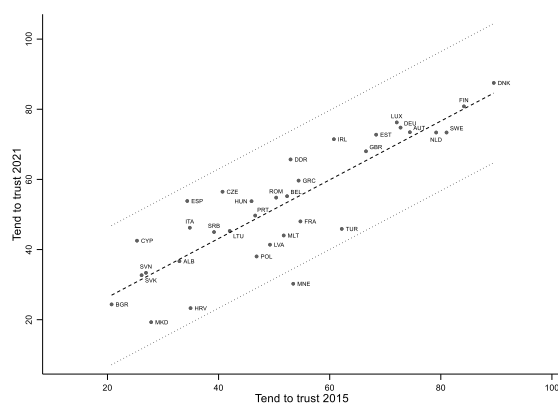
N = 34-38

Source: Standard Eurobarometer 2015, 2017, 2019, 2021.

The biplot in Figure 3 allows a graphical display of both the five interrelated indicators and the observations (countries). The biplot shows the relatively narrow cosines between the indicators and the close-by placement of the countries with the highest trust in justice values, from Denmark and Norway to the United Kingdom (Iceland and East Germany – see Figure 1 – are not taken into account in WJP).

Further scatter plots help to better understand the association between trust in justice and indicators of legality, justice system efficiency and enforcement actions.

**Figure 2** – Evolution over time (2015-2021) of trust in justice data. European Countries. Scatter with fit line and 1.5 MAD intervals.<sup>2</sup>



Source: Standard Eurobarometer 2015 and 2021.

**Table 2** – Trust in justice and indicators of justice system efficiency and enforcement actions. European countries. Pearson correlation coefficients and (p-values).

Variables	(1)	(2)	(3)	(4)
(1) EU Barometer: Trust in justice	1			
(2) World Bank: Rule of law	0.782 (0.000)	1		
(3) World Bank: Control of corruption	0.800 (0.000)	0.967 (0.000)	1	
(4) World Justice Project: Civil justice	0.790 (0.000)	0.924 (0.000)	0.926 (0.000)	1
(5) World Justice Project: Criminal justice	0.799 (0.000)	0.917 (0.000)	0.910 (0.000)	0.926 (0.000)

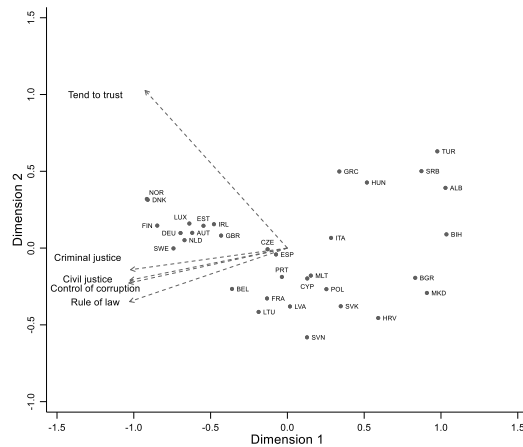
N = 33-37

Source: Standard Eurobarometer 2021, World Bank Governance Indicators 2020, World Justice Project 2021.

Figure 4 plots trust in justice against rule of law (WGI). Rule of law scores for Turkey, Albania and Serbia are much lower than those expected from their trust in justice. We notice that Turkey, Albania and Serbia are also countries with very low scores of rule of law: it is not unreasonable to imagine that – when a country is particularly lacking in rule of law – confidence in justice may be a self-heartening answer to the perception that rules are too often broken.

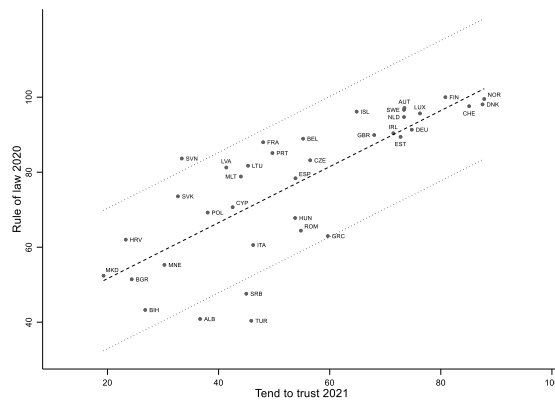
<sup>2</sup> In this Figure and in the following ones, countries' acronyms are those from ISO 3166-1 alpha-3.

**Figure 3** – Trust in justice and other indicators of justice system efficiency and enforcement actions. European countries. Biplot, with std variables, symmetrically scaled ( $\alpha=0.5$ ).



Source: Standard Eurobarometer 2021, World Bank Governance Indicators 2020, World Justice Project 2021.

**Figure 4** – Trust in justice and rule of law. European countries. Scatter with fit line and 1.5 MAD intervals.

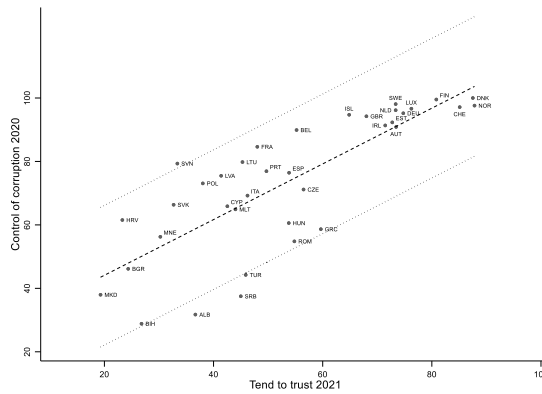


Source: Standard Eurobarometer 2021, World Bank Governance Indicators 2020.

The distribution of trust in justice against that of control of corruption (WGI) shows somewhat similar findings (Figure 5). Serbia, Albania and Turkey are again the major outliers. The two scatters showing the distribution of trust in justice against WJP’s civil justice (Figure 6) and criminal justice (Figure 7) also display some

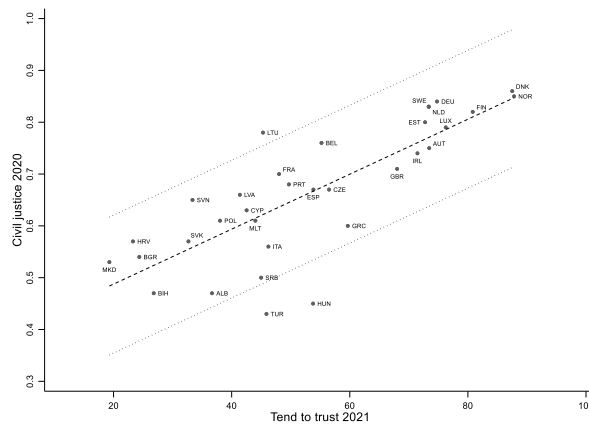
outliers. As for civil justice, Hungary and Turkey are countries with much lower expert evaluations than we would expect from their citizens' trust in justice. The opposite occurs with Lithuania. As for criminal justice, Turkey, Hungary, Serbia and Greece are the major outliers.

**Figure 5** – Trust in justice and control of corruption. European countries. Scatter with fit line and 1.5 MAD intervals.



Source: Standard Eurobarometer 2021, World Bank Governance Indicators 2020.

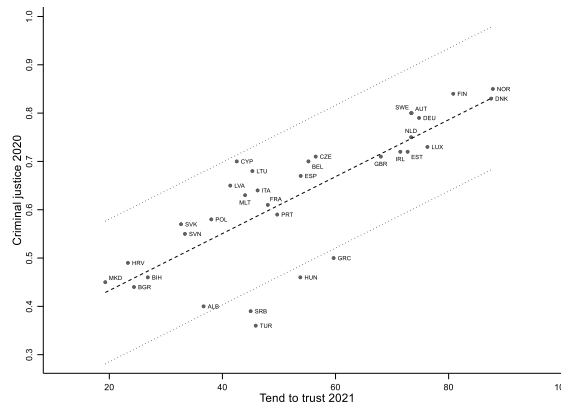
**Figure 6** – Trust in justice and civil justice. European countries. Scatter with fit line and 1.5 MAD intervals.



Source: Standard Eurobarometer 2021, World Justice Project 2021.



**Figure 7** – Trust in justice and criminal justice. European countries. Scatter with fit line and 1.5 MAD intervals.



Source: Standard Eurobarometer 2021, World Justice Project 2021.

Overall, the substantial concordance between trust in justice and indicators of justice system efficiency and enforcement shows that citizens’ perceptions of their justice system are reliable and supported by external sources. Partial discordances between trust in justice and the aforementioned indicators seem to stem from some heterogeneity in content, despite their belonging to the same broader domain.

The reliability of the European citizens’ trust in justice indirectly espouses the hypothesis that their perception of such an essential matter as justice impacts their quality of life and affects their life satisfaction. Yet, we need some direct empirical evidence to prove this hypothesis. Table 3 is a first attempt in this direction.

**Table 3** – Tabulation of trust in justice and life satisfaction. European countries.

TRUST IN INSTITUTIONS: JUSTICE / LEGAL SYSTEM	LIFE SATISFACTION				Total
	Very satisfied	Fairly satisfied	Not very satisfied	Not at all satisfied	
Tend to trust	5573	11398	1681	210	18862
Tend not to trust	2404	8945	3468	872	15689
Total	7977	20343	5149	1082	34551

Pearson design based  $F(2.95, 1.0 e05) = 192.94$   $P = 0.0000$ . Source: Standard Eurobarometer 2021.

The tabulation of trust in justice and life satisfaction shows that trust in justice is significantly associated with higher life satisfaction and vice versa. However, life satisfaction is affected by several socio-economic and individual factors and, therefore, the statistical association in Table 3 could be a spurious one. Thus, in Table

4, we recurred to a generalized structural equation model (GSEM) to measure the said association in depth.

**Table 4** – *The effect of trust in justice, national government and parliament on life satisfaction, controlling for gender, age, education, left/right political placement, Gini, and country-specific effects. European countries. GSEM using ordered logistic regressions.*

DEPENDENT, Independent Variables and <i>Effects</i>	Exp(b)	Robust Std. Err.	Z	P>Z
<i>Direct Effects</i>				
LIFE SATISFACTION				
-Trust in Justice (base: Tend to trust)				
Tend not to trust	0.609	0.019	-16.21	0.000
-Trust in National Government (base: Tend to trust)				
Tend not to trust	0.629	0.022	-13.03	0.000
-Trust in National Parliament (base: Tend to trust)				
Tend not to trust	0.745	0.027	-8.03	0.000
- Gender (base: Man)				
Woman	1.071	0.027	2.70	0.007
- Age (base: 15-24)				
25-39	0.978	0.078	-0.27	0.785
40-54	0.800	0.063	-2.82	0.005
55-98	0.828	0.065	-2.41	0.016
- Education years (base: Up to 15)				
16-19	1.293	0.062	5.32	0.000
20+	1.771	0.090	11.29	0.000
- Left/Right Placement (1 to 10)	1.044	0.007	6.69	0.000
- Gini index (by country)	0.958	0.013	-3.10	0.002
TRUST IN NATIONAL GOVERNMENT				
-Trust in Justice (base: Tend to trust)				
Tend not to trust	6.450	0.185	65.11	0.000
TRUST IN NATIONAL PARLIAMENT				
-Trust in Justice (base: Tend to trust)				
Tend not to trust	7.185	0.212	66.92	0.000
<i>Indirect Effects</i>				
LIFE SATISFACTION				
-Trust in Justice (base: Tend to trust)				
Tend not to trust	28.157	1.697	-16.59	0.000
- Country-specific effects (base: Spain)				
Joint test: $\chi^2(102) = 5190$ ; Prob. > $\chi^2 = 0.000$				
Obs = 25,961 to 34,084 (Countries = 38)				
Log likelihood = -60288				

Source: Standard Eurobarometer 2021.

Firstly, we compared the impact on life satisfaction of trust in justice with the impact of trust in national government and trust in parliament. Secondly, we added

a few standard controls (gender, age, education), the interviewee's left/right political placement, and income inequality (by country). Thirdly, we measured the effects of trust in justice on life satisfaction as they are mediated by the association between trust in justice and both trust in government and trust in parliament. Fourthly, we measured the country-specific effects to control for differences across European countries. Table 4 shows that the statistical impact of trust in justice on life satisfaction is greater than that of trust in national government and parliament; that the Gini index impacts – as expected – life satisfaction, but much less than trust in justice; and that trust in justice has a large impact on both trusts in national government and parliament, with also indirect effects on life satisfaction.

#### 4. Conclusions

Our findings show that citizens' trust in justice presents vast differences across European countries. However, citizens' perception of their country's justice system is consistent over time, and variations in the said perception can be easily ascribed to real changes in the political and social domain. Moreover, citizens' perception of their country's justice system shows a substantial concordance with indicators based on international agencies' evaluation of justice system efficiency and enforcement actions. These results suggest that citizens' perception of their country's justice system is – on the whole – more reliable and less subjective than expected. Moreover, the perception of the justice system's quality impacts life satisfaction more than the perceptions of the dependability of the other two branches of the tripartite organization of civil society, namely government and parliament. Lastly, the impact of trust in justice on life satisfaction is much larger than that of income equality, suggesting that the perception of living in a country characterized by a fair and efficient justice system is more momentous than an even income distribution: in other words, suggesting that justice is prior to social justice.

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## SUMMARY

A well-functioning and trustworthy justice system is the fundamental prerequisite of civil society. Yet, in many countries, the justice system suffers from corruption and ineffectiveness, and citizens might perceive judges and prosecutors as dishonest and/or incompetent. Our analysis tackles this problem and explores how citizens' trust in their own country's justice/legal system affects life satisfaction in 38 European countries. Data come primarily from the EuroBarometer, World Bank, and World Justice Project.

Our findings show that citizens' trust in justice is highly heterogeneous across European countries. However, cross-country trust in justice tends to be significantly consistent over time, and is substantially in tune with the indicators of quality of justice/legal systems provided by international agencies and based on experts' evaluations. Lastly, trust in justice impacts life satisfaction, and its impact is greater than that of trust in the other two branches of government organization, namely the executive and the legislative.

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