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Trust and Legitimacy in Criminal Justice

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Trust in Transition: Legitimacy of Criminal Justice in Transitional Societies

Susanne Karstedt

1 Police and Justice in Transition

Over the past decades, the institutions of criminal justice have emerged as a key—if not the key—to successful transitions to stable post-conflict and democratic societies. This has been registered in a dramatic expansion in the number and scope of international and multinational police operations and in supranational and regional efforts to establish the rule of law and to improve the efficiency and functioning of the justice system. This includes the establishment of the European Commission for the Efficiency of Justice in 2002, which aimed particularly at the postcommunist and transitional societies of Central and Eastern Europe. Post-conflict countries like Bosnia & Herzegovina and Kosovo (see EULEX, 2010; Wilson, 2006) were provided with ample assistance to rebuild their criminal justice system and to firmly embed the rule of law into its institutional framework. Worldwide operations include countries as diverse as Haiti and East Timor (Oakley, Dziedzic, & Goldberg, 2002), African (Albrecht & Buur, 2009; Baker, 2009a, 2009b; Kyed, 2009) and Asian countries (Broadhurst & Bouhours, 2009; Dinnen & Braithwaite, 2009). One significant characteristic of these international and multinational operations is the claim that the legitimacy of criminal justice institutions—the police and the courts—is vital in securing legitimacy for the transition to democracy, for democratic government, and thus these institutions contribute to the political stability in the transitional environment (Loader, 2006; Roberts, 2008). Police and courts are tasked to promote the rule of law, a culture of human rights and generally “democratic political development,” as Bayley (2001: 13) terms it; these tasks are saddled upon the more mundane ones of preventing crime and disorder and assisting in the prosecution of criminals and crimes. As Loader astutely remarks, in more secure

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settings of liberal democracies police officers or judges are not explicitly thought of contributing to “democratic political development” and do not “see protecting the rule of law and respect for human rights listed as one of police’s core functions” (Loader, 2006: 203). Notwithstanding widespread agreement that trust and confidence in these institutions, and thus their legitimacy is decisive for their functioning in democratic societies (e.g., Bradford, Murphy, & Jackson, 2014; Jackson & Bradford, 2009), their impact on the legitimacy of government institutions and political stability is not seen as a priority objective in firmly established democracies.

Further claims have been made about the role of international and transitional justice procedures in establishing the rule of law and fostering human rights regimes in countries that emerge from authoritarian rule or conflict (e.g., Stromseth, 2009). Intuitively such a role seems to be obvious, both in terms of addressing past violations of the law and ending impunity, and providing models for the rule of law to be installed in the future. As Goldsmith (2005) points out impunity for illegal action of law enforcers has a negative impact on trust in police and courts. In terms of indicators of police performance that impact on trust and legitimacy, pre-transitional police forces are tainted by excessive use of force, intimidation, petty, and large-scale corruption (Goldsmith, 2005: 455–456). Karstedt (2013a) found for all regime types that trust in and legitimacy of police forces which have been highly implicated in all types of human rights abuses, crimes against humanity and mass atrocities, is consistently lower. However, in which ways and if at all prosecution of police officers and judges, or general lustration procedures in the criminal justice system through transitional or international justice procedures can rebuild a trustworthy criminal justice system has hardly been assessed. One exception is Horne’s (2012) study of trust in government institutions including the judiciary, police, army, parliament, and political parties. She found that lustration procedures alone rather than the type and diversity of procedures increase trust in all these institutions combined. In addition the trust effects are dependent on time, with trust increasing immediately after lustration until reaching a tipping point, from where it declines.

Transitional justice procedures—domestic or international—have been claimed to be missionaries of the rule of law, and essential in establishing the rule of law. The rule of law emerges here as the overarching framework and institutional design, and implanting or restoring the rule of law in transitional and post-conflict societies as a foremost task of transitional governments and the international community in order to establish legitimate and stable democratic governance (see Burlyuk, 2014; Cheesman, 2014). Policing and police reform are a lynchpin in these packages of transformation, with the ultimate aim of establishing a trustworthy and therefore legitimate police force.

More recently, these claims have been increasingly questioned as to their conceptual validity, practicality, and ultimately achievements. Perhaps the most critical blow to these claims was the EULEX (2010: 5) report, which assessed the European Rule of Law Mission in Kosovo. It admitted to “some positive, gradual, realistic and sustainable progress” that had been achieved, but continued “that the

problems that are being tackled are substantial and there are no quick fixes". The extraordinary level of money spent on the program and the lack of visible achievements were damning (Capussela, 2011); already in 2006 Wilson, who had been involved in delivering the program had warned that little was achieved in particular among the judiciary, and only slightly more among the police. Similarly, the World Bank states that "the numerous rule of law assistance programs in post-conflict societies or fragile countries so far resulted in few lasting consequences" (Samuels, 2006: 15). Two strands of criticism, which are interrelated, stand out. The first of these questions the legitimacy of international intervention and transitional administration (Stahn, 2005) and the capacity and achievements of such interventions (Baker, 2009a; Call & Cousens, 2007). Rather than decreeing and trying to implement sweeping changes to applicable law with a sense of urgency, building up governmental institutions, and state capacity is seen as more promising. Such a perspective is ultimately based on effective performance of governments and institutions, which generates trust and establishes trustworthy institutions (Mishler & Rose, 1997, 1998, 2001). Hutchison and Johnson (2011) found that in 16 African countries, with one third being post-conflict or even conflict countries, higher institutional capacity is associated with increased levels of individual political trust, which includes trust in police and the courts in a combined measurement. Criminal justice institutions become less important for engendering societal trust than, e.g., the delivery of welfare and health to the population in post-conflict societies (Roberts, 2008).

The second and stronger strand comprises critics who generally reject the transfer of the Western model of democratic policing, and its implementation in mostly rural societies, and in hybrid political orders with a mixture of strong local and weak central government. Dinnen and Braithwaite (2009: 161) argue against the "excessive transplantation of urban policing models" from the North into rural societies in the Global South. Importantly, the state-centered models of policing and police reform, as well as of legitimacy have turned out to be inadequate for these societies. Instead, non-state actors need to be accepted and included in building institutions of security and justice in transitional societies, in particular in those that emerge from conflicts. In-depth studies of policing in these societies find parallel state and non-state forms of governance and order, and they all stress the necessity to accept and strengthen what is in place rather than trying to establish what had not existed before, including societal legitimacy of these local institutions (e.g., Sierra Leone: Albrecht & Buur, 2009; Liberia and Southern Sudan: Baker, 2009b; Melanesia: Dinnen & McLeod, 2009; Mozambique: Kyed, 2009).

However, the experiences with establishing democratic policing and the rule of law in transitional societies had repercussions on perspectives of legitimacy and trust in criminal justice for established liberal democracies. Starting with Loader in 2006 there is now agreement on the "expressive nature" of trust in policing, and its production through shared values, and local cohesion (Jackson & Bradford, 2009; Jackson & Sunshine, 2006). Trust and legitimacy are communicated to individuals and groups in terms of their membership in a political community, thus denying or affirming identity (Loader, 2006: 204). Democratic policing and the building of

trust relationships with ethnic minorities has become a major occupation of policing in western democracies, as democratic governments aim at “inclusionary legitimacy” (Karstedt, 2013a) and eliciting support from minority and migrant groups (Bradford et al., 2014; Sargeant, Murphy, & Cherney, 2014). The problems involved in relationships between police and ethnic minorities have been the driving force in assigning a more prominent role to the police in producing and maintaining democratic legitimacy in established democracies. Though performance and the perceived competence of governments and the criminal justice system are not neglected, trust and legitimacy are seen as engendered by the quality of interaction, by recognition of citizens in fair procedures and their generally fair treatment at the hands of the authorities. Even in the extreme situation of high levels of security threats, procedural justice is and remains the primary antecedent of police legitimacy, as Jonathan-Zamir and Weisburd (2013) found for two cities in Israel. Trust and legitimacy link citizens to institutions that are intended to represent them, and both are voluntarily granted. Bottoms and Tankebe (2012) therefore stress the “dialogic” and “interactive” nature of legitimacy and trust, where the dialogue provides the link between civil society and the institutions of state and government, including the police and the courts.

Trust however is at extremely low levels in societies in transition (for postcommunist countries see Mishler & Rose, 1997, 2001). As part of the transition is the withdrawal of legitimacy from the previous regime and its untrustworthy institutions, transitional societies are burdened with a legacy of distrust in governments and their institutions, while the new institutional framework has not yet elicited confidence and legitimacy in the majority of the population. Trust and legitimacy are especially critical for new regimes, but also in short supply. In a comparative study on legitimacy of police and justice in democratic and nondemocratic regimes, the “nearly democratic” countries, which included mostly transitional societies, had notoriously low levels of general government legitimacy as well as of confidence in police, justice and the civil service, levels that were significantly lower than in democracies and in stable autocratic regimes (Karstedt, 2013a). Mishler and Rose (1997) found for postcommunist countries in Europe that in 1994 skepticism rather than outright distrust prevailed and was the majority opinion. A decade later, the four postcommunist and post-conflict countries Estonia, Slovenia, Poland, and Czech Republic still had the lowest levels of trust in the police in a sample of sixteen European countries (Kääriäinen, 2007). In a sample of African countries of similar size, prior transitions had a negative impact on trust in political institutions, including a number of countries with ongoing conflicts (e.g., Uganda: Hutchison & Johnson, 2011). It seems that transitions are periods when citizens lose trust and confidence, and withdraw legitimacy from institutions, and consequently periods of fragility and instability. As Esty and his colleagues showed in 1998, democracies in transition are particularly at risk of deteriorating into state failure and conflict (Esty et al., 1998).

Even if in the period following the transition trust and legitimacy are at low levels, they should improve over time as institutions have been rebuilt and acted with a certain degree of consistency and reliability. By delivering public services,

reforming corrupt practices, protecting freedoms of citizens and being accountable to civil society, government institutions generally and criminal justice in particular should accrue legitimacy and trust. Roussey and Deffains (2012) have shown for 47 European countries, including stable and transitional societies, that support for democracy as well as resources poured into the justice system increase trust in the justice system. Similarly, general institutional capacity of the state, measured as the relationship between realized and potential tax revenue, is a strong predictor of trust in government institutions generally, including the police and the courts (Hutchison & Johnson, 2011).

Given the level of domestic and international financial and technical support trust in police and justice should increase over time, though this might not be a linear relationship (Horne, 2012). Several factors that impede the increase of trust in police and justice in transitional societies have to be taken into account. High levels of violence in transitional societies are signals of a lack of performance of criminal justice, and therefore might have a negative impact on confidence in police and criminal justice. Karstedt (2013a) found for a global sample that violent crime reduces trust in police and justice, however, significantly only in fully democratic societies. In six Central American countries, including transitional and post-conflict societies like Guatemala, Honduras, Nicaragua and El Salvador besides Costa Rica and Panama, crime control performance significantly impacted on trust in the justice system as well as in its key institutions; in countries with weak and underperforming criminal justice systems (Guatemala, El Salvador and Honduras) the police was in particular affected by the erosion of trust if citizens had been victimized (Malone, 2010). The reform of corrupt institutions and overall control of corruption is of utmost importance for improving levels of trust and legitimacy in all regime types, whether democracies, nearly democratic, mixed, or autocratic (Karstedt, 2013a).

There is little evidence for the claim that criminal justice institutions are the lynchpin for legitimacy and ultimately political stability in transitional societies. Further to this, we know very little about the post-transition trajectories of legitimacy of these institutions, and the actual improvements of legitimacy and how these are achieved in societies that are in transition towards democracy. Goldsmith (2005) provides an impressive list of trust-building measures of police reform, however, little is known about their actual impact. How important are the establishment of the rule of law, the control of corruption or general institutional and governmental stability for achieving long-term increase of trust from rather low levels? Or is performance of the police and criminal justice the decisive signal for citizens to trust these institutions more than they had done before, as Mishler and Rose (1998) argue? Is the end of impunity a necessary condition, and do procedures of transitional justice, whether domestic or international, provide models of institutions that can be trusted and thus have a role in establishing the dialogue that engenders legitimacy? We can also assume that a transition that coincides with a post-conflict situation presents particular challenges for developing legitimate and trustworthy criminal justice institutions (Hutchison & Johnson, 2011).

These questions and issues will be addressed based on a global sample of transitional societies, which spans transitions from 1974 to 2010. We thus can establish post-transition trajectories of legitimacy of police and criminal justice for more than two decades for some of the early transition countries. As each country trajectory begins with the transition, the post-transition period ranges from a few years up to more than 30 years. This time-related perspective is complemented by a comparative perspective in order to explore whether levels of legitimacy in transitional societies caught up with those in established and mature democracies, or were in some ways affected by the general decline of trust in government and criminal justice from which mature democracies suffer since the 1990s. This group of countries comprises two regional samples from Europe and the Americas, and a smaller time frame is used during which transitions took place. Finally, we analyzed those conditions that have been claimed to improve trust in criminal justice institutions in transitional societies, including transitional justice procedures. To this purpose we use a "cohort" of societies that experienced a transition between 1988 and 1998, with trajectories between 1995 and 2010 (for the samples see Tables 1A and 2A in the Appendix).

2 Defining Transitions and Contextualizing Trust and Legitimacy

Transitions do not have an unambiguous direction, and they can go both ways, towards democracy or towards a more nondemocratic regime. As Esty et al. (1998) have shown, it is neither a one-way street; societies may oscillate between transitions towards democracy and back again, with Argentina a prominent example during the decades up to the 1980s, and more recently the countries of the Arab Spring. Among the 85 authoritarian countries that Geddes (1999) records as having collapsed during the third wave of democratization since the 1970s, 34 reverted to more authoritarian regimes and 21 remained unstable. Even though democracies are not by default better in generating legitimacy for criminal justice institutions than nondemocratic regimes, in fully established democracies levels of trust in police and justice are generally higher than in nearly democratic or mixed regimes, a group in which most of the transitional countries are included (Karstedt, 2013a: 145). Therefore only transitions towards a more democratic regime, civil liberties and the rule of law are considered, and those countries are excluded in which a democratic transition was rescinded and the process of democratization reversed. If a country went through more than one transition between 1974 and 2010, only the last transition that ultimately paved the way toward democracy is used as the starting point of the transition respectively the post-transition trajectory. A number of countries, e.g., the post-soviet countries that were founded when the USSR dissolved, are included as transitional countries as their political systems and institutions were nondemocratic, even if they did not exist as sovereign states before.

All measurements of regime change and regime type are based on the Polity Index. The Polity Index (Epstein, Bates, Goldstone, Kristensen, & O'Halloran, 2006; Marshall & Jaggers, 2010) uses a range of different indicators of institutional and structural characteristics of democracies (for an overview see Karstedt, 2006). The Index rates countries on a continuous scale rather than providing discrete and mutually exclusive forms of governance. It comprises two "institutional indicators" of democracy and autocracy, respectively. Both are based on key qualities of democracies: the competitiveness of political participation, to which the regulation of participation is added for autocracies; the openness and competitiveness of executive recruitment; and constraints on the chief executive. Each is measured on an additive 11-point scale; combining the two scales results in a continuous scale which ranges from -10 indicating autocracies, to $+10$, indicating full democracies.

Some transitions are more incremental; they start peacefully and develop step-by-step across a longer period. Others originate in more sudden and disrupting events and start with the precipitous demise of the previous regime, like for example in the Central and East European countries in 1989/1990, from where societies embark on the road towards democracy. Transitions are measured according to the Regime Transition Index of the Polity Index (Marshall, Gurr, & Jaggers, 2013: 36–37; Epstein et al., 2006). According to the Regime Transition Index, countries with democratic transitions have an increase of at least three points towards a higher democracy level within three consecutive years. Using these criteria, 78 countries were defined as going through a regime transition towards democracy across the whole period from 1974 to 2010.¹ In each case the start of the transition toward democracy is the first year of the transition period. The total post-transition period is subdivided into four periods, during which legitimacy and trust are measured: the first five years after the transition, between 6 and up to 10 years, between 11 and 15 years, and finally more than 15 years after the transition. Measurements of trust in police and justice that fall within this period for the respective country are used. As several indicators on corruption, rule of law and institutional development were only available from the 1990s onward, a subsample of transitional countries was used that included only countries that experienced a democratic transition between 1988 and 1998. Comparisons between countries that had established transitional justice procedures or did without, and between post-conflict countries and where the transition was done peacefully, were also based on this cohort of transitional societies.

In order to compare trust in police and justice in established and transitional democracies, "full" or "mature" democracies were defined as those countries that ranked between $+8$ and $+10$ on the Polity Score. Accordingly, 24 countries were defined as mature democracies (Epstein et al., 2006), most of which were in Europe and the Americas (see Tables 1A and 2A in the Appendix). However, for such a comparison countries had to be selected that were either mature democracies or

¹ Germany was excluded, as only East Germany experienced a transition, while West Germany ranked as a mature democracy throughout the period.

transitional countries during the same time period; accordingly a much more restricted time frame during which transitions took place had to be used. Further to this, account had to be taken of the fact that in some global regions trust in criminal justice is generally low, even in democracies. Therefore, two cohorts of transitional countries were used for the comparison between transitional and mature democracies. The European cohort included countries with transitions between 1988 and 1993 (excluded: Greece, Portugal, Spain, and Croatia, where transitions were either earlier or later), which resulted in 11 mature democracies and 17 transitional countries. The American cohort comprised of 20 countries, with 15 transitional countries between 1978 and 1990, and only 5 that were classified as mature democracies during this and the follow-up time period (Table 2A in the Appendix).

Measuring legitimacy on the aggregate level of countries or regimes is particularly difficult. Research on legitimacy and procedural justice has generated a wealth of conceptualizations, and tried to distinguish between legitimacy, trust and confidence, and satisfaction with authorities, as well as between process and outcome on the individual level, which need to be translated into aggregate measurements (see Smith, 2007). In this analysis, aggregate attitudinal indicators will be used. The most common measurements of legitimacy of criminal justice in domestic as well as in international and comparative research are the proportion of citizens of the country who have "confidence in the police" and "confidence in the justice system." This measure throws a wide net over the different dimensions of trust, satisfaction, and legitimacy that have been identified at the individual level, and is deemed approximately to capture essential characteristics of legitimacy. These are expectations as to the future performance of authorities, of what they are obliged to do, what is justifiable, what they should do, and what can be rightly expected from them. These data were retrieved for the whole period between 1980 and 2010 from the World Value Surveys, the European Value Surveys, the Arab Barometer, Afrobarometer, and Latinobarometro, and measured as the proportion of citizens, who either had "a great deal" or "quite a lot" (or equivalent response categories) of confidence in the police and the justice system.²

Next, indicators of democratic development were used that are claimed to be related to trust in police and justice in the transition period. The Bertelsmann Transformation Index [BTI] (Bertelsmann Stiftung, 2012) comprises a number of indicators of successful transitions to democracy. These include the rule of law, stability of state and government, and the establishment of a state with adequate power structures; the stability of democratic institutions, and their acceptance and

² Sources for "confidence in police," "confidence in justice," "generalized trust," and "satisfaction with democracy": World Values Survey <http://www.worldvaluessurvey.org/>; European Values Survey <http://www.europeanvaluesstudy.eu/>; Arab Barometer <http://www.arabbarometer.org/>; African Barometer <http://www.afrobarometer.org/>; Latinobarometro <http://www.latinobarometro.org/lat.jsp>; if more than one wave was available during the respective period, the mean was calculated.

legitimacy among the citizenry; and finally political and social integration, indicated by a stable pattern of representation and mediation between state and society.³ These indicators were used for the subsample of countries with transitions between 1988 and 1998. Two development indicators were retrieved from the CIRI Human Rights Data Project (Cingranelli, Richards, & Chad Clay, 2012). In order to capture the strength and impact of civil society, as Goldsmith (2005) suggests, the Empowerment Rights Index was included; it comprises indicators of freedom of movement, assembly, religion, and others. The second indicator measures the independence of the judiciary from other government institutions.⁴ Finally, control of corruption has been identified as decisive for the transition to fairness and even-handedness in government decision making. This applies in particular to decision making by police forces and the courts, and police corruption should severely affect levels of trust in the criminal justice system. The level of control of corruption was used as a proxy for perceived fairness of decision making, and measured by the Control of Corruption Index of the World Governance Indicators.⁵

Trust in criminal justice is part of an overarching belief system, and needs to be contextualized. During transition periods public perceptions of institutional patterns and government performance necessarily will change and might be particularly volatile. Transitional countries are low-trust countries (Mishler & Rose, 1997, 2001; Sztompka, 1993, 1996) for two reasons. First, transitions have been preceded by a deterioration of trust and legitimacy of the previous regimes, and second, authoritarian societies often breed distrust among citizens. In order to contextualize trust in criminal justice, two indicators were used. Generalized trust among the population was retrieved from the same data sources as confidence in police and justice (see above).⁶ Satisfaction with democratic development and with democracy

³ The Bertelsmann Transformation Index analyzes and evaluates democracy, market economy and political management for 128 developing and transition countries bi-annually since 2003. It is based on 17 individual criteria which are combined for each of the three dimensions, and rank the countries on each of the criteria from 1 (low) to 10 (high). The mean value for the countries for the period from 2006 to 2010 was used (Bertelsmann Stiftung, 2012).

⁴ The Empowerment Index is constructed from the Foreign Movement, Domestic Movement, Freedom of Speech, Freedom of Assembly & Association, Workers' Rights, Electoral Self-Determination, and Freedom of Religion indicators. It ranges from 0 (no government respect for these seven rights) to 14 (full government respect for these seven rights). The Independence of the Judiciary index ranges from 0 (not independent) to 2 (generally independent) Cingranelli et al. (2012): The CIRI Human Rights Dataset. <http://www.humanrightsdata.org>; version 2013.04.02.

⁵ The Control of Corruption Indicator is included in the World Bank's Worldwide Governance Indicators (Daniel Kaufmann, Aart Kraay and Massimo Mastruzzi). It reflects 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, and efforts to curb corruption. Percentile ranks among all countries from 0 (lowest) to 100 (highest). Version 11 was used <http://info.worldbank.org/governance/wgi/index.asp>.

⁶ Generalized trust in others is included in all surveys that measure trust in institutions. The slightly different response categories were adapted; the category of high trust was used, either percentages of categories 7–10 from a scale from 0 (no trust) to 10 (high trust), or the equivalent categories.

as a regime was measured as percentage of the population who were highly satisfied.⁷

Legitimacy of criminal justice and government institutions more generally are based on public perceptions of their efficiency; they are also evaluated in terms of their use of repressive measures and respect for the human rights of citizens, given the often highly repressive nature of the previous authoritarian regime. Efficiency of the criminal justice system is perceived largely in terms of combating crime, in particular violent crime. In order to control for these conditions, the homicide rate⁸ was used as a proxy for perceived efficiency. Past as well as ongoing violence by police and within the justice system might cast a long shadow, and should contribute to further erosion of trust and low trust levels during the transition period (Karstedt, 2013a, 2013b). Illegal violence was measured by the Political Terror Scale which combines information from the US State Department Country Reports and reports from Amnesty International. It comprises state-sanctioned/unlawful killings, disappearances, torture, and political imprisonment, and thus mainly targets the criminal justice system and its repressive use of violence. The two rankings were combined resulting in a scale from 1 indicating "no state violence" to 9 indicating "pervasive state violence."⁹

Finally, two particular characteristics of transitions were taken into account. First, the impact of transitional justice procedures was measured by identifying countries, in which at least one of the following had been initiated: criminal prosecution and trials (domestic, hybrid, or international), Truth Commissions and Reparations.¹⁰ Second, severe armed conflict preceding the transition or even ongoing (Hutchison & Johnson, 2011) presents a particularly difficult situation for any transition. We classified a country as post-conflict, if the conflict had ceased at

Mean values for the respective time periods were used if there were more than one measurement point during the period; for sources see note 2.

⁷ Both questions ("satisfied with the way democracy is developing in this country" and "democracy a very good . . . or very bad way of governing this country") were included in the surveys that were used for all attitudinal data (see note 2). The categories for high satisfaction and "very good" or their equivalents were used to indicate support for democracy.

⁸ Source: "WHO Mortality Database": Homicide rates 1974–2010 (<http://www.who.int/whosis/mort/download/en/index.html>). In addition, we complemented these with data from the Comparative Homicide Time Series collected at the NRILP in Finland by Lappi-Seppälä and his colleagues (Lehti, 2013).

⁹ Political Terror Scale (PTS) by Mark Gibney, Linda Cornett and Reed Wood, version 2010, available at www.politicalterror scale.org/ (Gibney, Cornett, & Wood, 2012). The PTS is combined from two sources, the US State Department and Amnesty International country reports; both are ranked from 1 (no state violence) to 5 (has expanded to the whole population) and provided separately. Here a sum scale was constructed that ranked from 1 to 9; see also Landmann & Carvalho, 2010.

¹⁰ Data were collected from three sources: Payne, Olsen, and Reiter (2013). Transitional Justice Database Project (<http://www.tjdbproject.com/>); Stan and Nedelsky (2013) *Encyclopedia of Transitional Justice*. Cambridge: Cambridge University Press; and United States Institute of Peace (2013). Truth Commission Digital Collection (<http://www.usip.org/publications/truth-com mission-digital-collection>).

the respective period of transition; countries with on-going conflicts were excluded. A country was classified as a non-conflict country if no armed conflict had taken place or it had ceased at least 10 years before the actual transition.¹¹ Results are based on regression analyses, ANOVA, and comparisons of mean (t-tests), however given the partially small numbers in our samples, cohorts and categories, significance levels should be used with caution, and more as indicative of patterns.

3 Transitions and the Production of Trust in Police and Justice

3.1 *The longue Durée of Trajectories of Trust*

The trajectories of trust are followed up to more than 15 years, depending on the start time of the transition. The total post-transitional period is divided into four periods, during which legitimacy and trust are measured: the first 5 years after the transition, between 6 and up to 10, between 11 and 15 years, and finally more than 15 years after the transition. Generally, the transition countries remain low trust countries even across a rather long post-transition period, as Table 1 shows. Nearly half of the population trust the police in the immediate 5 years after the transition, which decreases slightly during the following two 5-year periods, and reaches the initial level again after 15 and more years. Trust in the justice system is at similarly high levels during the first years, but goes into continuous decline over the whole period (from 51 to 41 % after 15 and more years). Other indicators that impact on trust in criminal justice show either a decline like general trust, which decreases from barely 30 to 24 %, or show no change at all. This in particular applies to indicators of performance like homicide rates and state violence that remain at very high levels throughout the post-transition period. The exception is control of corruption, which increases by nearly 50 % (from 34 in the first 5-year period to 48 more than 15 years after the transition). Given this context, trust in criminal justice can hardly flourish in transitional countries.

Post-transitional trust trajectories differ across the global regions, as Table 1 demonstrates. Trust in both police and justice increase in African transition countries, as violence is considerably reduced and control of corruption increases. In European transitional societies trust in police increases slightly, while trust in justice decreases. As in Africa, homicide levels declined and control of corruption improved albeit insignificantly. State violence is more constrained in Africa and the Americas, while there are no changes in the comparably low levels in Europe and high levels in Asian countries.

¹¹ Data on conflicts were collected from the Uppsala Conflict Data Programme's Conflict Termination Dataset (Kreutz, 2010) http://www.pcr.uu.se/research/ucdp/datasets/ucdp_conflict_termination_dataset/.

Table 1 Trajectories of trust in police and justice (Transitional countries $N = 78$)

	Trust in police (%)	Trust in justice system (%)	Homicide	State violence	Control of corruption
5 years post transition					
Africa	51.62	55.61	31.8	4.8	28.6
Americas	39.01	48.40	10.95	4.59	39.15
Asia and Oceania	56.47	54.53	3.45	4.72	33.13
Europe	42.94	45.19	7.4	2.85	51.8
10 years post transition					
Africa	44.82	51.65	16.89	4.35	31.91
Americas	38.15	38.84	10.82	4.65	47.27
Asia and Oceania	43.26	50.19	3.31	4.69	33.6
Europe	43.42	41.22	7.19	2.88	47.06
15 years post transition					
Africa	52.57	57.61	16.3	4.23	37.32
Americas	35.04	36.37	12.99	4.45	46.33
Asia and Oceania	53.14	58.03	4.47	4.62	37.16
Europe	46.62	40.44	5.63	2.9	50.6
>15 years post transition					
Africa	56.27	60.23	13.47	4.03	45.65
Americas	34.46	30.31	17.86	4.01	42.18
Asia and Oceania	58.70	47.81	3.55	4.8	39.46
Europe	51.42	39.39	3.75	2.99	55.82

When comparing countries with homicide rates above and below the median for each period, the role of performance in combating violent crime is corroborated, however only for trust in police. As Figure 1 shows, there is no impact of violent crime in the immediate aftermath of the transition, but after 6 years, as homicide rates level down, the difference between countries with high and low homicide rates is more distinct ($p < .05$). No difference for trust in police was found for transition countries with high and low levels of state violence across the whole period. Efficiency rather than civilized and rule of law compliant procedures seem to impact on citizens' trust in the police. The fact that courts are capable of keeping higher levels of trust even where state violence is high mirrors findings for trust in criminal justice in nondemocratic regimes (Karstedt, 2013a). In contemporary nondemocratic regimes courts are increasingly seen by citizens as a last and also successful resort against repressive violence from other agencies of the state; these experiences might be transferred to the transitional period, resulting in partially significantly higher levels of trust in justice even under conditions of high levels of state repression.

Fig. 1 Trust in police and homicide across post transition periods. Level of significance: ° $p < .1$; * $p < .05$; ** $p < .01$; *** $p < .001$. All other: not significant

3.2 *Catching Up with Democracies: Europe and the Americas*

As the trajectories of trust in criminal justice have shown, transitional countries do not provide an environment in which such trust can flourish. When countries move toward becoming full democracies, police and the courts take center stage in sweeping reform efforts, and are seen as cornerstones for legitimacy of government and state institutions. Given the only incremental changes in trust in police and justice, which in addition are not consistently to the better, the question arises if transitional countries are capable of catching up with those countries that have been established and mature democracies since a long time. Democracies suffered from considerable losses in overall confidence in government and state institutions, and disillusion and discontent with democracy might have spread and affected transitional countries, resulting in convergence rather than divergence between transitional countries and mature democracies. In order to answer these questions we need to follow a "cohort" comprising both transitional countries, which experienced the transition within a restricted time frame, and contemporary mature democracies across the past decades. Two different cohorts of transitional countries were identified, a European cohort, which experienced the transitions between 1988 and 1993, and a cohort in the Americas (South, Central, and North), with transitions taking place within a slightly longer time frame between 1978 and 1990. Both cohorts were juxtaposed with mature democracies from their region, and trajectories of trust in police and confidence were identified between 1995 and 2010.

Fig. 2 Transitional societies and mature democracies: Trust in police 1995–2010 (Europe and Americas) $N(1995) = 22$; $N(2000) = 46$; $N(2005) = 25$; $N(2010) = 46$

Fig. 3 Transitional societies and mature democracies: Trust in justice 1995–2010 (Europe and Americas) $N(1995) = 22$; $N(2000) = 44$; $N(2005) = 21$; $N(2010) = 46$

As both Figs. 2 and 3 show, trajectories in both global regions differ considerably for transitional as well as for full democracies. However, in both regions the transitional countries do not gain on mature democracies. In Europe, the difference

remains significant for trust in police across the whole period ($p < .01$) notwithstanding gains in trust for transitional countries. The gap in trust in justice between transitional countries and mature democracies increases rather than closes, and is significant from 2000 onwards. This is mainly caused by a substantive decrease of trust in justice in the transitional countries rather than by small gains of trust in mature democracies. In the Americas, trust in the police in transitional countries remains at low levels, however, in mature democracies these change quite dramatically, with a loss of trust of more than 30 % between 1995 and 2005. Differences in trust in justice increase across the period, mainly due to losses in trust in transitional countries (mostly not significant). Patterns as well as trajectories are mostly similar in both regions, and transitional countries do neither catch up with mature democracies nor do they move visibly towards this level.

Across this period, transitional countries neither made decisive gains in developing the conditions for trust in the police and justice to flourish. In Europe, civil society remains weak in transitional countries. General trust in others is at significantly lower levels ($p < .01$), as is satisfaction with democracy. Civil society empowerment is consistently at significantly lower levels ($p < .001$). While mature democracies have long established the independence of the judiciary, it is at low points in transitional countries throughout the period from 1995 to 2010. In the Americas, differences vanish as general trust deteriorates in mature democracies from 2000 onwards, and the gap in satisfaction with democracy is closed as citizens in transitional countries increasingly opt for democracy. Like in Europe, civil society empowerment remains at significantly lower levels in transitional countries ($p < .05$), and differences in the independence of the judiciary are as stark as they are in Europe ($p < .01$). Even if the Latin American countries had a longer period of transition than the European countries starting at the end of the 1980s, they do not close the gap with mature democracies in their region. Notwithstanding considerable losses of trust in police in mature democracies in the Americas, the difference is sustained throughout the period, though it is more distinct for the European countries. Transitional countries do neither provide the institutional reforms nor the environment for the empowerment of civil society that are deemed essential for creating trustworthy police and justice (e.g., Goldsmith, 2005: 463).

3.3 *Changing Institutions: Does It Matter?*

Even if transitional countries in general lag behind mature democracies in terms of legitimacy of police and justice, some transition countries might be more successful than others in creating the environment that is conducive to trust in police and justice. Reforms of police and the justice system might be more thorough, civil society might gain strength more quickly in order to fulfil its role as a “source of monitoring and resistance to government policies and practices” (Goldsmith, 2005: 463), and overall stability of democratic institutions is achieved at higher levels. Transitional countries embark on a route towards sweeping reforms of state and

government institutions, which prominently include the establishment of the rule of law, as well as adequate power structures and balances of institutional power (see Karstedt, 2013b). Such reforms should give stability to flagging democratic institutions, and thus enhance their acceptance and legitimacy among the citizenry. Civil society and the state need to find a new balance between themselves, through political and social integration, and stable patterns of representation and mediation between state and society. Control of corruption is seen as pivotal among these reforms, as it increases trust and legitimacy of police and justice independent of regime type (Karstedt, 2013a).

Most of these indicators are only available since 2000; they are included in the Bertelsmann Transformation Index (BTI; see above). We therefore needed a "cohort" of transitional countries sufficiently close to the period of measurement between 2006 and 2010, and sufficiently close together in terms of their transitions. We used the cohort of transitions between 1988 and 1998, which resulted in a global sample of 43 countries with the majority from Europe (19) and Africa (12) in addition to six Asian and six Latin American countries. Performance in institutional reforms was measured as mean values between 2006 and 2010. Trust in police and justice was measured for the same period, and if there was more than one survey during this period, the mean value was used. Bivariate regression analyses were conducted.

The results reveal a pattern that corroborates the downward trajectories of trust in justice as shown in Table 1. Though none of the indicators of stability of state and democratic institutions, and in particular of civil society engagement and political and social integration is significantly related to trust in justice, this relationship mostly takes a negative direction, i.e., as more democratic institutions are established and accepted, citizens become increasingly distrustful of their criminal justice systems. Quite surprisingly, this also applies to control of corruption and the establishment of the rule of law, which is consistent with the failure of the EULEX program in Kosovo (EULEX, 2010). Figure 4 demonstrates the typical downward slope for trust in justice as rule of law credentials improve. There are two reasons behind this development. First, the justice system remains mainly intact and judges stay in their positions during the transition and beyond. Exemplary in this respect are post-war Germany (Frei, van Laak, & Stolleis, 2000; Perels, 1999), and South Africa (Dyzenhaus, 1998/2003). Second, democratic institutions give rise to critical voices and critical assessment by citizens, and thus also nourish distrust. Legitimacy of police and justice should therefore show more "elasticity" as citizens become more sensitive and well informed about practices and court cases, and are capable of voicing their distrust, which might then easily spread among the population (Karstedt, 2013a). This is corroborated by the fact that when political participation increases, trust in justice deteriorates more markedly ($p < .10$).

In the same vein, trust in police is little affected by any of the institutional reforms with one exception; Fig. 5 shows that control of corruption has a significant ($p < .01$) and quite marked positive impact on trust in police. Where control of corruption increases, citizens have more trust in police forces. Transitional countries thus do neither differ from full democracies nor from nondemocratic regimes, where control of corruption is equally essential for citizens in granting legitimacy to police (Karstedt, 2013a). However, the direction of the relationships between

Fig. 4 Rule of law and trust in justice system 2006–2010 (% trust). $F=1.37$; $p<0.25$; $N=36$

Fig. 5 Control of corruption and trust in police (% trust). $F=11.51$; $p=0.002$; $N=37$

institutional reforms and trust in police is consistently positive, in contrast to trust in justice. Given the fact that these coefficients are all nonsignificant, this should be treated with caution. Nonetheless these findings indicate that trust in police and trust in justice not only follow different trajectories across the period of transition but also institutional reforms are not unambiguous in their impact on legitimacy and trust in different institutions of government.¹² However, their overall impact is surprisingly low, and in stark contrast to the claims made about their importance in enhancing trust in police and justice.

¹² It might therefore be advisable to analyze these separately rather than in combined measures of trust in government that include a number of institutions (see e.g. Horne, 2012; Hutchison & Johnson, 2011).

3.4 Conflict and Transitional Justice: Does It Make a Difference?

Among the many hopes that are invested in transitional justice procedures the restoration of the rule of law (e.g., McAdams, 1997), delivery of justice for victims and perpetrators, and thus ultimately increasing trust in criminal justice are most often and most strongly voiced (e.g., Elster, 2006; Teitel, 2002). Impunity for perpetrators of human rights abuses among the police both in the past and in the present has been identified by Goldsmith (2005: 453) as a major obstacle to public confidence in police. As transitional justice procedures address violence and human rights abuses by police and the justice apparatus, they simultaneously delegitimize the past and (re-)legitimize the future of these institutions. In the first instance, transitional justice procedures will therefore have a detrimental impact on the legitimacy of these institutions, from which they will need to recover and regain legitimacy. Given this ambiguous nature of transitional justice procedures, a positive "net impact" might show only over the years.

The legacy of civil wars, state repression, and terror weighs heavily on transitional societies creating "societies of fear" (Koonings & Kruijt, 1999), in which trust in government and also within civil society is in short supply. Given the participation of police forces in violent repression, citizens will in particular withdraw legitimacy and trust from this institution. Ongoing and recent internal violence and massive repression, in which police are routinely implicated, have been found to have a strong and negative impact on general trust in government institutions in a sample of African countries, including police and justice (Hutchison & Johnson, 2011).

Using the cohort of 43 transitional countries from 1988 to 1998, we contrasted countries that had a conflict ("post-conflict") with countries where the transition took place without conflict or where the conflict had ceased at least 10 years before the actual transition (countries with ongoing conflicts were excluded, see above). In the next step, countries with transitional justice procedures were compared to countries that had had none. Trust in police and justice, as well as the contextual factors were measured twice: first for the 1990s, during the period of transition, and then for the decade of 2000–2010. Rule of law is an exception with only one measurement in the 2000s, as the BTI indicator was available mostly after 2006, and a mean value for 2006–2010 was calculated, which covered most of the countries.

As Figs. 6 and 7 demonstrate, in societies that leave a conflict behind, citizens are more willing to invest confidence in police and justice than in countries where the transition was not related to a conflict. It seems that ending the conflict per se gives new hope for the future, and a boost to trust both in police and in justice. The difference becomes more substantial in the 2000s, even as the conflict is left further

Fig. 6 Trust in police in countries with and without conflict (% trust): 1990s and 2000s . Level of significance: ° $p < .1$; * $p < .05$; ** $p < .01$; *** $p < .001$; All other: not significant

Fig. 7 Trust in justice in countries with and without conflict (% trust): 1990s and 2000s. Level of significance: ° $p < .1$; * $p < .05$; ** $p < .01$; *** $p < .001$; All other: not significant

behind. The higher levels of trust in police and justice are mirrored by higher levels of satisfaction with democracy and its development in post-conflict countries outperforming countries without conflict.

In contrast to such more optimistic attitudes among citizens, post-conflict countries lag behind in terms of structural reforms of the judiciary, implementation of the rule of law (see Fig. 10) and compliance with human rights that guarantee political participation for civil society, and ensure its capacity for "mobilizing distrust" and resistance to government policies and practices where necessary. The discrepancy between high hopes as demonstrated in the attitudes of citizens, and a deficient institutional environment in which confidence does not have a foundation and might be easily withdrawn, seems to be a breeding ground for the failure of democratic transitions that were observed by Esty et al. (1998).

Transitional justice procedures send ambiguous messages in terms of confidence in police and justice. Consequently, as Figs. 8 and 9 show, there is nearly no difference between countries with and without transitional justice procedures, and trust in justice even increases in the 2000s where no transitional justice had been implemented. Addressing past and present state violence does not automatically translate into trust among citizens. This corresponds to our findings that levels of state violence do not have an impact on confidence in police and justice across the transition period. Transitional justice seems to promote democracy as slightly more satisfaction with democratic government among the citizenry shows. It also encourages judicial reforms regarding the independence of the judiciary in the first instance (1990s), and the implementation of rights that empower citizens in the long run (2000s), however, none of these differences is marked and substantial.

Fig. 8 Trust in police in countries with and without transitional justice (% trust) 1990s and 2000s. Level of significance: not significant

Fig. 9 Trust in justice in countries with and without transitional justice (% trust): 1990s and 2000s. Level of significance: not significant

Fig. 10 Rule of Law (2006–2010): Transitional justice process and post-conflict. Level of significance: ° $p < .1$; * $p < .05$; ** $p < .01$; *** $p < .001$

Both conflict and transitional justice impact on the implementation of rule of law reforms. As Fig. 10 demonstrates, previous violent conflict markedly impedes rule of law reforms and keeps them at low levels. In contrast, transitional justice in fact

supports and promotes such reforms, and is presumably part of the establishment of the rule of law. However, as has been shown above this does not translate into trust and confidence in police and justice.

4 Building Trust in Transition

As Goldsmith (2005: 464) notes, “establishing trustworthy police forces is a key challenge for police reformers in low-trust settings”, and this applies equally to trust in the justice system, courts and judges. Transitions are deeply destabilizing events that resonate throughout society with long-term effect on individual attitudes of confidence in police and justice, as well as on widely held distrust in government and state institutions (Hutchison & Johnson, 2011). Over a long time transitional societies struggle to achieve the institutional capacity and stability that gives a lasting and solid foundation for citizens to have trust and confidence in police and justice, and grant legitimacy to these institutions and their office holders. Police and justice have been identified as cornerstones for legitimacy of state and governments, and confidence in these institutions as pivotal in the process of transitions to democracy.

This comparative analysis of transitions toward democracy across the globe from 1974 to 2010 shows that building trust in transitional environments is not only challenging, but that the instruments and building blocks achieve less than is often assumed. Following transitions across more than 15 years we find only little improvement of trust in police and rather losses than gains for trust in justice. Between 1995 and 2010, transition countries in Europe and the Americas never reached the level of mature democracies in their region (with one exception for the Americas due to a drop in mature democracies). These transitional societies did neither succeed in creating the institutional context that is conducive to confidence in and legitimacy of institutions that mature democracies had at the same time. With the exception of control of corruption, none of the transformations that should achieve higher levels of legitimacy and trust had a discernable impact; the fact that improvements in the rule of law had no impact on trust in justice is perhaps less surprising in the light of recent findings of the impact of rule of law programs in Europe (EULEX, 2010). It seems to be violent crime, remaining at comparably high levels throughout the transition period that has a discernable impact on trust in police, but not in justice. Transitional justice procedures are not the panacea for enhancing trust and legitimacy among citizens, due to the ambiguous messages that they send. In countries emerging from a conflict situation, citizens indeed put more trust in police and justice, and grant more legitimacy to them. However, there is more confidence in a better future than capacity building that can retain and increase such higher levels in the long run, creating imbalances and a seedbed for political failure. As transition countries continue to struggle to build institutional

capacity and create an environment conducive to legitimacy, distrust in government institutions and in particular police and justice is hardly to blame for political failure. It is questionable whether legitimacy of police and justice is the powerful glue that holds transitional societies together.

What can be done in the light of these quite sobering results? Given the global sample spanning more than three decades of transitions to democracy, only analyses of more or less trust could be conducted at the macro-level of countries, which definitely constitute limitations to these findings. Nonetheless, they pose critical questions to widely held assumptions about the positive impact of rule of law and general capacity building on police and justice legitimacy in transitional and post-conflict societies. The results point toward two routes of improving police legitimacy. First, efficacy in terms of combating crime, i.e., being competent in their everyday tasks, seems to be decisive for establishing a trustworthy police (see Mishler & Rose, 1998). Citizens in transitional and post-conflict societies might actually value law and order more than the complex system of criminal justice that the rule of law presents (Cheesman, 2014; see also Karstedt, 2013a). The fact that post-conflict societies have higher levels of trust in police and justice than non-conflict societies corroborates such an assumption. Second, control of corruption, i.e., improving fairness and equality in decision making seems to be another core requirement. For citizens in transitional countries procedural justice is as important as elsewhere. The results thus suggest a focus on police and justice reform and on the mundane delivery of security and justice in the everyday lives of citizens rather than implementing a plethora of programs of institutional capacity building across the board.

In order to overcome the limitations of this research, we need to heed Goldsmith's (2005) advice and address reasons for trust and capacity building at the local and micro-level where policing takes place and justice is done. Programs of police and justice reform that were implemented during the time, often imported models from the global North to the South, and of urban policing in western democracies to rural areas that were just recovering from conflict (Dinnen & Braithwaite, 2009). However, failures have led to a redirection of efforts towards local and non-state actors, and local initiatives of providing security and justice (e.g., Albrecht & Buur, 2009; Baker, 2009b). These probe into the local reasons for distrust and withdrawal of legitimacy. However, on all levels—from local and micro-level to country and macro-level—building of trust takes time, and mostly more than is expected and even can be afforded.

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Appendix

Table 1A Democracies and transitional countries, global regions

	Democracies	Transitional countries	Total
Africa	1	24	25
Americas	5	17	22
AsiaOcean	6	16	22
Europe	12	21	33
Total	24	78	102

Table 2A Countries

Country	Classification	Country	Classification
Albania (E*)	Transitional country	Guyana (*)	Transitional country
Algeria	Transitional country	Honduras (A)	Transitional country
Argentina (A)	Transitional country	Hungary (E*)	Transitional country
Armenia (*)	Transitional country	India	Mature democracy
Australia	Mature democracy	Indonesia (*)	Transitional country
Austria (E)	Mature democracy	Iraq	Transitional country
Bangladesh (*)	Transitional country	Ireland (E)	Mature democracy
Belarus (E*)	Transitional country	Israel	Mature democracy
Belgium (E)	Mature democracy	Italy (E)	Mature democracy
Benin (*)	Transitional country	Ivory Coast	Transitional country
Bhutan	Transitional country	Jamaica (A)	Mature democracy
Bolivia (A)	Transitional country	Japan	Mature democracy
Bosnia and Herzegovina (E*)	Transitional country	Kenya	Transitional country
Brazil (A)	Transitional country	Korea, South	Transitional country
Bulgaria (E*)	Transitional country	Kyrgyz Republic	Transitional country
Burundi	Transitional country	Latvia (E*)	Transitional country

(continued)

Table 2A (continued)

Country	Classification	Country	Classification
Cambodia (*)	Transitional country	Lebanon	Transitional country
Canada (A)	Mature democracy	Lesotho (*)	Transitional country
Cape Verde (*)	Transitional country	Liberia	Transitional country
Chile (A*)	Transitional country	Lithuania (E*)	Transitional country
Comoros	Transitional country	Macedonia (E*)	Transitional country
Congo, DR	Transitional country	Madagascar (*)	Transitional country
Costa Rica (A)	Mature democracy	Malawi (*)	Transitional country
Croatia (E)	Transitional country	Mali (*)	Transitional country
Cyprus	Mature democracy	Mauritius	Mature democracy
Czech Republic (E*)	Transitional country	Mexico (*)	Transitional country
Denmark (E)	Mature democracy	Moldova (E*)	Transitional country
Djibouti	Transitional country	Mongolia (*)	Transitional country
Dominican Republic (A)	Transitional country	Mozambique (*)	Transitional country
Ecuador (A)	Transitional country	Nepal (*)	Transitional country
El Salvador (A)	Transitional country	Netherlands (E)	Mature democracy
Estonia (E*)	Transitional country	New Zealand	Mature democracy
Finland (E)	Mature democracy	Nicaragua (A*)	Transitional country
France (E)	Mature democracy	Nigeria (*)	Transitional country
Gabon	Transitional country	Norway (E)	Mature democracy
Georgia (E*)	Transitional country	Panama (A*)	Transitional country
Ghana (*)	Transitional country	Paraguay (A*)	Transitional country
Greece (E)	Transitional country	Peru (A)	Transitional country
Guatemala (A)	Transitional country	Philippines	Transitional country
Guinea	Transitional country	Poland (E*)	Transitional country

(continued)

Table 2A (continued)

Country	Classification	Country	Classification
Portugal (E)	Transitional country	Switzerland (E)	Mature democracy
Romania (E*)	Transitional country	Taiwan (*)	Transitional country
Russia (E*)	Transitional country	Timor-Leste	Transitional country
Senegal	Transitional country	Trinidad and Tobago (A)	Mature democracy
Sierra Leone (*)	Transitional country	Turkey	Transitional country
Slovakia (E*)	Transitional country	Ukraine (E*)	Transitional country
Slovenia (E*)	Transitional country	United Kingdom (E)	Mature democracy
South Africa (*)	Transitional country	United States (A)	Mature democracy
Spain (E)	Transitional country	Uruguay (A)	Transitional country
Suriname (A*)	Transitional country	Zambia (*)	Transitional country
Sweden (E)	Mature democracy	Zimbabwe	Transitional country

E = European sample, A = American sample, asterisk = Transitions between 1988 and 1998

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