A new model of procedural justice: Legal legitimacy, legal cynicism, and satisfaction with government officials

Lindsey R. Phelan
University of New Hampshire, Durham

Follow this and additional works at: https://scholars.unh.edu/thesis

Recommended Citation
https://scholars.unh.edu/thesis/164
A new model of procedural justice: Legal legitimacy, legal cynicism, and satisfaction with government officials

Abstract
The alternative model of legal socialization proposes that legal legitimacy and legal cynicism mediate the relation between procedural justice and rule-violating behavior (Triter, 2012). In contrast, the direct model of procedural justice proposes that procedural justice predicts satisfaction with government (Tyler, 1988). The current study tested these models using secondary analysis of data collected in Eastern and Western Europe during the 1990s. The present study tested two competing hypotheses: legitimacy and cynicism would mediate the relation between procedural justice and satisfaction with government officials (alternative model) and procedural justice would predict satisfaction (direct model). Results indicated that procedural justice predicted satisfaction in Western Europe, which supported the direct model. Support was found for the alternative model in Eastern Europe. However, legal cynicism positively predicted satisfaction in Eastern Europe, contrary to previous research. This finding demonstrates the need to consider cultural context in studies of procedural justice.

Keywords
Political Science, General, Law, Justice Studies

This thesis is available at University of New Hampshire Scholars' Repository: https://scholars.unh.edu/thesis/164
A NEW MODEL OF PROCEDURAL JUSTICE: LEGAL LEGITIMACY,
LEGAL CYNICISM, AND SATISFACTION WITH GOVERNMENT OFFICIALS

BY

LINDSEY R. PHelan
Bachelor of Arts, University of New Hampshire, 2010

THESIS

Submitted to the University of New Hampshire
in Partial Fulfillment of
the Requirements for the Degree of

Master of Arts

in

Justice Studies

September, 2012
This thesis has been examined and approved.

Ellen S. Cohn
Thesis Director, Ellen S. Cohn,
Professor of Psychology

Mary F. Malone
Mary F. Malone,
Assistant Professor of Political Science

Cesar J. Rebelein
Cesar J. Rebelein,
Associate Professor of Sociology

July 11, 2012
Date
# TABLE OF CONTENTS

| LIST OF TABLES                                     | v            |
| LIST OF FIGURES                                   | vi           |
| ABSTRACT                                         | vii          |

<table>
<thead>
<tr>
<th>CHAPTER</th>
<th>PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>INTRODUCTION</td>
<td>1</td>
</tr>
<tr>
<td>I. LITERATURE REVIEW</td>
<td>3</td>
</tr>
<tr>
<td>Legal Socialization: Traditional Approaches</td>
<td>3</td>
</tr>
<tr>
<td>An Integrated Model: The Influence of Legal Attitudes</td>
<td>5</td>
</tr>
<tr>
<td>Social Influences and the Role of Environment</td>
<td>6</td>
</tr>
<tr>
<td>An Alternative Model: Procedural Justice</td>
<td>7</td>
</tr>
<tr>
<td>Eastern Europe vs. Western Europe: Ideological Differences</td>
<td>13</td>
</tr>
<tr>
<td>Current Study</td>
<td>16</td>
</tr>
<tr>
<td>II. METHOD</td>
<td>18</td>
</tr>
<tr>
<td>Participants</td>
<td>18</td>
</tr>
<tr>
<td>Measures</td>
<td>18</td>
</tr>
<tr>
<td>Procedure</td>
<td>22</td>
</tr>
<tr>
<td>III. RESULTS</td>
<td>23</td>
</tr>
<tr>
<td>Preliminary Analyses</td>
<td>23</td>
</tr>
</tbody>
</table>
Primary Analyses...........................................................................................................25
Exploratory Analysis......................................................................................................31
IV. DISCUSSION.............................................................................................................32
Implications......................................................................................................................35
Limitations and Future Directions..................................................................................37
Conclusion.......................................................................................................................41
LIST OF REFERENCES......................................................................................................43
APPENDIX A: SURVEY ITEMS.....................................................................................49
APPENDIX B: INSTITUTIONAL REVIEW BOARD APPROVAL.................................53
LIST OF TABLES

Table 1. Means and standard deviations for Eastern Europe and Western Europe ........... 24
Table 2. Bivariate correlations ......................................................................................... 25
Table 3. OLS regressions of Eastern European and Western European data ............... 28
Table 4. Sobel tests of indirect paths across region ....................................................... 30
Table 5. OLS regressions testing an adapted model in Eastern Europe ....................... 31
LIST OF FIGURES

Figure 1. Belief in rule of law over time for Bulgaria, Hungary, France, and Spain........16
Figure 2. Alternative model supported in Eastern Europe........................................29
Figure 3. Direct model supported in Western Europe...............................................30
ABSTRACT

A NEW MODEL OF PROCEDURAL JUSTICE: LEGAL LEGITIMACY, LEGAL CYNICISM, AND SATISFACTION WITH GOVERNMENT OFFICIALS

by

Lindsey Phelan

University of New Hampshire, September, 2012

The alternative model of legal socialization proposes that legal legitimacy and legal cynicism mediate the relation between procedural justice and rule-violating behavior (Trinkner, 2012). In contrast, the direct model of procedural justice proposes that procedural justice predicts satisfaction with government (Tyler, 1988). The current study tested these models using secondary analysis of data collected in Eastern and Western Europe during the 1990s. The present study tested two competing hypotheses: legitimacy and cynicism would mediate the relation between procedural justice and satisfaction with government officials (alternative model) and procedural justice would predict satisfaction (direct model). Results indicated that procedural justice predicted satisfaction in Western Europe, which supported the direct model. Support was found for the alternative model in Eastern Europe. However, legal cynicism positively predicted satisfaction in Eastern Europe, contrary to previous research. This finding demonstrates the need to consider cultural context in studies of procedural justice.
INTRODUCTION

Legal socialization theories have long been used to understand why individuals engage in rule-violating behavior (Cohn & White, 1990; Levine, 1979; Tapp & Kohlberg, 1971). Tapp and Levine (1974) defined legal socialization as “the development of values, attitudes, and behaviors toward law” (p. 4). Traditional researchers of legal socialization have focused on individuals’ internal characteristics related to the cognitive development factors that contribute to moral and legal reasoning (Cohn, Bucolo, Rebellon, & Van Gundy, 2010; Cohn & White, 1986; Cohn & White, 1990; Levine, 1979; Tapp & Kohlberg, 1971; Tapp & Levine, 1977). These traditional approaches culminated in the creation of the integrated model of legal socialization, which proposes that legal attitudes mediate the relation between cognitive development factors and rule-violating behavior (RVB) (Cohn et al., 2010).

However, an alternative model of legal socialization appeared in the literature in recent years (Fagan & Piquero, 2007; Fagan & Tyler, 2005; Piquero, Fagan, Mulvey, Steinberg, & Odgers, 2005; Trinkner, 2012). This alternative model argues that the legitimacy of legal authorities (i.e., legal legitimacy) and cynicism toward the law (i.e., legal cynicism) mediate the relation between procedural justice and RVB.

In contrast to both of these models of legal socialization, which predict rule-violating behavior, the direct procedural justice model does not include RVB. Instead, the direct model incorporates satisfaction with government officials by proposing that
procedural justice predicts satisfaction with no mediating variables (Tyler, 1988; Tyler & Folger, 1980; Tyler, Rasinski, & Spodick, 1985).

Research based on each of these three models has been conducted primarily in Anglo-American settings (Fagan & Piquero, 2007; Fagan & Tyler, 2005; Piquero et al., 2005; Tankebe, 2009b; Tyler, 1988). Few studies examine these models in an Eastern European context, which is particularly intriguing due to the relatively recent experiences of these political systems in transitioning from communism to democracy. Therefore, the goals of the current study were twofold. First, the current study combined the alternative model and the direct model by testing whether legal legitimacy and legal cynicism mediated the relation between procedural justice and satisfaction with government officials. Second, the present study sought to expand procedural justice research to some of the formerly communist regimes of Eastern Europe by testing the mediating model separately in Eastern and Western Europe.
CHAPTER I

LITERATURE REVIEW

**Legal Socialization: Traditional Approaches**

Traditional research on legal socialization examined factors within individuals that contribute to the process of acquiring attitudes and beliefs about the law (Cohn & White, 1986). These approaches focused on characteristics of the individual, particularly cognitive development factors such as moral and legal reasoning, and the effects of these characteristics on individuals’ rule-violating behavior (Cohn et al., 2010; Cohn & White, 1990; Tapp & Kohlberg, 1971).

**Moral Reasoning**

The first approaches to legal socialization were grounded in moral reasoning as a function of cognitive development. Early legal socialization researchers reasoned that expectations for moral behavior were transmitted through society’s laws (Kohlberg, 1963/2008; Piaget, 1932). Therefore, in order to develop an understanding of laws, early researchers argued that one first had to develop an ability to reason morally (Blasi, 1980). As individuals age, their capacity for moral reasoning increases, and they can make more complex moral judgments (Kohlberg, 1963/2008). As moral reasoning abilities increase, individuals become less likely to violate rules and laws (Blasi, 1980; Matsueda, 1989).
**Legal Reasoning**

Building upon the moral reasoning research, later legal socialization scholars examined legal reasoning (Cohn et al., 2010; Cohn & White, 1990; Levine, 1979; Tapp & Kohlberg, 1971; Tapp & Levine, 1974). As a cognitive development factor, legal reasoning refers to an individual’s judgments about the laws that have been established by society’s legal institutions (Tapp & Levine, 1974). Legal reasoning functions similarly to moral reasoning; as legal reasoning develops, individuals are less likely to violate laws. Research by Cohn and her colleagues (Cohn et al., 2010; Cohn, Trinkner, Rebellon, Van Gundy, & Cole, 2012; Cohn & White, 1990) demonstrated the negative relation between legal reasoning and rule-violating behavior.

Studies of other cultures have supported these legal reasoning findings. Finckenauer (1995) examined social influences on legal reasoning in delinquent and non-delinquent youths (ages 9-17) in both Russia and the United States. Results indicated that delinquent youths had lower levels of legal reasoning than did non-delinquent youths (Finckenauer, 1995). Additionally, youths with higher levels of legal reasoning were more likely to believe that the law was fair and that delinquent acts were wrong than were youths with less advanced legal reasoning (Finckenauer, 1995). Similarly, in a study of Mexican adolescents ages 14-15, Grant (2006) found that level of legal reasoning directly predicted adolescents’ self-reported delinquency. Researchers therefore demonstrated that higher levels of legal reasoning reduced rule-violating behavior regardless of culture.
An Integrated Model: The Influence of Legal Attitudes

The cognitive measures of moral reasoning and legal reasoning are predictors of rule-violating behavior (Levine, 1979; Tapp & Levine, 1974). However, subsequent researchers found that legal attitudes mediate the relation between legal reasoning and rule-violating behavior (Cohn & White, 1990). An individual's ability to engage in legal reasoning influences his or her attitudes toward the law, particularly attitudes regarding normative status (i.e., approval of rule-violating behavior) and enforcement status (i.e., approval of enforcing the laws and punishing rule-violating behavior). Cohn and White (1990) found that higher legal reasoning predicted less approval of rule-violating behavior and stronger beliefs that rule-violating behavior should be punished, which then influenced engagement in rule-violating behavior.

Subsequent research conducted by Cohn et al. (2010) examined legal and moral reasoning simultaneously and resulted in an integrated model of legal socialization. This model explained the effects of moral and legal reasoning as well as legal attitudes on rule-violating behavior (Cohn et al., 2010). The integrated model included the following legal attitude measures: normative status, enforcement status, and attitudes toward the criminal legal system, a measure developed by Martin and Cohn (2004). According to this integrated model of legal socialization, those with higher moral and legal reasoning capacities are more likely to approve of punishment for rule-violating behavior, are more likely to have more positive attitudes toward the law, and are therefore less likely to engage in rule-violating behavior (Cohn et al., 2010).
Social Influences and the Role of Environment

Conventional approaches to legal socialization focused on the individual, but past researchers also examined the influence of social learning (Levine & Tapp, 1977). Indeed, the term “legal socialization” indicates that a person acquires legal beliefs through interactions with social institutions, such as family, friends, schools, and the court system. Based on social learning theory, which states that learning occurs from observation, imitation, and modeling during human interactions (Bandura, 1969), the relation between the individual and his or her surroundings can influence judgments about the law. Cohn and White (1990) considered the role of environment when they compared cognitive developmental theory and social learning theory. Their results supported an interaction between cognitive development theory based on legal reasoning and social learning theory based on residence hall culture (Cohn & White, 1990).

Despite these findings, researchers continued to examine social influences on the process of legal socialization (Finckenauer, 1995; Grant, 2006). For example, in his study of Russian and American youth, Finckenauer (1995) demonstrated that youth were less likely to engage in delinquent behavior when they believed that they would be punished for that behavior. Similarly, Grant (2006) found that when the laws were enforced fairly, adolescents were more likely to obey the laws. These studies indicated the importance of social influences on the development of individuals’ comprehension of laws. The work of Finckenauer (1995) and Grant (2006) led to the creation of an alternative model of legal socialization, which emphasizes social influences in legal socialization.
An Alternative Model: Procedural Justice

In contrast to the traditional approaches to legal socialization outlined above, which focused on internal factors such as moral and legal reasoning and culminated in the integrated model (Cohn et al., 2010; Cohn & White, 1990; Tapp & Kohlberg, 1971), the alternative model of legal socialization examined external factors (Fagan & Piquero, 2007; Fagan & Tyler, 2005; Piquero et al., 2005). The three primary external factors included: procedural justice, or the extent to which individuals believe that they are treated fairly by legal authorities; legal legitimacy, or the extent to which individuals believe that laws are proper and appropriate, trust in the laws, and feel obligated to obey laws; and legal cynicism, or the extent to which individuals have negative attitudes toward the laws and legal authorities (Fagan & Piquero, 2007; Fagan & Tyler, 2005; Piquero et al., 2005).

Adolescents who believed that they were treated by legal authorities in a procedurally fair manner were more likely to perceive the authorities as legitimate and have lower levels of legal cynicism (Fagan & Tyler, 2005). Additionally, adolescents who perceived the law as legitimate and had lower cynicism toward the law were less likely to engage in delinquent behavior (Fagan & Tyler, 2005). However, the study relied on a small sample of adolescents ($n = 216$) who were not officially known to the criminal justice system as well as a cross-sectional study design.

In order to address these limitations, subsequent researchers used longitudinal methods and a large sample ($n = 1355$) of adjudicated adolescents (Fagan & Piquero, 2007; Piquero et al., 2005). Piquero et al. (2005) found that legal legitimacy and legal
cynicism were stable over the study’s eighteen month period. Results also showed that specific situation-based experiences with legal authorities influenced more general attitudes toward the law. Finally, Piquero et al. (2005) found that adolescents who had the highest levels of legal cynicism also had the lowest levels of legal legitimacy.

Subsequent researchers found that legal legitimacy mediated the relation between procedural justice and offending (Fagan & Piquero, 2007). Of particular interest in this study was the suggestion that, like adults, adolescents’ views of fair treatment by authority predicted legitimacy. Taken together, these three studies resulted in the creation of a new model of legal socialization by demonstrating the role of legal legitimacy and legal cynicism in predicting rule-violating behavior. The components of the alternative model are explained individually below.

**Procedural Justice**

Prior to the development of the alternative model of legal socialization (Fagan & Piquero, 2007; Fagan & Tyler, 2005; Piquero et al., 2005), researchers of procedural justice primarily examined the effects of procedural justice on satisfaction with government officials rather than on RVB. This research on the link between procedural justice and satisfaction led to the creation of the direct procedural justice model (Tyler, 1988).

The construct of procedural justice first grew out of the work of Thibaut and Walker (1975) who examined individuals’ reactions to legal procedures. They demonstrated that satisfaction with dispute resolution was influenced by the fairness of the dispute resolution process as a whole (i.e., procedural justice) rather than by the
fairness of the outcome (i.e., distributive justice). Particularly important was the notion of process control (i.e., voice) or individuals’ perceptions of having control over the presentation of legal arguments. Subsequent research supported these initial findings (Lind & Tyler, 1988; Tyler, 1988, 2000).

In a study of distributive and procedural justice in seven nations, researchers tested two distinct components identified in procedural justice literature: voice and impartiality (Cohn, White, & Sanders, 2000). Similar to its use by Thibaut and Walker (1975), voice referred to how much control individuals had over the process of justice (Cohn et al., 2000; Lind & Tyler, 1988; Tyler, 2000), and impartiality referred to an individual’s perception that the decision making process was fair and unbiased (Tyler, 2000). Researchers found that impartiality mattered more in court settings while voice mattered more in settings that were less focused on rights and morals.

In a study of contact with police, researchers examined whether dispute resolution procedures impacted satisfaction independent of the outcomes. Using a random sample of homes in Evanston, Illinois, Tyler and Folger (1980) considered two different types of contact: calls to the police and instances of being stopped by the police. Similar to Thibaut and Walker (1975), results indicated that regardless of the outcome of the situation, citizens were more satisfied with the police when they perceived that they were treated fairly by police (Tyler & Folger, 1980).

Similarly, Tyler, Rasinski, and Spodick (1985) studied procedural justice and satisfaction with government leadership in the context of the opportunity to express opinions (i.e., process control) and the influence over final decisions (i.e., decision
control). Using a sample of 200 college students researchers found that higher process control led to an increase in judgments of procedural justice, which in turn raised leadership endorsement even under conditions of low decision control. Similarly, Tyler (1988) found that procedural justice positively influenced citizens’ satisfaction with outcomes. Subsequent research has substantiated these findings, demonstrating that when government officials are perceived to use fair procedures, citizens are more satisfied with the outcomes (Hinds & Murphy, 2007; Reisig, Bratton, & Gertz, 2007; Reisig & Lloyd, 2009; Sparks, Bottoms, & Hay, 1996; Tankebe, 2009a; Tyler, Callahan, & Frost, 2007). Taken together, these studies on satisfaction have resulted in the creation of the direct procedural justice model, which proposes that procedural justice predicts satisfaction with government officials (Paternoster, Brame, Bachman, & Sherman, 1997; Sunshine & Tyler, 2003; Tyler, 1990; Tyler & Huo, 2002).

**Legal Legitimacy**

Legitimacy refers to the perception that the actions of an entity are proper and appropriate within a socially constructed system of norms and values (Johnson, Dowd, & Ridgeway, 2006). Legal legitimacy pertains to legitimacy within the context of the legal system (e.g. police, courts). If an individual perceives that the legal system is legitimate, then he or she will likely trust that system as well as feel an obligation to abide by its laws (Sunshine & Tyler, 2003). Much research on legal legitimacy stems from the work of Gibson and Bingham (1985) who examined a 1977 incident during which the American Nazi Party attempted to hold an anti-Semitic demonstration in Skokie, a Jewish suburb of Chicago. Through the process of adjudication, the public was able to accept the local court’s decision to allow the demonstration due to a belief in the legitimacy of
the court system (Gibson & Bingham, 1985). A subsequent study by Gibson (1989) examined perceptions of legal legitimacy in the context of the United States court system. Using national data from the 1987 General Social Survey, Gibson (1989) found that perceptions of institutional procedure have little impact on compliance with court decisions, but institutional legitimacy does have an effect.

In response to Gibson (1989), Tyler and Rasinski (1991) reanalyzed the same data using a different method, causal modeling, which allowed for direct and indirect effects. They concluded that public views about the fairness of decision making procedures have an indirect effect on acceptance due to their influence on views of legitimacy. Results of the study also indicated that individuals' perceptions of legal legitimacy and their willingness to accept the decisions of legal institutions are influenced by views about the fairness of the decision-making procedures.

Subsequent research on legitimacy by Gibson primarily focused on the United States political system (Gibson & Caldeira, 1995, 2009; Gibson, Caldeira, & Spence, 2005). Other research on legitimacy is concentrated within the context of the legal system and suggests that in order for a legal system to encourage society to follow its laws, legal institutions should act in accordance with procedural justice (Tyler, 2000, 2001, 2006; Tyler & Lind, 2000). Thus, higher perceptions of legal legitimacy resulted in lower rates of rule-violating behavior.

Very recent research on legal legitimacy draws from traditional approaches to legal socialization by testing an expanded model comprised of legal and moral reasoning, parental and police legitimacy, normative status, and RVB (Cohn et al., 2012). Results indicated that police and parental legitimacy mediated the relation between legal
reasoning and normative status, and normative status mediated the relation between police/parental legitimacy and RVB (Cohn et al., 2012). This study integrates traditional legal socialization approaches based on internal characteristics with research examining external factors, i.e., perceptions of legal legitimacy.

**Legal Cynicism**

Legal cynicism refers to the extent to which individuals have negative attitudes toward rules of a legal authority (Sampson & Bartusch, 1998). Research on legal cynicism draws heavily from Srole (1956), whose exploratory study of transit riders in Springfield, Massachusetts examined individuals who experienced anomie, or the lack of law or social norms. Kapsis (1978) expanded upon the work of Srole (1956) by examining the role of anomie and community integration within African American urban ghettos. Kapsis (1978) demonstrated that ghetto neighborhoods demonstrated higher levels of anomie than did more affluent, less racially diverse neighborhoods. Sampson and Bartusch (1998) studied racially diverse groups in Chicago and demonstrated that neighborhoods comprised of people who were more cynical toward the laws were less likely to follow these laws because such groups did not accept the underlying social norms. Similarly, in a qualitative study of legal cynicism toward police, Carr, Napolitano, and Keating (2007) interviewed minority adolescents, many of whom had been arrested for crimes, in three high-crime Philadelphia neighborhoods. Results indicated that these adolescents viewed the police negatively due to experiences characterized by procedural injustice (Carr et al., 2007). This recent research is consistent with past findings and further demonstrates the link between procedural justice and legal cynicism.
**Eastern Europe vs. Western Europe: Ideological Differences**

The alternative model of legal socialization and the direct procedural justice model have traditionally been studied in the Anglo-American context. Therefore, much valuable information may be gleaned from applying these models to European countries, particularly due to relatively recent political changes in Europe. During the late twentieth century, many countries in Eastern Europe began to transition from authoritarian regimes to liberal, democratic systems of government based on capitalism, a process referred to as democratization (Bayes, Hawkesworth, Kelly, & Young, 2001). Eastern European countries such as Bulgaria and Hungary started to change from communist regimes to democracies in the late 1980s and thus have very different political histories from countries such as France and Spain, which have been democracies for longer (Riegl, 2009).

The political systems of a country's past are directly related to current political beliefs in the country (Kluegel, Mason, & Wegener, 1995). Individuals from Eastern Europe therefore may have conflicting political beliefs from those who live in Western Europe due to the influence of communism as a relatively recent political system. For example, Cohn et al. (2000) studied the differences between Eastern and Western Europe with regard to individualism and collectivism. This study examined, in part, the degree to which participants emphasized an individual's goals over the goals of the group. Researchers found that the Eastern European countries retained a more collectivist culture while Western countries retained a more individualistic culture; this difference may have been due to more recent communist political experiences in Eastern Europe.
than in Western Europe. These findings supported the conclusions of Kluegel et al. (1995) by demonstrating that a country’s past political system does, in fact, influence current political beliefs.

Also lending support to the findings of Kluegel et al. (1995), research by Anderson and Gray (2007) examined international business firms’ attitudes about the legal system building upon a 2005 study by the World Bank. Anderson and Gray (2007) examined the political beliefs of “transition countries,” or countries currently transitioning away from planned economies run by communist governments and transitioning toward the free markets that characterize democracy. When contrasted with “comparator countries,” such as France and Spain which have longer histories as democracies, transition countries scored significantly lower than comparator countries on belief in the honesty of the court system. For example, 55% of Spanish firms indicated that the court system was honest and uncorrupted compared to about 45% of Hungarian firms and about 28% of Bulgarian firms. This research on perceptions of the judicial system directly relates to studies of legal cynicism because it measures negative attitudes toward the law and legal authorities. Anderson and Gray (2007) demonstrated that as recently as 2005, Bulgaria and Hungary were more cynical toward legal authorities than were comparator countries.

Similarly, data from the World Bank Group (2012) indicates countries’ percentile rankings on political attitudes over time. One such attitudinal variable is rule of law, which measures the extent to which individuals believe that the laws should apply equally to all citizens - a belief that often characterizes democratic societies (Cohn &
White, 1997). Between 1996 and 2008, transition countries Bulgaria and Hungary scored lower than comparator countries France and Spain on belief in rule of law (see Figure 1). France, a country with a long history as a democracy, consistently scored in the 90th percentile in belief in rule of law, which is significantly higher than countries with shorter democratic histories such as Hungary and Bulgaria, which scored around the 70th and 50th percentiles respectively (World Bank Group, 2012). These percentile rankings firmly adhere to the order in which the countries became democracies. Data from World Bank Group (2012) supports the findings by Kluegel et al. (1995), demonstrating that relatively recent experiences with communist governments affect current political attitudes.
Figure 1. Belief in rule of law over time for Bulgaria, Hungary, France, and Spain

Current Study

The alternative model of procedural justice proposes a link between procedural justice and rule-violating behavior by means of two mediators: legal legitimacy and legal cynicism. The alternative model therefore suggests that if an individual is treated fairly by legal authorities, he or she will believe in the legitimacy of the law and will be less likely to engage in RVB. Conversely, if an individual is treated unfairly by legal authorities, he or she will be cynical toward the law and will be more likely to engage in RVB. In contrast, the direct procedural justice model demonstrates that procedural
justice predicts satisfaction with government officials, proposing that if an individual is treated fairly by legal authorities, he or she will be more satisfied with government officials. If an individual is treated unfairly by legal authorities, the direct model proposes that this individual will be less satisfied with government officials.

Although these two models are linked conceptually by the construct of procedural justice, they have never been combined or tested together. Furthermore, few researchers have examined either of these models outside of the Anglo-American context. The current study thus contributes to the legal socialization literature by addressing these gaps, among others. For example, previous legal socialization research has been limited to juveniles and emerging adults (i.e., adults in the 18-25 year age group) and has relied on small, non-representative samples (e.g., incarcerated individuals). By using large random national samples of adults of all ages, the current study addresses also these gaps in the legal socialization literature.

The present study tested two competing hypotheses. First, it was hypothesized that legal legitimacy and legal cynicism would mediate the relation between procedural justice and satisfaction with government officials. Second, it was hypothesized that procedural justice would predict satisfaction with government officials.
CHAPTER II

METHOD

Participants

The current study used preexisting data initially gathered and analyzed by Cohn and her associates from the Legal Values Project (Cohn et al., 2000; Cohn & White, 1997). The participants were respondents from seven countries, which included Bulgaria (n = 831), Poland (n = 824), Hungary (n = 786), Russia (n = 765), Spain (n = 775), France (n = 762), and the United States (n = 810). For the purposes of the current study, Russia, the United States, and Poland were excluded. The participants in Russia were asked different questions than participants in the other countries. The American participants were surveyed using a different method than participants from the other countries (i.e., telephone surveys rather than face-to-face surveys.) In Poland, the measure of legal cynicism had little variability, and Poland was excluded so as to ensure that the full models could be compared between regions.

Measures

Although the original data were not collected for the purposes of examining the relation between procedural justice, legal legitimacy, legal cynicism, and satisfaction with government officials, the dataset contains measures that facilitate such research (see Appendix A for a complete list of survey items).
**Procedural Justice**

The measure of procedural justice was developed by Cohn and White (1997). This 4-item scale asked participants to indicate on a Likert scale from 5 (very important) to 1 (not very important) how much they agreed with each statement. Participants were asked to imagine an interaction with someone in a government office and then rate the importance of different factors such as “[having] the person at the office listen to my story” and “[having] the person treat me with respect.” The items were averaged with higher scores indicating higher perceived procedural justice ($M = 2.18$, $SD = 1.53$, $\alpha = .78$).

**Legal Legitimacy**

**Lawfulness.** In order to measure legitimacy, items from the original dataset addressing lawfulness were used. These items were originally designated to measure rule of law, which pertains to an individual’s belief that the law equally governs all citizens (Cohn & White, 1997). Legal legitimacy measures the extent to which individuals trust legal authorities and feel obligated to obey laws (Sunshine & Tyler, 2003). Lawfulness was used to operationalize legal legitimacy; it was assumed that an individual is more likely to trust in the law when he or she believes that all citizens are subject to the law.

The original dataset contained 6 items addressing lawfulness. For example, participants were asked to rate their agreement with statements such as: “It is necessary to obey a law you consider unjust” and “the government should always have to respect the rights and property of each person, even when the government is fighting crime.” These items were rated on a Likert scale from 1 (agree strongly) to 5 (disagree strongly.) The
items were averaged to create a composite lawfulness score ($M = 2.94, SD = .66, \alpha = .65$). Higher scores indicated higher levels of lawfulness.

**Social fairness.** Items from the original dataset addressing social fairness were also used as measures of legitimacy. Social fairness measures the extent to which people believe authorities should be obeyed while legitimacy relates to the extent to which authorities should be trusted. However, for the purposes of the current study, it was assumed that trust was a necessary component of obedience (Sunshine & Tyler, 2003), and social fairness was used to operationalize legal legitimacy.

The original dataset contained 4 items addressing social fairness (Cohn & White, 1997). Participants were asked to rate their agreement with statements such as: “It makes sense to follow laws because most people do.” These items were rated on a Likert scale from 1 (agree strongly) to 5 (disagree strongly.) The items were averaged to create a composite social fairness score ($M = 2.16, SD = .77, \alpha = .59$). Higher scores indicated higher levels of social fairness. Taken together, lawfulness and social fairness items conveyed participants’ perceptions of whether the law is proper, appropriate, and trustworthy. Therefore, both social fairness and lawfulness were used to operationalize legal legitimacy.

**Legal Cynicism**

Legal cynicism was measured by items within the dataset that presented illegal and/or immoral behaviors to participants and asked participants to rate to what extent these behaviors were justified. It was assumed that people who thought it was acceptable to engage in immoral behaviors and/or break laws were more cynical toward the legal
system. The original dataset contained 5 items measuring justifiable behaviors. For example, participants were asked to rate whether it is ever justifiable “not to pay all of one’s taxes” and “to buy something a person knows was stolen.” Questions regarding justifiable behaviors addressed negative attitudes toward the law and government and were rated on a Likert scale ranging from 1 (never be justified) to 4 (always be justified.) The scale was then recoded such that 0 = “never be justified” and 1 = “justified to some extent.” Items in the justifiable behaviors category were averaged to create a composite legal cynicism score ($M = .74, SD = .44, \alpha = .94$).

**Satisfaction with Government Officials**

Satisfaction with government officials was measured with 6 items from the dataset that asked participants to answer whether they had recent, specific experiences with government or legal authorities. For example, participants were asked whether they had a recent experience trying to get unemployment compensation. Participants who answered “yes” to having the experience within the last two years were then asked to rate their level of satisfaction following the experience. Questions pertaining to satisfaction were rated on a Likert scale and ranged from 1 (not very satisfied) to 3 (very satisfied.) These items were averaged in order to create a composite satisfaction score ($M = 2.14, SD = .70, \alpha = .79$) with a higher score indicating higher satisfaction.

**Demographics**

**Region.** Eastern Europe was comprised of Bulgaria and Hungary. Western Europe included France and Spain.
Sex. Female participants comprised 52.9% of the sample ($N = 1669$), and male participants comprised 47.1% of the sample ($N = 1485$).

Age. Age was computed by subtracting year of birth from the year in which the original survey was conducted ($M = 44.13$, $SD = 17.29$).

Education. Participants who had not completed any college comprised 85.4% of the sample ($N = 1485$), and participants who had completed some college comprised 14.6% of the sample ($N = 460$).

Procedure

In each country, random national samples of participants over eighteen years of age were selected. Slightly more females than males participated in each country (Cohn & White, 1997). Native speaking interviewers conducted face-to-face interviews in Europe in the spring and fall of 1995 (Cohn et al., 2000; Cohn & White, 1997). Participants were not compensated.

The original survey was developed in English by a multinational research team; the questionnaire was then translated into Bulgarian, Turkish, Catalan, French, Hungarian, Polish, Russian, and Spanish and back-translated into English by native speakers. The survey was revised and then pretested. The pretest data were then analyzed for skewness, missing responses, and internal reliability (Cohn et al., 2000).
CHAPTER III

RESULTS

Preliminary Analyses

Regional Differences

A multivariate MANOVA was conducted in order to determine if there were any differences between Eastern Europe and Western Europe in procedural justice, social fairness, lawfulness, justifiable behaviors, and satisfaction. Region was used as the independent variable and procedural justice, social fairness, lawfulness, justifiable behaviors, and satisfaction were used as dependent variables. The MANOVA was significant (Wilks' $\Lambda = .96$, $F(5, 1283) = 10.86$, $p < .001$, $\eta^2 = .04$). The means and standard deviations are presented in Table 1. Univariate between-subjects main effects revealed that Eastern Europe and Western Europe differed significantly on all measures but satisfaction with government officials.
Table 1. Means and standard deviations for Eastern Europe and Western Europe.

<table>
<thead>
<tr>
<th>Variables</th>
<th>Eastern Europe</th>
<th>Western Europe</th>
</tr>
</thead>
<tbody>
<tr>
<td>Procedural Justice</td>
<td>1.88 (1.43)(^b)</td>
<td>2.23 (1.55)(^a)</td>
</tr>
<tr>
<td>Social Fairness (Legal Legitimacy)</td>
<td>1.98 (.83)(^b)</td>
<td>2.17 (.78)(^a)</td>
</tr>
<tr>
<td>Lawfulness (Legal Legitimacy)</td>
<td>2.96 (.71)(^b)</td>
<td>3.07 (.71)(^a)</td>
</tr>
<tr>
<td>Justifiable Behaviors (Legal Cynicism)</td>
<td>.71 (.56)(^b)</td>
<td>.78 (.41)(^a)</td>
</tr>
<tr>
<td>Satisfaction</td>
<td>2.16 (.67)(^a)</td>
<td>2.19 (.66)(^a)</td>
</tr>
</tbody>
</table>

Note: Means in the same row with different superscripts are significantly different from each other at \(p < .05\) or better.

**Bivariate Relations**

Correlation analyses were conducted separately for the participants from Eastern European countries and the participants from Western European countries (see Table 2). In both Eastern and Western Europe, procedural justice was positively correlated with social fairness and justifiable behaviors. Lawfulness and social fairness were positively associated in each region, which is intuitive because both lawfulness and social fairness were intended to measure legal legitimacy. Justifiable behaviors was negatively correlated with social fairness and lawfulness in both Eastern and Western Europe. Finally, justifiable behaviors was positively associated with satisfaction in Eastern Europe.
Table 2. Bivariate correlations.

<table>
<thead>
<tr>
<th></th>
<th>Sex</th>
<th>Age</th>
<th>Education</th>
<th>Procedural Justice</th>
<th>Social Fairness</th>
<th>Lawfulness</th>
<th>Justifiable Behaviors</th>
<th>Satisfaction</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sex</td>
<td>--</td>
<td>.00</td>
<td>-0.01</td>
<td>0.04</td>
<td>-0.01</td>
<td>-0.03</td>
<td>.08**</td>
<td>-0.04</td>
</tr>
<tr>
<td>Age</td>
<td>0.01</td>
<td>--</td>
<td>-0.03</td>
<td>-0.01</td>
<td>-.16**</td>
<td>-0.02</td>
<td>-.12**</td>
<td>0.03</td>
</tr>
<tr>
<td>Education</td>
<td>0.02</td>
<td>-.14**</td>
<td>--</td>
<td>0.02</td>
<td>-0.03</td>
<td>-.14**</td>
<td>.18**</td>
<td>.13**</td>
</tr>
<tr>
<td>Procedural Justice</td>
<td>0.05</td>
<td>-0.02</td>
<td>.07**</td>
<td>--</td>
<td>.09**</td>
<td>-0.02</td>
<td>.15**</td>
<td>0.05</td>
</tr>
<tr>
<td>Social Fairness (Legal Legitimacy)</td>
<td>0.01</td>
<td>-.23**</td>
<td>.15**</td>
<td>.05*</td>
<td>--</td>
<td>.07**</td>
<td>-.27**</td>
<td>.20**</td>
</tr>
<tr>
<td>Lawfulness (Legal Legitimacy)</td>
<td>-.06*</td>
<td>.05*</td>
<td>-.10**</td>
<td>-0.03</td>
<td>.16**</td>
<td>--</td>
<td>-.07*</td>
<td>.09*</td>
</tr>
<tr>
<td>Justifiable Behaviors (Legal Cynicism)</td>
<td>0.01</td>
<td>-0.02</td>
<td>.06*</td>
<td>.22**</td>
<td>-.14**</td>
<td>-.21**</td>
<td>--</td>
<td>.38**</td>
</tr>
<tr>
<td>Satisfaction</td>
<td>-0.02</td>
<td>-.09**</td>
<td>-0.03</td>
<td>0.04</td>
<td>0.03</td>
<td>0.01</td>
<td>0.07</td>
<td>--</td>
</tr>
</tbody>
</table>

*p < .05; ** p < .01; *** p < .001
Note: Eastern Europe (n = 1617) above diagonal and Western Europe (n = 1537) below diagonal.

**Primary Analyses**

Results from the preliminary analyses suggested that there were significant differences between Eastern and Western Europe. Therefore, all subsequent analyses were conducted separately for participants from Eastern European countries and participants from Western European countries.

OLS multiple regression analyses were conducted according to the method presented by Baron and Kenny (1986) in order to test for mediation. According to Baron...
and Kenny (1986), when testing for mediation, it is first necessary to establish that the
independent variable (procedural justice in this study) predicts the outcome variable,
satisfaction with government officials (Model 1). In the original method, Baron and
Kenny (1986) noted that if this requirement is not met, then the mediators’ indirect effects
should not be examined. Later researchers argued that this requirement is unnecessarily
conservative and restrictive and that indirect effects can be estimated according to the
Baron and Kenny (1986) method even when there is no significant direct effect of the
predictor variables on the dependent variable (Hayes, 2009; MacKinnon, Lockwood, &
Williams, 2004; Williams & MacKinnon, 2008). Accordingly, the following analyses
estimated indirect effects according to the Baron and Kenny (1986) model even when
there were no significant direct effects.

Baron and Kenny’s (1986) second requirement was that the predictor variable
must also affect the mediating variables. Therefore, the effects of procedural justice on
social fairness (Model 2), lawfulness (Model 3), and justifiable behaviors (Model 4) were
tested. Finally, predictors and mediators are included in the same model and must predict
the dependent variable (Model 5). Sobel (1982) tests were also conducted in order to
examine if the indirect effects via the mediators were significant.

**Testing the Models**

The first step in establishing a mediating model was to test whether procedural
justice had significant direct effects on satisfaction with government officials (Model 1).
Procedural justice significantly predicted satisfaction in Western Europe ($F(4, 1532) =
4.15, p < .01, r^2 = .01$) but not in Eastern Europe. Next, the effects of procedural justice
on the mediators, social fairness (Model 2), lawfulness (Model 3), and justifiable behaviors (Model 4) were tested. In Eastern Europe, procedural justice predicted social fairness significantly ($F(4, 1612) = 16.75, p < .001, r^2 = .04$). No significant effects were found for lawfulness in either region. However, procedural justice significantly predicted justifiable behaviors in both regions though in opposite directions [Eastern Europe: $F(4, 1612) = 30.36, p < .001, r^2 = .07$; Western Europe: $F(4, 1532) = 8.69, p < .001, r^2 = .02$].

In Model 5 for Western Europe, the effect of procedural justice on satisfaction when controlling for age, education, sex, and justifiable behaviors was examined. Procedural justice predicted satisfaction ($\beta = .08, p < .01$) and the overall model was significant ($F(4, 1532) = 3.65, p < .01, r^2 = .01$). In Eastern Europe, both social fairness ($\beta = .09, p < .001$) and justifiable behaviors ($\beta = .21, p < .001$) were mediators between procedural justice and satisfaction, and the overall model was significant ($F(4, 1612) = 19.47, p < .001, r^2 = .07$). Results indicated that there was partial support for the alternative model in Eastern Europe and full support for the direct model in Western Europe (see Table 3).
Table 3. OLS regressions of Eastern European and Western European data

<table>
<thead>
<tr>
<th>Predictors</th>
<th>Outcome (Model 1)</th>
<th>(Legal Legitimacy)</th>
<th>(Legal Cynicism)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Satisfaction</td>
<td>Social Fairness</td>
<td>Lawfulness</td>
</tr>
<tr>
<td><strong>Western Europe</strong></td>
<td></td>
<td>(Model 2)</td>
<td>(Model 3)</td>
</tr>
<tr>
<td>Age</td>
<td>-.07**</td>
<td>-.21***</td>
<td>0.04</td>
</tr>
<tr>
<td>Education</td>
<td>-0.03</td>
<td>.12***</td>
<td>-.09***</td>
</tr>
<tr>
<td>Sex</td>
<td>-0.02</td>
<td>0.01</td>
<td>-.06*</td>
</tr>
<tr>
<td>Procedural Justice</td>
<td>.08**</td>
<td>0.05</td>
<td>0.05</td>
</tr>
<tr>
<td>Justifiable Behaviors</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>F</td>
<td>4.15**</td>
<td>27.55***</td>
<td>6.73***</td>
</tr>
<tr>
<td>Df</td>
<td>1536</td>
<td>1536</td>
<td>1536</td>
</tr>
<tr>
<td>r²</td>
<td>0.01</td>
<td>0.07</td>
<td>0.02</td>
</tr>
<tr>
<td><strong>Eastern Europe</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Age</td>
<td>0.02</td>
<td>-.16***</td>
<td>-0.03</td>
</tr>
<tr>
<td>Education</td>
<td>.09***</td>
<td>-0.04</td>
<td>-.14***</td>
</tr>
<tr>
<td>Sex</td>
<td>-0.03</td>
<td>-0.01</td>
<td>-0.03</td>
</tr>
<tr>
<td>Procedural Justice</td>
<td>0.02</td>
<td>.12***</td>
<td>0.01</td>
</tr>
<tr>
<td>Social Fairness</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Justifiable Behaviors</td>
<td>--</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>F</td>
<td>4.12**</td>
<td>16.75***</td>
<td>8.66***</td>
</tr>
<tr>
<td>Df</td>
<td>1616</td>
<td>1616</td>
<td>1616</td>
</tr>
<tr>
<td>r²</td>
<td>0.01</td>
<td>0.04</td>
<td>0.02</td>
</tr>
</tbody>
</table>

* p < .05; ** p < .01; *** p < .001
Figure 2. Alternative model supported in Eastern Europe

* $p < .05$; ** $p < .01$; *** $p < .001$

Note – Control variables were withheld from the figure to ease presentation.
Western Europe

Figure 3. Direct model supported in Western Europe

Sobel tests demonstrated that in Eastern Europe, procedural justice influenced scores on satisfaction via its effect on social fairness and justifiable behaviors indicating that both indirectly mediated the relation between procedural justice and satisfaction.

Table 4. Sobel tests of indirect paths across region

<table>
<thead>
<tr>
<th>Indirect Paths</th>
<th>z</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Eastern Europe</strong></td>
<td></td>
</tr>
<tr>
<td>Procedural Justice → Social Fairness → Satisfaction</td>
<td>3.73***</td>
</tr>
<tr>
<td>Procedural Justice → Lawfulness → Satisfaction</td>
<td>-0.56</td>
</tr>
<tr>
<td>Procedural Justice → Justifiable Behaviors → Satisfaction</td>
<td>-5.36***</td>
</tr>
<tr>
<td><strong>Western Europe</strong></td>
<td></td>
</tr>
<tr>
<td>Procedural Justice → Social Fairness → Satisfaction</td>
<td>-0.71</td>
</tr>
<tr>
<td>Procedural Justice → Lawfulness → Satisfaction</td>
<td>0.21</td>
</tr>
<tr>
<td>Procedural Justice → Justifiable Behaviors → Satisfaction</td>
<td>-1.55</td>
</tr>
</tbody>
</table>

*p < .05; ** p < .01; *** p < .001

Note – Control variables were withheld from the figure to ease presentation.
**Exploratory Analysis**

An adapted model was then tested in Eastern Europe. This model eliminated procedural justice and tested whether age, education, sex, social fairness, lawfulness, and justifiable behaviors predicted satisfaction. Social fairness, lawfulness, and justifiable behaviors were all significant predictors of satisfaction with government officials in Eastern Europe. With the exception of lawfulness functioning as a predictor, the results of this regression analysis were similar to those of Model 5, which included procedural justice in Eastern Europe.

*Table 5 - OLS regressions testing an adapted model in Eastern Europe*

<table>
<thead>
<tr>
<th>Predictors</th>
<th>Satisfaction</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Eastern Europe</strong></td>
<td></td>
</tr>
<tr>
<td>Age</td>
<td>0.03</td>
</tr>
<tr>
<td>Education</td>
<td>0.05</td>
</tr>
<tr>
<td>Sex</td>
<td>-0.04</td>
</tr>
<tr>
<td>(Legal Legitimacy) Social Fairness</td>
<td>.10***</td>
</tr>
<tr>
<td>Lawfulness</td>
<td>.05*</td>
</tr>
<tr>
<td>(Legal Cynicism) Justifiable Behaviors</td>
<td>.20***</td>
</tr>
<tr>
<td>$F$</td>
<td>20.25***</td>
</tr>
<tr>
<td>$df$</td>
<td>1616</td>
</tr>
<tr>
<td>$r^2$</td>
<td>0.07</td>
</tr>
</tbody>
</table>

*p < .05; ** p < .01; *** p < .001*
CHAPTER IV

DISCUSSION

Findings showed that legal legitimacy (through social fairness) and legal cynicism (through justifiable behaviors) mediated the relation between procedural justice and satisfaction with government officials in Eastern Europe. In Western Europe, procedural justice positively predicted satisfaction. This finding is consistent with the direct model; when people are treated fairly by legal authorities, they are more likely to be satisfied with government officials. Despite a positive correlation between procedural justice and legal cynicism (see Table 2), when controlling for age, education, and sex, procedural justice negatively predicted legal cynicism in Western Europe. This finding is consistent with the literature on the alternative model; people who are treated fairly by legal authorities are less likely to be cynical toward these authorities. However, legal cynicism was not a significant predictor of satisfaction in Model 5 for Western Europe.

In Eastern Europe, procedural justice positively predicted legal legitimacy as well as legal cynicism. Both legal legitimacy and legal cynicism mediated the relation between procedural justice and satisfaction with government officials, indicating support for the alternative model. Although it was expected that legal legitimacy would predict satisfaction, legal cynicism predicted satisfaction but in the opposite direction based on the alternative model literature (Fagan & Tyler, 2005; Piquero et al., 2005; Fagan & Piquero, 2007). These results indicated that in Eastern Europe, the higher one's cynicism
toward the law, the more likely one is to be satisfied with government officials, which may be due to the residual effects of communist governments.

In order to explore this finding further, an adapted model was created that tested whether legal legitimacy and legal cynicism predicted satisfaction without the influence of procedural justice. Findings from the exploratory analysis showed that social fairness, lawfulness, and justifiable behaviors were significant predictors. Taken together, the results from these regression analyses showed that the alternative model of procedural justice does not function in Eastern Europe the way that it does in the United States; procedural justice is not important in predicting satisfaction with government officials in Eastern Europe but legal cynicism is important. Although researchers based in the United States have found the alternative model to be empirically true, few studies have been conducted in formerly communist countries (Cohn et al., 2000; Fagan & Piquero, 2007; Fagan & Tyler, 2005; Piquero et al., 2005). It is therefore possible that the ideology of citizens living in new democracies that were formerly communist countries (i.e., Bulgaria and Hungary) is different than that of citizens living in longer-established democracies such as those in Western Europe and the United States.

Lending support to this assessment is a study of citizens in Ghana (Tankebe, 2009b), which tested the direct model of procedural justice and found that legal legitimacy was not related to procedural justice. Instead, results showed that satisfaction with and public cooperation with police were influenced by factors such as perceptions of police effectiveness in fighting crime; citizens of Ghana were more satisfied by the outcome than by the process (Tankebe, 2009b). These findings contradicted the direct
model of procedural justice (Paternoster et al., 1997; Reisig et al., 2007; Sunshine & Tyler, 2003; Tyler, 1988, 1990; Tyler & Huo, 2002). Tankebe (2009b) tested the direct model in Ghana by examining the social and political history of Ghana and its citizens' relationship with the police. He also emphasized the importance of cultural context noting that while the direct model may be empirically true in the Anglo-American world, the model is not empirically true in Ghana. Tankebe (2009b) stressed that it is crucial to consider the particular political and social experiences that shape a culture. One must not make assumptions about universal empirical truth.

A similar argument can be made regarding the results of the current study of four countries with various lengths of time as democratic nations. Just as the direct model did not function in Eastern Europe, which was contrary to the literature (Tyler, 1988), legal cynicism did not function as expected based on the alternative model literature (Fagan & Piquero, 2007; Fagan & Tyler, 2005; Piquero et al., 2005). If the countries were ordered from most recently democratic to least recently democratic (ranging from the 1980s to the 1790s), they would be listed in the following order: Bulgaria, Hungary, Spain, and France. At one extreme is Bulgaria where the communists were temporarily voted back into power after the end of the communist era; at the other extreme is France which has had a democratic government for centuries (Cohn & White, 1997). It is very likely that Eastern Europeans hold in their collective consciousness the actions of their recent communist governments, an interpretation supported by Kluegel et al. (1995). Because legal cynicism refers to negative attitudes toward the law and legal officials, relatively
recent historical events may influence legal cynicism and result in the effects seen in Eastern Europe.

The results of the current study also support the findings of both World Bank (2012) and Anderson and Gray (2007) who indicated that countries transitioning away from communist governments struggled with beliefs in rule of law and the honesty of the government as recently as 2008. Research has indicated that Western European countries tend to have better functioning legal systems than Eastern European countries due to the informality of Eastern systems and their proclivity for corruption (Dionisie & Checchi, 2008). Democracy to Eastern Europeans may therefore be a different experience than to Western Europeans due to past experiences with communist governments and the effects of corruption. Perhaps citizens of Eastern European countries have less faith in their governments than do citizens of Western European countries as a result of the specific political systems experienced by each region.

**Implications**

The current study makes a number of theoretical contributions to the understanding of both the alternative model of legal socialization and the direct procedural justice model. In terms of the direct model, the results in Western Europe replicate past findings. Previous research has shown that when government officials behaved in a procedurally fair manner, individuals were more satisfied with those officials (e.g., Tyler, 1988), which was a finding of the current study.

In terms of the alternative model, the results in Eastern Europe extend the research in several ways. First, although previous legal socialization studies have
examined social factors in conjunction with individual cognitive factors (Cohn & White, 1990), the results of the current study demonstrate the importance of social factors in the legal socialization process (Finckenauer, 1995; Grant, 2006).

Second, the current study indicates the need to expand the alternative model of legal socialization to include satisfaction with government officials. No previous studies exist which combine the alternative model and the direct model, but the present study suggests that such an approach may be warranted, particularly given that procedural justice is a theoretical link between rule-violating behavior and satisfaction with government officials (Fagan & Piquero, 2007; Fagan & Tyler, 2005; Piquero et al., 2005; Tyler, 1988).

Third, the present study demonstrates the importance of testing prevailing procedural justice models outside of the Anglo-American context. Few studies on either model have been conducted in countries outside of Great Britain and America. The present study is therefore an extension of previous research, and indicates the need to test these models in non Anglo-American countries in order to determine if the models are empirically true across cultural context.

Finally, the current study has implications for research about differences between Eastern and Western Europeans. Elaborating upon the work of Cohn et al. (2000), the present study tested Eastern and Western Europe separately in order to determine the extent to which the mediating paths between procedural justice and satisfaction with government officials differed as a function of region. Results suggest that the length of time that a country has a democratic government may influence the relation between
procedural justice and satisfaction. After the Eastern European countries have been established democracies for many years and the memories of communism fade with each passing generation, the direct procedural justice model may begin to function in Eastern Europe as it does in the West. Therefore, the current study indicates the importance of comparing East/West differences and further extends legal socialization research.

**Limitations and Future Directions**

The current study faced many limitations as a result of using secondary data. First, although the dataset contained information about seven countries, only four countries were used in the current study - two countries in each region. This was primarily due to differences in data collection methods, although one country was eliminated due to lack of variance on one of the measures. Future researchers interested in testing the direct model or the alternative model in Europe should include more countries in each region in order to test whether the findings of the current study can be generalized to all of Eastern and Western Europe.

Another reason to include more than four countries in future studies is that some countries in Eastern Europe have been more successful at establishing democracies than others (Anderson & Gray, 2007). It is therefore possible that by expanding the current study to include more countries in each region, the results will reflect quality of democracy. For example, an interesting comparison to make might be between Germany and Bulgaria. Although the German political past is not one of communism, research suggests that political experiences during and post-World War II may have lasting influences on German citizens’ perceptions of government (Kluegel et al., 1995).
However, in 2005, Germany ranked #1 on the World Bank’s assessments of the courts as honest (Anderson & Gray, 2007). This ranking suggests that the quality of democracy in Germany is quite high and that German efforts at post-WWII nation building were very successful. Therefore, it would be beneficial to incorporate more countries with sordid political histories in order to examine their efforts at nation building and the quality of modern democracy in such countries.

After the availability of data on only four countries, the most serious limitation of the current study was the lack of specific variables purported to measure two necessary constructs: legal legitimacy and legal cynicism. In order to operationalize legitimacy and cynicism, variables were used to approximate the constructs. Questions measuring citizens’ beliefs about justifiable behaviors were used as measures of legal cynicism. The behaviors had negative connotations (e.g., not paying all one’s taxes, buying something a person knows was stolen), which might be evidence of legal cynicism. However, the questions explicitly asked participants if these particular behaviors could ever be justified. Legal cynicism is a measure of general attitude, not necessarily a situational factor. It is entirely possible that someone may not be cynical, even though he or she could, at some point in life, justify buying stolen property or not paying all of his or her taxes. Justifiable behaviors and legal cynicism are therefore not necessarily equivalent.

Legal legitimacy was also approximated by variables in the dataset. The variable lawfulness was created by averaging six items designed to measure rule of law. Rule of law is a concept that pertains to citizens’ belief that every citizen (as well as the government) is subject to obedience of the law (Cohn & White, 1997). In contrast, legal
legitimacy should measure the extent to which citizens believe that the law is proper and appropriate (Johnson et al., 2006). Tyler (2004) explained legitimacy in the context of policing as "the belief that the police are entitled to call upon the public to follow the law and help combat crime and that members of the public have an obligation to engage in cooperative behaviors" (p. 86-87). Although rule of law and legitimacy are quite similar, they are not exact and thus measure slightly different attitudes. Lawfulness was therefore not an exact measure of legal legitimacy in the current study. Similarly, legal legitimacy was also approximated by items measuring social fairness. Such items (e.g. "It makes sense to follow laws because most people do") may not measure whether participants believe that the law is proper and appropriate. Rather, the items measure whether the laws are fair - or perhaps even an individual's personal reasons for obeying the law - regardless of the laws' propriety and appropriateness.

Third, the questions used to measure lawfulness and those used to measure justifiable behaviors may have tested overlapping concepts. For example, one of the items measuring lawfulness was "If you do not agree with a law, it is not alright to break it." This item examined similar concepts to several of the items used to measure justifiable behaviors, such as the questions asking participants if it was acceptable to "not pay all of one's taxes" and "to buy something a person knows was stolen." Although it is possible that legal legitimacy and legal cynicism are two distinct constructs, they may also be opposite ends of one spectrum. These measurement issues might affect whether the alternative model of legal socialization was actually tested in the current study and
certainly illustrate the need for future studies to use items explicitly designed to measure the necessary constructs.

Fourth, due to the use of secondary data, the legitimacy of law in the current study was institutional legitimacy rather than the legitimacy of an individual level authority. That is, participants were asked to evaluate the legitimacy of institutions such as “the law” and “the government.” In contrast, much research on legal legitimacy has focused on individuals’ beliefs about the legitimacy of specific legal authorities such as the police and court systems (Gibson & Bingham, 1985; Sunshine & Tyler, 2003; Tyler, 2004). Future researchers should focus on legitimacy of legal authorities rather than legitimacy of legal institutions in order to be more consistent with the procedural justice literature.

Researchers interested in examining the alternative model of procedural justice (Fagan & Piquero, 2007; Fagan & Tyler, 2005; Piquero et al., 2005) or in combining this model with the direct model (Tyler, 1988) should use variables explicitly designed to measure the necessary constructs. Future research is also necessary in order to determine the extent to which differences in legal perceptions exist between Eastern and Western Europe. The current study revealed that differences may exist by region particularly in legal cynicism and satisfaction with government officials. However, the low variance explained by Model 5 in both Eastern and Western Europe suggests that an important though unknown variable was omitted from the model. Contact with the justice system is a possible factor that might affect one’s satisfaction with government. Because the alternative model tests rule-violating behavior rather than satisfaction with government officials, it might be valuable to incorporate RVB into Model 5 in order to examine
whether RVB has a mediating effect on satisfaction and whether this addition helps explain more of the variance. Future researchers interested in combining the alternative model and the direct model could develop a new model that includes RVB.

Several other variables might help explain the unexpected positive relation between legal cynicism and satisfaction in Eastern Europe. Examples include: rights consciousness, or the extent to which citizens believe that they have certain individual and political rights; dogmatism, or how firmly people adhere to religious and political beliefs; perceptions of government corruption, or the extent to which people believe the government in their country behaves immorally; and perceptions of the efficiency of government, or people's judgments about how quickly and successfully bureaucracy functions (Cohn & White, 1997). Incorporating some of all of these variables might better explain the relation between legal cynicism and satisfaction in Eastern Europe while accounting for more of the models' variance.

**Conclusion**

Governments of transition countries in Eastern Europe have been making extensive efforts in recent years to increase institutional transparency, protect whistleblowers, and decrease corruption (Dionisie & Checchi, 2008). Subsequent research with a more recent dataset may reveal decreased legal cynicism in Eastern Europe, perhaps leading to overall findings that are more representative of the procedural justice literature. Results of the current study indicated that legal legitimacy (measured by social fairness) and legal cynicism (measured by justifiable behaviors) partially mediated between procedural justice and satisfaction with government officials in Eastern
Europe. The effect of legal cynicism was not in the expected direction based upon procedural justice literature, and these results stand in stark contrast to those of Western Europe, which supported the direct model. However, Tankebe (2009b) is right to caution researchers who apply Anglo-American procedural justice findings to cultures outside of this context. The political and social experiences of Eastern Europeans differ widely from those of Western Europeans, the British, and Americans, and further research is needed in order to determine the extent to which direct comparisons between these regions should be made. Perhaps, as Tankebe (2009b) argues, prevailing research on procedural justice is best applied in the Anglo-American context.
LIST OF REFERENCES


## APPENDIX A

## SURVEY ITEMS

### Demographics

#### Education

<table>
<thead>
<tr>
<th>France</th>
<th>Spain</th>
<th>Bulgaria</th>
<th>Hungary</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Primary</td>
<td>1. Less than primary</td>
<td>1. No formal education</td>
<td>1. No education</td>
</tr>
<tr>
<td>2. Technical or commercial</td>
<td>2. Primary - E.G.B.</td>
<td>2. Not completed elementary</td>
<td>2. Less than 8 classes</td>
</tr>
<tr>
<td>3. Secondary</td>
<td>3. Batxillerat Elemental</td>
<td>3. Primary, up to 4th year</td>
<td>3. 8 classes</td>
</tr>
<tr>
<td>5. Higher - Grand École</td>
<td>5. F.P. 1-2</td>
<td>5. Primary, up to 8th year</td>
<td>5. Completed secondary</td>
</tr>
<tr>
<td>6. Mitgans - Peritatges</td>
<td></td>
<td>6. Not completed secondary, grammar school, or vocational school</td>
<td>6. 8 class + vocational</td>
</tr>
<tr>
<td>7. University - Superior</td>
<td></td>
<td>7. secondary, grammar school</td>
<td>7. Secondary + vocational</td>
</tr>
<tr>
<td>8. Formacio Especial</td>
<td>8. secondary specialized, vocational school</td>
<td></td>
<td>8. Some high school</td>
</tr>
<tr>
<td>10. College</td>
<td></td>
<td>10. Graduate degree</td>
<td></td>
</tr>
<tr>
<td>11. Not completed higher</td>
<td></td>
<td>11. Not completed higher</td>
<td></td>
</tr>
</tbody>
</table>

#### Age

What year were you born?
**Sex**

<table>
<thead>
<tr>
<th>Gender of Respondent</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Male</td>
</tr>
<tr>
<td>2. Female</td>
</tr>
</tbody>
</table>

**Procedural Justice**

Imagine you had an encounter with someone in a government office. When you think about such an encounter, how important to you are the following factors:

<table>
<thead>
<tr>
<th></th>
<th>Not very important</th>
<th>Somewhat important</th>
<th>Neutral</th>
<th>Fairly important</th>
<th>Very important</th>
</tr>
</thead>
<tbody>
<tr>
<td>To have the person at the office listen to my story</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>to have the person explain his/ her decision</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>to have the person treat me with respect</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>to have the person treat me the same as he/she treats other people</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
</tbody>
</table>

**Legitimacy**

**Social fairness**

Please rate your agreement to the following statements:

<table>
<thead>
<tr>
<th>Statement</th>
<th>Agree strongly</th>
<th>Agree</th>
<th>Uncertain /don’t know</th>
<th>Disagree</th>
<th>Disagree strongly</th>
</tr>
</thead>
<tbody>
<tr>
<td>A fair law is one that protects both the strong and the weak.</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>A fair law is one that has everyone’s agreement.</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>Avoiding punishment should be a big reason for following laws.</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>It makes sense to follow laws because most people do.</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
</tbody>
</table>
### Lawfulness

<table>
<thead>
<tr>
<th>Please rate your agreement to the following statements:</th>
<th>Agree strongly</th>
<th>Agree</th>
<th>Uncertain/don't know</th>
<th>Disagree</th>
<th>Disagree strongly</th>
</tr>
</thead>
<tbody>
<tr>
<td>The government should have some ability to bend the law in order to solve pressing social and political problems. (reverse scaled)</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>The government should always have to respect the rights and property of each person, even when the government is fighting crime.</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>It is not necessary to obey a law you consider unjust. (reverse scaled)</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>Sometimes it might be better to ignore the law and solve problems immediately rather than wait for a legal solution. (reverse scaled)</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>If you don't agree with a law, it is alright to break it. (reverse scaled)</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>It's all right to get around the law as long as you don't actually break it. (reverse scaled)</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
</tbody>
</table>

### Legal Cynicism

<table>
<thead>
<tr>
<th>Please rate the extent to which you believe these behaviors are justifiable:</th>
<th>Never be justified</th>
<th>Sometimes be justified</th>
<th>Frequently be justified</th>
<th>Always be justified</th>
</tr>
</thead>
<tbody>
<tr>
<td>Claiming state benefits that one is not entitled to</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
<tr>
<td>Not paying all one's taxes</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
<tr>
<td>Buying something a person knows was stolen</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
<tr>
<td>Someone accepting a bribe in the course of their duties</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
<tr>
<td>Using the company's equipment or supplies for work outside the company</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
</tr>
</tbody>
</table>
**Satisfaction**

We are interested in discussing a number of experiences you may have had with government agencies and authorities and legal systems in the last two years. Have you had personal experience with government or legal authorities in connection with:

<table>
<thead>
<tr>
<th>Experience</th>
<th>Yes</th>
<th>No</th>
<th>Very satisfied</th>
<th>Somewhat satisfied</th>
<th>Not very satisfied</th>
</tr>
</thead>
<tbody>
<tr>
<td>Trying to get help from a tax office</td>
<td>1</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Were you satisfied with the ways things worked out?</td>
<td></td>
<td></td>
<td>3</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Trying to get unemployment compensation</td>
<td>1</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Were you satisfied with the ways things worked out?</td>
<td></td>
<td></td>
<td>3</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Trying to get retraining for new or better jobs</td>
<td>1</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Were you satisfied with the ways things worked out?</td>
<td></td>
<td></td>
<td>3</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Trying to get public assistance for yourself and/or for your family</td>
<td>1</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Were you satisfied with the ways things worked out?</td>
<td></td>
<td></td>
<td>3</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Trying to get a divorce</td>
<td>1</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Were you satisfied with the ways things worked out?</td>
<td></td>
<td></td>
<td>3</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Going to court regarding a law suit</td>
<td>1</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Were you satisfied with the ways things worked out?</td>
<td></td>
<td></td>
<td>3</td>
<td>2</td>
<td>1</td>
</tr>
</tbody>
</table>
APPENDIX B

INSTITUTIONAL REVIEW BOARD APPROVAL

University of New Hampshire

Research Integrity Services, Service Building
51 College Road, Durham, NH 03824-3585
Fax: 603-862-3564

06-Dec-2011

Phelan, Lindsey
Justice Studies, Huddleston Hall
P.O. Box 83
Center Strafford, NH 03815

IRB #: 5326
Study: Legitimacy, Legal Cynicism, and Rule-Violating Behavior
Approval Date: 06-Dec-2011

The Institutional Review Board for the Protection of Human Subjects in Research (IRB) has reviewed and approved the protocol for your study as Exempt as described in Title 45, Code of Federal Regulations (CFR), Part 46, Subsection 101(b). Approval is granted to conduct your study as described in your protocol.

Researchers who conduct studies involving human subjects have responsibilities as outlined in the attached document, Responsibilities of Directors of Research Studies Involving Human Subjects. (This document is also available at http://unh.edu/research/irb-application-resources.) Please read this document carefully before commencing your work involving human subjects.

Upon completion of your study, please complete the enclosed Exempt Study Final Report form and return it to this office along with a report of your findings.

If you have questions or concerns about your study or this approval, please feel free to contact me at 603-862-2003 or Julie.simpson@unh.edu. Please refer to the IRB # above in all correspondence related to this study. The IRB wishes you success with your research.

For the IRB,

Julie F. Simpson
Director

cc: Flie
Cohn, Ellen