

Who Shields the Guardian: Does Trust in the Judiciary Constrain Court Curbing?

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Courts are often described as the guardians of democracy (Prendergast, 2019; Vanberg, 2005; see Boese et al., 2021). However, with the rise of populism, these guardians have become targets in need of protection. Once in power, populists frequently dismantle the independent judiciary (Müller, 2016; Scheppele, 2019; Voßkuhle, 2023). The prevailing notion is that the fear of a public backlash prevents governments from undermining judicial independence (Krehbiel, 2021; Staton, 2010; Vanberg, 2001). However, we lack empirical evidence across countries and over time to support this assertion, as well as the claim that populists in office attack judicial independence. This research note examines whether populists in power attack the judiciary more frequently across 40 countries and over a span of 20 years, and whether high public trust in the judiciary reduces the likelihood of such attacks.

Populism is characterized by a belief in popular sovereignty without constraints, viewing any actor that obstructs the people’s right to power as an enemy (Abts & Rummens,

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2007; Mazzoleni & Voerman, 2020; Mudde, 2004; Mudde & Rovira Kaltwasser, 2012). If the guardians of democracy are now in the crossfire of populist governments, the question arises: who can shield the guardian against attacks? Such attacks can, for example, take the form of replacing judges (court purging) or adding friendly judges (court packing) (Arato, 2019; Huq & Ginsburg, 2018). According to conventional wisdom, an independent judiciary should be protected by public support. The common notion is that citizens who value the judiciary as an independent arbiter will defend it in elections if it is under political threat (Krehbiel, 2021; Staton, 2010; Vanberg, 2001). If this is true, the likelihood of court curbing should decrease with higher public trust in the judiciary.

Anecdotal evidence shows that once populists come into power, they translate their beliefs into attacks on the judiciary. In Hungary, Orbán undermined judicial independence by replacing judges and changing the Constitutional Court’s jurisdiction (Aydin-Cakir, 2023). In Ecuador, the populist administration under President Moreno pressured judges to make decisions in their favor (Human Rights Watch, 20.04.2018). In Poland, the PiS government forced the retirement of judges who were not co-partisans (Sadurski, 2019). To the best of our knowledge, only Bartels et al. (2023) has analyzed whether public support for democracy protects the judiciary from backlash. Their Kenyan case study found no effect for this mechanism. However, research on both the attacks on the judiciary by populists and the potential protection provided by public support has predominantly focused on single-country studies (see Aydin-Cakir, 2023; Bartels et al., 2023; Granata-Menghini, 2022; Magalhães & Garoupa, 2023; Mudde, 2021). To generalize these findings, we need cross-country comparisons on the impact of populists in office on the judiciary.

We use a dataset including 40 European and Latin American countries to test these arguments. We constructed the dataset combining data from V-Dem (Coppedge, Gerring, et al., 2022), V-Party (Lindberg et al., 2022), Euro- and Latinobarometer (Corporación Latinobarómetro, 2023; European Commission, 2022) and a paper by Ruth-Lovell &

Grahn (2023). Our results show that the danger of attacks on the judiciary, court packing and court purges rises significantly if populists are in power. However, we do not find any evidence that an increase in trust in the judiciary decreases the likelihood of court purges or packing, neither under populist nor non-populist governments.

The Rise of Populism and Why it Threatens the Independent Judiciary

Data shows independent judiciaries increasingly find themselves under threat in Europe and North America (Coppedge, Gerring, et al., 2022, appendix Figure 2). This trend is frequently attributed to the rise of populism (Arato, 2019; Müller, 2016; Schäfer & Zürn, 2021; Scheppele, 2019). We frequently observe that populists around the world undermine judicial power once they are in government. The populist Kirchner government in Argentina tried to push a senior judge out of the court (Scribner, 2017). Trump attacked federal judges while in office and established a Republican majority in the Supreme Court (Christine L. Nemacheck, 2022; Goldhaber, 2024). Additionally, a similar picture arises for Hungary (Aydin-Cakir, 2023), Poland (Sadurski, 2019), and Ecuador (Human Rights Watch, 20.04.2018) as described in the introduction.

However, we do not observe such a pattern in every case of governments with populist participation. While SYRIZA was in government between 2015 and 2019, judicial independence did not significantly decrease. Indeed, their constitutional reform proposal even included the implementation of a Supreme Court to strengthen the rule of law (Lorencka & Aravantinou Leonidi, 2019).

So far, most cross-country studies have investigated the effect of populists in power on democratic quality more generally, with judicial independence as a part of an index (Huber & Schimpf, 2017; Juon & Bochsler, 2020; Ruth-Lovell & Grahn, 2023).

Their results paint a similar picture: Populists in power decrease the quality of liberal democracy.

The predominant findings that populists in power have a negative effect on democratic quality is in line with the ideational approach to populism. According to the widely used approach, populism is defined as a thin-centered ideology (Mudde, 2004). The populist ideology builds on the belief in a homogeneous people that is morally good and capable to govern itself. In contrast, elites are depicted as the enemy of the morally good people (Mudde, 2004). The populist vision of a democracy governed by majority rule directly challenges the system of checks and balances integral to liberal democracies (Abts & Rummens, 2007; Canovan, 1999; Mény & Surel, 2002).

The judiciary is tasked with safeguarding citizens from governmental abuses of power, as well as shielding minorities from potential tyranny by the majority (Rogers & Ura, 2020; Stephenson, 2004; Stone Sweet, 2002; Whittington, 2010). By independently interpreting and applying the law, the judiciary acts as a check on the executive and legislative branches. Thus, the judiciary, in particular constitutional courts, are often regarded as the guardians of democracy (Ferejohn et al., 2009; Prendergast, 2019; Vanberg, 2005).

Given the judiciary’s pivotal role as a check on the executive, the weakening of judicial power is often one of the first steps in the process of democratic backsliding (Ginsburg, 2018; Khaitan, 2019; Satrio, 2018). A judiciary that is either captured or weakened has less options, or inclination, to stop subsequent attempts to erode democracy. Governments have a whole range of options to target the independent judiciary. They can attack either the court’s composition, or its jurisdiction. We focus on the former case: By replacing (purging) or adding friendly judges (packing) governments can capture a court (Arato, 2019; Huq & Ginsburg, 2018). We expect that this is more frequently the case if populists are in power.

If a government lacks the majority to undermine judicial independence, it can still

use words as weapons to set the stage for future court-curbing measures. Courts rely heavily on their perceived legitimacy among the public, making them vulnerable to political attacks that portray them as biased, corrupt, or incompetent (Aydin-Cakir, 2023; Coppedge, John Gerring, et al., 2022).

Hypothesis 1: Populist in power increase the likelihood that court packing or court purging takes place.

Hypothesis 2: Populist in power increase the likelihood that verbal attacks on the judiciary take place.

Who guards the guardian?

If populists attack the guardians of democracy, one must wonder whether anyone or anything shields the guardian from such threats. Scholars are increasingly interested in what makes democracies resilient against backsliding (Boese et al., 2021; de La Torre & Peruzzotti, 2018; Laebens & Lührmann, 2021; Merkel & Lührmann, 2021). Most studies agree that an organized and active resistance against autocratization among citizens is crucial to avert the erosion of democratic institutions, such as the judiciary (Druckman, 2023; Laebens & Lührmann, 2021; Lührmann, 2021).

This notion is also prevalent in the literature on judicial independence. Citizens are often regarded as the shield of the independent judiciary (see Vanberg, 2015). While being a crucial democratic institution, the judiciary is also inherently weak. To unfold its power, the judiciary needs support among the public (Bühlmann & Kunz, 2011; Staton, 2006; Vanberg, 2001). Particularly high courts have neither the power of the “purse” nor the “sword”. Still, they have to take decisions against the preferences of the majority and the executive (Gibson et al., 1998). One common explanation as to why governments respect judicial independence, despite the possibility to simply ignore the judiciary, is the fear of a public backlash (Krehbiel, 2021; Vanberg, 2001, 2005). This

idea has been developed primarily in the realm of judicial review. The notion is that if citizens support and trust the judiciary, they will defend the institution in upcoming elections by voting for a different party (Gibson et al., 1998; Krehbiel, 2021; Staton, 2006, 2010; Vanberg, 2001, 2005).

The notion that public support shields the judiciary has been under empirical scrutiny. Recent research examines the willingness of citizens to translate high support for democratic norms into action at the ballot box if incumbents behave undemocratic. The evidence from these studies is mixed. Some studies imply that voters are not willing to punish attacks on judicial independence if the partisan or policy costs are too high (Bartels & Johnston, 2020; Driscoll & Nelson, 2023; Graham & Svolik, 2020; Jacob, 2024; Lewandowsky & Jankowski, 2023; Svolik, 2020; Wunsch & Gessler, 2023). Instead support for (horizontal) judicial power depends on whether their preferred party is in power (Bartels & Kramon, 2020). If the incumbent is a co-partisan, support for horizontal judicial power decreases. Likewise, Bartels et al. (2023) find that support for the judiciary depends on whether judicial decisions are made in one's own interest. But, the evidence is not unilateral. Other studies find that candidates who attack the independent judiciary receive a lower vote share (Engst & Gschwend, 2023). Saikkonen & Christensen (2023) find that this is the case, even if the candidate represents the respondent's preferred policy positions on a contentious topic. Krehbiel (2021) further shows that voters did punish non-compliance with judicial review in a cross-country study of 74 states. Still, we lack data beyond Western democracies that compares the effect of citizens attitudes on court-curbing.

If public trust in the judiciary acts as a shield, then we should observe fewer attacks on the judiciary as public trust increases. Governments concerned about potential backlash would view each citizen who trusts the judiciary as a potential adversary likely to punish the government for undermining judicial independence. Consequently, we expect that attacks on the judiciary, including court-packing, purging, and verbal attacks, will occur less frequently when trust in the judiciary is high.

Hypothesis 3: With increasing trust in the judiciary, the likelihood of court packing or court purging decreases.

Hypothesis 4: With increasing trust in the judiciary, the likelihood of verbal attacks on the judiciary decreases.

Research Design

Data & Models

To test our hypotheses, we created a new dataset based on data from V-Dem (Coppedge, Gerring, et al., 2022), V-Party (Lindberg et al., 2022), Euro- and Latinobarometer (Corporación Latinobarómetro, 2023; European Commission, 2022), and a paper by Ruth-Lovell & Grahn (2023). The data entails observations from 40 countries in Europe and Latin America between 1998 and 2020.¹ Overall, our analysis includes 746 country-year observations. Populist were in power in 112 of these cases.

To test our hypotheses, we employ multiple country fixed-effects models to account for country-specific differences. Additionally, we address heterogeneity in the time-series data by using heteroskedasticity-consistent standard errors (Hayes & Cai, 2007). Our main analysis includes two models, one on court packing and purges, the other on verbal attacks on the judiciary.²

¹Because of missing data, the exact time-frame varies between countries (see appendix Table 3).

²We run multiple robustness checks. To ensure the validity of our findings despite the possible heterogeneity in the time-series data we also run random-intercept models (see appendix, Table 8). We also include a robustness check with different imputations/no imputation of the trust variable (see operationalization, see appendix from Table 9). We further test some alternative explanations: If populists want to undermine judicial independence, higher trust might only have an effect under non-populist governments. We test this with interaction effects (appendix, ?@tbl-results-appendix). Whether attacks on judicial independence occur more often once such attacks have started (once the dam has broken, a government might not fear a backlash anymore - see appendix Table 5). Lastly, we test whether the level of judicial independence has an effect on the likelihood of attacks on the judiciary (see appendix from Table 12).

Operationalization

To test our hypotheses we use two different dependent variables. For hypotheses I and III our dependent variable indicates whether a country has experienced politically motivated changes in court compositions. The V-Dem dataset collects this information building on aggregated expert judgements. The two variables of interest are on judicial purges³ and court packing⁴ which indicate whether there was a “massive” or “limited, politically motivated increase in the number of judgeships” (Coppedge, John Gerring, et al., 2022, p. 163), or “removal of judges” (Coppedge, John Gerring, et al., 2022, p. 164).⁵ The expert assessment is converted from an ordinal to an interval scale, thus the variables are continuous on a scale from -5 to 5 (Coppedge et al., 2024). We combine the variables on packing and purges into one variable **Court Purges & Packing**, by choosing the score that indicates more political interventions (see appendix Figure 3). The higher this value, the more often court purging and packing took place according to the experts.

For hypothesis II and IV, we use V-Dem’s variable on government **Attacks on the Judiciary**. The variable indicates whether governments frequently verbally attack the judiciary, for example through “claims that it is corrupt, incompetent or that decisions were politically motivated” (**vdemcodebook2022?**).⁶

Our first explanatory variable whether a government was **Populist** builds on data from Ruth-Lovell & Grahn (2023) who combined the PopuList (Rooduijn et al., 2019), data from Huber & Schimpf (2017), and their own coding. We have expanded the dataset for the years 2019 and 2020. The variable is binary with 1 indicating that the head of government is populist, otherwise the variable is 0.

³v2jupurg_ord in the original dataset.

⁴v2jupack_ord in the original dataset.

⁵See the appendix for robustness tests with different operationalizations of the variable.

⁶v2jupoatck in the original dataset.

The second explanatory variable on **Trust** in the judiciary is aggregated from the Latinobarometer (Corporación Latinobarómetro, 2023) and the Eurobarometer (European Commission, 2022). From the survey data, we calculated a variable that indicates what percentage of respondents in the respective year trusted the judiciary in their country.⁷ Both, Latino- and Eurobarometer, include some years with missing observations. In these cases we have imputed data. Our imputation mechanism assumes that trust has developed linearly throughout the missing observations.⁸ In the main model, we use the last three years' mean for this variable ($\text{Trust}_{t-1,-2,-3}$).⁹

We control for several factors: Whether governments undermine the judiciary could be affected by their legal possibilities to do so. We include an **Executive Power** index build with the Comparative Constitutions dataset that measures the power of the executive within a country (Elkins et al., 2012, 2021). Since executive aggrandizement is more likely to occur in a presidential system (Voigt, 2021), we include a dummy on **Presidential Systems** in our models. In a similar vein, we control for the share of **Surplus Seats** a government has since it is easier to find the necessary majority for such drastic attacks on the judiciary if a government has more seats. Governing in a **Coalition** can moderate the possibility to undermine the judiciary, since multiple parties need to agree. Both variables were built based on data from the V-Party dataset (Lührmann et al., 2020). Further, we include the average GDP growth from the last three years based on World Bank data (Arel-Bundock, 2020).

⁷While the Eurobarometer only includes two possible answers, *trust* or *do not trust*, the Latinobarometer includes four categories “A lot”, “Some”, “Little” and “No trust” (Corporación Latinobarómetro, 2023). To ensure comparability between the Euro- and Latinobarometer, we have recoded the variable into a binary variable that codes people who trust the judiciary *a lot* or *some* as trusting the judiciary. We run a robustness check in which only respondents who trust the judiciary *a lot* are included in the share of people who trust the court. Since the regression models include country fixed-effects, differences in the coding between the continents should not lead to wrong estimates as only the within country variance of the variable is used.

⁸See the appendix for robustness checks with other operationalizations of the trust variable (see Table 10 and Table 9).

⁹See the appendix for robustness checks with different lags (see Table 9 and Table 10).

Results

In this section, we present the results of our analyses. First, we show descriptively how often attacks on the judiciary occur and test whether attacks are more frequent under populist rule than under non-populist governments. We then use multivariate analysis to test all four hypotheses of this research note.

Descriptive analysis

Figure 1 shows the frequency of court curbing and packing as well as oral attacks per year on the judiciary, comparing populist and non-populist governments. The results show that populist governments tend to use court curbs more often than non-populist governments. On average, court curbing is more frequent under populist rule (0.15 on the V-Dem interval-point scale) than under non-populist governments (-0.91 on the V-Dem interval-point scale). This difference is significant ($p < 0.01$) in a one-tailed t-test. These results provide descriptive support for the first hypothesis. The graphic also suggests that populist governments tend to attack and replace the judiciary more often than non-populist governments. On average, oral attacks on the judiciary are less likely under non-populist rule (0.63 on the V-Dem interval-point scale) than under populist rule (0.84 on the V-Dem interval-point scale). Again, this difference is significant ($p < 0.01$) in a one-sided t-test. The descriptive results also are in line the second hypothesis since they show that populist parties tend to orally attack the judiciary more often compared to non-populist governments.

Regression analysis

The findings from our multivariate regression models corroborate the initial hypothesis that instances of court packing and judicial purges are more prevalent under populist governments (see Table 1, model 1). The same is the case with regard to attacks on the judiciary (see Table 1, model 2). Both models are run using robust standard errors. For both dependent variables, the coefficient associated with populism is positive and

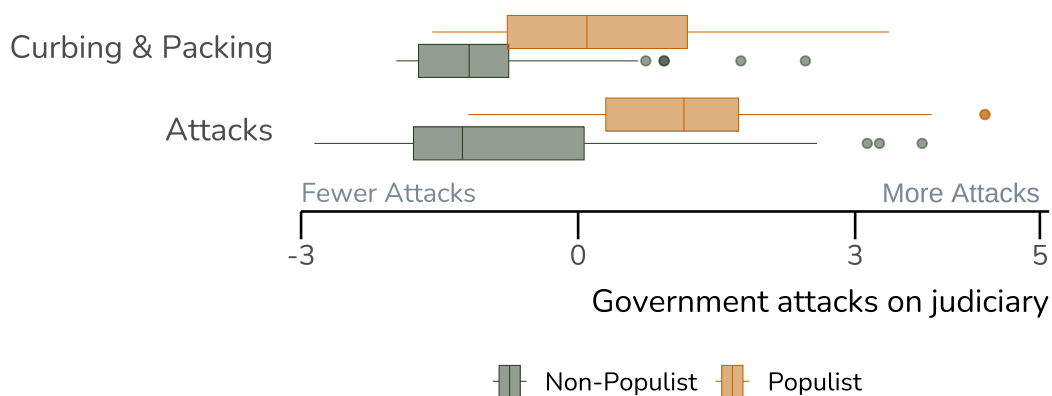


Figure 1: Expert assesment of court curbing & packing or verbal attacks on the judiciary under populist and non-populist rule. Interval-point scale from Coppedge, Gerring, et al. (2022), see also Coppedge et al. (2024). Whiskers represent $1.5 \times \text{IQR}$.

significant across all models. These results reinforce the prevailing notion that populists in government undermine judicial independence and are thus in line with our first and second hypotheses.

However, our results raise doubts whether the public's attitudes toward the court act as a shield for the judiciary. The analysis indicates that an increase in citizens who trust the judiciary does not reduce the likelihood of court packing and purges, nor of attacks on the judiciary as stated in hypotheses 3 and 4. In none of our models do we find evidence that an increase of trust within a country decreases the likelihood of court purges or packing. Our model shows a significant positive effect of higher trust what implies that court purges and packing become even more likely when trust is high (see Table 1, model 1). However, the significance of the coefficient is not robust across different operationalizations of the variable (see appendix Table 9). In all of the models we calculated, trust does not decrease the likelihood of court purges and packing. Overall, our results indicate no reliable effect of trust on court packing and purging. In addition, we find no significant effect of trust affecting attacks on the judiciary. All our models show that higher trust among the public does not decrease attacks on the

Table 1: OLS Regression Models

	Court Purges & Packing	Attacks on Judiciary
Trust $\bar{t}_{-1,-2,-3}$	0.748*	0.430
	[0.174, 1.321]	[-0.447, 1.308]
Populist	0.611***	1.010***
	[0.405, 0.817]	[0.740, 1.280]
Surplus Seats	0.061	-0.105+
	[-0.032, 0.154]	[-0.218, 0.007]
Executive Power	0.062	0.163*
	[-0.141, 0.265]	[0.004, 0.322]
Presidential System	1.356***	3.491***
	[0.744, 1.968]	[2.779, 4.202]
GDP	-1.625*	-1.544+
	[-2.964, -0.285]	[-3.339, 0.252]
Democracy Age	0.000	0.004
	[-0.005, 0.004]	[-0.004, 0.011]
Coalition Gov.	-0.107	-0.259*
	[-0.258, 0.044]	[-0.459, -0.060]
Country FE	Yes	Yes
Num.Obs.	746	746
R2	0.818	0.819
R2 Adj.	0.806	0.807
AIC		2301.0
BIC		2522.5
RMSE		1.06

+p < 0.1; *p < 0.05; **p > 0.01; ***p < 0.001

judiciary (Table 1, model 3, see appendix Figure 13 and Figure 14).

Discussion & Conclusion

According to the literature populists endanger courts (Arato, 2019; Müller, 2016; Scheppele, 2019; Voßkuhle, 2023) which are often perceived as the guardians of democracy (Albertazzi & Mueller, 2013; Boese et al., 2021; Prendergast, 2019; Vanberg, 2005). However, research so far did not analyze this phenomenon on a large scale across multiple countries and for a long time period. In this article, we show that populists in government are indeed a danger to judicial independence, as depicted in many recent writings (Arato, 2019; Müller, 2016; Scheppele, 2019). Our findings corroborate for a large dataset, including 40 countries across multiple years, what scholars previously found in in-depth single country case studies: Populists attack the judiciary verbally and undermine its independence by changing court compositions (Aydin-Cakir, 2023; de La Torre & de Lara, 2020; de La Torre & Peruzzotti, 2018; Mazzoleni & Voerman, 2020; Rogenhofer & Panievsky, 2020; Scribner, 2017; for case studies see Hoffmann & Gárdos-Orosz, 2022). Furthermore, we tested whether the common assumption that high public support could be a shield for the guardian that preventing packing, purging and attacks of courts (Krehbiel, 2021; Staton, 2006; Vanberg, 2001). However, we do not find that higher public trust in the judiciary has a negative effect on either court packing and purging or attacks on the courts. Thus, we find no empirical support for the common assumption in the literature that public trust can protect courts.

Our findings contribute to the ongoing debate on democratic backsliding with a focus on the erosion of judicial independence. By looking at 40 states across Europe and Latin America, we show that high trust in the judiciary alone does not create a shield that protects the institution. Our results show that citizens across Europe and Latin America do not act as a shield for the judiciary. Our findings are in line with recent evidence that voters lack the willingness to translate their diffuse support for the court into actions

at the ballot box (Driscoll & Nelson, 2023; Jacob, 2024; Wunsch & Gessler, 2023). Similarly, studies have shown that voters are willing to trade of judicial independence for other factors such as economic growth, partisanship or policy congruence (Driscoll & Nelson, 2023; Graham & Svolik, 2020; Lewandowsky & Jankowski, 2023). These studies might explain why governments still undermine judicial independence despite increasing trust in the institution among the public.

However, there might also be other reasons for our finding. Short-term increases in trust might not have the same effect as long-term trust in the judiciary. A court that has been a trusted institution for multiple decades might be defended more willingly than a comparatively young institution, or one that has only gained the trust of the public. Another reason for this finding might be that the public is uncertain whether an attack on the judiciary has or will occur (Chiopris et al., 2024; Jacob, 2024). A study by Magalhães & Garoupa (2023) implies that voters in Hungary did not perceive the judicial reforms under Orbán as problematic. Their results show that trust in the judiciary in Hungary did not decrease once the judiciary’s independence was undermined. Jacob (2024), on the other hand, finds that Polish voters clearly recognize undemocratic behavior but are not willing to withdraw their votes at the ballot box.

So far, experimental studies are restricted to few countries. Our cross-country comparison corroborates the findings of earlier research that the effect of voters’ support as a shield for the judiciary might have been overestimated. The results show that we need more research on what drives citizens to punish incumbents’ undemocratic actions beyond partisanship and policy preferences, and whether there is any way to increase citizens’ willingness to defend democratic institutions.

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Appendix Who Shields the Guardian?

Descriptives

Frequently, the claim is made that the judiciary is under threat more and more often (Graber et al., 2018). However, if we consider the data, attacks on the judiciary are rising in Europe and North America. It is worthy to note that these are also the regions where judicial independence was, on average, the highest before the recent rise in attacks.

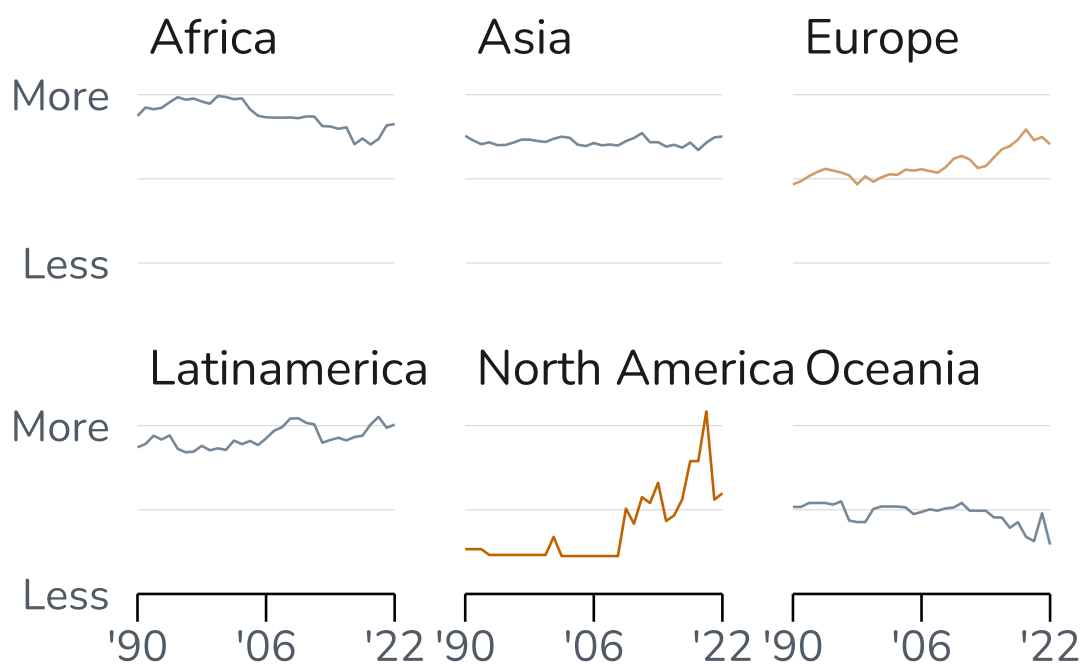


Figure 2: Attacks on the judiciary in across continents.

Distribution of the dependent variables.

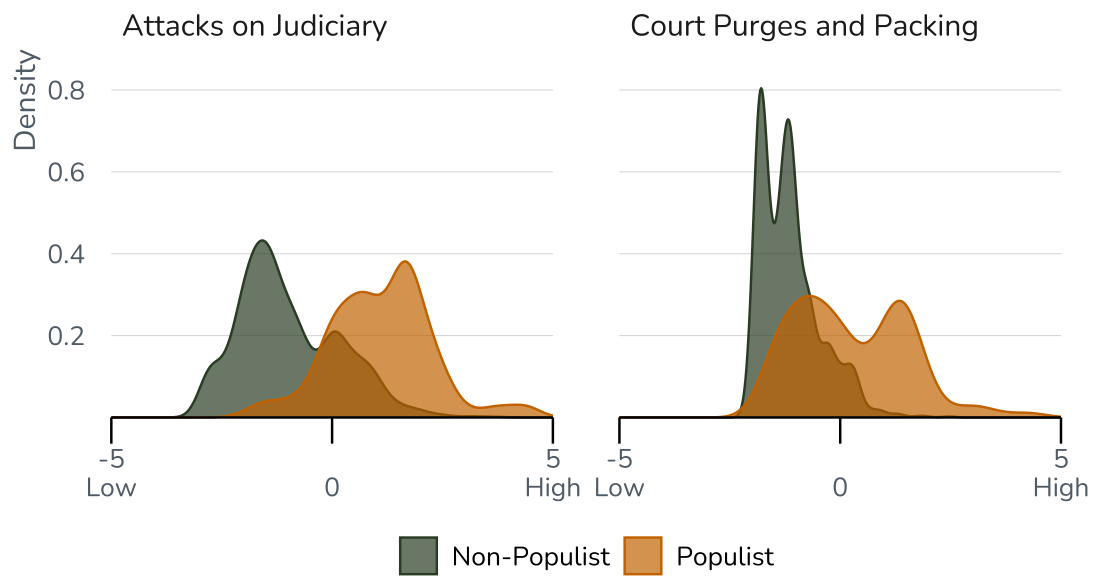


Figure 3: Density plot of court packing & purges and attacks on judiciary.

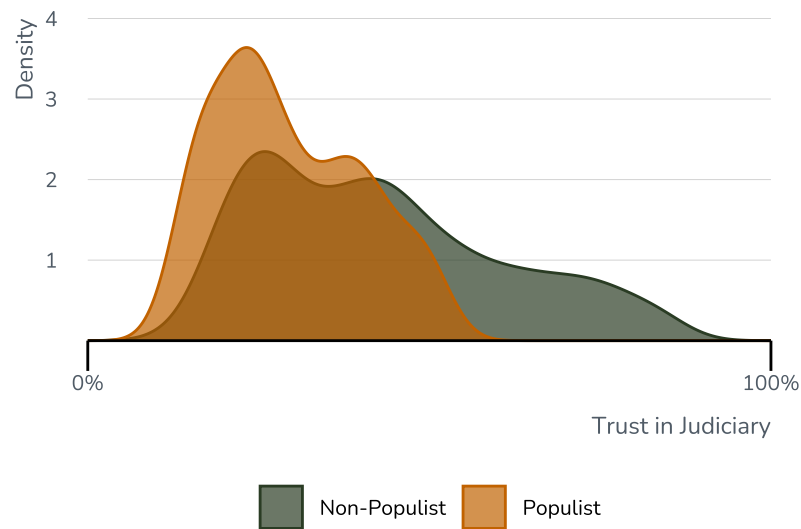


Figure 4: Density plot of independent variable trust in judiciary.

Data & Coding

We use the variables **v2jupurge** and **v2jupack** to create our variable on court packing and purges. The following table shows the original questions the experts were asked. **v2jupoatck** is used by us to measure more general verbal attacks on the judiciary. These ordinary scales are then transformed into interval-point scales to combine the different assessments by the experts (see Coppedge et al., 2024). The quotes in the table are taken from Coppedge, John Gerring, et al. (2022).

V-Dem Codebook Description

v2jupurge

“Question: Judges are sometimes removed from their posts for cause, as when there is strong evidence of corruption; however, some judges are removed arbitrarily, typically for political reasons. With this distinction in mind, please describe the removal of judges that occurred this calendar year.

Clarification: The second and third response categories permit you to distinguish among limited arbitrary removals (i.e., when only a few judges are targeted) by the political importance of the removal. For example, you may consider the arbitrary removal of a few high court judges as more important than the arbitrary removal of a few lower court judges.

Responses:

- 0: There was a massive, arbitrary purge of the judiciary.
- 1: There were limited but very important arbitrary removals.
- 2: There were limited arbitrary removals.
- 3: Judges were removed from office, but there is no evidence that the removals were arbitrary.
- 4: Judges were not removed from their posts.”

v2jupack

“Question: The size of the judiciary is sometimes increased for very good reasons, as when judges are added to manage an increasing caseload; however, sometimes judges are added purely for political reasons. With this distinction in mind, please describe any increases in the size of the judiciary that occurred this calendar year.

Clarification: The second and third response categories permit you to distinguish among limited court packing efforts (i.e. when relatively few judgeships are added) by the political importance of the packing. For example, you may consider the packing of the high court to be more important than the packing of a lower court.

Responses:

0: There was a massive, politically motivated increase in the number of judgeships across the entire judiciary.

1: There was a limited, politically motivated increase in the number of judgeships on very important courts.

2: There was a limited, politically motivated increase in the number of judgeships.

3: Judgeships were added to the judiciary, but there is no evidence that the increase was politically motivated; or there was no increase.”

v2jupoatck

“Question: How often did the government attack the judiciary’s integrity in public?

Clarification: Attacks on the judiciary’s integrity can include claims that it is corrupt, incompetent or that decisions were politically motivated. These attacks can manifest in various ways including, but not limited to prepared statements reported by the media, press conferences, interviews, and stump speeches.

Responses:

- 0: Attacks were carried out on a daily or weekly basis.
 - 1: Attacks were common and carried out in nearly every month of the year.
 - 2: Attacks occurred more than once.
 - 3: There were attacks, but they were rare.
 - 4: There were no attacks on the judiciary’s integrity.”
-

Cases in Dataset

The dataset spans over a different timespans for the different countries. Table 3 shows the years included per country and which years were imputed for our main model. To see the imputed values, as well as the last and next value the dataset contains, see Table 4. We ran robustness checks without and with different imputations, for the results see Table 9 and Table 10, or for an overview of the results of the robustness checks see Figure 13 to Figure 14.

Table 3: Countries and years included in study. Imputed years were linearly imputed for the main models.

Country	N	Start	End	Imputed Years
Argentina	24	1995	2018	1999, 2012, 2014, 2019
Austria	19	2000	2018	2011, 2012, 2013
Belgium	19	2000	2018	2011, 2012, 2013
Bolivia	23	1996	2018	1999, 2012, 2014, 2019
Brazil	23	1995	2017	1999, 2012, 2014
Bulgaria	15	2004	2018	2011, 2012, 2013
Chile	24	1995	2018	1999, 2012, 2014
Colombia	23	1996	2018	1999, 2012, 2014, 2019
Costa Rica	23	1996	2018	1999, 2012, 2014, 2019
Croatia	15	2004	2018	2011, 2012, 2013
Denmark	19	2000	2018	2011, 2012, 2013
Ecuador	22	1996	2018	1999, 2012, 2014, 2019
El Salvador	23	1996	2018	1999, 2012, 2014, 2019
Estonia	15	2004	2018	2011, 2012, 2013
Finland	19	2000	2018	2011, 2012, 2013
France	19	2000	2018	2011, 2012, 2013
Germany	19	2000	2018	2011, 2012, 2013

Greece	19	2000	2018	2011, 2012, 2013
Guatemala	23	1996	2018	1999, 2012, 2014, 2019
Honduras	23	1996	2018	1999, 2012, 2014, 2019
Hungary	15	2004	2018	2011, 2012, 2013
Ireland	19	2000	2018	2011, 2012, 2013
Italy	19	2000	2018	2011, 2012, 2013
Latvia	15	2004	2018	2011, 2012, 2013
Lithuania	15	2004	2018	2011, 2012, 2013
Luxembourg	19	2000	2018	2011, 2012, 2013
Mexico	24	1995	2018	1999, 2012, 2014, 2019
Netherlands	19	2000	2018	2011, 2012, 2013
Nicaragua	23	1996	2018	1999, 2012, 2014, 2019
Panama	23	1996	2018	1999, 2012, 2014, 2019
Paraguay	24	1995	2018	1999, 2012, 2014, 2019
Peru	23	1995	2018	1999, 2014, 2019
Poland	15	2004	2018	2011, 2012, 2013
Portugal	19	2000	2018	2011, 2012, 2013
Romania	15	2004	2018	2011, 2012, 2013
Slovakia	15	2004	2018	2011, 2012, 2013
Slovenia	15	2004	2018	2011, 2012, 2013
Spain	19	2000	2018	2011, 2012, 2013
Sweden	19	2000	2018	2011, 2012, 2013
Uruguay	24	1995	2018	1999, 2012, 2014, 2019
Venezuela	24	1995	2018	1999, 2012, 2014, 2019

Table 4: Imputed values in years when court purges or packing occurred

Country	Year	Closest Imp.	Linear Imp.	Missing Years	Change b/w Observations
---------	------	--------------	-------------	---------------	-------------------------

Bolivia	2012	0.02	0.03	1	0.01
	2014	0.04	0.04	1	0.01
	2019	0.03	0.03	1	0
Ecuador	2012	0.05	0.06	1	0.03
	2014	0.08	0.09	1	0.01
Honduras	1999	0.07	0.07	1	0
	2012	0.02	0.03	1	0.03
Hungary	2011	0.53	0.5	3	0.12
	2012	0.53	0.47	3	0.12
Mexico	2019	0.04	0.03	1	0.01
Nicaragua	2012	0.06	0.07	1	0.03
	2014	0.09	0.1	1	0.03
	2019	0.06	0.11	1	0.1
Paraguay	1999	0.08	0.08	1	0
Peru	1999	0.03	0.04	1	0.02

In the following pages, we show the included countries and time-frames graphically. Figure 6 shows the trust in the judiciary across all countries. The plots show that trust in the judiciary is not steady across time within a country but de- and increases.

?@fig-countryreg



Figure 5: Part 1: Trust in judiciary across countries in dataset over time.

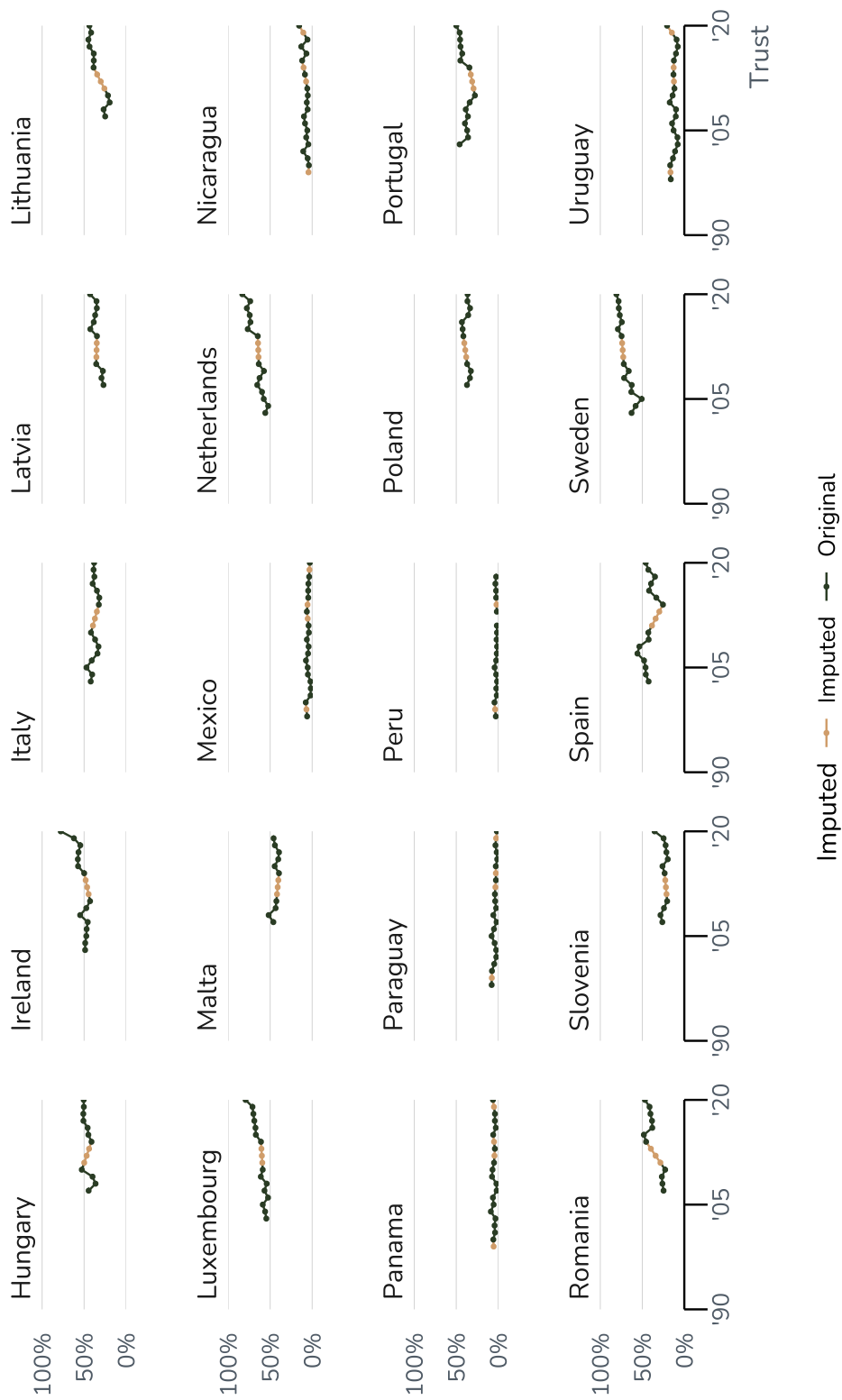


Figure 6: Part 2: Trust in judiciary across countries in dataset over time.

Regression Models

In this appendix, there are quite a few robustness checks. If you would like to get a quick overview of whether these change our results, we would like to guide you to figure Figure 13 to ?@fig-coefatckint, which show a distribution of each coefficient for our main models across all robustness tests.

Interaction Populism & Trust

The first robustness check tests whether trust only has “guardian effect” when the government is non-populist. If populist voters shared their party contempt for the judiciary, a populist government might be less worried about their voters being among the ones who trust and defend the independent judiciary. However, the interaction effect between populists in office and trust is not significant in the case of court purges and packing, see Table 5 and Figure 7. Surprisingly, the interaction effect is significant for verbal attacks on the judiciary (see Figure 8).

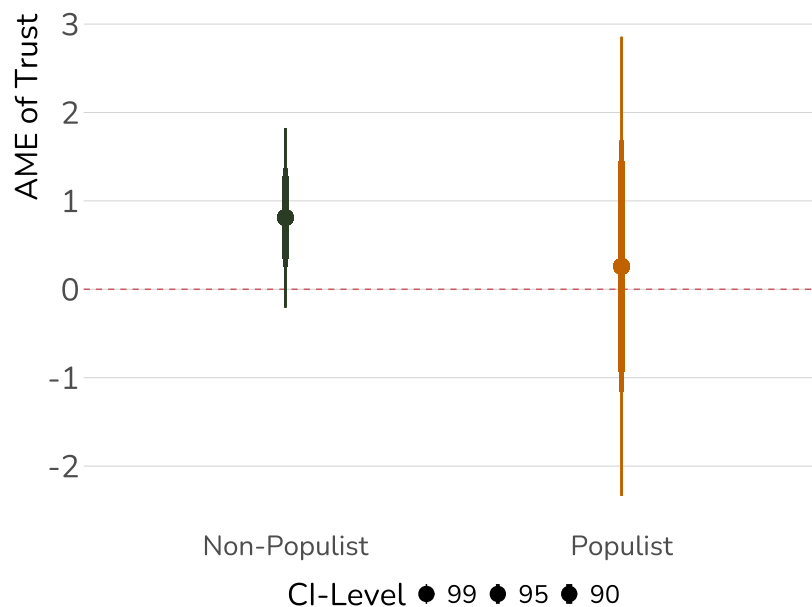


Figure 7: AME of Trust on court purges and packing conditioned by populists in power. Based on Table 1, model 2.

Table 5: OLS Regression Models

	Court Purges & Packing		Attacks on Judiciary	
	No Interaction	Interaction	No Interaction	Interaction
Trust $\bar{t}_{-1,-2,-3}$	0.748*	0.810**	0.430	-0.027
	[0.174, 1.321]	[0.254, 1.366]	[-0.447, 1.308]	[-0.904, 0.851]
Populist	0.611***	0.765**	1.010***	-0.121
	[0.405, 0.817]	[0.269, 1.261]	[0.740, 1.280]	[-0.666, 0.423]
Surplus Seats	0.061	0.057	-0.105+	-0.079
	[-0.032, 0.154]	[-0.035, 0.150]	[-0.218, 0.007]	[-0.193, 0.036]
Executive Power	0.062	0.076	0.163*	0.061
	[-0.141, 0.265]	[-0.113, 0.264]	[0.004, 0.322]	[-0.108, 0.230]
Presidential System	1.356***	1.401***	3.491***	3.158***
	[0.744, 1.968]	[0.819, 1.983]	[2.779, 4.202]	[2.434, 3.882]
GDP	-1.625*	-1.657*	-1.544+	-1.308
	[-2.964, -0.285]	[-2.973, -0.340]	[-3.339, 0.252]	[-3.087, 0.472]
Democracy Age	0.000	0.000	0.004	0.004
	[-0.005, 0.004]	[-0.005, 0.004]	[-0.004, 0.011]	[-0.004, 0.011]
Coalition Gov.	-0.107	-0.105	-0.259*	-0.277**
	[-0.258, 0.044]	[-0.259, 0.050]	[-0.459, -0.060]	[-0.474, -0.079]
Trust $\bar{t}_{-1,-2,-3}$:Populist		-0.550		4.060***
		[-1.873, 0.773]		[1.981, 6.139]
Country FE	Yes	Yes	Yes	Yes
Num.Obs.	746	746	746	746
R2	0.818	0.819	0.819	0.826
R2 Adj.	0.806	0.807	0.807	0.814
AIC			2301.0	2303.3
BIC			2522.5	2529.4
RMSE			1.06	1.06

+p < 0.1; *p < 0.05; **p > 0.01; ***p < 0.001

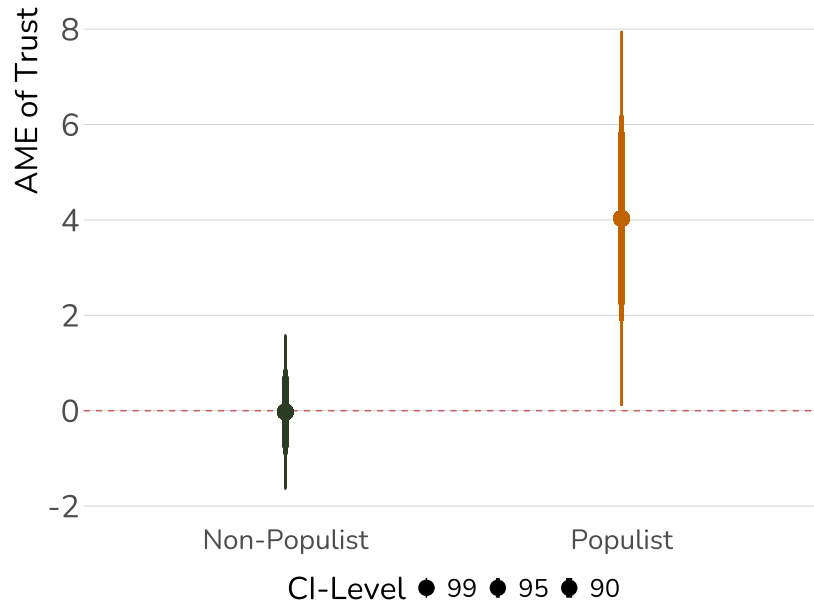


Figure 8: AME of Trust conditioned by Populists in Power. Based on Table 1, model 4

Full models

The following tables shows all models for the main regressions, building up from a simple model to one including fixed-effects (2), and controls (3). We further include a model with all variables but no fixed-effects (4) and the interaction effect discussed before. The results show that populism still has a significant effect on court purges and packing as well as attacks on the judiciary if we do not include fixed-effects (see Table 6, model 4 and Table 7, model 4). Trust in the judiciary has the expected significant effect on both, court purges and packing as well as attacks on the judiciary if the models are run without fixed-effects (see Table 6, model 4 and Table 7, model 4). However, this can not be interpreted substantively since the higher respect for judicial independence in countries with higher trust in the judiciary could be related to many other confounding variables, such as socio-economic factors or institutional stability. We would further argue that the an important question of interest is rather whether increasing trust in the judiciary will guard the institution in countries where the judiciary is under threat.

Table 6: Main regressions for DV court purges & packing.

	(1)	(2)	(3)	(4)	(5)
Trust $_{\bar{t}_{-1,-2,-3}}$	-1.762***	0.751*	0.748*	-0.857***	0.810**
Populist	[-2.004, -1.519]	[0.163, 1.338]	[0.174, 1.321]	[-1.231, -0.484]	[0.254, 1.366]
	1.097***	0.648***	0.611***	0.978***	0.765**
Surplus Seats	[0.879, 1.316]	[0.477, 0.820]	[0.405, 0.817]	[0.781, 1.174]	[0.269, 1.261]
			0.061	0.193***	0.057
Executive Power			[-0.032, 0.154]	[0.086, 0.300]	[-0.035, 0.150]
			0.062	-0.065**	0.076
Presidential System			[-0.141, 0.265]	[-0.104, -0.026]	[-0.113, 0.264]
			1.356***	0.074	1.401***
GDP $_{\bar{t}_{-1,-2,-3}}$			[0.744, 1.968]	[-0.041, 0.189]	[0.819, 1.983]
			-1.625*	-2.378*	-1.657*
Democracy Age			[-2.964, -0.285]	[-4.256, -0.501]	[-2.973, -0.340]
			0.000	-0.006***	0.000
Coalition Gov.			[-0.005, 0.004]	[-0.008, -0.003]	[-0.005, 0.004]
			-0.107	-0.637***	-0.105
Trust $_{\bar{t}_{-1,-2,-3}}$:Populist			[-0.258, 0.044]	[-0.769, -0.505]	[-0.259, 0.050]
					-0.550
					[-1.873, 0.773]
Country FE			Yes	No	Yes
Num.Obs.	No	Yes	746	746	746
R2	0.387	0.815	0.818	0.521	0.819
R2 Adj.	0.386	0.804	0.806	0.516	0.807
AIC	1596.5	780.4	777.3	1424.6	778.0
BIC	1614.9	978.8	998.8	1470.8	1004.2
RMSE	0.70	0.39	0.38	0.62	0.38

+p < 0.1; *p < 0.05; **p > 0.01; ***p < 0.001

Table 7: Main regressions for DV attacks on judiciary.

	(1)	(2)	(3)	(4)	(5)
Trust $_{t-1,-2,-3}$	-4.055***	0.643	0.430	-3.453***	-0.027
Populist	[-4.432, -3.678] 1.447***	[-0.206, 1.492] 1.103***	[-0.447, 1.308] 1.010***	[-4.031, -2.875] 1.497***	[-0.904, 0.851] -0.121
Surplus Seats	[1.210, 1.685]	[0.844, 1.362]	[0.740, 1.280] -0.105+	[1.266, 1.728] -0.141+	[-0.666, 0.423] -0.079
Executive Power			[-0.218, 0.007] 0.163*	[-0.289, 0.007] -0.020	[-0.193, 0.036] 0.061
Presidential System			[0.004, 0.322] 3.491***	[-0.095, 0.056] 0.177+	[-0.108, 0.230] 3.158***
GDP $_{t-1,-2,-3}$			[2.779, 4.202] -1.544+	[-0.017, 0.370] 0.618	[2.434, 3.882] -1.308
Democracy Age			[-3.339, 0.252] 0.004	[-2.465, 3.702] -0.003	[-3.087, 0.472] 0.004
Coalition Gov.			[-0.004, 0.011] -0.259*	[-0.007, 0.001] 0.018	[-0.004, 0.011] -0.277**
Trust $_{t-1,-2,-3}$:Populist			[-0.459, -0.060]	[-0.147, 0.183]	[-0.474, -0.079] 4.060***
					[1.981, 6.139]
Country FE	No	Yes	Yes	No	Yes
Num.Obs.	746	746	746	746	746
R2	0.491	0.814	0.819	0.498	0.826
R2 Adj.	0.490	0.803	0.807	0.493	0.814
AIC	2117.3	1445.5	1433.8	2118.9	1406.3
BIC	2135.8	1643.9	1655.3	2165.0	1632.4
RMSE	0.99	0.60	0.59	0.99	0.58

+p < 0.1; *p < 0.05; **p > 0.01; ***p < 0.001

Random-Effects Models

To ensure the validity of our findings despite the possible heterogeneity in the time-series data we also run random-intercept models (see appendix, Table 8). The findings are in line with the findings of our main models.

Table 8: Results of random effects models. Standard errors are clustered by country.

	Court Purges & Packing		Attacks on Judiciary	
	No Interaction	Interaction	No Interaction	Interaction
Trust $\bar{t}_{-1,-2,-3}$	0.281	0.245	-0.804+	-0.380
	[-0.257, 0.818]	[-0.281, 0.770]	[-1.638, 0.030]	[-1.211, 0.452]
Populist	0.706***	0.640***	-0.126	1.039***
	[0.408, 1.004]	[0.526, 0.754]	[-0.577, 0.325]	[0.863, 1.216]
Surplus Seats	0.070+	0.071+	-0.088	-0.111+
	[-0.011, 0.150]	[-0.009, 0.151]	[-0.210, 0.034]	[-0.235, 0.013]
Executive Power	0.011	0.007	0.096	0.159*
	[-0.083, 0.105]	[-0.086, 0.100]	[-0.058, 0.250]	[0.005, 0.313]
Presidential System	0.451**	0.449**	0.730*	0.706*
	[0.136, 0.766]	[0.138, 0.759]	[0.171, 1.289]	[0.151, 1.262]
GDP $\bar{t}_{-1,-2,-3}$	-1.534*	-1.518*	-0.880	-1.111
	[-2.880, -0.189]	[-2.863, -0.174]	[-2.911, 1.150]	[-3.183, 0.961]
Democracy Age	-0.003	-0.003	0.000	0.000
	[-0.007, 0.001]	[-0.007, 0.001]	[-0.006, 0.006]	[-0.007, 0.006]
Coalition Gov.	-0.168**	-0.171**	-0.266***	-0.254**
	[-0.271, -0.066]	[-0.273, -0.068]	[-0.422, -0.110]	[-0.413, -0.094]
Trust $\bar{t}_{-1,-2,-3}$:Populist	-0.237		4.145***	
	[-1.215, 0.741]		[2.661, 5.629]	
Num.Obs.	746	746	746	746
R2	0.207	0.207	0.254	0.225
Clustered SE	Yes	Yes	Yes	Yes
R2 Adj.	0.197	0.199	0.245	0.216
AIC	778.0	778.1	1388.1	1419.1
BIC	828.7	824.2	1438.8	1465.2
RMSE	0.40	0.40	0.60	0.62

+p < 0.1; *p < 0.05; **p > 0.01; ***p < 0.001

Robustness Checks for Trust Variable

The trust variable in our main models we use the last three years' mean for this variable ($\text{Trust}_{t-1,-2,-3}$) and impute missing values linearly. In the case of Latin America, the binary variable is recoded from an ordinal one. In the main models, we coded people who trust the judiciary *a lot* or *some* as trusting the judiciary. In the robustness check, we also include the people who trust the judiciary *a little*, leaving only the people who say they do not trust the judiciary at all out. The results are shown in Table 9 and Table 10 in the model “Trust High” (1). The results change somewhat, with trust now even increasing the likelihood of court purges and packing. As with our main models, we find no evidence that rising trust in the institution guards it from being under threat.

To test whether our imputation mechanism has an impact on our results, we test different options. Model 2 “No Imputation” simply filters out all cases in which there is no data. The results do not differ from our main models for attacks, see `?@tbl-indep_w_atck`. However, for court purges and packing we again observe a significant effect in the opposite direction than expected, see Table 9. While this would caution us from interpreting the variable substantively, it speaks once again against the hypothesis that increasing trust protects the judiciary. Model 3 “Closest Imputation” uses the value from nearest year and copies it as the imputation. Again, the results do not differ from the main models for attack, see `?@tbl-indep_w_atck`, while the coefficient turns positive and significant for court purges and packing, see Table 9. We conclude that while we see some differences depending on how we impute trust variable, all models lack evidence or even speak against the hypothesis that trust can protect judicial independence.

Lastly, we use the last three years' mean of the variable trust in our main model. We test whether this has an impact by using last year's trust value (4 - Linear Imputation) and the last five years' mean of the variable trust (5 - Linear Imputation). Only in the model on court purges and packing that uses the last five years' mean, do we find a

difference. Again, the trust coefficient turns significant in the opposite direction then expected, see Table 9, model 5.

Table 9: Regression models with different calculations of trust variable without interaction effect for DV court purges & packing.

	Trust High	No Imputation	Closest Imputation	Linear Imputation	Linear Imputation
Trust High $\bar{t}_{t-1,-2,-3}$	1.250*** [0.664, 1.836]				
Populist	0.639*** [0.432, 0.847]	0.765*** [0.518, 1.012]	0.615*** [0.416, 0.815]	0.607*** [0.411, 0.804]	0.558*** [0.346, 0.769]
Surplus Seats	0.081+ [-0.012, 0.175]	0.116+ [-0.022, 0.253]	0.060 [-0.033, 0.153]	0.097* [0.006, 0.188]	-0.004 [-0.093, 0.084]
Executive Power	0.076 [-0.126, 0.279]	0.031 [-0.230, 0.292]	0.061 [-0.141, 0.264]	0.065 [-0.118, 0.248]	0.058 [-0.198, 0.315]
Presidential System	1.887*** [1.221, 2.552]	0.234+ [-0.027, 0.495]	1.350*** [0.742, 1.957]	0.255** [0.082, 0.429]	0.347 [-0.264, 0.957]
GDP $\bar{t}_{t-1,-2,-3}$	-1.469* [-2.746, -0.192]	-1.467+ [-3.109, 0.175]	-1.647* [-2.984, -0.311]	-1.504* [-2.751, -0.257]	-1.437+ [-2.885, 0.011]
Democracy Age	0.000 [-0.004, 0.004]	-0.001 [-0.006, 0.005]	0.000 [-0.005, 0.004]	0.000 [-0.004, 0.004]	0.000 [-0.007, 0.006]
Coalition Gov.	-0.081 [-0.224, 0.062]	-0.098 [-0.315, 0.120]	-0.104 [-0.255, 0.047]	-0.142+ [-0.286, 0.002]	-0.065 [-0.207, 0.078]
Trust $\bar{t}_{t-1,-2,-3}$					
Trust t_{t-1}		[0.146, 1.708]	[0.161, 1.318]	0.366 [-0.110, 0.843]	
Trust $\bar{t}_{t-1,-2,-3,-4,-5}$					0.968** [0.326, 1.610]
Country FE	No	Yes	Yes	No	Yes
Num.Obs.	742	484	748	818	666
R2	0.824	0.834	0.818	0.806	0.843
R2 Adj.	0.813	0.816	0.807	0.795	0.832
AIC	752.7	2520.3	1525.4	2472.6	2360.0
BIC	974.0	2721.0	1747.1	2698.5	2576.0
RMSE	0.38	1.24	0.63	1.03	1.11

+p < 0.1; *p < 0.05; **p > 0.01; ***p < 0.001

Table 10: Regression models with different calculations of trust variable without interaction effect for DV attacks on judiciary.

	Trust High	No Imputation	Closest Imputation	Linear Imputation	Linear Imputation
Trust High $\bar{t}_{-1,-2,-3}$	0.088				
Populist	[-0.987, 1.163] 1.054***	1.056*** [0.722, 1.389] -0.074	1.120*** [0.822, 1.417] -0.105+	0.970*** [0.726, 1.214] -0.105+	1.039*** [0.728, 1.349] -0.118+
Surplus Seats	[0.788, 1.321] -0.089	[-0.232, 0.084] 0.134	[-0.219, 0.009] 0.143+	[-0.211, 0.001] 0.211**	[-0.245, 0.009] 0.118
Executive Power	[0.013, 0.322] 0.167*	[-0.046, 0.313] 1.531***	[-0.016, 0.302] 3.489***	[0.062, 0.359] 1.752***	[-0.079, 0.315] 0.811*
Presidential System	[2.524, 4.362] -1.166	[0.983, 2.079] -0.586	[2.752, 4.226] -1.699+	[1.338, 2.167] -1.198	[0.044, 1.579] -2.455*
GDP $\bar{t}_{-1,-2,-3}$	[-2.928, 0.596] 0.005	[-2.751, 1.579] 0.002	[-3.516, 0.119] 0.006	[-2.814, 0.419] 0.003	[-4.536, -0.375] 0.010*
Democracy Age	[-0.003, 0.012] -0.219*	[-0.007, 0.012] -0.347*	[-0.002, 0.014] -0.245*	[-0.004, 0.010] -0.262**	[0.000, 0.019] -0.287**
Coalition Gov.	[-0.414, -0.024] 0.945+	[-0.637, -0.057] 0.945+	[-0.444, -0.046] 0.232	[-0.448, -0.077] 0.232	[-0.500, -0.074] 0.232
Trust $\bar{t}_{-1,-2,-3}$					
Trust t_{-1}		[-0.126, 2.016]	[-0.758, 1.223]	0.178 [-0.490, 0.845]	0.623 [-0.562, 1.808]
Trust $\bar{t}_{-1,-2,-3,-4,-5}$					
Country FE	No	Yes	Yes	No	Yes
Num. Obs.	742	484	748	818	666
R2	0.823	0.845	0.810	0.825	0.816
R2 Adj.	0.811	0.829	0.798	0.814	0.802
AIC	1414.9	3243.0	2322.2	3449.1	3158.1
BIC	1636.1	3443.7	2543.8	3675.0	3374.2
RMSE	0.59	2.02	1.07	1.88	1.90

+p < 0.1; *p < 0.05; **p > 0.01; ***p < 0.001

Dynamic Models

We further tested whether the court purges and packing ahead of the year under observation have an effect on current court purges and packing. The argument behind this is that if these practices are common, governments might have less of a backlash to expect. They might already know that undermining judicial independence does not harm their electoral success.

We test this by including a dummy variable that indicates whether court purges or packing have taken place in the last three or five years, see `?@tbl-dynamic_ppm`, model 1 (“Main Model”).

XXX

Similarly, Table 12 and Table 13 the mean of the last three years’ judicial independence.

Table 11: Regression models including interactions with dummy variable indicating whether court purges or packing already took place in the last §/5 years for DV court purges and packing.

	5 Years		3 Years	
	Main Model	& Interaction	3 Years	& Interaction
Trust _{t-1,-2,-3}	0.810** [0.254, 1.366]	0.748* [0.174, 1.321]	0.662* [0.123, 1.202]	0.850* [0.192, 1.509]
Populist	0.765** [0.269, 1.261]	0.611*** [0.405, 0.817]	0.548*** [0.335, 0.760]	0.550*** [0.337, 0.762]
Surplus Seats	0.057 [-0.035, 0.150]	0.061 [-0.032, 0.154]	0.023 [-0.065, 0.111]	0.032 [-0.058, 0.123]
Executive Power	0.076 [-0.113, 0.264]	0.062 [-0.141, 0.265]	0.007 [-0.213, 0.228]	-0.014 [-0.231, 0.202]
Presidential System	1.401*** [0.819, 1.983]	1.356*** [0.744, 1.968]	0.236* [0.028, 0.445]	1.314*** [0.619, 2.009]
GDP _{t-1,-2,-3}	-1.657* [-2.973, -0.340]	-1.625* [-2.964, -0.285]	-1.646* [-3.009, -0.282]	-1.293+ [-2.595, 0.008]
Democracy Age	0.000 [-0.005, 0.004]	0.000 [-0.005, 0.004]	0.000 [-0.003, 0.006]	0.002 [-0.003, 0.006]
Coalition Gov.	-0.105 [-0.259, 0.050]	-0.107 [-0.258, 0.044]	-0.110 [-0.259, 0.040]	-0.089 [-0.230, 0.053]
Trust _{t-1,-2,-3} :Populist	-0.550 [-1.873, 0.773]			
Purge/Pack _{t-1,-2,-3}			0.441** [0.178, 0.705]	0.745* [0.125, 1.366]
Trust _{t-1,-2,-3} :Purge/Pack _{t-1,-2,-3}				-1.154 [-3.012, 0.703]
Num.Obs.	746	746	746	746
R2	0.819	0.818	0.825	0.830
R2 Adj.	0.807	0.806	0.813	0.818
AIC	2226.4	2224.4	2234.2	2231.5
Country FE	No	Yes	Yes	Yes
BIC	2452.5	2446.0	2465.0	2464.7
RMSE	1.01	1.01	1.01	1.01

+p < 0.1; *p < 0.05; **p > 0.01; ***p < 0.001

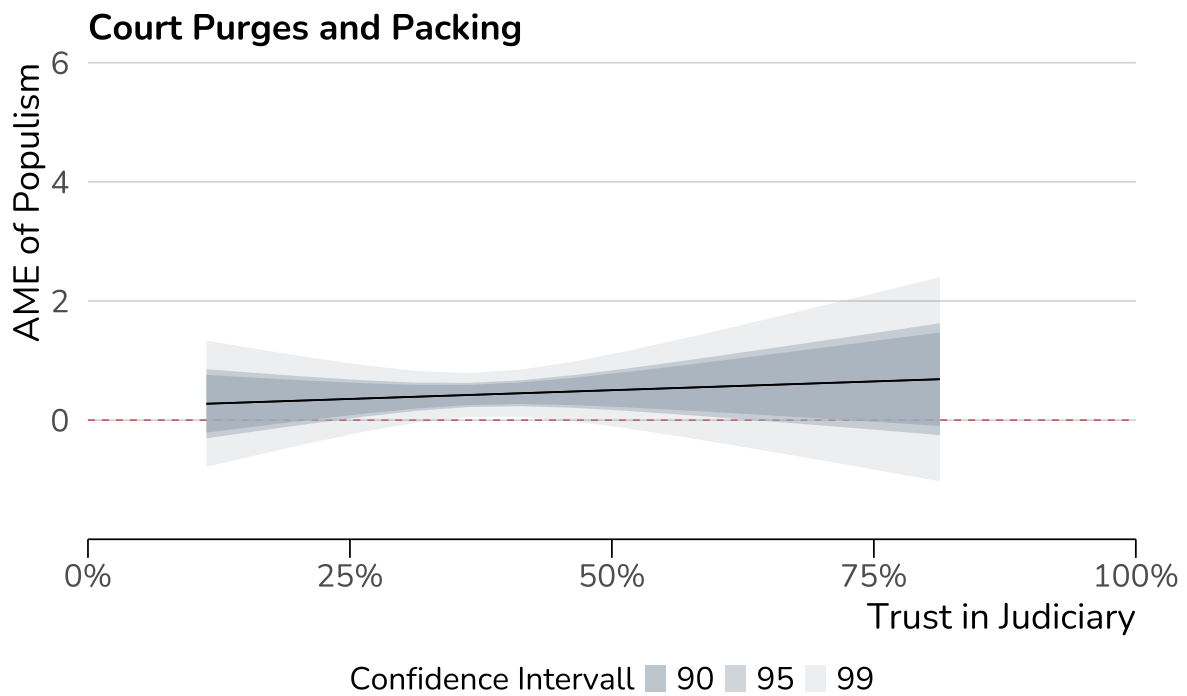


Figure 9: Average marginal effect of populism conditioned by trust if there were no court purges or packing in the last 5 years.

Table 12: Regression models including interactions with judicial independence in the last three years (mean) for DV court purges and packing.

	Main Model	Interaction	Triple Interaction
Trust $_{\bar{t}_{-1,-2,-3}}$	0.810**	-0.579	0.555
	[0.254, 1.366]	[-1.766, 0.607]	[-0.801, 1.912]
Populist	0.765**	0.545***	1.305***
	[0.269, 1.261]	[0.366, 0.725]	[0.644, 1.966]
Surplus Seats	0.057	0.055	0.038
	[-0.035, 0.150]	[-0.029, 0.139]	[-0.044, 0.120]
Executive Power	0.076	0.001	-0.003
	[-0.113, 0.264]	[-0.188, 0.191]	[-0.182, 0.175]
Presidential System	1.401***	0.242	0.872**
	[0.819, 1.983]	[-0.341, 0.824]	[0.299, 1.446]
GDP $_{\bar{t}_{-1,-2,-3}}$	-1.657*	-1.226*	-1.040+
	[-2.973, -0.340]	[-2.436, -0.016]	[-2.249, 0.169]
Democracy Age	0.000	0.003	0.005+
	[-0.005, 0.004]	[-0.002, 0.008]	[0.000, 0.010]
Coalition Gov.	-0.105	-0.084	-0.079
	[-0.259, 0.050]	[-0.213, 0.046]	[-0.208, 0.050]
Trust $_{\bar{t}_{-1,-2,-3}}$:Populist	-0.550		-2.571*
	[-1.873, 0.773]		[-4.630, -0.512]
Judicial Independence $_{\bar{t}_{-1,-2,-3}}$		-0.672***	-0.346+
		[-1.034, -0.310]	[-0.732, 0.040]
Trust $_{\bar{t}_{-1,-2,-3}}$:Judicial Independence $_{\bar{t}_{-1,-2,-3}}$		0.864*	0.130
		[0.177, 1.551]	[-0.643, 0.903]
Populist:Judicial Independence $_{\bar{t}_{-1,-2,-3}}$			-0.879***
			[-1.364, -0.394]
Trust $_{\bar{t}_{-1,-2,-3}}$:Populist:Judicial Independence $_{\bar{t}_{-1,-2,-3}}$			2.453**
			[0.943, 3.962]
Country FE	Yes	Yes	Yes
Num.Obs.	746	746	746
R2	0.819	0.844	0.854
R2 Adj.	0.807	0.833	0.843
AIC	778.0	667.8	623.9
BIC	1004.2	898.6	868.4
RMSE	0.38	0.35	0.34

+p < 0.1; *p < 0.05; **p > 0.01; ***p < 0.001

Table 13: Regression models including interactions with judicial independence in the last three years (mean) for DV attacks on judiciary.

	Main Model	Interaction	Triple Interaction
Trust $_{\bar{t}-1,-2,-3}$	-0.027	0.928	1.144
Populist	[-0.904, 0.851]	[-0.319, 2.176]	[-0.366, 2.654]
Surplus Seats	-0.121	1.001***	0.528+
Executive Power	[-0.666, 0.423]	[0.735, 1.266]	[-0.021, 1.076]
Presidential System	-0.079	-0.118*	-0.078
GDP $_{\bar{t}-1,-2,-3}$	[-0.193, 0.036]	[-0.232, -0.004]	[-0.194, 0.038]
Democracy Age	0.061	0.120	0.120
Coalition Gov.	[-0.108, 0.230]	[-0.073, 0.313]	[-0.068, 0.307]
Trust $_{\bar{t}-1,-2,-3}$:Populist	3.158***	0.175	1.775**
Judicial Independence $_{\bar{t}-1,-2,-3}$	[2.434, 3.882]	[-0.630, 0.980]	[0.642, 2.908]
Trust $_{\bar{t}-1,-2,-3}$:Judicial Independence $_{\bar{t}-1,-2,-3}$	-1.308	-1.503+	-0.877
Populist:Judicial Independence $_{\bar{t}-1,-2,-3}$	[-3.087, 0.472]	[-3.290, 0.284]	[-2.656, 0.903]
Trust $_{\bar{t}-1,-2,-3}$:Populist:Judicial Independence $_{\bar{t}-1,-2,-3}$	0.004	0.005	0.004
	[-0.004, 0.011]	[-0.004, 0.013]	[-0.005, 0.012]
	-0.277**	-0.264**	-0.255**
	[-0.474, -0.079]	[-0.461, -0.067]	[-0.444, -0.067]
	4.060***		0.875
	[1.981, 6.139]		[-1.258, 3.008]
		0.044	0.021
		[-0.219, 0.307]	[-0.307, 0.349]
		-0.391	-0.562
		[-1.091, 0.308]	[-1.320, 0.196]
			-0.387
			[-0.949, 0.175]
			2.356*
			[0.352, 4.360]
Country FE	Yes	Yes	Yes
Num.Obs.	746	746	746
R2	0.826	0.820	0.832
R2 Adj.	0.814	0.807	0.820
AIC	1406.3	1435.3	1389.0
BIC	1632.4	1666.0	1633.5
RMSE	0.58	0.59	0.57

+p < 0.1; *p < 0.05; **p > 0.01; ***p < 0.001

Court Purges and Packing

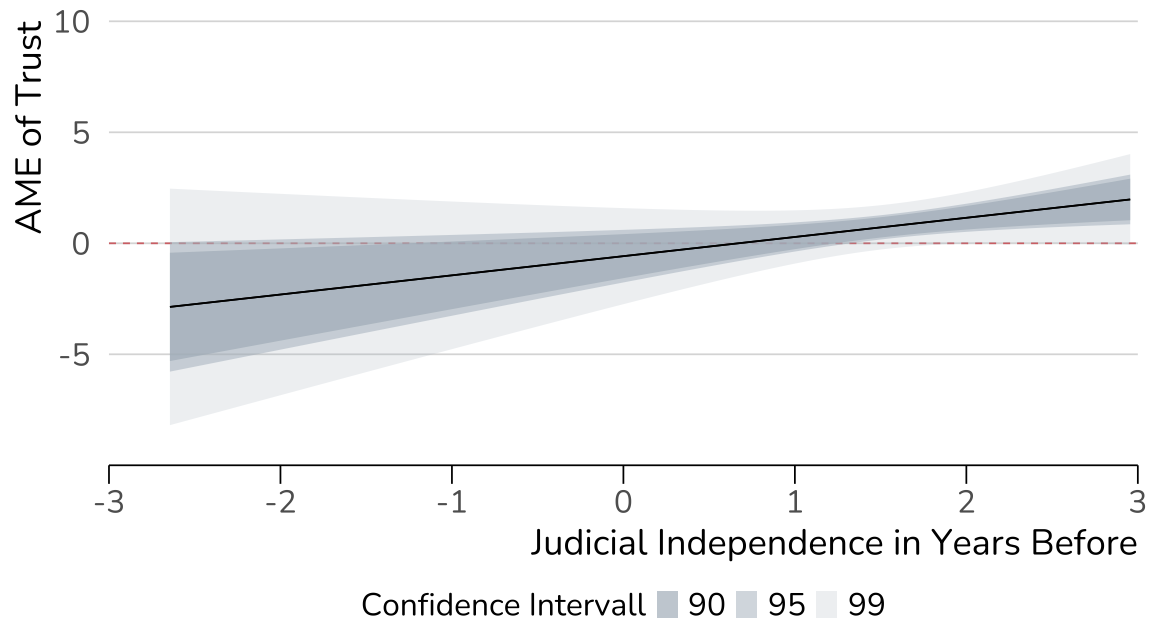


Figure 10: AME of trust on court purges and packing conditioned by judicial independence in the three years before.

Attacks on Judiciary

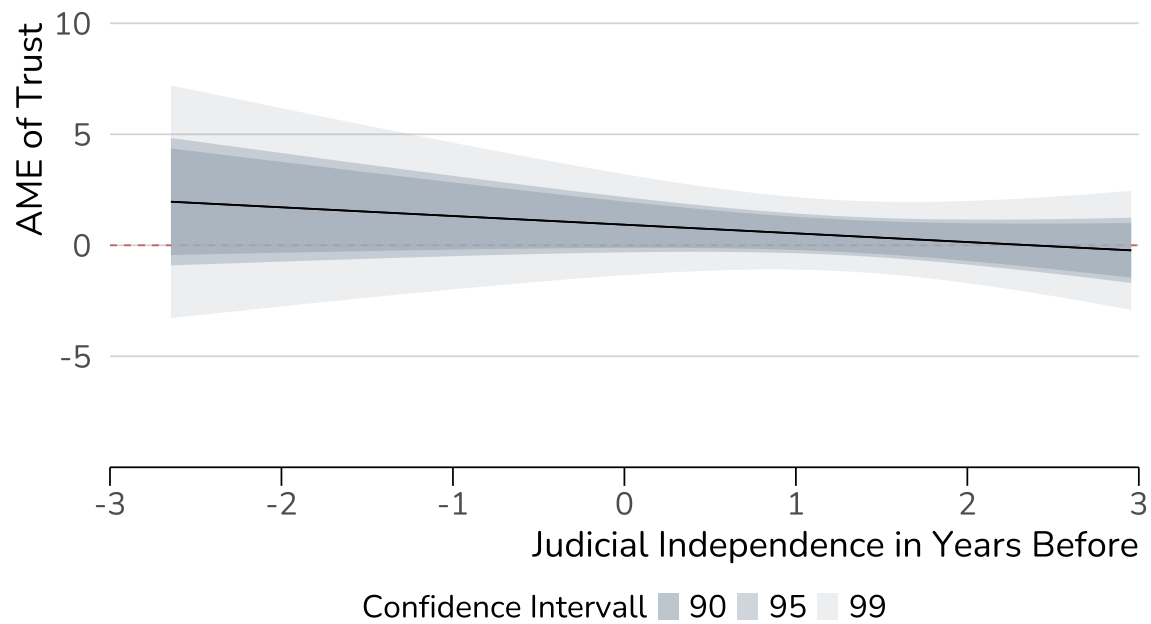


Figure 11: AME of trust on attacks on judiciary conditioned by judicial independence in the three years before.

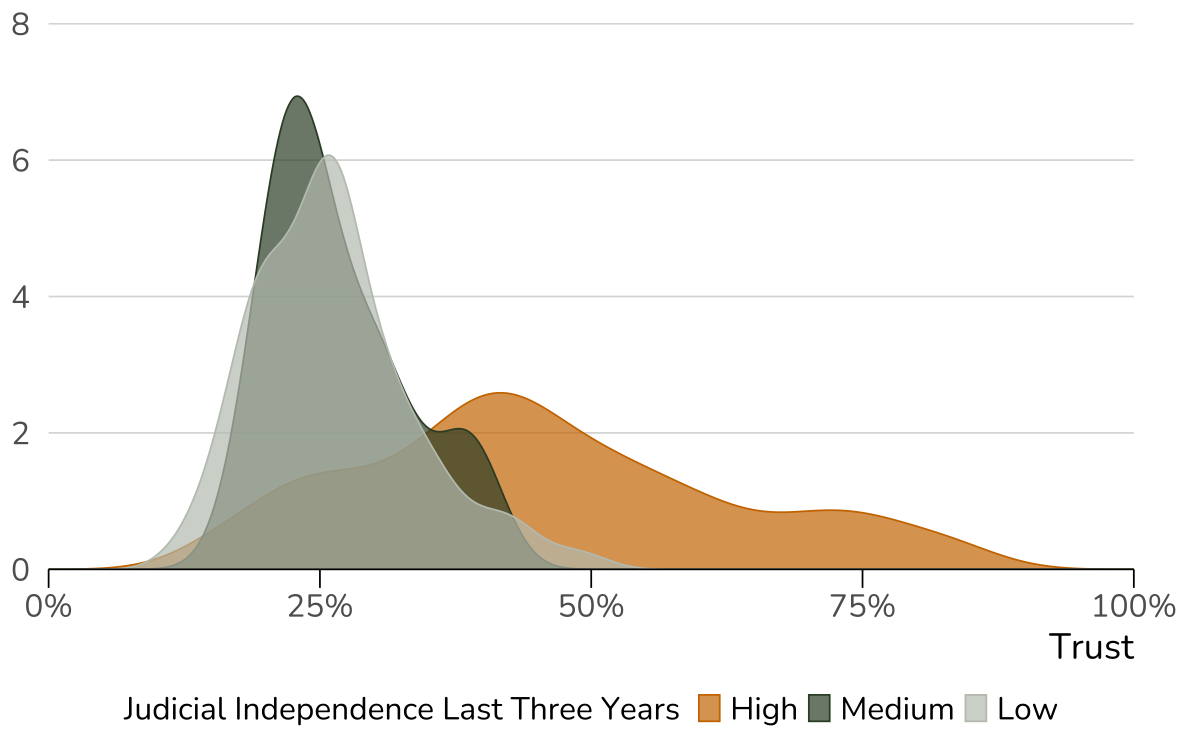


Figure 12: Density plot of high, medium and low judicial independence across trust.

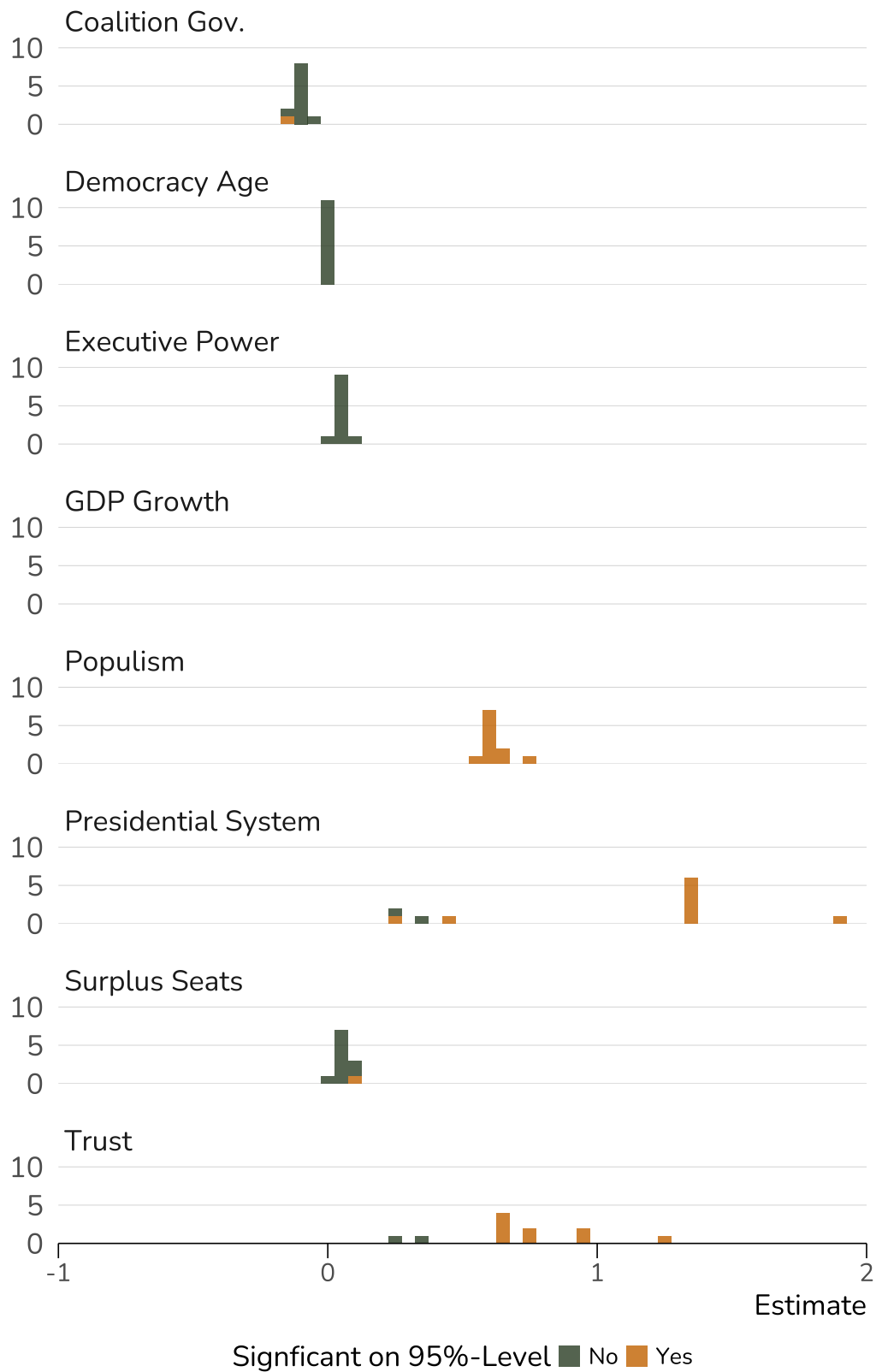


Figure 13: Distribution of coefficient size across all models estimating effect on court purges and packing without interaction.

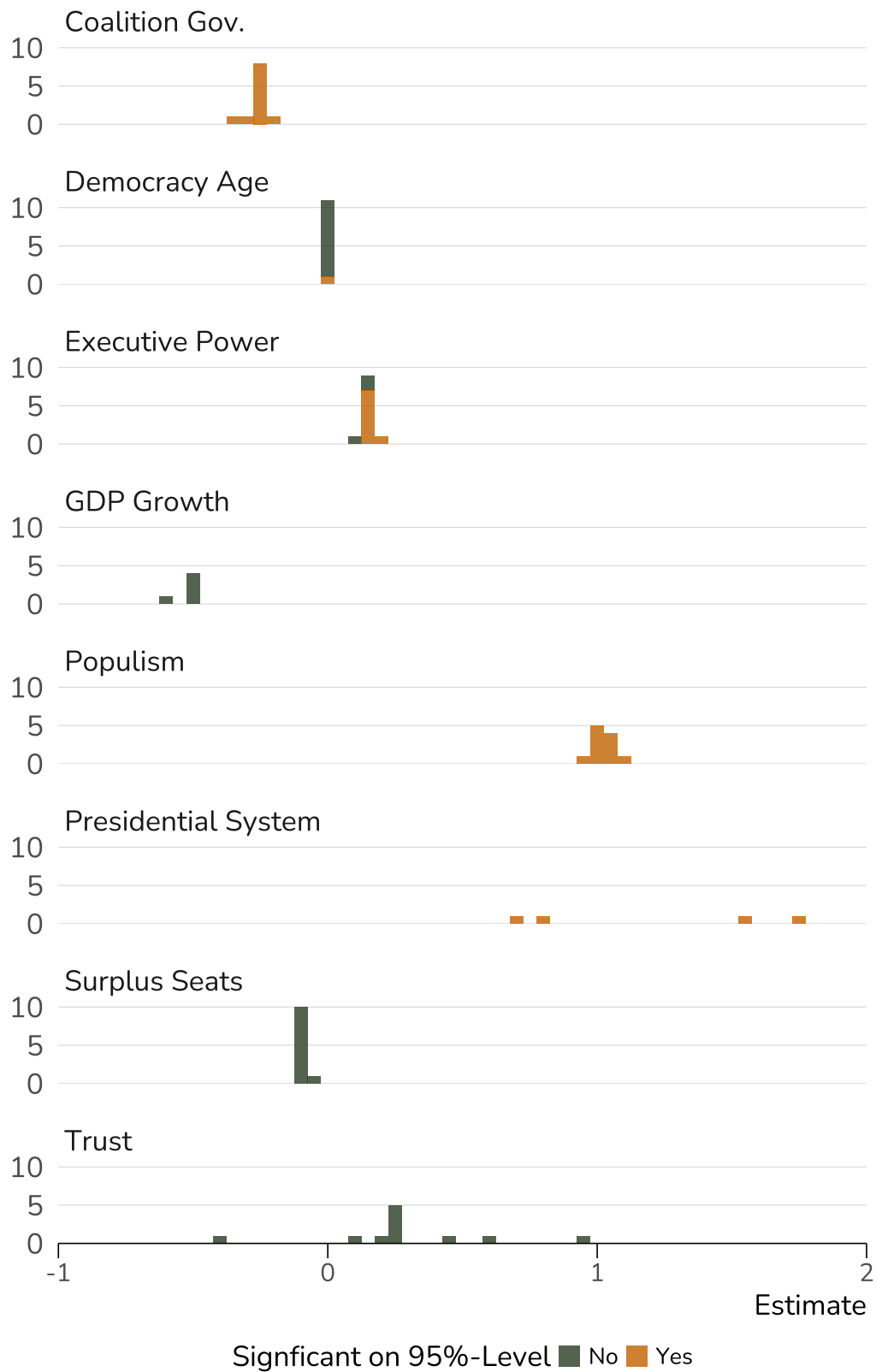


Figure 14: Distribution of coefficient size across all models estimating effect on attacks on judiciary without interaction.