

# Enforcement and Public Opinion: The Perceived Legitimacy of Rule of Law Sanctions

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## Abstract

The EU has powerful enforcement mechanisms to curb democratic backsliding and support the rule of law in its member states. While (the threat of) enforcement is necessary, however, sanctions might be difficult to accept as legitimate when they hurt your own country. We study the perceived legitimacy of EU enforcement actions. We develop hypotheses about the influence of national identity, party affiliations, procedural fairness, descriptive norm prevalence, and the likely effects of the sanctions on the future of cooperation. These hypotheses are tested with a survey experiment administered to a nationally-representative sample in Poland. The focus is on the substantial financial sanctions imposed by the EU concerning judicial independence. The results show that exclusive national identity, the perceived importance of the rule of law, support for European integration and party affiliations are strongly associated with legitimacy. Providing information about the prevalence of public support for judicial independence in the country increases significantly the perceived legitimacy of enforcement actions. We find no evidence for effects of arguments about Polesxit, future deterrence effects of the sanctions or their procedural (un)fairness. EU sanctions might not lead to further backlash among the domestic public, but they are unlikely to generate public pressure for reforms.

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## Introduction

Democratic backsliding is experienced in individual countries, but when these countries are members of the European Union (EU), it poses a fundamental challenge for the process of European integration itself. Protecting democratic values in a multi-level system of governance, such as the EU, is however, complex. The use of punitive enforcement measures by the EU against infringements on the rule of law might be difficult to accept as legitimate even for pro-European citizens in the member states subject to sanctions. At the same time, *not* enforcing EU's fundamental values, such as the rule of law, is also a risky strategy, as citizens concerned about the state of democracy can lose faith in the EU as a guardian of democratic rules.

The EU – as the most mature form of institutionalized international cooperation – has a set of instruments for enforcing its laws and policies in the member states. While these instruments – and the infringement procedures, in particular – appear to provide powerful mechanisms for enforcing compliance in the member states, their application has been often slow, timid and uneven (Fjelstul and Carrubba 2018; König and Mäder 2014). It has also been suggested that the enforcement process is politicized and the strategic conduct of the Commission is influenced by political considerations (Cheruvu 2022; Toshkov 2019; Kelemen and Pavone 2021). Such concerns have also been expressed about the operation of other enforcement tools in the arsenal of the EU, namely those related to economic governance (the Stability and Growth Pact, SGP) (van der Veer 2022; Franchino and Mariotto 2021) and for enforcing rule of law in particular (Closa 2019). While the use of judicial tools to curb democratic backsliding remains a potentially effective strategy, it has limits (Blauberger and Kelemen 2017).

In particular, enforcement by supranational institutions can be hard to accept as legitimate in the states targeted by sanctions or other enforcement actions. Anticipating resistance can be an important factor shaping the decisions of the EU about whether, when, and how to pursue enforcement actions against their member states. While the multi-level enforcement games are played between political elites – politicians, high-level bureaucrats and judges – their actions are both enabled and constrained by the context of public opinion. National governments can question the legitimacy of supranational enforcement and blame the EU for intervening in domestic affairs, potentially leading to a rally-round-the-flag effect down the road if this occurs repeatedly (Schlipphak and Treib 2017). If the public strongly opposes enforcement, its resentment can spill over to other aspects of the cooperation process (e.g. European integration), undermining the long-term fate of the cooperation and integration projects. Furthermore, strong public opposition can be used as a negotiation chip by the target member state to extract concessions from the

supranational institutions. There is some evidence that such concerns about domestic public reactions to enforcement actions influence the enforcement behavior of the European Commission. For example, the Commission waited with opening a procedure related to the rule of law against Hungary until the 2022 parliamentary elections in the country were over to avoid being accused of meddling in the national political process. But are such concerns about the effects of enforcement actions on public attitudes and potential resistance against EU institutions justified?

There is surprisingly little that we know about the public opinion effects of enforcement actions of international organizations and the factors that make such actions legitimate in the eyes of the citizens. The literature studying compliance and policy implementation in the EU more broadly (i.a. Börzel 2021; Thomann and Zhelyazkova 2017; Steunenberg and Toshkov 2009) has not systematically studied the role of public opinion as a force shaping the patterns of noncompliance across the member states. Focusing instead on factors related to the capacity and willingness of countries to implement EU rule, these studies leave little room for the role of public opinion as a variable affecting not only what national authorities do, but also how the EU institutions respond to suspected noncompliance with their enforcement actions.

In turn, the vast literature on EU public opinion has examined general support for European integration (Hobolt and de Vries 2016; i.a. De Vries 2018), trust in EU institutions (i.a. Muñoz, Torcal, and Bonet 2011), public preferences towards various policy areas of EU involvement (i.a. Toshkov and Krouwel 2022) and scenarios for the future of the European project (i.a. Goldberg, van Elsas, and de Vreese 2021). However, public attitudes towards enforcement actions have rarely been the focus of this literature. Some notable exceptions include an article by Schlipphak et al. (2022) on the effectiveness of governments' blaming strategies in the context of enforcement in the EU and an article by Pospieszna et al. on attitudes towards sanctions against EU members and non-members (Pospieszna, Onderco, and van der Veer 2023). Another important recent contribution is by Fjelstul (2022), who looks at public opinion about the enforcement of the Stability and Growth Pact. The conjoint experimental study of Hahm et al. also includes questions on preferences towards the design of enforcement in the EU, noting considerable public dissent in this regard between different parts of Europe (Hahm, Hilpert, and König 2020).

This article is a first attempt to formulate a set of theoretically-informed hypotheses about the factors and mechanisms that shape public opinion towards enforcement actions in international organizations and multi-level systems of governance, such as the EU. To establish the conditions under which citizens will perceive enforcement actions as *legitimate*, we build on studies from

behavioral economics, social psychology and evolutionary psychology (Krueger and Hoffman 2016; Delton and Krasnow 2017; Leibbrandt and López-Pérez 2012; Arai, Tooby, and Cosmides 2022). Drawing on theories specifying different dimensions of empirical legitimacy of political authorities (Beetham 2013; de Fine Licht, Agerberg, and Esaiasson 2022), our definition of *perceived legitimacy of enforcement actions* includes two components: the perceived justifiability and the acceptance of the enforcement action. We operationalize these two components through questions about attitudes towards the enforcement action and behavior expected from the EU and the Polish authorities (cf. Levi, Sacks, and Tyler 2009). We theorize the influence of arguments about (a) procedural (un)fairness, (b) descriptive norm prevalence, (c) the possible effects of the sanctions on the future of cooperation and (d) the opportunities that these sanctions will be used in defense of other norms in the future on citizens' perceptions of enforcement. We hypothesize that these factors will work *in addition* to the fundamental influence of exclusive national identity, the perceived importance of the norm being enforced, and partisan affiliations – variables that are likely to be strong predictors of the perceived legitimacy of enforcement, but ones that are very difficult to manipulate in experimental or policy settings.

The article introduces a preregistered<sup>2</sup> survey experiment designed to test these hypotheses. The survey experiment was conducted on a quota-based representative sample in Poland, a country that was at the time of the survey a target of enforcement actions by the EU concerning to a norm on which different opinions exist in society (i.e. the rule of law and, in particular, judicial independence). The high domestic politicization of these costly EU sanctions makes this a most likely case for public backlash against EU enforcement actions and 'rallying around the flag'.

As expected, we find that the perceived legitimacy of the EU's enforcement actions is strongly related to the national/EU identity of the respondent, the perceived importance of the rule of law as a norm, support for European integration and political party affiliations. The results from the experimental survey suggest that providing information about the descriptive prevalence of public support for judicial independence and the rule of law in the country increases significantly the perceived legitimacy of enforcement actions. We find no evidence about possible effects of information about Polesxit, possible future deterrence effects of the sanctions and their procedural fairness or unfairness. The perceived credibility of the arguments provided in the experimental treatments significantly mediates their effects, while previous knowledge about the sanctions has no moderating effect.

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<sup>2</sup> [https://osf.io/9d52r/?view\\_only=c3d0a61a33614b20ba897990f6f29ddb](https://osf.io/9d52r/?view_only=c3d0a61a33614b20ba897990f6f29ddb)

The main implication of our results for the multi-level politics of countering democratic backsliding is that arguments can do little to move public opinion about the legitimacy of the sanctions, when the issue at stake is relatively salient and politicized. Arguments about the procedural fairness of the enforcement actions do not work and might even backfire, as people have already made up their minds. What might increase the legitimacy of enforcement is sharing information about the widespread public support for the rule of law, but this works mostly on people who are already predisposed to find enforcement legitimate.

## **Theory and Hypotheses**

### *Perceived legitimacy of enforcement actions*

The focus of our study is the perceived legitimacy of enforcement actions. As such, the focus is not on the objective or normative legitimacy of an authority (for a conceptual discussion, see, i.a., Peter 2009; Rothschild 1977) or diffuse support for a political system (Easton 1975). Instead, the study uses a micro-level perspective and investigates *perceived legitimacy* in the eyes of individuals (Mazepus 2017). Perceived legitimacy is a result of the subjective evaluations of the rightfulness and justifiability of authorities and their actions (attitudinal aspects) and the willingness to obey the authorities and their decisions (behavioral aspect, or consent, see Beetham 2013). Furthermore, we follow Schoon's (2022) in specifying the relation between the audience and the object of legitimacy as a dyadic model, where 'the appropriate unit of analysis for research on legitimacy is a dyad ... consisting of an object of legitimacy ..., an audience, and a relationship that connects the two'.

In our specific case, the object of legitimacy is the *enforcement actions* of the European Commission (not its *institutional* legitimacy) and the audience consists of the citizens of a country targeted by the enforcement actions (Poland). The relationship that connects the two in our context is composed of the (shared) expectations about the enforcement actions that citizens and the European Commission have. The quality of this relationship can be assessed with the level of granted perceived legitimacy (here, by citizens to the enforcer) which is typically measured by asking about attitudes (approval, support, trust, or agreement) and expected behavior (consent, obligation to obey, willingness to protest) towards an entity or their decision.

### *Drivers of perceived legitimacy*

We draw on the theory of drivers of perceived legitimacy of political authorities when formulating our expectations about the perceived legitimacy of enforcement actions. We expect several factors to be major determinants of the perceived legitimacy of enforcement actions by international

organizations, and the EU in particular: exclusive national attachment/identity, the perceived importance of the norm that is the subject of enforcement, support for European integration, and political party affiliations.

The relevance of *exclusive national identity* (Carey 2002) stems from the fact that the enforcement game pits the EU, represented by its institutions, against a member state. People who identify exclusively with their nation-state would want to avoid external sanctions and resist the EU encroaching on the national sovereignty of their state. Nationalists are likely to perceive enforcement as a zero-sum game. In such a game, you have to choose sides, and you naturally go for the one you feel attached to your in-group. Note that exclusive national attachment/identity can coexist with support for EU membership as such, either for utilitarian (financial and other gains) or for symbolic ('return to Europe', being accepted as part of the European family) reasons. Yet, considered in its own right, support for European integration should be positively associated with the legitimacy of the enforcement actions, because it is related to the value people put in the process of cooperation.

*Party political (partisan) attachments* provide another potential in-group for the respondents to identify with. For example, in the case of the US Supreme Court, Republicans 'fail to censure unfair behavior when their group benefits from the Court's impropriety' (Armaly 2020). In our case exclusive national identity and attachment to the ruling political party in Poland<sup>3</sup> overlap to a great degree, so we are limited in the extent to which we can examine the effects of national and partisan identities separately. (The same holds for exclusive national identity and support for European integration).

Next to exclusive national and party attachments, the other major determinant we expect is the *perceived importance of the rule that is violated*. In our case it is the rule dictating that judiciary should be independent from the executive (the rule of law), which is violated. People will be more likely to endorse or tolerate enforcement actions when these actions protect a rule they value, even if they do not feel attached to the institutions imposing the sanctions. There is plenty of evidence that the major predictor of people's support for the actions of international courts is whether they like the (expected) outcome of the adjudication process, to a much greater extent than whether they like the courts as such (Madsen et al. 2021; Dinas and Gonzales-Ocantos 2021; Caldeira and Gibson 1995). Following the same logic, if the adjudication process results in enforcing a rule that a person values, they are more likely to evaluate the enforcement action as legitimate.

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<sup>3</sup> The influence of cues from national political parties on public opinion towards the EU has been extensively studied and documented (i.a. Hooghe and Marks 2005; Hooghe 2007; Hobolt 2007)

While we have very good reasons to expect that exclusive national attachment and the perceived importance of the rule of law will correlate strongly with the perceived legitimacy of EU enforcement actions, we focus our experimental treatment on factors that could work in addition to these fundamental determinants of perceived legitimacy. Identities, in particular, are quite stable. This implies that we cannot examine the causal nature of their effects by manipulating (changing) them experimentally, and we cannot devise policy interventions that will make use of such knowledge. Therefore, we focus our study on the potential influence of factors that can have an impact on the perceived legitimacy of enforcement actions *in addition* to such fundamental determinants.

The first set of our experimental hypotheses refers to the *perceived chance that enforcement actions can unravel the process of cooperation* by enticing the target to walk away and/or find other partners. At the individual level, actors who are perceived to have high relational mobility (the opportunity to choose other partners) are punished less for transgressing cooperation norms (Arai, Tooby, and Cosmides 2022). If citizens think that there is a realistic chance that sanctions by the EU can lead to the target (e.g., Poland) leaving the process of cooperation (e.g., the EU) and that finding partners elsewhere would be difficult, they will be less likely to find the enforcement actions legitimate, even if they support the rule of law as such<sup>4</sup>. While alternatives to the EU for regional cooperation are in principle available, including the Eurasian Economic Union, or – more realistically for the case of Poland – cooperation based on bilateral agreements, such as the ones the UK is arranging after Brexit, in practice they are very costly.

The second set of experimental hypotheses refers to *procedural fairness* (Tyler 2003; Jackson 2018; Tyler and Rasinski 1991). Procedural fairness refers to ‘people's evaluations of procedures used by authorities to arrive at a decision’ (Mazepus and van Leeuwen 2020). If procedures are fair, transparent and honest, citizens are more likely to accept unfavorable outcomes (Thibaut and Walker 1975) and grant more legitimacy to authorities. Further research into the relation between procedural fairness and legitimacy indicates that this relation is context dependent. In particular instances, (fair) procedures might be favored only when they supply preferred outcomes (Werner 2020) and the type of procedure (e.g., facilitating transparency) affects its impact on perceived legitimacy (e.g. De Fine Licht et al. 2014).

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<sup>4</sup> In principle, citizens might show instrumental support for Poxxit as a way to overthrow the government responsible for such an outcome, or – if they are anti-EU – to support sanctions as a way to achieve Poxxit. But such complex strategic reasoning is unlikely to manifest itself in the context of our survey experiment.

Following from the literature on the effects of procedural fairness on perceived legitimacy, we assume here that enforcement actions that have been considered and adopted under appropriate legal and administrative procedures are likely to enjoy higher legitimacy. In the situation that the state is being targeted by sanctions, citizens evaluate fairness of procedures against one unfavorable outcome (financial punishment of their own state). Assessing procedural fairness is a complex task that requires relevant information about intricate institutional rules. Hence, it is possible that even citizens who have some information about the enforcement case and its procedural context could be swayed by further information about the fairness of the process leading up to the enforcement actions. For example, information about the many stages at which the target has had a chance to defend its position and rectify its actions or about the fact that enforcement is carried by more than one institution (the Commission and the Court) could be persuasive as to the fairness of the project. Information about unequal, unaccountable and politicized enforcement by the Commission can work in the opposite direction.

The third set of experimental hypotheses refers to what we call *deterrence effects* of the enforcement actions. By deterrence effects we mean the knowledge that sanctions and other enforcement actions can be used in the future in defense of norms that the respondent likes or dislikes. It has been suggested that third-party punishment evolved for defending personal interests (Krasnow et al. 2016; Delton and Krasnow 2017; Krasnow et al. 2012). When we see the mistreatment of others, we infer that we can fall victim to this mistreatment later ourselves, which predicts our intervention and punishment. Hence, if people see enforcement actions as mistreatment *and* they are reminded that such actions can be used against them as well (for enforcing norms they do not like), they might stop supporting the actions. For those who support the rule of law, a reminder that the same sanctions could be applied to make states comply with norms they do not subscribe to can decrease their perceived legitimacy. Conversely, for those who do not support the rule of law, a reminder that the same sanctions could be applied for norms they subscribe to can increase their perceived legitimacy.

The fourth experimental hypothesis refers to *norm prevalence*. The idea behind this hypothesis is that people will be more likely to support enforcement actions in support of norms that are widely supported in the population, irrespective of whether they personally find the norms important and worth defending. To those without strong beliefs, information about the prevalence of the norm in society gives a cue about whether the norm is important. But it also acts as a coordination device, indicating the appropriate beliefs and actions for ‘people like me’. Respondents might also care about realizing the collective preferences of the majority (Wrutl and



Wackerle 2023), as a value in its own right. Therefore, learning that a norm enjoys a very high social level of importance in society as a whole (it has a high prevalence) can shift individual's perceived legitimacy of enforcement actions in defense of the norm.

This line of reasoning is related to the idea and practice of (descriptive) social norm nudging. Social norm nudging is a behavioral intervention that aims to change the behavior of citizens and consumers by addressing their (inaccurate) beliefs about how their own actions compared to those of others in society. Such interventions have been shown to be effective in changing behavior related to alcohol consumption (e.g. Perkins, Haines, and Rice 2005), healthy food choices (e.g. Aldrovandi, Brown, and Wood 2015), vaccination among health care professionals (Belle and Cantarelli 2021), tax behavior (Hallsworth et al. 2017) and more. Theoretically, the practice is based on the focus theory of normative conduct, which posits that descriptive social norms can guide behavior by affecting perceptions about how most others would behave (Cialdini, Kallgren, and Reno 1991). In our context, the rule of law and its aspects, such as judicial independence, enjoy very high levels of declared importance in Poland, according to national and comparative public opinion surveys.

We hypothesize that the arguments *decreasing* perceived legitimacy will have greater effects who attribute a lower importance to the rule of law and have exclusive national identity, and vice versa due to bottom and ceiling constraints, respectively. Operationally, we use the respondent's national identity and perceived importance of the rule of law to form block pre-treatment, within which we apply random assignment. This is because those predisposed to have low perceived legitimacy (i.e. those with exclusive national identity and low perceived importance of the rule of law) are already near the lower end of the attitude scale, and there is less scope for the negative effect to play out. In addition, these people are more likely to be aware of negative arguments, and to have internalized their implications already. If people have exclusive national identity, they are more likely to perceive the enforcement process as unfair, so any argument making a similar claim is already incorporated in their world view and there is a smaller chance to make an additional impact. The list below summarizes our theoretical expectations and hypotheses about the factors that could affect the Perceived Legitimacy of Enforcement Actions (PLEA):

*Observational expectations*

Exclusive national attachment, low perceived importance of the rule of law, disapproval of EU membership and support for parties who erode judicial independence will be strongly negatively associated with PLEA.

*Experimental hypotheses (main effects)*

EH 1: Information about possible Polesxit decreases PLEA.

EH 2: Positive information about procedural fairness increases PLEA.

EH 3: Negative information about procedural fairness decreases PLEA.

EH 4: Information about deterrence effects increases PLEA for respondents with exclusive national identity and low perceived importance of the rule of law. The same information decreases PLEA for respondents with non-exclusive national identity and high perceived importance of the rule of law.

EH 5: Information about norm prevalence increases PLEA.

*Experimental hypotheses (conditional effects)<sup>5</sup>*

EH 6 The negative effects are stronger for respondents with non-exclusive national identity and high perceived importance of the rule of law.

EH 7 The positive effects are stronger for respondents with exclusive national identity and low perceived importance of the rule of law.

## **Research Design**

We test the hypotheses identified above with a survey experiment conducted in a country targeted by EU sanctions (Poland) concerning a contested domestic norm (judicial independence, as an aspect of the rule of law)<sup>6</sup>. The experiment is vignette-based with a relatively small number of conditions. The experiment asks about the real-world enforcement actions that are rather salient relative to the low amount of news that the CJEU and its actions typically get at the national level (Dederke 2022). In comparison to an approach with fictitious scenarios or a conjoint setup, our approach enables us to say whether the changes induced by the informational vignettes are enough to *overturn* existing attitudes about a real-world event or not. This choice of experimental setting can guarantee external validity of the results, which is a common concern for survey experiments on attitude change (Holbrook 2011), but it also raises certain methodological challenges, such as pre-treatment (some of the respondents being exposed to the informational treatment prior to the survey) (Gaines and Kuklinski 2011). Importantly, our experiment uses a facilitative design: it provides relevant reasons (information) that might affect participants' response. It does not use deception or persuasion that the presented reason is right and should result in particular adjustment of attitude or behavior (Sniderman 2011, 108). Furthermore, most of our hypotheses are

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<sup>5</sup> Compared to the pre-registration plan, the phrasing of the hypotheses has been simplified, but the underlying ideas remain the same.

<sup>6</sup> For more details on the institutional context of rule of law enforcement in the EU, see the Supplementary Material.

conditional on identities and attitudes that we cannot manipulate, which leads to expectations about the heterogeneity of the effects. To address these methodological challenges, we consider several amendments to the simple complete randomization post test-only experimental design that is typically employed.

First, we use *block randomization* (Gerber and Green 2012; Bowers 2011) by blocking on exclusive national identity and the perceived importance of the rule of law as a norm (we combine these two variables). These two variables are expected to be highly predictive of the perceived legitimacy of enforcement actions. Therefore, blocking on these predictors before randomization can increase precision. Blocking requires that we measure exclusive national identity and the perceived importance of the rule of law prior to randomization and administration of the treatment, but this creates no obvious problems for the experiment. Within each of the (five) treatment arms (exposure to the informational vignettes), we apply *the same treatment assignment probabilities* to the two blocks<sup>7</sup>.

Altogether, based on the power analysis, we decided to field the survey experiments for a total of 1,200 participants or 200 per arm. This number ensures that not only the average treatment effects (ATEs) are well-identified, but also the conditional average treatment effects (CATEs), which are of substantive interest. The sample does not always offer sufficient power for the size of the interactions, but these parameters are not of central importance to the study. Next to the power analysis, we pre-registered the hypotheses and the experimental design. We obtained ethics approval for the experiment from [Anonymized].

The design choices discussed above cannot remedy the fact that survey experiments provide relatively weak informational treatments (Sniderman 2018) that are unlikely to change strongly-held attitudes (Holbrook 2011). This is especially true when respondents could have been exposed to the information contained in the experimental treatments before (pre-treated). To address this challenge, we rely on the *counterfactual format for survey experiments* on changes in social attitudes (Graham and Coppock 2021). In the randomized version of the counterfactual format, which we used, first, all participants are randomized into the treatment arms and exposed to the informational treatments, and then they are asked about their attitudes, as usual. Then controls are exposed to one of the treatments and afterwards asked again for their attitudes, now having seen the additional information. The initially treated respondents are asked to imagine what their responses would have been if they had not been exposed to the treatment. We used the randomized version, because we did not expect all respondents to have heard about the enforcement actions

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<sup>7</sup> For more details on the design of the experiment, see the Supplementary Material.

and formed strong attitudes about them. This format allows us to estimate the treatment effects in two ways: across subjects and within-subjects as well. It is also possible to compare the assessments of the respondents of their own attitude change as a function of the treatments with the actual change, as estimated across subjects.

We also explore the mechanisms of attitude change (or lack thereof) by asking respondents whether the treatments affected the relevant belief (e.g. about the likelihood of Polesxit or the fairness of the enforcement procedure, etc.) and open-ended questions about the reasons why.

## Data and Method

### *Operationalizing and measuring legitimacy*

The outcome of interest is the perceived legitimacy of enforcement actions. The empirical context is the enforcement actions undertaken by the European Commission and the Court of Justice of the EU, on behalf of the EU, against Poland concerning the independence of the judiciary, as an aspect of the rule of law.

In our operationalization of perceived legitimacy, we focus on the acceptance, support for and perceived obligation to obey the enforcement actions of the EU against the rule of law violations by Poland<sup>8</sup>. We ask respondents for agreement with the statements: ‘*Do you find the EU sanctions against Poland **justified**?*’ (cf. the slightly different formulation of Wrátil and Wackerle 2023), ‘*Do you **support** the EU sanctions against Poland, even if they hurt the country financially?*’, ‘*Do you think Poland **should obey** the EU sanctions in the case of rule of law?*’. Finally, we ask ‘*Do you think Poland **should pay the financial sanctions** imposed by the EU?*’ We do not ask directly whether people find the sanctions **legitimate**, because this is a highly abstract concept that may not be familiar to many respondents. Answers to the four questions measuring the outcome variable are expressed on 7-point Likert scales. For the analysis, an index variable is created that takes the average score of the four. For the operationalization of the experimental vignettes and the covariates, see the Supplementary Material.

### *Treatments (Experimental vignettes)*

Our treatments are embodied in a set of 6 vignettes. The control group vignette presented the following information:

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<sup>8</sup> For an overview of ways in which legitimacy in global governance has been operationalized, see Dellmuth (2018).

In 2018, the Polish government changed the way the Supreme Court works. Under the new law, the President of the Disciplinary Chamber, appointed by the Minister of Justice, initiated proceedings against judges for the content of their judgments.

In April 2020, the European Commission started an infringement procedure against Poland, because it considered that the new Disciplinary Chamber undermines judicial independence. In July 2021, the Court of Justice of the EU gave an order for Poland to suspend the Disciplinary Chamber until it issues a judgement on the case. Poland did not comply. In October 2021, the Court imposed on Poland a fine of €1 million per day.

Poland has still not complied with the order. The fine exceeds €200 million already.'

The five experimental vignettes added to this text short paragraphs containing arguments related to (1) the possible *Polexit* as a result of the sanctions, the (2) *Procedural fairness* or (3) *Procedural unfairness* of the sanctions, (4) their possible future *Deterrence effects* for violations of other norms, or (5) the high *Norm prevalence* of rule of law and independence of the courts in Poland. Below, we reproduce one vignette (*Norm prevalence*) to provide a sense of the nature of the arguments we included. The full text of the all experimental vignettes is presented in the Supplementary Material.

'[Control text +] According to polls conducted by various agencies, most Poles believe that the rule of law and independence of the courts are important.

9 out of 10 adults in Poland agreed that 'The decisions by public authorities can be reviewed by an independent courts', according to a survey from 2019. Moreover, 84% of Polish citizens found it 'essential' or 'important' that 'All EU Member States respect the core values of the EU, including fundamental rights, the rule of law, and democracy'.

According to another reputable survey from 2021, 3 out of 4 Polish adults agreed that 'the EU should only provide funds to Member States conditional on their government's implementation of the rule of law and of democratic principles.'

## **Results**

### *Data collection and sample*

Data collection took place between 1 July and 14 July 2022. The survey was implemented by the company Bilendi. The sample was quota-based with quotas on age groups (5 levels), gender (2 levels), education level (2 levels) and place of residence (2 levels). The quotas were set to mirror the demographic distribution of the 18-69 year old population in Poland. Participants who did not pass a simple attention check (pick the color name 'green' from a short list of color names) were

not allowed to continue. Only complete responses were retained. In total, the final sample was 1200 responses.

The demographic distribution of the sample is as follows: 52% women, 65% urban (of which 30% from small towns and 35% from big cities), 34% higher education, 21% 18-29 age, 23% 30-39 age, 21% 40-49 age, 18% 50-59 age, 16% 60-69 age. As such, the sample closely resembles the distribution of the Polish population (18-69) along these characteristics. There are no significant imbalances in the demographic distribution across experimental groups. 50% of the participants failed at least one of the two comprehension checks shown after the experimental vignettes. After the possibility to read or listen to the vignettes again, 23% of the participants did not pass at least one of the two comprehension checks. 42% of the participants were classified in the 'low predicted legitimacy' block before randomization based on their expressed national and European identity and perceived importance of the rule of law.

About half (48%) of the respondents said that they had heard about the enforcement case and had sufficient information about it, 39% said they had heard but did not have sufficient information, and 13% admitted that they had not heard about the case at all. About half (49%) of the respondents said they did not know the size of the financial penalties that Poland had to pay. 15% thought the sum was € 100 thousand per day or less. Only 34% picked the right answer (out of four options we provided), which is € 1 mill. per day. Only half of the respondents who said they have sufficient information about the case knew the right size of the sanctions. In the control group, the perceived legitimacy of enforcement actions was moderate: means of 4.5 (sanctions justified), 5.2 (support for the sanctions), 4.8 (Poland should obey), 4.2 (Poland should pay the fines) on the four individual items, and a mean of 4.4 for the index (with a median of 4.5 and standard deviation of 1.95).

#### *Average treatment effects of the experimental conditions*

Table 1 shows the average treatment effects (ATEs) of the experimental conditions. The ATEs are estimated using the Lin regression adjustment method, with robust standard errors<sup>9</sup>. The Lin method includes in the regression specification the treatment group indicators, the demeaned predictors, and the interactions between the treatment group indicators and the demeaned predictors. In Models 1 and 3 in Table 1, the only predictor included is the blocking variable (being classified as 'high' or 'low' predicted support). In Models 2 and 4, we also include political party

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<sup>9</sup> The MacKinnon and White (1985) version of robust standard errors are used. All models are estimated with the 'estimatr' package (Blair et al. 2019) for R.

support, the variables used to construct the blocks (national identity, EU identity and the perceived importance of the rule of law), and support for European integration. Models 1 and 2 are estimated on the whole sample. Models 3 and 4 are estimated on the subset of participants who passed the comprehension checks (either on the first try or after the prompt to read/listen to the vignettes once more).

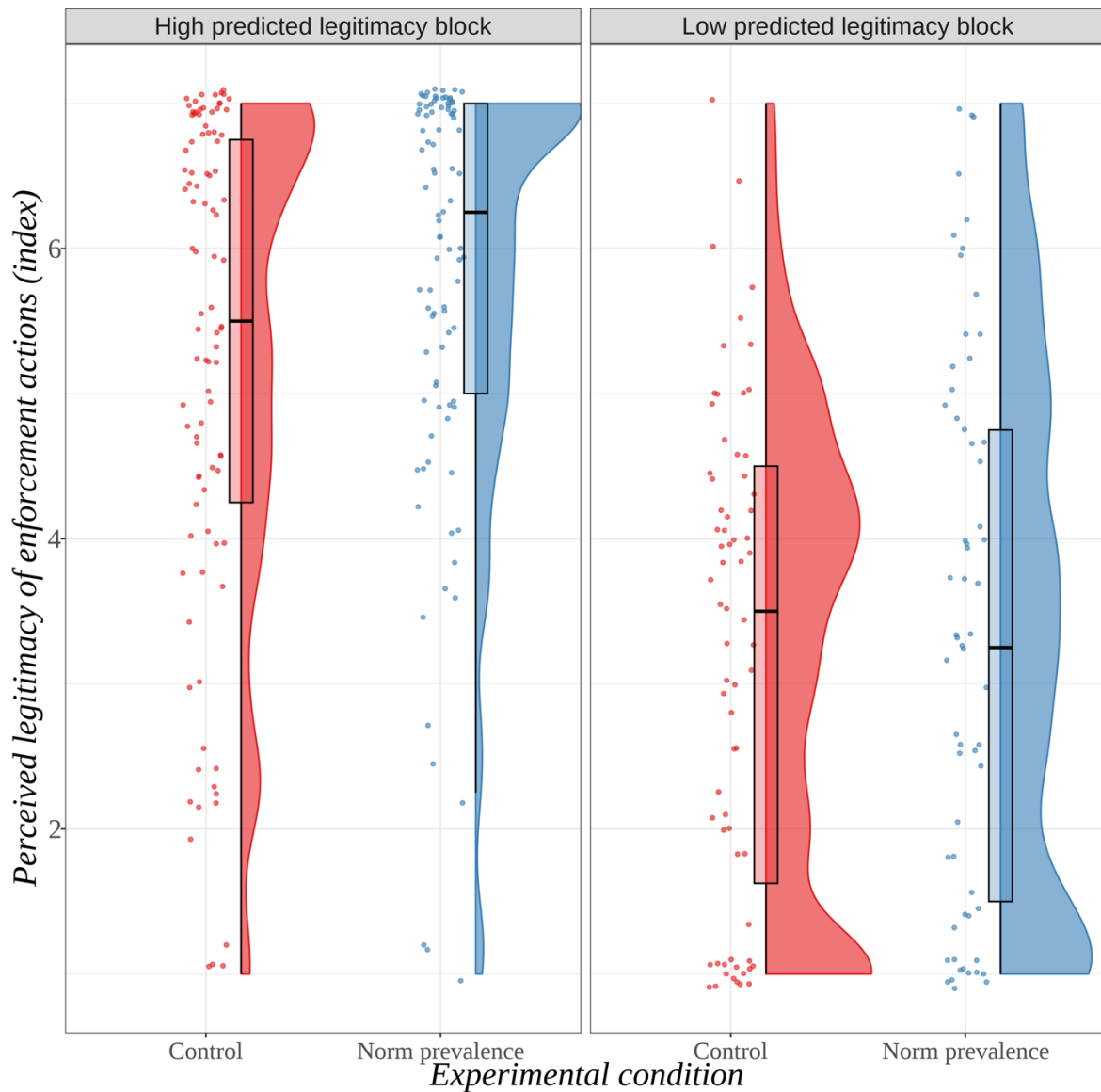
In the full sample, none of the experimental treatments appear to have significant effects, with the exception of the Norm prevalence condition, which has a positive effect of 0.29 with a p-value of 0.08 (Model 1). In the subsample of participants who passed the comprehension checks (Model 3), the effect of this treatment condition is greater (0.39) and is estimated more precisely ( $p=0.04$ ). As expected, the predictive effect of being classified as ‘high’ or ‘low’ support based on the responses to the pre-treatment questions on national/EU identity and the perceived importance of the rule of law is very large (approximately 2 points on the 7-point scale) and significant (see Models 1 and 3).

Figure 1 illustrates the effects of Norm prevalence. The figure displays the index of perceived legitimacy (dots show individual observations; the bars and histograms provide summaries of the distributions) in the *Norm prevalence* experimental condition and the distribution of this variable in the control group, separately for the two blocks within which randomization was applied (high predicted legitimacy, which means that respondents had non-exclusive national identity and high perceived importance of the rule of law, and low predicted legitimacy otherwise). We can see from the figure that there is a difference in the outcome between Norm prevalence and Control in the ‘high predicted legitimacy’ block, but not in the ‘low predicted legitimacy’ one. Hence, the treatment increased further the perceived legitimacy of the enforcement actions of those who were already predisposed to find them legitimate.

Political party support also has big effects: having voted for one of the parties who supports the rule of law and the EU (Civic Coalition or The Left) is associated on average with 1 point higher perceived legitimacy of the enforcement actions. Having voted for one of the parties who initiated the judicial reforms leading up to the sanctions (Law and Justice) or opposing vocally the enforcement actions (the Confederation around Korwin) is associated with 0.65/0.72 points lower perceived legitimacy. The baseline category for these comparisons is respondents who did not vote or voted for another party. When we add the other predictors (most of which are used in the construction of the blocking variable, see the operationalization section for details), national identity and support for European integration have significant effects, while EU identity and the perceived importance of the rule of law do not. However, the correlations between these variables

are quite strong (0.45 between the perceived importance of the rule of law and support for European integration; 0.71 for EU identity and support for European integration).

There are no systematic noteworthy differences in these results when we examine the four individual components of the perceived legitimacy of rule of law enforcement actions that make up the outcome variable index (results not shown).



**Figure 1.** Illustrating the effects of the Norm prevalence condition (based on Model 3, Table 1)



**Table 1. Average treatment effects of the experimental conditions estimated from Lin regression models with HC2 robust standard errors. Interactions between the treatments and the predictors are included in the model specification; full details are in the Supplementary Material (Table A.1).**

	<b>Perceived legitimacy of rule of law enforcement (index)</b>			
	<b>Model 1 Baseline</b>	<b>Model 2 Additional controls</b>	<b>Model 3 Baseline: Subsample</b>	<b>Model 4 Add. controls: Subsample</b>
(Intercept)	4.41 (0.12) ***	4.43 (0.10) ***	4.46 (0.13) ***	4.48 (0.11) ***
Treatment: Deterrence	-0.16 (0.18)	-0.13 (0.14)	-0.07 (0.20)	-0.09 (0.16)
Treatment: Norm prevalence	0.29 (0.17) `	0.10 (0.14)	0.39 (0.19) *	0.21 (0.15)
Treatment: Polexit	-0.08 (0.17)	-0.10 (0.14)	-0.11 (0.20)	-0.10 (0.16)
Treatment: Fair procedure	-0.05 (0.18)	-0.02 (0.14)	0.03 (0.20)	0.00 (0.16)
Treatment: Unfair procedure	-0.08 (0.18)	-0.10 (0.14)	-0.05 (0.20)	-0.06 (0.15)
Low predicted legitimacy block	-1.99 (0.24) ***	-0.32 (0.32)	-2.05 (0.27) ***	-0.46 (0.36)
Party support (for pro RoL parties)		0.99 (0.24) ***		1.17 (0.27) ***

**Table 1. Average treatment effects of the experimental conditions estimated from Lin regression models with HC2 robust standard errors. Interactions between the treatments and the predictors are included in the model specification; full details are in the Supplementary Material (Table A.1).**

<b>Perceived legitimacy of rule of law enforcement (index)</b>				
	<b>Model 1 Baseline</b>	<b>Model 2 Additional controls</b>	<b>Model 3 Baseline: Subsample</b>	<b>Model 4 Add. controls: Subsample</b>
Party support (for anti RoL parties)		-0.71 (0.27) **		-0.64 (0.30) *
National identity		-0.17 (0.04) ***		-0.16 (0.04) ***
EU identity		0.05 (0.05)		0.01 (0.05)
Importance of rule of law (RoL)		0.05 (0.06)		0.01 (0.07)
Support for EU integration		0.24 (0.05) ***		0.27 (0.05) ***
Interactions treatment*predictors	<i>included</i>	<i>included</i>	<i>included</i>	<i>included</i>
Num.Obs.	1200	1200	926	926
R2 Adj.	0.23	0.51	0.24	0.53

### *Heterogeneous effects (interactions)*

The interactions of the block variable with the experimental conditions are not significant (Models 1 and 3, coefficients are shown in the Supplementary Material, Table A.1). Looking at Models 2 and 4, the effect of Deterrence is significantly greater in the low predicted legitimacy block ( $p=0.10$ , Model 4). The interaction effect of Procedural unfairness with party support for Law and Justice and Korwin is big (0.8 points), negative and significant ( $p=0.06$ ), according to Models 2 and 4. The interaction between Procedural fairness and EU identity is positive and significant (0.15 with  $p$ -value of 0.05 in Model 2). The perceived importance of the rule of law has significant positive interactions with Deterrence, Norm prevalence and Procedural fairness. Support for European integration has a possible negative interaction with Polexit (-0.15 with a  $p$ -value of 0.09, Model 4).

### *Counterfactual, within-person differences*

Table 2 shows the results for the counterfactual part of the survey. The effects in this part of the analysis refer to within-person differences. Models 5 (full sample) and 7 (subset who passed the comprehension checks) in Table 2 show the effects on participants assigned to one of the treatment arms who were asked to imagine what their responses would have been had they not seen the information in the vignettes. Theoretically, we would expect that these within-person differences are similar to and possibly smaller than the between-person effects reported in Table 1. The intercept in Model 5 shows the average within-person difference in the Deterrence condition, which is negative (-0.14) and statistically significant, meaning that respondents think they would have rated the legitimacy of enforcement action lower had they not seen the vignette. The effects are similar for the other vignettes as well, as evidenced from the lack of significant coefficients (relative to the effect in the Deterrence group). Hence, respondents in all treatment conditions think the vignettes had an influence on their opinions. But we know from the between-person analysis (Table 1) that this was not the case (with the exception of Norm prevalence).

Models 6 and 8 show the effects of the counterfactual part of the survey for participants originally assigned to the control group who were then presented with one of the vignettes and asked about their opinion again. In all cases, the outcome variable is the difference between the two sets of responses per person. The intercept in Models 6 shows the average within-person difference in responses for participants originally assigned to the Control condition who then read the Norm prevalence vignette. The relatively large, positive and significant effect suggests that participants think they would have rated the legitimacy of enforcement actions significantly higher had they been exposed to this information. This is consistent with the significant effect of this

experimental condition in the between-person analysis as well. The within-person effect of the Poxit vignette is negative but not significantly different from zero, however, which again agrees with the between-person analysis.

Altogether, for respondent who were originally assigned to the control groups and were then exposed to one of two experimental treatment vignettes, the effects are consistent with the effects from the between-subjects part of the experiment. However, respondents originally assigned to one of the experimental conditions overestimate the effects the vignettes could have had on their opinions.

**Table 2. Counterfactual within-person treatment effects of the experimental conditions estimated from Lin regression models with robust standard errors. Interactions between the treatments and the predictors are included, but details are not printed.**

**Perceived legitimacy of rule of law enforcement (index)**

	<b>Model 1</b>	<b>Model 2</b>	<b>Model 3</b>	<b>Model 4</b>
	<b>Full sample: Treated</b>	<b>Full sample: Controls</b>	<b>Subsample: Treated</b>	<b>Subsample: Controls</b>
(Intercept) Deterrence: Control	-0.14 (0.06) *		-0.22 (0.06) ***	
Norm prevalence: Control	-0.03 (0.09)		-0.01 (0.10)	
Polexit: Control	0.00 (0.08)		0.07 (0.08)	
Fair procedure: Control	-0.04 (0.09)		-0.09 (0.10)	
Unfair procedure: Control	-0.01 (0.09)		0.05 (0.11)	
(Incpt) Control: Norm prevalence		0.30 (0.09) ***		0.33 (0.10) ***
Control: Polexit		-0.25 (0.12) *		-0.34 (0.13) *
Low predicted legitimacy block	0.15 (0.12)	-0.13 (0.18)	0.08 (0.13)	-0.10 (0.20)
Interactions treatment*predictors	<i>included</i>	<i>included</i>	<i>included</i>	<i>included</i>
Num.Obs.	999	201	763	163

### *Relevant beliefs and knowledge*

Looking into the reasons why the treatments had effects or not, we note that the participants were much more likely to consider credible the norm prevalence information (see Figure 3), rather than any of the others (Polexit, procedural fairness and procedural unfairness are almost evenly split between people who believe this information and those who do not; deterrence effects are believed slightly more).

**Table 3. Share of respondents who found the relevant information in the experimental vignettes credible or not, per predicted support block**

	<b>Low predicted legitimacy block</b>		<b>High predicted legitimacy block</b>	
	Not credible	Credible	Not credible	Credible
Treatment: Deterrence	0.40	0.60	0.40	0.60
Treatment: Norm prevalence	0.28	0.72	0.14	0.86
Treatment: Polexit	0.35	0.65	0.54	0.46
Treatment: Fair procedure	0.66	0.34	0.28	0.72
Treatment: Unfair procedure	0.26	0.74	0.67	0.33

When we add an indicator capturing the perceived credibility of arguments to the cross-sectional models of the legitimacy of EU enforcement actions, this indicator has a positive and significant effect. More importantly, it takes away the significance of the effect of the Norm prevalence treatment, implying that the effect is mediated by beliefs. In the counterfactual, within-person analyses, the effect of the credibility of arguments is not significant.

Respondents in the predicted low legitimacy group were significantly less likely to perceive the information about Norm prevalence and Procedural fairness as credible, and they were significantly more likely to perceive the information about Procedural unfairness as credible.

We explored possible moderating effects of awareness and prior knowledge about the sanctions but found no evidence that the experimental treatments work differently for people with different values on these factors.

To summarize our results, we find strong support for the observational hypotheses, which stated that the perceived legitimacy of enforcement actions will depend significantly on national identity, European identity and the perceived importance of the rule of law. Furthermore, partisan

affinities and general support for European integration are strongly associated with the outcome of interest. But we did not find support for the experimental hypotheses which proposed that different arguments about the procedural (un)fairness of the procedures and their possible effects (deterrence, Polesit) will affect legitimacy. The only argument that works is the one providing information about the high prevalence of public support for judicial independence and the rule of law in Poland. However, contrary to our expectations, the effect was stronger among those who found the rule of law important in the first place.

## **Conclusion**

This article developed theoretical hypotheses and presented a survey-experimental research design for the study of the perceived legitimacy of enforcement actions by the European Union. Building on insights from several bodies of literature, we proposed that people's assessment of whether financial sanctions against their state are legitimate will be a function of procedural fairness, norm prevalence and the perceived effects of the sanctions on the future of European integration of their country and on other enforcement actions in the future. These effects were anticipated to work in addition to and conditional on the fundamental influence of exclusive national identity and the perceived importance of the norm being infringed.

We find no evidence for the hypothesized experimental effects, with one exception: providing information about norm prevalence, or the public support enjoyed by the norm being enforced in the country. The effect of norm prevalence can be interpreted in light of a coordination perspective: the information about norm prevalence tells people where they stand vis-à-vis the rest of the community, which increases their confidence in their positions. Alternatively, the result could be an expression of a socially-desirable stand and an impulse to conform to the societal norms. In any case, the effect works primarily for people who are already predisposed to find the enforcement actions legitimate.

The lack of effects of arguments about the procedural fairness or unfairness of the procedures is noteworthy. Procedural fairness is closely related to the legitimacy of international organizations, according to existing literature (Scholte and Tallberg 2018; Dellmuth and Tallberg 2015; Tallberg and Zürn 2019). This might well be the case when we look at what attitudes people tend to hold together. However, there might be little that one can do to *change* the perceived procedural fairness once people have formed opinions. It could be that arguing a procedure is fair might lead to attitudinal backlash (cf. Guess and Coppock 2020), in which legitimacy *decreases* when people are exposed to such information if they already 'know' the procedure has been unfair.

The fact that we find no evidence for arguments related to the possible effects of the enforcement actions, and Polesxit in particular, might be related to the limited perceived credibility of these arguments. Even if a possible exit of Poland from the EU had been discussed in the Polish parliament and was mentioned by experts, apparently people did not believe that such an outcome is plausible, which limits the possible effect of the argument. The legitimacy of enforcement could still depend on the possibility that the target finds other cooperation partners (Arai, Tooby, and Cosmides 2022), but such possibilities need to be credible. Further research should also develop methods to examine whether the effects might differ for supporters of different political parties, next to the possible heterogeneous effects by national identity, which we studied in this article.

The strong effects of identity, norm importance and partisan factors, coupled with limited effects of normative arguments, put into doubt whether the enforcement actions of the EU have their own legitimacy at all. In some interpretations of legitimacy, we can only say that it exists when people accept and support actions that go against their self-interest or even when no evaluation occurs (Tost 2011; Gibson, Caldeira, and Spence 2005). What we find is that people are likely to find sanctions legitimate when they enforce a norm they find important and/or when the enforcer is an actor they feel attached to. But otherwise, they are not likely to find the sanctions legitimate. The real test will come when pro-European citizens are faced with sanctions enforcing a norm they do *not* find important or agree with.

The salience and controversy of the real-world case we studied provide an appropriate, if challenging, context for testing the theoretical hypotheses and guaranteeing external validity of the experiment, but they also make it difficult to identify any effects in an experimental design. Survey experiments rely on relatively weak information treatments to examine attitude change (Sniderman 2018). This is particularly challenging for issues on which the public has already been exposed to a lot of information, so that attitudes have solidified and the information provided by the experimental treatments could have already been internalized by the survey respondents. While offering more ecological validity, vignettes that introduce contextual detail also are known to reduce treatment effects (Brutger et al. 2022). To partially address these challenges, we used block randomization to increase the statistical power and efficiency of the design (Gerber and Green 2012) and the counterfactual format for experiments on attitude change recently proposed by Graham and Coppock (2021). Interestingly, on average people overestimated the extent to which they had changed their opinions based on the vignettes. But the within-person counterfactual effects are relatively small in substantive terms, even if statistically significant.

The results of this study address important normative concerns about enforcement actions generating public backlash. We show that such concerns are unwarranted in one of the most likely



settings to find such effects: when your own country is penalized with considerable financial sanctions for infringing on contested norms about judicial independence and the rule of law. When the issue is salient and politicized, any additional arguments and information do not have big effects on legitimacy. This might provide leeway to the enforcing institutions to press on with the process. If people have already made up their minds, any further argument or action is unlikely to lead to a significant backlash or to win additional support.

The Polish case that we study is an example of a context where the public is broadly favorable of the EU in general, but the specific enforcement actions have been heavily politicized and criticized by the ruling national government. Consequently, our findings are relevant for situations where the EU enjoys diffuse support but its actions are domestically contested. In more Eurosceptic countries, the influence of any arguments on the perceived legitimacy of sanctions is only likely to be even smaller, although the effect of norm prevalence that we identify might still hold for the EU-supportive parts of the public.

With respect to countering democratic backsliding, can EU enforcement be an effective tool? Our study shows that EU sanctions might not lead to *further* backlash among the domestic public, beyond the polarization generated by the conflict over the rule of law more generally. But sanctions are also unlikely to galvanize public opinion in support of democracy and rule of law. Hence, if public pressure generated by financial sanctions is the channel through which domestic elites should be ‘persuaded’ to change behavior, this is unlikely to work. This reinforces the previously-made argument about the limited effectiveness of material sanctions (Sedelmeier 2017). Nevertheless, strict enforcement actions might be needed to *retain* the support of the pro-European, pro-democracy parts of the public within the member states target to sanctions but also in other member states.

## References

- Aldrovandi, Silvio, Gordon D A Brown, and Alex M Wood. 2015. “Social Norms and Rank-Based Nudging: Changing Willingness to Pay for Healthy Food.” *Journal of Experimental Psychology: Applied*. American Psychological Association.
- Arai, Sakura, John Tooby, and Leda Cosmides. 2022. “Motivations to Reciprocate Cooperation and Punish Defection Are Calibrated by Estimates of How Easily Others Can Switch Partners.” *PsyArchive*.
- Armaly, Miles T. 2020. “Loyalty over Fairness: Acceptance of Unfair Supreme Court Procedures.” *Political Research Quarterly* 74 (4): 927–40.
- Beetham, David. 2013. *The Legitimation of Power*. Bloomsbury Publishing.

- Belle, Nicola, and Paola Cantarelli. 2021. "Nudging Public Employees Through Descriptive Social Norms in Healthcare Organizations." *Public Administration Review* 81 (4): 589–98.
- Blair, Graeme, Jasper Cooper, Alexander Coppock, and Macartan Humphreys. 2019. "Declaring and Diagnosing Research Designs." *American Political Science Review* 113 (3): 838–59.
- Blauberger, Michael, and R Daniel Kelemen. 2017. "Can Courts Rescue National Democracy? Judicial Safeguards against Democratic Backsliding in the EU." *Journal of European Public Policy* 24 (3): 321–36.
- Börzel, Tanja A. 2021. *Why Noncompliance*. Cornell University Press.
- Bowers, Jake. 2011. "Making Effects Manifest in Randomized Experiments." In *Cambridge Handbook of Experimental Political Science*, edited by James N Druckman, Donald P Green, James H Kuklinski, and Arthur Lupia, 459–80. Cambridge University Press Cambridge, England.
- Brutger, Ryan, Joshua David Kertzer, Jonathan Renshon, and Chagai M Weiss. 2022. *Abstraction in Experimental Design: Testing the Tradeoffs. Elements in Experimental Political Science*. Cambridge University Press.
- Caldeira, Gregory A, and James L Gibson. 1995. "The Legitimacy of the Court of Justice in the European Union: Models of Institutional Support." *American Political Science Review* 89 (2): 356–76.
- Carey, Sean. 2002. "Undivided Loyalties: Is National Identity an Obstacle to European Integration?" *European Union Politics* 3 (4): 387–413.
- Cheruvu, Sivaram. 2022. "When Does the European Commission Pursue Noncompliance?" *European Union Politics*, April, 14651165221087636.
- Cialdini, Robert B, Carl A Kallgren, and Raymond R Reno. 1991. "A Focus Theory of Normative Conduct: A Theoretical Refinement and Reevaluation of the Role of Norms in Human Behavior." In , edited by Mark P B T - *Advances in Experimental Social Psychology* Zanna, 24:201–34. Academic Press.
- Closa, Carlos. 2019. "The Politics of Guarding the Treaties: Commission Scrutiny of Rule of Law Compliance." *Journal of European Public Policy* 26 (5): 696–716.
- Dederke, Julian. 2022. "CJEU Judgments in the News – Capturing the Public Salience of Decisions of the EU’s Highest Court." *Journal of European Public Policy* 29 (4): 609–28.
- Dellmuth, Lisa. 2018. "Individual Sources of Legitimacy Beliefs." *Legitimacy in Global Governance*, 37–55.
- Dellmuth, Lisa, and Jonas Tallberg. 2015. "The Social Legitimacy of International Organisations: Interest Representation, Institutional Performance, and Confidence Extrapolation in the United Nations." *Review of International Studies* 41 (3): 451–75.

- Delton, Andrew W, and Max M Krasnow. 2017. "The Psychology of Deterrence Explains Why Group Membership Matters for Third-Party Punishment." *Evolution and Human Behavior* 38 (6): 734–43.
- Dinas, Elias, and Ezequiel Gonzales-Ocantos. 2021. "Defending the European Court of Human Rights: Experimental Evidence from Britain." *European Journal of Political Research* 60 (2): 397–417.
- Easton, David. 1975. "A Re-Assessment of the Concept of Political Support." *British Journal of Political Science* 5 (4): 435–57.
- Fine Licht, Jenny de, Mattias Agerberg, and Peter Esaiasson. 2022. "It's Not over When It's over?—Post-Decision Arrangements and Empirical Legitimacy." *Journal of Public Administration Research and Theory* 32 (1): 183–99.
- Fine Licht, Jenny De, Daniel Naurin, Peter Esaiasson, and Mikael Gilljam. 2014. "When Does Transparency Generate Legitimacy? Experimenting on a Context-bound Relationship." *Governance* 27 (1): 111–34.
- Fjelstul, Joshua C. 2022. "Explaining Public Opinion on the Enforcement of the Stability and Growth Pact during the European Sovereign Debt Crisis." *European Union Politics*, March, 14651165221075940.
- Fjelstul, Joshua C, and Clifford Carrubba. 2018. "The Politics of International Oversight: Strategic Monitoring and Legal Compliance in the European Union." *American Political Science Review* 112 (3): 429–45.
- Franchino, Fabio, and Camilla Mariotto. 2021. "Noncompliance Risk, Asymmetric Power and the Design of Enforcement of the European Economic Governance." *European Union Politics* 22 (4): 591–610.
- Gaines, Brian J, and James H Kuklinski. 2011. "Treatment Effects." In *Cambridge Handbook of Experimental Political Science*, edited by James N Druckman, Donald P Green, James H Kuklinski, and Arthur Lupia, 445–58. Cambridge University Press Cambridge, UK.
- Gerber, Alan S, and Donald P Green. 2012. *Field Experiments: Design, Analysis, and Interpretation*. WW Norton.
- Gibson, James L, Gregory A Caldeira, and Lester Kenyatta Spence. 2005. "Why Do People Accept Public Policies They Oppose? Testing Legitimacy Theory with a Survey-Based Experiment." *Political Research Quarterly* 58 (2): 187–201.
- Goldberg, Andreas C, Erika J van Elsas, and Claes H de Vreese. 2021. "One Union, Different Futures? Public Preferences for the EU's Future and Their Explanations in 10 EU Countries." *European Union Politics* 22 (4): 721–40.

- Graham, Matthew H, and Alexander Coppock. 2021. "Asking About Attitude Change." *Public Opinion Quarterly* 85 (1): 28–53.
- Guess, Andrew, and Alexander Coppock. 2020. "Does Counter-Attitudinal Information Cause Backlash? Results from Three Large Survey Experiments." *British Journal of Political Science* 50 (4): 1497–1515.
- Hahm, Hyeonho, David Hilpert, and Konig. 2020. "Institutional Reform and Public Attitudes toward EU Decision Making." *European Journal of Political Research* 59 (3): 599–623.
- Hallsworth, Michael, John A List, Robert D Metcalfe, and Ivo Vlaev. 2017. "The Behavioralist as Tax Collector: Using Natural Field Experiments to Enhance Tax Compliance." *Journal of Public Economics* 148: 14–31.
- Hobolt, Sara B. 2007. "Taking Cues on Europe? Voter Competence and Party Endorsements in Referendums on European Integration." *European Journal of Political Research* 46 (2): 151–82.
- Hobolt, Sara B, and Catherine E de Vries. 2016. "Public Support for European Integration." *Annual Review of Political Science* 19 (1): 413–32.
- Holbrook, Allyson L. 2011. "Attitude Change Experiments in Political Science." In *Cambridge Handbook of Experimental Political Science*, edited by James N Druckman, Donald P Green, James H Kuklinski, and Arthur Lupia, 1:141–54. Cambridge University Press Cambridge.
- Hooghe, Liesbet. 2007. "What Drives Euroskepticism? Party-Public Cueing, Ideology and Strategic Opportunity." *European Union Politics* 8 (1): 5–12.
- Hooghe, Liesbet, and Gary Marks. 2005. "Calculation, Community and Cues: Public Opinion on European Integration." *European Union Politics* 6 (4): 419–43.
- Imai, Kosuke. 2008. "Variance Identification and Efficiency Analysis in Randomized Experiments under the Matched-pair Design." *Statistics in Medicine* 27 (24): 4857–73.
- Jackson, Jonathan. 2018. "Norms, Normativity, and the Legitimacy of Justice Institutions: International Perspectives." *Annual Review of Law and Social Science* 14: 145–65.
- Kelemen, R Daniel, and Tommaso Pavone. 2021. "Where Have the Guardians Gone? Law Enforcement and the Politics of Supranational Forbearance in the European Union." *Law Enforcement and the Politics of Supranational Forbearance in the European Union (December 27, 2021)*.
- König, Thomas, and Lars Mäder. 2014. "The Strategic Nature of Compliance: An Empirical Evaluation of Law Implementation in the Central Monitoring System of the European Union." *American Journal of Political Science* 58 (1): 246–63.
- Krasnow, Max M, Leda Cosmides, Eric J Pedersen, and John Tooby. 2012. "What Are Punishment and Reputation For?" *PLOS ONE* 7 (9): e45662.
- Krasnow, Max M, Andrew W Delton, Leda Cosmides, and John Tooby. 2016. "Looking Under

- the Hood of Third-Party Punishment Reveals Design for Personal Benefit.” *Psychological Science* 27 (3): 405–18.
- Krueger, Frank, and Morris Hoffman. 2016. “The Emerging Neuroscience of Third-Party Punishment.” *Trends in Neurosciences* 39 (8): 499–501.
- Leibbrandt, Andreas, and Raúl López-Pérez. 2012. “An Exploration of Third and Second Party Punishment in Ten Simple Games.” *Journal of Economic Behavior & Organization* 84 (3): 753–66.
- Levi, Margaret, Audrey Sacks, and Tom Tyler. 2009. “Conceptualizing Legitimacy, Measuring Legitimizing Beliefs.” *American Behavioral Scientist* 53 (3): 354–75.
- MacKinnon, James G, and Halbert White. 1985. “Some Heteroskedasticity-Consistent Covariance Matrix Estimators with Improved Finite Sample Properties.” *Journal of Econometrics* 29 (3): 305–25.
- Madsen, Mikael Rask, Juan A Mayoral, Anton Strezhnev, and Erik Voeten. 2021. “Sovereignty, Substance, and Public Support for European Courts’ Human Rights Rulings.” *American Political Science Review*, 1–20.
- Mazepus, Honorata. 2017. “What Makes Political Authorities Legitimate? Students’ Ideas about Legitimacy in Five European Democracies and Hybrid Regimes.” *Contemporary Politics* 23 (3): 306–27.
- Mazepus, Honorata, and Florian van Leeuwen. 2020. “Fairness Matters When Responding to Disasters: An Experimental Study of Government Legitimacy.” *Governance* 33 (3): 621–37.
- Mazepus, Honorata, and Dimiter Toshkov. 2021. “Standing up for Democracy? Explaining Citizens’ Support for Democratic Checks and Balances.” *Comparative Political Studies* 55 (8): 1271–97.
- Muñoz, Jordi, Mariano Torcal, and Eduard Bonet. 2011. “Institutional Trust and Multilevel Government in the European Union: Congruence or Compensation?” *European Union Politics* 12 (4): 551–74.
- Perkins, H Wesley, Michael P Haines, and Richard Rice. 2005. “Misperceiving the College Drinking Norm and Related Problems: A Nationwide Study of Exposure to Prevention Information, Perceived Norms and Student Alcohol Misuse.” *Journal of Studies on Alcohol* 66 (4): 470–78.
- Peter, Fabienne. 2009. *Democratic Legitimacy*. Routledge.
- Pospieszna, Paulina, Michal Onderco, and Reinout van der Veer. 2023. “Comparing Public Attitudes towards Internal and External EU Sanctions: The Role of Populism, Trust and Euroscepticism.” *East European Politics* Online Fir: 1–22.
- Rothschild, Joseph. 1977. “Observations on Political Legitimacy in Contemporary Europe.” *Political Science Quarterly* 92 (3): 487–501.

- Schlipphak, Bernd, Paul Meiners, Oliver Treib, and Constantin Schäfer. 2022. "When Are Governmental Blaming Strategies Effective? How Blame, Source and Trust Effects Shape Citizens' Acceptance of EU Sanctions against Democratic Backsliding." *Journal of European Public Policy*, July, 1–23.
- Schlipphak, Bernd, and Oliver Treib. 2017. "Playing the Blame Game on Brussels: The Domestic Political Effects of EU Interventions against Democratic Backsliding." *Journal of European Public Policy* 24 (3): 352–65.
- Scholte, Jan A, and Jonas Tallberg. 2018. "Theorizing the Institutional Sources of Global Governance Legitimacy." In *Legitimacy in Global Governance: Sources, Processes, and Consequences*, edited by Jan A Scholte, Karin Backstrand, and Jonas Tallberg, 56–74. Oxford University Press.
- Schoon, Eric W. 2022. "Operationalizing Legitimacy." *American Sociological Review*, March, 00031224221081379.
- Sedelmeier, Ulrich. 2017. "Political Safeguards against Democratic Backsliding in the EU: The Limits of Material Sanctions and the Scope of Social Pressure." *Journal of European Public Policy* 24 (3): 337–51.
- Sniderman, Paul M. 2011. "The Logic and Design of the Survey Experiment: An Autobiography of a Methodological Innovation." In *Cambridge Handbook of Experimental Political Science*, edited by James N Druckman, Donald Green, James H Kuklinski, and Arthur Lupia, 102–14. Cambridge: Cambridge University Press.
- . 2018. "Some Advances in the Design of Survey Experiments." *Annual Review of Political Science* 21 (1): 259–75.
- Steunenberg, Bernard, and Dimiter Toshkov. 2009. "Comparing Transposition in the 27 Member States of the EU: The Impact of Discretion and Legal Fit." *Journal of European Public Policy* 16 (7): 951–70.
- Tallberg, Jonas, and Michael Zürn. 2019. "The Legitimacy and Legitimation of International Organizations: Introduction and Framework." *The Review of International Organizations* 14 (4): 581–606.
- Thibaut, J.W., and L Walker. 1975. *Procedural Justice: A Psychological Analysis*. Hillsdale: L. Erlbaum Associates.
- Thomann, Eva, and Asya Zhelyazkova. 2017. "Moving beyond (Non-) Compliance: The Customization of European Union Policies in 27 Countries." *Journal of European Public Policy* 24 (9): 1269–88.
- Toshkov, Dimiter. 2019. "Does Euroscepticism Influence Compliance and Enforcement of EU

- Law in the Member States?” In *Challenges to EU Law in the Member States*, edited by Clara Rauchegger and Anna Wallerman, 27–46. Hart Publishing.
- Toshkov, Dimiter, and André Krouwel. 2022. “Beyond the U-Curve: Citizen Preferences on European Integration in Multidimensional Political Space.” *European Union Politics*, February, 14651165221080316.
- Tost, Leigh Plunkett. 2011. “An Integrative Model of Legitimacy Judgments.” *Academy of Management Review* 36 (4): 686–710.
- Tyler, Tom R. 2003. “Procedural Justice, Legitimacy, and the Effective Rule of Law.” *Crime and Justice* 30 (April): 283–357.
- Tyler, Tom R, and Kenneth Rasinski. 1991. “Procedural Justice, Institutional Legitimacy, and the Acceptance of Unpopular U.S. Supreme Court Decisions: A Reply to Gibson.” *Law & Society Review* 25 (3): 621–30.
- Veer, Reinout Arthur van der. 2022. “Walking the Tightrope: Politicization and the Commission’s Enforcement of the SGP\*.” *JCMS: Journal of Common Market Studies* 60 (1): 81–100.
- Vries, Catherine E De. 2018. *Euroscepticism and the Future of European Integration*. Oxford University Press.
- Werner, Hannah. 2020. “If I’ll Win It, I Want It: The Role of Instrumental Considerations in Explaining Public Support for Referendums.” *European Journal of Political Research* 59 (2): 312–30.
- Wrátil, Christopher, and Jens Wackerle. 2023. “Majority Representation and Legitimacy: Survey-Experimental Evidence from the European Union.” *European Journal of Political Research* 62 (1): 62: 285-307.

## Supplemental Material

### *A. Legal and institutional background of rule of law enforcement against Poland in the EU*

In January 2017, the Polish Government announced its plans for a comprehensive judicial reform resulting in the Law on the National Council of the Judiciary; the Law on Ordinary Courts and the Law on the Supreme Court. The Law on the Supreme Court introduced, among other things, a system of early retirement for the sitting Supreme Court judges and created five chambers. The early retirement of Supreme Court judges together with the increased influence of the legislative and executive on the National Council of the Judiciary in charge of nominations for judicial appointments, gave the opportunity to the governing majority to pack the Supreme Court with judges loyal to the Government, thus undermining the independence of the highest court. In October 2018, the European Commission on the basis of Article 258 TFEU, started infringement proceedings against Poland on the early retirement of Supreme Court judges and less than one year later, the CJEU declared the lowering of the retirement age for Supreme Court judges incompatible with Article 19(1) TEU as it impinged on judicial independence.<sup>10</sup> The establishment of the Disciplinary Chamber within the Supreme Court was also seen as problematic.

On 25 October 2019, the European Commission started infringement proceedings against Poland concerning the establishment and jurisdiction of the Disciplinary Chamber.<sup>11</sup> On the basis of Article 279 TFEU, the Commission also applied for interim measures before the CJEU. The purpose of interim measures is to suspend the application of a national measure, which otherwise would cause irreparable damage before the final result of the main proceeding, in this case the infringement procedure. The Court granted such request and ordered Poland to suspend the jurisdiction of the Disciplinary Chamber in disciplinary cases concerning judges.<sup>12</sup> However, the Chamber continued its activity and eventually it was closed only on 15 July 2022 as the result of pressure created in a second set of infringement proceedings and interim measures initiated by the Commission (see below).

On 19 November 2019 the CJEU ruled in the *A.K case* and it used the opportunity to outline criteria for judicial independence and to guide the national court in assessing the independence of the Disciplinary Chamber, especially in light of concerns on the independence of

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<sup>10</sup> Case C-619/18, judgment of 24 June 2019, ECLI:EU:C:2019:531.

<sup>11</sup> Case C-791/19, *Commission v. Poland*. In its judgment of 15 July 2021, the Court agreed with the Commission and ruled that Poland had infringed Article 19(1)TEU and Article 267 TFEU due to the lack of independence and impartiality of the Disciplinary Chamber and, by inter alia, allowing a broad definition of ‘disciplinary offences’ which could potentially include the content of judicial decisions by ordinary judges and given the risk that the right of courts and tribunals to refer questions for a preliminary ruling could be limited through said disciplinary proceedings.

<sup>12</sup> Order of the Court in Case C-791/19 R, 8 April 2020.



the National Council of the Judiciary. Following the CJEU's ruling, the Labour and Social Security Chamber ruled that both the National Council of the Judiciary and the Disciplinary Chamber lacked judicial independence.<sup>13</sup>

As a reaction to these developments and in order to insulate the disciplinary system from resistance within the Polish judiciary and from European influence, on 20 December 2020 the Polish Government adopted the so-called 'muzzle law' which amended the current framework.<sup>14</sup> According to the law, Polish national courts were not allowed to review the independence of other courts in line with the *A.K* judgment of the CJEU. As a reaction to this, based on Article 258 TFEU, the Commission, initiated a second set of infringement proceedings on 1 April 2021, this time against the 'muzzle law'.<sup>15</sup> It also applied for interim measures. The CJEU on the basis of Article 279 TFEU granted interim measures and ordered Poland to suspend those provisions introduced with the 'muzzle law'.<sup>16</sup> On the same day, the Polish Constitutional Tribunal (PCT) declared the CJEU Order of 14 July 2021 as *ultra vires* and therefore unconstitutional. Based on this, Poland appealed against the CJEU Order granting interim measures. However, with an Order of 6 October 2021, the CJEU dismissed the appeal and upheld its measures for interim relief.

These Orders issued by the CJEU were ignored by Poland and the Disciplinary Chamber continued to be operational. As a result, through another application for interim measures the Commission asked the Court to order Poland to pay a daily penalty payment to the EU budget for non-compliance with the Court's Orders. The legal basis for this measure was Article 279 TFEU (interim measures) and the Commission based its application on previous case law of the CJEU in an earlier case concerning Poland.<sup>17</sup> The Court of Justice ultimately imposed a daily penalty payment of EUR 1 million until the Polish government complies with the interim Order of 14 July 2021. For the Court, such an unprecedented amount would be justified considering that the 14 July Order aimed at avoiding the emergence of "serious and irreparable harm to the legal order of the European Union and, consequently, to the rights which individuals derive from EU law and the values, set out in Article 2 TEU, on which that Union is founded, in particular that of the rule of law."<sup>18</sup>

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<sup>13</sup> See Polish Supreme Court, judgment of 5 December 2019, cited in L.D. Spieker "The conflict over the Polish disciplinary regime for judges – an acid test for judicial independence, Union values and the primacy of EU law: *Commission v. Poland*", *CMLRev*, 59(3), 2022, pg. 779.

<sup>14</sup> Law of 20 December 2019 amending the Law on the system of ordinary courts, the Law on the Supreme Court and certain other laws

<sup>15</sup> See action brought on 1 April 2021 – *European Commission v Republic of Poland*, in Case C-204/21, at <https://curia.europa.eu/juris/document/document.jsf?text=&docid=243505&pageIndex=0&doclang=EN&mode=req&dir=&occ=first&part=1&cid=9262667>

<sup>16</sup> Order of the Vice President of the Court in Case C-204/21 R, 14 July 2021.

<sup>17</sup> Order of 20 November 2017, Case C 441/17 R *Commission v Poland*.

<sup>18</sup> *Ibid*, para. 58 of the 27 October 2021 Order.

## *B. Experimental vignettes, variables and design choices*

### **0 Control**

In 2018, the Polish government changed the way the Supreme Court works. Under the new law, the President of the Disciplinary Chamber, appointed by the Minister of Justice, initiated proceedings against judges for the content of their judgments.

In April 2020, the European Commission started an infringement procedure against Poland, because it considered that the new Disciplinary Chamber undermines judicial independence. In July 2021, the Court of Justice of the EU gave an order for Poland to suspend the Disciplinary Chamber until it issues a judgement on the case. Poland did not comply. In October 2021, the Court imposed on Poland a fine of €1 million per day.

Poland has still not complied with the order. The fine exceeds €200 million already.

### **1 Polexit**

Control text +

Such a punishment with a financial penalty mobilizes anti-European parties. The topic of Poland's withdrawal from the EU in 2027 has already been raised in the Polish parliament. Anti-EU sentiment related to the consequences of the verdict may lead to Poland's withdrawal from the European Union. International relations experts warn that the more pressure the Union puts on Poland, the more likely Poland's exit from the Union is.

### **2 Fair procedure**

Control text +

The sanctions against Poland have been imposed according to a legal, fair and transparent procedure that works the same for all member states of the EU. In this procedure, the Polish government has had numerous opportunities to explain its actions and present its arguments to the European Commission. Moreover, Poland has the possibility to defend its position in an impartial trial at the Court of Justice of the European Union. But the Polish government did not comply with the order of the European Court of Justice to suspend the functioning of the Disciplinary Chamber for the duration of the court case.

In the past, the Court has ruled numerous times against small and large member states to protect the application of EU law. Sometimes, the Court rules against the European Commission as well.

### **3 Unfair procedure**

Control text +

Not all experts agree that the rule of law is a clearly defined concept. The independence of the judiciary can also be assessed in different ways.

Moreover, Poland is not the only European country where concerns about judicial independence are expressed. Judicial independence is also rated poorly in Hungary, Bulgaria and Croatia. However, the European Commission has not sought to impose sanctions on these countries.

The European Commission itself can decide which cases of suspected violations of the law it brings to the Court of Justice and which it does not. Because of this, experts accuse the Commission of enforcing EU law in an uneven, strategic and politicized manner.

#### **4 Deterrence**

Control text +

Although Poland is currently burdened with sanctions, similar sanctions may defend the Polish national interest in the future.

Sanctions may be applied, for example, to ensure the access of Polish goods to the market of other European countries. Similar procedures can also be used to ensure that all European Union member states respect the gasoline embargo imposed on Russia.

In the past, the Court of Justice of the EU has repeatedly ruled against large Member States such as Germany and France for failing to respect EU common market rules. It also imposed sanctions on Italy and Greece for non-compliance with the financial rules.

#### **5 Norm prevalence**

Control text +

According to polls conducted by various agencies, most Poles believe that the rule of law and independence of the courts are important.

9 out of 10 adults in Poland agreed that ‘The decisions by public authorities can be reviewed by an independent courts’, according to a survey from 2019. Moreover, 84% of Polish citizens found it ‘essential’ or ‘important’ that ‘All EU Member States respect the core values of the EU, including fundamental rights, the rule of law, and democracy’.

According to another reputable survey from 2021, 3 out of 4 Polish adults agreed that ‘the EU should only provide funds to Member States conditional on their government’s implementation of the rule of law and of democratic principles.’

#### *Measuring relevant covariates*

For the operationalization of the variables used in the study, see the Pre-Analysis Plan at <https://osf.io/9d52r>.

### *Experimental design choices*

We use block experimental design. Blocking can be detrimental (decrease precision) only in very specific circumstances (Imai 2008) – namely, when the individuals are grouped into blocks that are internally very heterogeneous – which are unlikely to hold in our case. In principle, block randomization can further increase precision when the variances in responses across blocks are unequal. This is the case when one of the arms is expected to be unresponsive to the treatment or when there are floor/ceiling effects that limit the range of possible responses to the treatment. Furthermore, we considered assigning some *treatment arms* higher number of respondents than others, because of expected higher variances of responses to these treatment arms and the need to estimate heterogeneous effects for some of the hypotheses. The statistical power analyses, however, did not suggest major gains from differential treatment assignment probabilities or from different number of respondents in the different treatment arms, so we did not use these options.

We explored the implications of these experimental design choices using the Declare Design framework (Blair et al. 2019), which allowed for simulating the hypothesized pattern of responses within and between blocks and treatment arms and diagnosing the statistical power of the designs and the bias of possible estimators. Details on the power analyses we conducted are available in the Pre-Analysis Plan (<https://osf.io/9d52r>). The anticipated block-specific effects range between 0.15 and 0.50 (so, small to moderate) with standard deviations between 0.25 and 1.0. These estimates are based on prior studies of similar questions with similar designs (e.g. Mazepus and Toshkov 2021).

### *References*

- Blair, Graeme, Jasper Cooper, Alexander Coppock, and Macartan Humphreys. 2019. “Declaring and Diagnosing Research Designs.” *American Political Science Review* 113 (3): 838–59.
- Imai, Kosuke. 2008. “Variance Identification and Efficiency Analysis in Randomized Experiments under the Matched-pair Design.” *Statistics in Medicine* 27 (24): 4857–73.
- Mazepus, Honorata, and Dimiter Toshkov. 2021. “Standing up for Democracy? Explaining Citizens’ Support for Democratic Checks and Balances.” *Comparative Political Studies* 55 (8): 1271–97.

**Table A.1. Average treatment effects of the experimental conditions estimated from Lin regression models with robust standard errors. Full details of Table 1.**

	Perceived legitimacy of rule of law enforcement (index)			
	Model 1 Baseline	Model 2 Additional controls	Model 3 Subsample: Baseline	Model 4 Subsample: Additional controls
(Intercept)	4.41 (0.12), p=0.00	4.43 (0.10), p=0.00	4.46 (0.13), p=0.00	4.48 (0.11), p=0.00
Treatment: Deterrence	-0.16 (0.18), p=0.37	-0.13 (0.14), p=0.35	-0.07 (0.20), p=0.74	-0.09 (0.16), p=0.58
Treatment: Norm prevalence	0.29 (0.17), p=0.08	0.10 (0.14), p=0.49	0.39 (0.19), p=0.04	0.21 (0.15), p=0.18
Treatment: Polexit	-0.08 (0.17), p=0.64	-0.10 (0.14), p=0.48	-0.11 (0.20), p=0.58	-0.10 (0.16), p=0.54
Treatment: Fair procedure	-0.05 (0.18), p=0.77	-0.02 (0.14), p=0.89	0.03 (0.20), p=0.89	0.00 (0.16), p=0.98
Treatment: Unfair procedure	-0.08 (0.18), p=0.63	-0.10 (0.14), p=0.48	-0.05 (0.20), p=0.82	-0.06 (0.15), p=0.72
Low predicted legitimacy block	-1.99 (0.24), p=0.00	-0.32 (0.32), p=0.32	-2.05 (0.27), p=0.00	-0.46 (0.36), p=0.21
x Deterrence	0.21 (0.36), p=0.55	0.61 (0.52), p=0.24	0.19 (0.41), p=0.64	1.00 (0.60), p=0.10
x Norm prevalence	-0.14 (0.34), p=0.67	-0.06 (0.56), p=0.92	-0.33 (0.39), p=0.40	0.00 (0.66), p=1.00
x Polexit	0.41 (0.35), p=0.24	0.53 (0.48), p=0.28	0.35 (0.40), p=0.38	0.64 (0.53), p=0.22
x Fair procedure	-0.29 (0.36), p=0.42	0.29 (0.49), p=0.55	-0.23 (0.42), p=0.58	0.56 (0.59), p=0.34

**Table A.1. Average treatment effects of the experimental conditions estimated from Lin regression models with robust standard errors. Full details of Table 1.**

Perceived legitimacy of rule of law enforcement (index)				
	Model 1 Baseline	Model 2 Additional controls	Model 3 Subsample: Baseline	Model 4 Subsample: Additional controls
x Unfair procedure	-0.08 (0.35), p=0.81	0.00 (0.47), p=1.00	-0.26 (0.41), p=0.53	0.36 (0.56), p=0.53
Party support (for pro RoL parties)		0.99 (0.24), p=0.00		1.17 (0.27), p=0.00
x Deterrence		0.14 (0.35), p=0.69		-0.19 (0.39), p=0.63
x Norm prevalence		-0.22 (0.34), p=0.53		-0.48 (0.38), p=0.20
x Polexit		-0.23 (0.36), p=0.54		-0.39 (0.39), p=0.32
x Fair procedure		-0.07 (0.38), p=0.86		-0.25 (0.43), p=0.57
x Unfair procedure		-0.22 (0.36), p=0.53		-0.60 (0.42), p=0.15
Party support (for anti RoL parties)		-0.71 (0.27), p=0.01		-0.64 (0.30), p=0.03
x Deterrence		0.05 (0.39), p=0.91		-0.31 (0.46), p=0.50
x Norm prevalence		-0.34 (0.39), p=0.39		-0.40 (0.43), p=0.35
x Polexit		-0.41 (0.38), p=0.28		-0.54 (0.44), p=0.22

**Table A.1. Average treatment effects of the experimental conditions estimated from Lin regression models with robust standard errors. Full details of Table 1.**

Perceived legitimacy of rule of law enforcement (index)				
	Model 1 Baseline	Model 2 Additional controls	Model 3 Subsample: Baseline	Model 4 Subsample: Additional controls
x Fair procedure		-0.05 (0.41), p=0.90		-0.14 (0.48), p=0.76
x Unfair procedure		-0.71 (0.37), p=0.06		-0.80 (0.43), p=0.06
National identity		-0.17 (0.04), p=0.00		-0.16 (0.04), p=0.00
x Deterrence		-0.04 (0.06), p=0.43		-0.03 (0.06), p=0.63
x Norm prevalence		0.04 (0.08), p=0.60		0.04 (0.09), p=0.64
x Polexit		-0.03 (0.06), p=0.57		-0.07 (0.07), p=0.33
x Fair procedure		0.01 (0.06), p=0.86		0.01 (0.07), p=0.91
x Unfair procedure		-0.02 (0.06), p=0.79		-0.02 (0.06), p=0.80
EU identity		0.05 (0.05), p=0.34		0.01 (0.05), p=0.79
x Deterrence		0.13 (0.08), p=0.11		0.13 (0.09), p=0.12
x Norm prevalence		-0.02 (0.09), p=0.82		-0.02 (0.11), p=0.85

**Table A.1. Average treatment effects of the experimental conditions estimated from Lin regression models with robust standard errors. Full details of Table 1.**

Perceived legitimacy of rule of law enforcement (index)				
	Model 1 Baseline	Model 2 Additional controls	Model 3 Subsample: Baseline	Model 4 Subsample: Additional controls
x Polexit		0.11 (0.08), p=0.18		0.14 (0.09), p=0.13
x Fair procedure		0.15 (0.08), p=0.05		0.15 (0.09), p=0.10
x Unfair procedure		-0.01 (0.08), p=0.92		0.02 (0.09), p=0.83
Importance of rule of law		0.05 (0.06), p=0.40		0.01 (0.07), p=0.89
x Deterrence		0.15 (0.10), p=0.13		0.27 (0.11), p=0.02
x Norm prevalence		0.18 (0.08), p=0.03		0.25 (0.09), p=0.01
x Polexit		0.07 (0.08), p=0.41		0.12 (0.09), p=0.18
x Fair procedure		0.18 (0.09), p=0.06		0.25 (0.11), p=0.02
x Unfair procedure		0.06 (0.08), p=0.47		0.13 (0.09), p=0.17
Support for EU integration		0.24 (0.05), p=0.00		0.27 (0.05), p=0.00
x Deterrence		-0.11 (0.08), p=0.17		-0.10 (0.09), p=0.24



**Table A.1. Average treatment effects of the experimental conditions estimated from Lin regression models with robust standard errors. Full details of Table 1.**

	Perceived legitimacy of rule of law enforcement (index)			
	Model 1 Baseline	Model 2 Additional controls	Model 3 Subsample: Baseline	Model 4 Subsample: Additional controls
x Norm prevalence		-0.08 (0.07), p=0.29		-0.07 (0.08), p=0.39
x Polexit		-0.11 (0.08), p=0.16		-0.15 (0.09), p=0.09
x Fair procedure		-0.13 (0.08), p=0.11		-0.12 (0.09), p=0.19
x Unfair procedure		0.00 (0.08), p=0.97		0.04 (0.09), p=0.67
Num.Obs.	1200	1200	926	926
R2 Adj.	0.23	0.51	0.24	0.53

Figure A.1 Effects of the experimental conditions per high/low predicted support block (based on Model 3 from Table 1).

