

The contribution of the rule of law to subjective well-being

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Resumen: Cada vez hay más pruebas sobre la necesidad de medidas más allá de los indicadores económicos para ofrecer una imagen más precisa del bienestar humano. Una de estas medidas puede ser un indicador de calidad institucional: el estado de derecho. El objetivo de este estudio es analizar la influencia que tiene la variable estado de derecho en el bienestar subjetivo de 128 países. Utilizando datos del World Justice Project y de la encuesta mundial Gallup, los resultados muestran que, independientemente del nivel económico del país, hay margen para mejorar el bienestar subjetivo a través de la mejora del estado de derecho, dando especial prioridad a los derechos de primer orden.

Palabras clave: Bienestar subjetivo, Evaluación de la vida, Estado de derecho, Nivel de ingresos, Encuesta mundial Gallup

Abstract: There is increasing evidence that measures beyond economic indicators are needed to provide a more accurate picture of human well-being. One of these measures may be an indicator of institutional quality: the rule of law. The aim of this study is to analyse the influence that rule of law has on the subjective well-being of 128 countries. Using data from the World Justice Project and the Gallup World, results showed that, independent of the economic level of the country, there is room for improvement in subjective well-being via enhancement of the rule of law, giving special priority to first-order rights.

Keywords: Subjective well-being, Life evaluation, Rule of law, Income level, Gallup World Poll

Subjective well-being is a widely recognized concept that involves a person's cognitive and affective evaluations of his or her life (Diener et al., 2003). In this study, the cognitive component of subjective well-being that is analysed is life satisfaction, which implies the conscious cognitive evaluation of one's life that depends on a comparison of one's life circumstances to one's

standards (Pavot & Diener, 1993). Therefore, life satisfaction arises from self-evaluative judgements coming from personal experiences in different life domains. However, as Diener et al., (2003) argue, subjective well-being is not only a measure of the quality of life of an individual but also of the quality of life of societies.

Therefore, the subjective well-being of the population, an important desideratum of their leaders, has extensively been analysed in relation to different variable levels. First, it has been studied depending on individual differences, for instance, how certain emotional skills contribute to overcoming daily challenges and therefore foster life satisfaction (e.g., Lischetzke & Eid, 2017; Villanueva et al., 2020). This level of analysis implies a type of individual intervention that, although effective, does not cover the wide range of factors involved.

Another variable level of analysis of subjective well-being, which provides a more comprehensive view of the situation, refers to societal or ecological factors (Veenhoven, 2007). These societal factors, which go beyond the personal experience of the subject, have usually been focused on economic indicators such as income, gross domestic product per capita (GDP) or country wealth. Studies have consistently shown that countries with a higher economic level present higher scores of subjective well-being (Diener et al., 2003; Diener & Shigehiro, 2000). For instance, nations' mean life satisfaction was correlated .84 with their gross national product per capita (Veenhoven, 1991). The richer the country is, the happier its citizens are.

Nevertheless, is wealth the end point of the search for subjective well-being? Are all public policies limited to just an increase in national budgets? The Stiglitz Commission strongly suggested that measures beyond economic ones were needed to provide a more accurate picture of

the well-being of societies (Stiglitz et al., 2009) and, in this way, better inform public policies to foster well-being. Fortunately, there is a wide range of additional ecological factors that may contribute to increasing the happiness or satisfaction of the population. For example, what about the influence of institutional quality on the population's subjective well-being? The climate of trust and security that political, normative and judicial institutions must offer to citizens will surely enhance their level of subjective well-being.

In this line of reasoning, previous research has shown positive associations between different institutional indexes and subjective well-being, such as quality of government (Arshed et al., 2021; Liu et al., 2020), democracy (Mungar & Cramer, 2021), and absence of corruption (Li & An, 2020). Most of these institutional indexes can be subsumed in a more general concept, the rule of law, which will be the main focus of this study. Although sometimes briefly included in these previous concepts (e.g., quality of government) or just considered as a partial aspect (absence of corruption), the concept of the rule of law presents enough substance to be fully considered in all its dimensions. However, what does the concept of the rule of law mean?

The main functions of the rule of law are protecting citizens against the state (the arbitrary and inequitable use of state power) and citizens against one another (infringements or assaults by fellow citizens on citizens' property and lives) (Bedner, 2010). More extensively, the principles

included in the rule of law are the following: laws must be just superior, known, predictable and equally applied to all persons; there should be separation of powers, an independent judiciary, robust and accessible enforcement of the laws, and the right to participate in the creation of laws (Stein, 2019). As seen, the promotion of the rule of law is related not only to the enhancement of liberty in society but also, due to economic globalisation, to the enhancement of a secure environment for investments, property, contracts, and so on. That is, on most occasions, financial assistance has been conditioned on the implementation of the rule of law in recipient countries (Tamanaha, 2004). In summary, this concept is then related to universal values of democracy, liberty, and economic security, and all these variables may lead to an increase in the subjective well-being of citizens.

The recent threats to the rule of law in Europe have placed this already popular concept in the spotlight again. Not in vain, the transgression of constitutional norms may justify review proceedings and sanctions against Member States (Schroeder, 2021). The European Commission has made several calls in the last year to address specific problems regarding the rule of law in countries including Spain (delays in the renovation of the General Council of the Judiciary), Poland (threats to judicial independence) and Hungary (the presence of corruption in high institutions), among others (European Commission, 2020).

In the rest of the world, the scenario is not more optimistic. The importance of this concept is highlighted by the general crisis of the rule of law in Latin American countries, with the exception of Chile, Costa Rica, and Uruguay (Cameron, 2007); the struggle to improve the practice of the rule of law in parts of the former Soviet Union, Eastern Europe and Asia; and even the slipping backward of the rule of law in the areas of sub-Saharan Africa and Central Asia (Carothers, 2010). Despite efforts to promote the rule of law all over the world in the past four decades, a clear decline in this concept is evident (Arajärvi, 2018; Tamanaha, 2004). Therefore, an analysis of how this possible decline in the rule of law influences other variables, such as subjective well-being, is necessary.

There are multiple indicators to assess the concept of the rule of law (see a comparison between the most prominent ones (Versteeg & Ginsburg, 2017). Without a doubt, the indicator used in this study, the World Justice Project (WJP) Rule of Law 2020 report, presents some advantages in relation to other reports: it is comprehensive, including a wide range of components; it assesses the real practice of the rule of law and not simply written legislation and planned policies; and it includes not only the experts' point of view but also the perspective of ordinary people (Versteeg & Ginsburg, 2017; WJP, 2020). In addition, the concept of the rule of law in this report shows an adequate balance between a "thin" or minimalist conception of the rule of law (mainly formal and procedural rules)

and a “thick” conception that includes substantive characteristics, such as self-governance and various fundamental rights and freedoms (WJP, 2020).

Therefore, in comparison to previous studies analysing more objective societal indexes of well-being, such as income or GDP per capita, this study aims to explore the influence that the rule of law has on the subjective well-being (life evaluation) of 128 countries. Choosing an enriched multidimensional concept of the rule of law and controlling the variable income level to check the independence effect of the rule of law are the main contributions of this study. The identification of the relationship between the rule of law and subjective well-being may guide policy choices and programmes that focus on strengthening not only the rule of law but also citizens’ satisfaction with their lives.

Método

Design

This study uses recent data from two main sources, the subjective well-being variable “life evaluation” from the Gallup World Poll (GWP, 2020) and the variable rule of law and income level extracted from the World Justice Project (WJP, 2020).

Life evaluation measure

The rankings of life evaluation in this study are provided by the participants’ own assessments of the level of happiness in their lives in the very well-known Gallup World Poll (GWP, 2020).

They answer the Cantril ladder question (Cantril, 1965), which invites survey participants to imagine their current position on a ladder with steps numbered from 0 to 10, where the top represents the best possible and the bottom the worst possible life for themselves. It is a measure of the cognitive dimension of subjective well-being (life evaluation) versus the emotional dimension of well-being (e.g., positive and negative affect). Further information on the GWP can be found on the website of the Gallup Organization.

Rule of law measure

Developed by the World Justice Project (an independent, multidisciplinary organization working to advance the rule of law worldwide), the World Justice Project (WJP) Rule of Law 2020 is the report in an annual series that measures the rule of law. In this report, the rule of law is defined as a durable system of laws, institutions, norms, and community commitments that delivers accountability under the law, just laws, open government, and accessible and impartial dispute resolution (WJP, 2020).

This report, serving as a quantitative tool, shows the rule of law in 128 different countries by presenting data based on 8 factors. The origin of these data is more than 130,000 household surveys and 4,000 legal practitioner and expert surveys worldwide. The overall score ranges from 0 to 1, with 1 indicating the strongest adherence to the rule of law. This overall concept, the rule of law, is composed of 8 different factors:

constraints on government powers, the absence of corruption, an open government, fundamental rights, order and security, regulatory enforcement, civil justice, and criminal justice.

The first factor refers to the limitation of government powers by the legislature, the judiciary and independent auditing and review. It includes the concepts that government officials may be sanctioned for misconduct, and that government powers rely on nongovernmental checks.

The second factor, which is the absence of corruption, involves the different government officials and mainly refers to the fact of not using public offices for private gain.

An open government is factor 3 of the rule of law, which implies that the laws and government data are published, there is a right to information, citizens can participate and complaint mechanisms exist.

The existence of fundamental rights is the fourth element which includes the right to equal treatment and the absence of discrimination, the freedom of opinion and expression, the fundamental labour rights, etc.

The fifth factor, order and security, refers to the effective control of crime, the effective limitation of civil conflict and the lack of use of violence to redress personal grievances.

The sixth element is known as regulatory enforcement, which means that government regulations are enforced in an effective way and properly applied.

The concept of the rule of law also includes the element of civil justice that is free of corruption, discrimination, and improper government influence.

The last factor that composes the rule of law is criminal justice which should be impartial and free of corruption.

All the previous factors are subsumed in two main principles that show the relationship between the state and the governed. The first principle evaluates whether the law imposes limits on the exercise of power by the state and its agents, as well as individuals and private entities (factors one, two, three, and four). The second principle measures whether the state limits the actions of members of society and fulfils its basic duties towards its population (factors five, six, seven, and eight).

Income level measure

The World Justice Project (WJP) collects the income group classifications from the World Bank Atlas. According to the World Bank Atlas, there are four groups of countries: low-income economies, which are defined as those with a gross national income (GNI) per capita of \$1,035 or less; lower middle-income economies, which are those with a GNI per capita between \$1,036 and \$4,045; upper middle-income economies, which are those with a GNI per capita between \$4,046 and \$12,535; and high-income economies, which are those with a GNI per capita of \$12,536 or more.

Resultados

Descriptive statistics including the mean, standard deviation and the maximum and minimum of the variables in the study are showed in Table 1.

The relation between the three main variables in this study can be observed in figure 1. Life evaluation and rule of law seem to present a similar pattern in relation to income level. In general, as the income level of the country increases, satisfaction with life and implementation of the rule of law also increase. More specifically, low- and middle-income levels do not seem to make a difference in the implementation of the rule of law, showing similar means. Meanwhile, a steadily increasing

pattern can be seen in the case of life evaluation for all income groups.

Simple correlations between all the variables in the study are presented in Table 2. Each component of the rule of law, as well as the overall score, presented positive significant correlations with subjective well-being, ranging from .51 to .71. The higher the scores were for the rule of law components, the higher the evaluation of life satisfaction was. The rule of law component with the highest correlation with subjective well-being was open government ($r = .71^{**}$). The lowest correlation was presented between order and security and well-being ($r = .51^{**}$). This component also presented lower correlations with the rest of the rule of law components.

Table 1. Descriptive statistics of the variables in the study

	<i>Mean</i>	<i>SD</i>	<i>Minimum</i>	<i>Maximum</i>
Economic Level	2.76	1.03	1.00	4.00
Rule of Law	.56	.14	.27	.90
RoL 1	.54	.15	.27	.92
RoL 2	.57	.13	.27	.88
Life Evaluation	5.51	1.08	2.56	7.81

X2 ** nivel de significación, $p \leq .01$

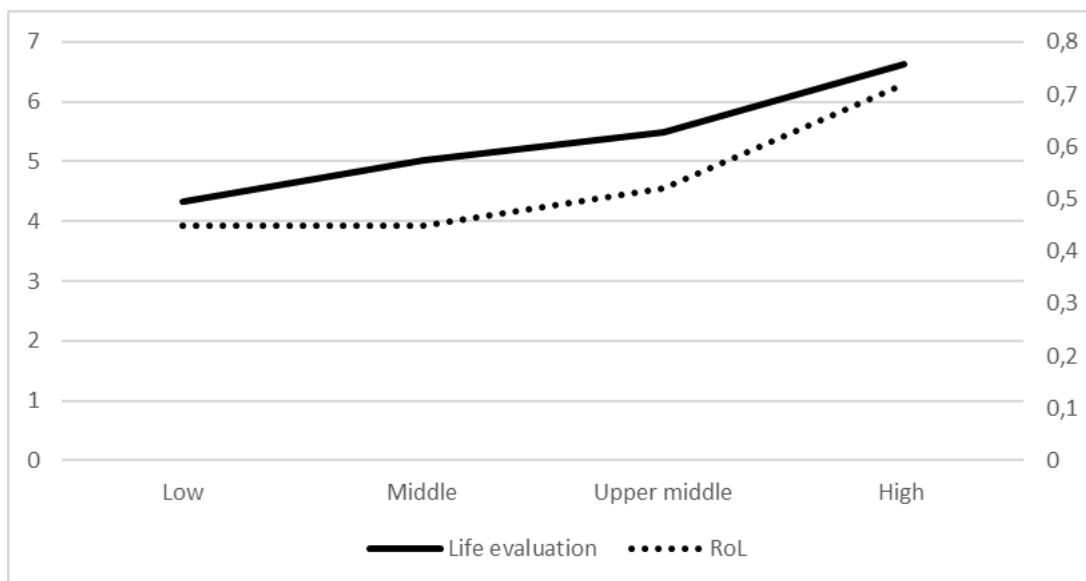


Figure 1. Life evaluation and rule of law means by income level groups.

The contribution of the rule of law to subjective well-being

The income level of the country also presented a positive significant correlation with subjective well-being ($r = .72$), showing that the richer the country is, the higher the life evaluation will be. In addition, both variables (rule of law and income level) were also significantly correlated ($r = .73^{**}$), which means that they are closely intertwined. The higher correlation between the rule of law components and income was yielded by the absence of corruption ($r = .75^{**}$).

Partial correlations between rule of law and subjective well-being controlling for income level are presented in Table 3. Controlling for joint variation due to income level (which is highly correlated with rule of law) reduced some of the correlations among the analysed variables. When income level was controlled, the correlation between rule of law and life evaluation dropped from 0.70 to 0.32. Something

similar happened with all the rule of law dimensions: correlations decreased from a range of .51 to .71 to a range of .18 to .40.

Next, simple correlations between principles 1 and 2 of the rule of law and life evaluation were carried out. These correlations were also significant ($r = .69^{**}$ and $r = .64^{**}$, respectively), being reduced by half when income level was controlled in partial correlations ($r = .35^{**}$ and $r = .25^{**}$, respectively) (see Table 4).

Finally, linear regression models were performed and are presented in tables 5 and 6. The first regression model shows that income level and the overall score for rule of law significantly and independently predicted subjective well-being, explaining 56% of the variance. The contribution of both variables to subjective well-being was very similar, focusing on Beta standardised coefficients (see Table 5).

Table 2. Simple correlations between all the variables in the study

	1	2	3	4	5	6	7	8	9	10
1. COGP	1									
2. AOC	.817**	1								
3. OG	.887**	.767**	1							
4. FR	.910**	.796**	.881**	1						
5. OAS	.530**	.744**	.537**	.610**	1					
6. RE	.884**	.930**	.856**	.840**	.700**	1				
7. CJ	.836**	.919**	.778**	.822**	.730**	.935**	1			
8. CRJ	.848**	.937**	.763**	.832**	.763**	.923**	.922**	1		
9. RoL	.923**	.948**	.888**	.917**	.757**	.968**	.949**	.956**	1	
10. LE	.588**	.629**	.707**	.674**	.516**	.677**	.595**	.585**	.679**	1
11. ECL	.588**	.747**	.669**	.676**	.574**	.696**	.694**	.687**	.730**	.725**

** $p < .01$; * $p < .05$. COGP: Constraints on Government Powers; AOC: Absence of Corruption; OG: Open Government; FR: Fundamental Rights; OAS: Order and Security; RE: Regulatory Enforcement; CJ: Civil Justice; CRJ: Criminal Justice; RoL: Rule of Law; LE: Life Evaluation; ECL: Economic Level.

Table 3. Partial correlations between all the variables in the study, controlling for economic level

	1	2	3	4	5	6	7	8	9
1. COGP	1								
2. AOC	.706**	1							
3. OG	.839**	.560**	1						
4. FR	.866**	.591**	.828**	1					
5. OAS	.286**	.585**	.233*	.361**	1				
6. RE	.821**	.880**	.728**	.711**	.504**	1			
7. CJ	.744**	.851**	.616**	.664**	.561**	.886**	1		
8. CRJ	.762**	.888**	.585**	.685**	.626**	.873**	.864**	1	
9. RoL	.894**	.891**	.798**	.845**	.599**	.941**	.905**	.923**	1
10. LE	.294**	.191*	.405**	.374**	.181*	.336**	.192*	.183*	.317**

** p < .01; * p < .05. COGP: Constraints on Government Powers; AOC: Absence of Corruption; OG: Open Government; FR: Fundamental Rights; OAS: Order and Security; RE: Regulatory Enforcement; CJ: Civil Justice; CRJ: Criminal Justice; RoL: Rule of Law; LE: Life Evaluation; ECL: Economic Level.

Table 4. Simple and partial correlations between income level, life evaluation and RoL

	1	2	3
1. ECL	1		
2. LE	.725**	1*	
3. RoL 1	.718**	.688**(.349**)	1
4. RoL 2	.711**	.636**(.250**)	.914**(.825**)

** p < .01; * p < .05. ECL: Economic Level; LE: Life Evaluation; RoL 1: factors 1, 2, 3, 4; RoL 2: factors 5, 6, 7, 8. Partial correlations in parentheses, controlling for ECL.

Table 5. Linear regression model: RoL and income level on life evaluation

	B	SE	T	p	95% CI (B)	
					LL	UL
Constant		.270	10.422	.000**	2.28	3.35
ECL	.491	.093	5.389	.000**	.32	.69
RoL	.320	.687	3.508	.001**	1.05	3.77

N=128; Nagelkerke R2 adjusted=.56; ** p < .01; * p < .05. Note: ECL: Economic Level; RoL: Rule of Law

Table 6. Linear regression model: Two principles of RoL and income level on life evaluation.

	B	SE	T	p	95% CI (B)	
					LL	UL
Constant		.296	10.269	.000**	2.46	3.63
ECL	.488	.092	5.408	.000**	.32	.68
RoL 1	.443	1.077	2.819	.006**	.901	5.17
RoL 2	-.115	1.234	-.745	.458**	-3.37	1.53

N=128; Nagelkerke R2 adjusted=.57; ** p < .01; * p < .05. Note: ECL: Economic Level; RoL 1: factors 1, 2, 3, 4; RoL2: factors 5, 6, 7, 8

The overall score of rule of law was split into the two main principles (RoL 1 and RoL 2) and introduced in the linear regression model, and the results are shown in table 6. The income level of the country was again a significant predictor of subjective well-being. However, this time, only the first principle of the rule of law (components 1-4) yielded a significant prediction on life evaluation. The second principle (components 5-

8) was not a significant predictor of life evaluation. The variables of income level and the first rule of law principle explained 57% of the variance in life evaluation. That is, only with the presence of the first rule of law principle and income level was the explained variance nearly the same as that reached with the overall rule of law score in the first regression model.

Discusión

This study aims to explore the influence that the institutional variable, rule of law, has on an indicator of subjective well-being (life evaluation) in 128 countries, independent of other variables, such as the economic level of the country.

There seems to be a strong relationship between rule of law and life evaluation; that is, countries with higher scores on the rule of law dimensions present higher levels of life evaluation, and rule of law is a significant predictor of life evaluation in the regression models. All the rule of law dimensions present significant positive correlations with life evaluation, with no exception. Specifically, the open government component of the rule of law stands out as the one with the strongest relation with life evaluation. This fact is even more valuable considering that this component presented substantial differences between the expert-based scores and the population-based scores in the disaggregated WJP data study of Versteeg and Ginsburg (2017). Perhaps the links between this open government dimension and the positive concepts of transparency and citizens' participation (Meijer et al., 2012) reinforce their relationship with subjective well-being.

Another result that deserves our attention refers to the order and security component, which shows the lowest significant correlations with subjective well-being and with the rest of the components. It seems quite counterintuitive that

the component involving control of crime and conflict in society does not contribute more extensively to citizens' well-being. The analysis of the individual data of the countries surprisingly shows that countries with lower-quality democratic systems, such as Egypt, Iran, United Arab Emirates or Rwanda, present their highest rule of law score in the order and security component, with a difference of more than .20 from the rest. This may support a negative connotation of this component, referring to totalitarian systems. The subtle nuances of this component deserve further investigation in future studies.

These results validate the importance of an overall concept of the rule of law that includes all the judicial, governmental and security components (WJP, 2020), as all of them contribute to subjective well-being. That is, the perceptions that both experts and ordinary people hold about the climate of trust and security that institutions must present is an important variable to consider when trying to foster the subjective well-being of citizens.

Nevertheless, it is worth noting that this strong relationship between rule of law and life evaluation decreases when income level is considered. The correlation between both variables, as well as the correlations with all the rule of law dimensions and life evaluation, drop by half when income level is controlled.

Without a doubt, there are common traits between income level and rule of law ($r = .73$ in this study). Similarly, previous results have

revealed that richer countries have higher rule of law scores ($r = .81$) but also that GDP and rule of law are not identical (Versteeg & Ginsburg, 2017). It is logical to think that rich countries will be more effective in creating conditions that support the rule of law, including safety, government transparency, equality, and so on. However, the results from this study still find a significant association between rule of law and life evaluation, independent of income level. That is, the significant relation between subjective well-being and rule of law still remains when income level is controlled, as shown in the regression models. Both variables, the rule of law and income level of a country, are found to be independent, significant predictors of well-being, jointly offering a very high percentage of explained variance (56%).

The results about the prediction of the two rule of law principles on subjective well-being deserve special attention. Although it was expected that both principles would predict life evaluation, only the first rule of law principle (legal limits on the exercise of power by the state and its agents, as well as individuals and private entities) was able to do so. The second principle measured (state limits on the actions of members of society and fulfilment of its basic duties towards its population) did not yield a significant prediction of life evaluation. One possible explanation may lie in the characteristics of the components included in each principle. In this sense, the first principle seems to include more fundamental, first-order rights. In other words,

the first principle seems to be closer to a “thick” conception of the rule of law (WJP, 2020). These findings suggest that public policies improving the legal limits on the exercise of state power will usually lead to a higher life evaluation of the citizens. Supporting the limitation of government power, fostering transparency and citizens’ participation, controlling corruption and assuring fundamental rights will be the most effective ways to enhance the population’s subjective well-being. Quite unexplored in previous literature, these rule of law principles deserve further attention in future research.

Some limitations of this study are worth mentioning and constitute challenges for future research. The analyses of the specific contributions of each rule of law component to citizens’ well-being in the prediction models will surely improve the evaluation by pointing out the core elements to prioritise in developing well-being policies. For instance, in this study, the open government component was the one with the higher correlations with well-being, highlighting its predominant role amongst the rest of the components. In addition, only the first rule of law principle (including components 1-4) was a significant predictor of life evaluation. Thus, the possible differential impact of the rule of law components is worth assessing, especially in contexts where resources to foster the rule of law are limited. Second, all the analyses in this study are cross-sectional; therefore, no causal relationships should be established between variables. In addition, further research would also

benefit from a longitudinal analysis of the relation between rule of law and well-being across time, showing the strength and stability of this association.

Despite these limitations, the present study supports the idea of the need for measures beyond economic ones to better capture the well-being of societies (Stiglitz et al., 2009). Beyond economic indicators, there is room for improvement of subjective well-being via the enhancement of the rule of law, giving priority to first-order rights (principle one of the rule of law). This study offers additional support for the inclusion of the rule of law in the development of the 2030 agenda (Arajärvi, 2018) due to its linkage with subjective well-being.

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