

How People-Centered Justice Matters for Democracy: What we Know, and Don't Know

Matthew Burnett

Abstract

This paper reviews the relationship between people-centered justice and democracy, focusing on what we know—and still need to know—about how justice experiences shape trust in public institutions and broader support for democratic governance. Based on existing research, we know that legal needs surveys in over 110 countries reveal that enormous numbers of justice problems go unresolved, with on the order of half of people in most countries unable to resolve their legal issues. We also know that trust in public institutions is declining—for example, only 39% of respondents in OECD countries reported trusting their national government—and that perceptions of fairness and responsiveness are key drivers of that trust. Research on administrative burdens demonstrates how institutional design creates barriers to accessing rights and entitlements, while studies of the legal profession's monopoly on legal advice reveal how everyday people are effectively estranged from their own law. Important questions remain around the long-term impacts of justice experiences on political attitudes, how unresolved justice problems may fuel populist or anti-institutional sentiment, and what constitutes trustworthy behavior in justice institutions across different identities and contexts. Significant gaps also exist in understanding public perceptions of judicial relevance and fairness beyond formal independence.

Drawing on legal needs surveys, governance research, and administrative justice scholarship, this paper argues that people-centered justice systems are foundational to inclusive governance and proposes a research agenda including systematic data collection linking justice experiences to democratic engagement, longitudinal studies, experimental evaluations of justice interventions, and participatory approaches centering underserved communities.

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How People-Centered Justice Matters for Democracy: What we Know, and Don't Know

Matthew Burnett*

Introduction

This paper explores what we know and don't know about how and why people-centered justice matters for democracy. Specifically, it examines research and evidence about the impact of both the design and experience of administrative and civil justice systems on levels of trust in public institutions such as courts and administrative agencies and broader support for democracy. It also explores evidence about how everyday people access—or, more often, don't have access to—their own law as a core principle of democratic participation and vitality.

Across diverse countries, indicators such as voter turnout, trust in public institutions, and satisfaction with democracy have shown downward trends in recent years.¹ At the same time, legal needs surveys consistently reveal that overwhelming proportions of the population face an enormous number of unresolved justice problems, which rarely touch formal law, and often are linked to failures in addressing basic human needs, including employment, housing, and care for dependents.²

The core question discussed in this paper is how inability to resolve justice problems, whether through formal or informal mechanisms, erodes people's trust in democratic institutions and weakens democratic engagement. In response to that challenge, the paper reviews evidence about how justice systems that offer people meaningful opportunities to prevent and resolve disputes, assert their rights, and participate fully in society and the economy, could contribute to strengthening democratic participation and resilience. While these relationships may seem intuitive, the empirical basis for this connection remains both under researched and undertheorized.

The paper first reviews some of the existing evidence on the intersection between justice and democracy, focusing particularly on public trust, chronic administrative and institutional failures, and the professional monopoly on legal advice and representation that often estranges everyday people from their own law and meaningful resolution of their justice problems. It then outlines research gaps and proposes areas for future empirical work that could be included in a people-centered justice research agenda.

1. Existing Evidence

The concept of people-centered justice has gained traction as justice systems around the world struggle to meet the expectations of diverse needs. Legal needs surveys conducted in over 110 countries and jurisdictions have shown that enormous numbers of justice problems go unresolved,³ even in countries with well-developed justice systems and a strong commitment to the rule of law.⁴ The United States, for example, consistently ranks in the bottom quarter of all countries measured on “accessibility and affordability of civil justice.”⁵ These surveys also reveal that approximately 50% of people who experience legal problems are unable to resolve them, and a significant proportion *do not pursue formal or informal channels at all*, citing complexity, cost, and perceptions of institutional unfairness or irrelevance as important reasons to not act.⁶

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Parallel to these findings is an increasing recognition that trust in public institutions is declining. The OECD Trust Survey indicated that only 39% of respondents trusted their national government, with confidence particularly low among those who feel financially insecure, women, those with low levels of education, and those who report belonging to a group that is discriminated against.⁷ The same survey highlighted that perceptions of fairness and responsiveness were key drivers of trust, both of which are directly related to justice experiences.⁸

The recent “Broken Promise of the Rule of Law” report by the Netherlands’ State Commission on the Rule of Law underscores the structural disconnect between legal ideals and everyday justice experiences.⁹ The link between (perceived) institutional responsiveness and trust aligns with broader governance literature, which suggests that institutions perceived as fair, transparent, and inclusive enjoy higher levels of legitimacy.¹⁰ In the US context, the proportion of Americans who believe “a high-ranking official would be held accountable for breaking the law” decreased from 65% in 2013 to 35% in 2024.¹¹ This perception that law is irrelevant or that its legitimacy is contingent extends to the beliefs of ordinary people about their own imperatives: more than one tenth (13%) of Americans agree with the view that people do not need to “obey the laws of a government they did not vote for.”¹²

Since the domains of access to justice and trust in public institutions are usually studied independently, more research and data are needed to draw more explicit connections. Illuminating case studies, such as those reviewed below, reveal mechanisms through which people’s experiences with justice problems and justice institutions may shape their engagement with and beliefs about those institutions and the democracies that host them.

A common experience that everyday people face in trying to access justice is having to navigate the administrative rules and agencies that governments use to adjudicate citizen’s rights and entitlements. Perhaps not unsurprisingly, these processes are often designed to create barriers rather than ensure access.¹³ Nick O’Brien’s article, *Administrative Justice in the Wake of I, Daniel Blake*, offers a compelling perspective on the intersection of people-centered justice and democracy by viewing administrative justice as a site of democratic engagement.¹⁴ Drawing on the movie *I, Daniel Blake*, he critiques the bureaucratic and paternalistic nature of state-citizen interactions and calls for a shift toward a people-centered model grounded in dignity, fairness, and participation. He also highlights the democratic value of processes and remedies that go beyond individual complaints to promote institutional reform and how people-centered administrative justice can foster civic identity, embed democratic values in everyday encounters, and build trust in public institutions, transforming routine interactions into meaningful expressions of democratic life.¹⁵

A growing literature on administrative burdens, “frictions that people face in their encounters with public services,” reveals the impact of institutional design on people’s ability to access and receive diverse support such as supplemental disability income, health care, and food security.¹⁶ The process of addressing administrative burden and institutions’ perceived irrelevance can also be a means by which people come to recognize shared struggles and organize to build power to act on them, such as by advocating for systemic reforms.¹⁷

A final area of empirical research looks at the ways in which the legal profession has a monopoly on the provision of legal advice and representation, effectively estranging everyday people from their own law. A significant barrier to accessing law and legal help is the capture of authorization to help. Lawyers, a largely self-regulating profession across the world, have a substantial monopoly on accessing justice.¹⁸ Though justice is everybody’s, lawyers—whether through professional bar associations, courts, legislatures, or public agencies—in many jurisdictions effectively control access to it because they set the rules about who can guide everyday people through legal processes. As a result, delivery models are largely lawyer-centric, and consistently fail to meet critical needs because they do not enable services that are effective and responsive to people’s actual needs and capabilities. When people cannot engage with their own law, both access to justice and democracy fail.

Systematic research and data on the relationship between justice experiences and democratic attitudes are relatively sparse. Behavioral science studies suggest that procedural justice—people’s subjective experience of how they are treated during interactions with justice system actors—has a strong influence on willingness to comply with laws and support the top-down institutions that enforce them.¹⁹ Participatory justice theories, on the other hand, focus on experience more so than perception and argue that bottom-up approaches that focus on authentic participation may be

an important factor for meaningful access to justice. Despite these findings and conceptual interventions, robust empirical research linking access to justice with the vitality of democracy at a systemic level has yet to fully emerge.

2. Gaps in Evidence

Several gaps in research and evidence limit our current understanding of how people-centered justice systems and experiences relate to democracy. First, few studies track the long-term impacts of justice system experiences on political attitudes, trust in institutions, and support for democracy. Most legal needs surveys capture a snapshot of legal problems but do not follow the implications of outcomes over time. They also do not typically explore the connection between people's justice experiences and attitudinal changes towards public institutions or democratic (dis)engagement.

Second, few existing studies examine the role of justice problem experience in fueling the mobilization of populist or anti-institutional political sentiment. While research on populism often suggests that people's grievances are instrumentalized for political gain, empirical data on this mechanism is limited and it is unclear if unresolved justice problems or negative experiences with justice sector actors are part of the grievances that are said to fuel populism.

While related domains offer behavioral insights—such as those from public health and education—these have rarely been applied systematically to the justice context. Aspects such as perceived fairness, user experience, and trustworthiness of service providers are known to influence trust in institutions, yet these are seldom included in justice metrics or evaluations. There is also a lack of clarity about what constitutes trustworthy behavior in justice institutions and other sources of legal problem resolution, as well as about how to measure that behavior. We also know little about how such behavior might vary across both identities and contexts.²⁰

Finally, research on judicial independence often focuses on formal safeguards and institutional arrangements but does not adequately address public perceptions and experiences of judicial relevance or fairness. How people perceive and experience the judiciary, not only in terms of independence but also in terms of responsiveness and social legitimacy, may be equally important for sustaining support for democracy.

3. Implications and Research Agenda

The gaps outlined above suggest several priorities for future research. First, there is a need to collect more systematic data and evidence on the link between people's justice experiences on the one hand and public trust and democratic engagement on the other. This could include adding justice-related modules to household or governance surveys or embedding justice metrics into ongoing democratic health assessments. Collaboration across social science disciplines would be important in this effort.²¹

Second, greater investment in longitudinal and mixed-methods studies is necessary to capture the complexity and duration of justice impacts on democratic attitudes. Panel studies could help trace how unresolved justice problems affect people's trust in institutions and their willingness to participate in democratic processes over time. To facilitate more nuanced analyses of the pathways through which justice experiences influence institutional legitimacy, studies could be embedded in existing national statistical systems or trust barometers, such as the AfroBarometer.²²

Third, experimental research methods could be used to evaluate the effectiveness of justice interventions (e.g., procedural redesign, digital access, local courts) on trust and democratic engagement. For example, randomized controlled trials might test how improved experience in administrative justice procedures increases people's perceptions of fairness.²³ These findings could inform the design of justice services that not only resolve disputes but also contribute to support for democracy. Because fair-feeling procedures should also be fair in practice, it will also be important to develop empirical indicators and methods assessing actual, as well as perceived, fairness.

Fourth, the research agenda could include participatory approaches that invite voices and perspectives from people and communities that find it hardest to access justice. This could include co-designing research instruments and knowledge creation, engaging in qualitative research with people that have been underserved, and examining local understandings of justice, fairness, and democracy.²⁴ Special attention should be paid to groups with distinctive experience of the justice system, including indigenous people, people from ethnic minorities, and people with disabilities.

Conclusion

People-centered justice systems are increasingly recognized as a foundational element of inclusive public governance. While the idea that effective and people-centered justice systems can contribute to democracy and public trust is compelling, empirical evidence remains shallow and fragmented. This paper has offered some directions for future inquiry.

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³ World Justice Project, *Atlas of Legal Needs Surveys* (2025), <https://worldjusticeproject.org/our-work/research-and-data/atlas-legal-needs-surveys>.

⁴ OECD & Open Soc'y Found., *Legal Needs Surveys and Access to Justice*, OECD Publishing (2019). See also *World Justice Project, Rule of Law Index 2023* (2023).

⁵ *World Justice Project, Rule of Law Index 2025* (2025).

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⁷ OECD, *OECD Survey on Drivers of Trust in Public Institutions – 2024 Results: Building Trust in a Complex Policy Environment*, OECD Publishing (2024).

⁸ *Id.*

⁹ Netherlands State Commission on the Rule of Law, *Broken Promise of the Rule of Law* (2024).

¹⁰ T. R. Tyler, *Why People Obey the Law* (Princeton Univ. Press 2006).

¹¹ World Justice Project, *U.S. Rule of Law Trends & the 2024 Election 10* (2024).

¹² *Id.* at 6.

¹³ Pamela Herd & Donald P. Moynihan, *Administrative Burden: Policymaking by Other Means* (Russell Sage Found. 2018).

¹⁴ N. O'Brien, *Administrative Justice in the Wake of I*, Daniel Blake, 89 *POLITICAL Q.* 82 (2018), <https://doi.org/10.1111/1467-923X.12432>.

¹⁵ *Id.*

¹⁶ Herd & Moynihan, *supra* n. 13.

¹⁷ Rebecca L. Sandefur & Matthew Burnett, *Justice Futures: Access to Justice and the Future of Justice Work in Rethinking the Lawyer's Monopoly: Access to Justice and the Future of Legal Services* (2025); Adrian Di Giovanni & Luciana Bercovich eds., *Legal Empowerment in Informal Settlements: Grassroots Experiences in the Global South* (Routledge 2025); Vivek Maru & Varun Gauri eds., *Community Paralegals and the Pursuit of Justice* (Cambridge Univ. Press 2019); Jamila Michner & Mallory E. SoRelle, *Uncivil Democracy: How Access to Justice Shapes Political Power* (2025).

¹⁸ Sandefur & Burnett, *supra*.

¹⁹ T. R. Tyler, *Why People Obey the Law* (Princeton Univ. Press 2006).

²⁰ Kathryn M. Young & Katie R. Billings, *An Intersectional Examination of U.S. Civil Justice Problems*, 2023 *UTAH L. REV.* 487 (2023).

²¹ E.g., ABF's Access to Justice Scholars Program. Am. Bar Found., *The ABF/IPB Foundation Access to Justice Scholars Program* (last visited Jan. 9, 2026), <https://www.americanbarfoundation.org/program/the-abf-ipb-foundation-access-to-justice-scholars-program/>.

²² AfroBarometer (last visited Jan. 9, 2026), <https://www.afrobarometer.org/>.

²³ See, e.g., Harv. L. Sch. Access to Justice Lab (last visited Jan. 9, 2026), <https://a2jlab.org/>.

²⁴ See, e.g., Namati Legal Empowerment Network, *A Learning Agenda for Legal Empowerment* (2021), <https://namati.org/wp-content/uploads/2021/02/Learning-Agenda-for-Legal-Empowerment.pdf>.