

## TRUST- MISTRUST IN EUROPEAN DEMOCRACIES

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A massive majority of Europeans are deeply attached to democracy as the only acceptable political system. According to many surveys most European citizens do not conceive realistically an alternative system of government for their own country. Such a massive attachment is a new phenomenon in Europe — before the war the picture was very different. At the same time, a comparable wealth of data indicates that in most countries a large proportion of people are dissatisfied with the real functioning of the system, that they mistrust basic institutions and social organizations and that they have lost confidence in the “political class”. Does this deficit of trust challenge the legitimacy of the current regime?

The problem of trust-mistrust is primarily a political issue but overflows on the civil society, because many non-political institutions (churches, unions, large corporations, the army, the police) are also mistrusted by a significant part of the citizenry. Mistrust is spreading also to many professions from lawyers to real-estate agents.

This analysis focuses on West European democracies, and nine institutions and organizations.

In spite of the diversity of countries, institutions and variables, I shall refrain to engage in a sophisticated statistical exercise, because the available data does not support more than simple cross-tabulations. In effect, for most countries the sample is about one thousand interviewed individuals.

The most trusted institution is the family, in spite of the fact that in Europe and the United States one out of every three marriages ends today in a divorce.

The family may serves nevertheless as point of reference.

Comparing the countries, some common traits clearly appear across nations, but also a significant diversity in many domains, resulting in large part from national histories. In order to allow some comparative perspectives in tables 1 and 2 are precluded a number of countries which do not belong to Western Europe.

**Mutual mistrust between individuals**

The mistrust of institutions has to be interpreted in the context of a high level of distrust in large sectors of the society. A deep distrust toward others, except members of one’s own family, was observed in the south of Italy in the 1950s by Edward Banfield, who called it “amoral familism” (Banfield, 1958). For a long time, this mutual distrust was considered as a particular phenomenon limited to the *Mezzogiorno* and explained by ancestral collective memory in this part of Italy. However, later the same phenomenon was observed in Greece, Portugal, Spain and to a lesser degree in other European countries. In 1963 Almond and Verba suggested in their *Civic Culture* a typology where they contrasted the political culture of Americans and Italians. Verba also suggested that distrust of other people and political distrust went hand in hand (Verba, 1972). One generation later, a series of surveys attested a generalized distrust of others in almost all European countries and in the United States. In fact, in 17 out of 22 countries, more than half of the people interviewed in 1981 responded that “they did not trust most people” and “one can never be careful

enough". In only five countries (three Scandinavian countries, the Netherlands and Canada) was the proportion of distrustful people less than half of the population. In France, Germany, Italy, Spain, Portugal, Belgium, the Czech Republic, Hungary and Poland between two-thirds and three-quarters of the citizens were distrustful. According to the results of the third wave of the *European Values Study* in 1999-2000, a large majority of European adults replied that "one can't be too careful in dealing with people", except in Denmark, Sweden, Finland and the Netherlands, where only a minority admitted to be mistrustful (Halman, 2001, 44). In the United States the proportion reached 60 percent in 1981 (Halman, 1995). Two hypotheses can be formulated. The first is fragile: in a relatively short period of time distrust was diffused. But in this case what remains of the concept of culture which implies a certain stability? According to the second hypothesis, the phenomenon of mistrust is older than previously supposed. It is the internationalization of research in values that has brought it to light. Such interpretation would challenge certain old theories based on insufficient empirical evidence. Meanwhile, the American political culture seems to have come closer to the political culture of the *Mezzogiorno*.

### Erosion of Confidence in Institutions

The erosion of confidence has four characteristics. First, it is not a temporary phenomenon tied to a particular situation. It is a persistent phenomenon attested to by surveys conducted over the last two decades in some countries, and for a longer period in other countries. The disenchantment and discontent tends to become chronic. The absence of confidence is general. It is manifested in almost all advanced democracies. The

lack of confidence in not only chronic and general, it is also structural in the sense that it concerns most of the important institutions. It is casting its shadow over institutions, sapping their respectability and reducing governmental authority.

Finally, the mistrust seems to have a rational tonality. For most interviewed people, such mistrust is not of ideological nature, but rather pragmatic. In effect, the attitudes of trust-mistrust vary little on the left-right axis or on that of liberalism-socialism (Ashford and Timms, 1992).

Persistent, structural, and rational, the erosion of confidence has worsened in the surveys of 1999-2000 in parallel with the economic difficulties in some countries, particularly structural unemployment in Europe (see Tables 1 and 2).

*Table 1* shows that the proportion of people who expressed a negative opinion ("little or no confidence") on nine institutions or organizations in 1990. Among these nine institutions, six represent the State and the political regime: the parliament, the army, the police, the public administration, the courts and social security. Three institutions without being a direct part of the political system contribute to its functioning: unions, big business and churches. For some people interviewed, the reason for lack of confidence is the inefficiency of institutions, while for others it is the abuse of power, favouritism, patronage, in several countries, corruption.

The level of confidence in institutions should not be confused with the proportion of people who approve or disapprove of the manner in which governments resolve problems like housing, unemployment, schooling, taxes, social security, pensions, etc. Opinions about these problems may be volatile and tied to ideologies. Opinions may vary with changes in partisan power. The majority of people may be dissatisfied

with the way in which the government leads the country, but such opinions may indicate only an absence of confidence in the people who hold power. When a majority says that they disapprove of the manner in which the government treat the unemployment problem, they do not express a distrust of the political regime itself but of the some political decision makers. Other public opinion surveys conducted at the same moment do not leave any doubt about the legitimacy of the regime. Such a distinction between judgment on particular problems, and the belief in the validity of the regime is needed for all European democracies.

One remains perplexed when one notes that in twenty-three out of twenty-five countries considered in *Table 1*, the majority of the public has no confidence in parliament. The two exceptions, Belgium and the Netherlands are consociative democracies. The lack of credibility in this founding institution of democracy - which for a long time was the center of gravity of democratic regimes - corresponds to its real decline in the functioning of representative democracies. In almost all countries only a minority stated that it was confident in parliament. Other surveys confirmed that a significant minority of citizens, were judging the behaviour of parliamentarians severely and had no confidence in parliament, even though they believed that it should play a more important role. The level of mistrust has increased during the last decade.

In most democracies, the majority of people have a critical attitude regarding the "necessary evil" of the public administration. In twenty-two among the twenty-six absolute majority express "no confidence at all" or "not very much" (*Table 1*). Differences in appreciation which we observe among countries correspond to the perceptions that specialists have of the efficiency of public administration. The structure of

the State - federal or centralized - does not seem to have an impact on the perception of the performance of public administration.

Recent and older military history of several European countries is rich in events which do not inspire full confidence in the army (Dogan, 1994). This absence of confidence is not a new phenomenon. The novelty comes from the freedom to express oneself without fear and to show it empirically. Such a state of mind requires many commentaries.

The image of the police depends on several factors, first of all on its integrity and its recruitment methods. On the whole, the police, among the institutions considered in *Table 1*, is the one which inspires the lowest mistrust.

The surveys measured attitudes about the church as an institution and not religion as a belief. But there is, naturally, a significant relation between the confidence in churches as organized religion and the level of beliefs and religious practices in Catholic as well as Protestant countries (Dogan, 1995). Such a correspondence has its logic, but it is likely that the people interviewed have attached different meanings to the word "church". For some, it concerned the position of the ecclesiastic hierarchy on issues such as birth control, abortion, divorce and eroticism. Other respondents reacted according to their anti-clericalism or agnosticism. True believers may show opposition to the ecclesiastical hierarchy, and some agnostics or non-believers may sympathize with the church because of their own conservative attitudes in other domains. However, in most countries, the absolute majority of adults say they have "little" or "no" confidence in ecclesiastical institutions. This finding is, no doubt, one of the most astonishing in these international surveys on values. It raises an embarrassing question: What is

the church's real audience in Western Europe today?

Netherlands merits special attention because, after having been partitioned for a long time into denominational communities, has become one of the most agnostic country in Europe, where today people are trying to throw off the ecclesiastical framework. Similar rapid transformations have been observed in other countries. It is not astonishing that the church benefits from the greatest amount of confidence in the catholic countries.

Another surprising finding is the discredit of unions in most democracies. The decline of unions is a well-known trend, carefully studied by social scientists. What is surprising is its magnitude. Huge majorities in post-industrial societies - whose development is characterized by social reforms achieved through union action - do not trust the "main organizations of workers". This change shows that a page of history has been turned. In Sweden where a "neo-corporatism" has been forged based on the strength of unions, three every five citizens said in 1990 that they did not have confidence in unions, and about the same number in the survey of 1999-2000. One could explain the poor position of unions in British public opinion by their impact on the performance of business, and by the consequences of frequent strikes. In surveys conducted by the Gallup Institute, one-third of the British indicated in the 1980's that the unions were "the greatest threat to individual freedom". It is true that the strength of the unions has been considerably reduced in recent period.

There are people who say that they have "no confidence in unions", but who admit at the same time that they belong to a union, willingly or not. How do we explain the current weakness of one of the greatest social institutions of the early part of this century? Oligarchic trends

continued to develop after the formulation of the "iron law of oligarchy" by Roberto Michels at the beginning of the century .

Big business- not included in the survey of 1999- has always been criticized, rightly or wrongly. It never inspired a large degree of confidence among industrial workers. In recent years a high proportion of workers who have admitted that jobs are created by big business and not by the state bureaucracy have changed their attitudes toward big business. For France, the surprise is great: the *patronage* is perceived in favourable terms to such a degree that, with the exception of social security, it is the institution that enjoys the largest amount of trust, in spite of decades of ideological criticism of big business. A similar phenomenon was visible in Italy (*Table 1*). After a half-century of nationalization of large companies in Britain, France, Italy and elsewhere, after the rich experience of state capitalism in the Western Europe and the lessons learned from the socialist experience in Eastern Europe, the *grand patronage* today reflects a better image in the mirror of public opinion. For this category there is no an erosion of confidence but a rehabilitation in the eyes a the large public.

The principle of social security is widely accepted. What varies from one country to another is the practical functioning. Detailed studies have shown in the last ten years that its efficiency is more frequently perceived in France, Germany and Belgium than in Italy and Britain. Social security is not, strictly speaking, a political institution, but it is, nevertheless, the one which today gives rise to the hottest political debates in many European countries. The ideological "left-right" dimension appears strikingly in this debate because the essential function of social security is the redistribution of income in advanced welfare states. This problem of

redistribution is increasingly becoming one of the main sources of conflict, and consequently, of frustration and calculated mistrust. Today, social security is the Gordian knot of liberty-equality in all advanced democracies, but this issue had not been included in the survey of 1999. Among the institutions considered in these tables, the school system is the most trusted, except in Greece.

In six institutions (Parliament, public administration, judicial courts, church, trade unions and media) the absolute majority of citizen have expressed "no confidence at all" or "not very much" in the majority of countries. There are nevertheless significant differences between West and East European countries. The level of mistrust is higher in the East. The nine European countries manifesting the highest mistrust of parliament are in the Eastern side. The same is true for the ten countries expressing the highest mistrust in the police (*Table 1*). Four Eastern European countries merit special attention : the Czech Republic, Bulgaria, Greece and Lithuania. The Czech Republic has the highest proportion of people mistrusting the church (and according to other surveys, of non-believers from agnostic to atheist). It is also the most anti-militarist country in Europe, and one of the most critical concerning the functioning of the parliament, of the public administration, of the police, and of the trade unions.

In Greece and Bulgaria more than 70 percent of citizens mistrust the public administration, the judicial institutions, parliament and trade unions. These two countries differ nevertheless in their attitude concerning the church (*Table 1*).

Lithuania is on the top of the list of mistrust concerning the parliament, the public administration, the judicial system and the police, at the bottom concerning the role of the church.

The lowest proportion of mistrust concerning mistrust is found in the Netherlands which is also the country with one of the highest proportion of anti-clerical. This country had been four decades ago one of the most religiously oriented countries in Europe. It is an exemplar of accelerated change in values in many domains in the last decade.

Disaffection with the political class and the political parties  
Mistrust of whom? We can distinguish several levels. Mistrust, first of all, of the politicians who hold power at a particular moment. But if such mistrust persists in spite of the alternation of parties in power, it becomes a chronic attitude. What surveys constantly show is the negative attitude of a large part of the public toward the political elite in general, whatever their political bent. Careful research has shown that many voters do not vote *for* a party. They chose to vote *against* the candidates that they dislike the most.

In international surveys of professional ethics concerning the honesty of some twenty-four professions, politicians appear, in many countries, as "the least worthy of confidence", at the same rank as "used car salesmen" and "real estate agents", while doctors, pharmacists, school teachers and bankers inspire a lot of confidence.

Such an absence of confidence in parliamentarians seems incompatible with the fact that many of them succeed in being re-elected. Curiously, one values "one's own representative" but not representatives in general. The popularity curves of the principal political figures, particularly prime ministers, rise and fall, and this implies that the erosion of confidence is only partially rooted in ideology, that the curves respond to government decisions and to the performance of political actors.

In several countries, people have been invited to formulate judgements

periodically on the following issues : Do you have confidence in the government to make good decisions? Do you think the people in power waste the taxpayers' money? Do you think that leaders are knowledgeable people who know what they are doing or that many of them do not know? Do you think that politicians are honest, and, if so, many or a few of them? The responses to these questions — asked every two years in the United States since 1952 by the Institute of Social Research at the University of Michigan and reproduced in many European countries 1980, 1990 and 1995-2000 — attest to an increase in negative attitudes toward political rulers.

Loss of popularity is a sociological given. With rare exceptions, presidents and prime ministers lose during the exercise of their functions a significant part of their political capital which permitted them to rise to power initially. This loss may be gradual or abrupt, slow or rapid. There is, in the archives of surveys in many countries, a rich documentation of these sociological trends. The trajectory of leaders in public opinion depends first of all on their own actions, their choices or their lack of action. The trajectory also depends on factors that are outside their control. The loss of popularity can mostly be explained by the difficulty or the impossibility of keeping electoral promises. Such criticism appears in numerous surveys. Whether sincere promises or deliberate lies, sooner or later these commitments appear as imprudent or cynical.

Unpopularity is largely engendered by the "hypocrisy of those who govern us". The "little screen" is a detector of hypocrisy, acting as a magnifying mirror. One needs to be a good actor to be able to dissimulate cynicism on television. The former French prime minister R. Barre admitted that "political life is fundamentally hypocritical". He said this (in a television broadcast on May 2, 1993)

as if it were the formulation of a medical diagnosis. Hypocrisy, which may be inevitable in the art of politics, produces mistrust. It is for this reason that politicians who frequently appear on television lose, after a certain time, their credibility.

In various countries, and in particular in presidential regimes and in prime ministerial systems, presidents and prime ministers have most of the time governed without the support of the majority of the public. Elected according to constitutional rules, most of them lose the support of the majority shortly after their election. Only retrospectively can historians claim that some of the leaders, in spite of their unpopularity, nevertheless made the wise decisions. It is a sociological fact today that in most democracies leaders behave as if they represent the majority of the population, while in reality they are supported only by a minority. This is one of the sources of political mistrust.

In France, the majority thought, according to several surveys, that politicians did not listen to what the people had to say. In 1996, large majorities believed that they were not represented by any political party (67 percent), nor by a union (77 percent), nor a political leader (68 percent). Many believed that most politicians were "corrupt". How high can the level of unpopularity of a president or a prime minister go without undermining the legitimacy of the regime? The level of positive public opinion dropped to less than 20 percent for leaders as diverse as Major and Juppé, and the level of negative opinion reached more than 70 percent. Nevertheless, such unpopularity did not challenge the legitimacy of their functions. But if the gap between support and rejection persists, in spite of the alternation of parties and teams in power, does not legitimacy itself suffer? The experience of the last half century

demonstrates that democracy can accommodate itself to limited, partial and fluctuating confidence, even if the feeling of mistrust becomes chronic and massive. Only rarely does the regime lose its legitimacy, as for example, in France on the eve of the fall of the Fourth Republic or in Italy in the 1980s. It is a difficult task to determine when a regime passes furtively from discredit of the political class to the discredit of the institutions themselves.

Political leaders themselves feel and admit this attitude of mistrust: "our country is missing confidence and self-respect" (John Major, 3 March 1993); "The function of politicians should be rehabilitated and we should fight against the discredit which burdens the entire political class" (J. Chirac 6 November 1994); "François Mitterrand had not been an honest man" (Michel Rocard, *Revue de Droit Public*, November 1998). The former president Valéry Giscard d'Estaing, in an interview in June 1994, commenting about the mockery and the satirical treating of politicians in the written and electronic media, said: "Corruption does exist. It is indispensable to extirpate it, otherwise the political class will be eliminated".

The erosion of confidence is particularly noticeable regarding political parties, whose image has been degraded in almost all western democracies during recent decades, except in the Scandinavian countries. The number of party members has declined everywhere. The mass parties of yesterday have become parties of militants. Notorious examples are the social democratic parties. The most spectacular case is obviously the fall of the "partitocrazia" in Italy.

"Parties are only interested in peoples' votes, not in their opinions or aspirations". Such a statement submitted periodically to citizens in survey research was approved by strong majorities in

many countries. Even in Sweden, where parties have been strong for a long time, the proportion of those who did not have confidence in parties rose from 36 percent in 1968 to 68 percent in 1992.

The decline of parties is related to many factors. The electoral volatility (not to be confused with long-term trends) often reflects the disappointment of a significant part of the electorate. The decrease in the number of active members and supporters has been the object of many well-known studies. All of them conclude that the main reasons are the disappointment with parties as organizations. The oligarchy of parties is not a new phenomenon, but has recently become more visible through the mass media, and consequently has generated more dissatisfaction. The weakening of parties could be also explained by the decline of ideologies (Calise, 1994; Listhang and Wiberg, 1995; Schedler, 1996; Schmitt and Holberg, 1995).

### **Mistrust generated by corruption and the role of the mass-media**

In the European political forums corruption is today more visible than in the past. A careful observation of the phenomenon of corruption during the last three decades in some countries, particularly Italy, France and Spain, tends to indicate that in the recent period there was at the same time an increase of corruption involving politicians, and an increasing control and reporting of graft. The better uncovering results from the joint action of magistrates and journalists.

Action and rhetoric of politicians are today more than ever in the past under the spotlight of a counter-power, the mass media. For the print or electronic media, bad news are "better" than good news. But the media do not engender this bad news, they only spread it. The media are vehicles, not political decision makers, even if the power of some journalists,

through the influence they exercise, is greater than that of many politicians. Investigative journalists, by alerting the courts, play the role of prosecutor. But it is the official judge who condemns or pardons.

Behaviour of governments and decision-making processes are, today, under the scrutiny of the media, which not only inform but monitor. Governments are controlled by voters only on election day, this is to say, only once in a while. But they are constantly supervised by the civil society, represented by the media. In fact, governments are perceived in the mirror of public opinion as they are portrayed by the journalist's pen. It is impossible to conceive of a truly democratic regime without powerful and independent journalists. Today, we may have democracy without powerful parties, but not without strong printed and electronic mass media.

The relation between democracy and scandal is fallacious. It is such a correlation, grounded in the independence of the judiciary and the freedom of the press, that has so often blinded enemies of democracy in France, Italy in the Weimar Republic, the Austrian Republic, Belgium and Spain.

In reality, a scandal is a redemptive act. It is because of a scandal that captain Dreyfus was rehabilitated. In democracy scandal, if it is not too frequent, is a symptom of good democratic health. In some exceptional cases a scandal may appear as proof of democratic functioning and of the legitimacy of the system. In few countries is democracy solid enough to correct political error against the will of the army, or to require a chief of state to resign, as was the case with three Japanese prime ministers, the Italian president Leone and the American President Nixon. It is time to revise the conceptions that moralists have spread about scandals. For scandals to blow up, two conditions are necessary, and these

are found only in democracies: freedom of the press and independence of the courts. Scandals are symptoms of democratic vigour.

The impact of media can be demonstrated by content analysis of daily newspapers and weekly magazine. For instance, in the United States in the Spring of 1989 (April - June), three newspapers with circulation of millions of copies (*The New York Times*, the *Wall Street Journal* and the *Los Angeles Times*) have reported almost daily court cases concerning wrong-doing and acts of corruption at the federal, state and large municipality levels.

Hundreds of pages have been written about corruption at the highest level of society in several European countries. Many politicians have been implicated in scandals and have been obliged to resign from their official functions. It is worthwhile to mention that the Scandinavian democracies do not suffer from corruption as much as some other European countries.

In the domain of public corruption, some observers estimate that we see just the tip of the iceberg. When it becomes very frequent, citizens lose confidence in institutions. One cannot emphasize strongly enough the corrosive effects of corrupt behaviour on the loss of confidence in institutions.

### **Mistrust and corruption : France and Italy as clinical cases**

These two countries are quasi-experimental cases for the study of the relation between mistrust and corruption, because of the sudden intervention of the judicial authorities in the public forum. In both countries, for the first time in their history, magistrates played a crucial role by denouncing and prosecuting corruption at the highest level of the state hierarchy. One of the main reasons of this quasi-political role assumed by magistrates is

related to the change in the social recruitment of a new generation of judges. Another important reason is the connection, the cooperation between magistrates and journalists, the building of a functional tandem between these two relatively independent actors in the highly advanced democracies. They understood that they need each other: journalists without magistrates are blind; magistrates without journalists are mute. In Italy "the revolution of magistrates" started by accident, in 1992. This "revolution" has been the object of dozen of books and of the whole Italian printed and electronic media. In France, the awaking of magistrates occurred a few years latter.

A distinction is needed between petty corruption at the lower and middle level of the society, and the crafty corruption at the elite level. The first is interpreted by many social scientists as "functional", particularly in the developing countries. The second appears where money and political power converge. We are here interested in the elitist corruption.

Another distinction is needed, between personal enrichment by corrupted practices, and illegal partisan financing. The personal enrichment is unanimously condemned morally, politically and judicially. The second is the object of an open debate between the ethic interpretation and the pragmatic tolerance. Usually the debate about what is moral and what is immoral takes place in academic circles. But the debate about the public corruption took place in these two countries in the printed and electronic media. In Italy the trial of the most prominent leaders of the *partitocrazia* was a televised trial in front of a large part of the population, an audience of millions of citizens. The protagonists were in one side the magistrates, on the other, many of the most notorious Italian politicians during more than two decades. In a few years, the proportion of people who

expressed a negative judgement about the dignity and honesty of political rulers raised from 33 % to 70 % between 1967 and 1974; the dissatisfaction concerning the functioning of the State and of the public administration went from 35 % to 83 %, and the negative opinion of the competence and loyalty of political rulers went from 22 % to 66 %. A similar trend has been observed in France, but over a longer period of time. The chronology of survey results has an important sociological meaning. When the magistrates started their action in Italy in 1992 and in France in 1995 the public opinion was already ripe, and ready to applaud the prosecutors.

In France, political life has been since 1996, largely a judicial chronicle as testified by a content analysis that I have done of the most prestigious French newspaper, *Le Monde*, which is read by almost the entire French political class, by all higher civil servants, the industrial and financial elites. This newspaper has published, during the five years between June 1996 and June 2001, 1500 issues of the journal (300 issues per year). The readers of this privileged observer of the top of the French society have found articles and reports on public corruption and political-financial scandals in 1300 of these 1500 days. In the majority of cases the articles concerning political-judicial affairs took long columns or even entire pages. In about 300 issues, that is in average one every five, political financial affairs were presented in the front page.

If a content-analysis would be done for other newspapers, similar findings would be obtained. Television networks have also reported assiduously on the prosecution of political personalities.

By concocting a list of the most important actors in French politics during the decade 1990-2001, say the 500 most visible and renown politicians, having occupied the prestigious positions

(presidents, prime ministers, cabinet ministers, leaders of political parties, the most important of the 1000 parliamentarians (deputies and senators), mayors of the largest cities, executives of regional councils, I have found that about 160 of these 500 politicians have been investigated officially by the judges (the exact figure depends of definitions and criteria).

Among the personalities directly "mises en examen" by the French judicial authorities or mentioned by the media of being under investigation are the following: the current president of the Republic; the entourage and members of the family of the previous deceased president; a former president of the National Assembly; the president of the Constitutional Council, who was obliged to resign; several former prime ministers (one was obliged to resign); thirty of the cabinet ministers during the period 1995-2001; many leaders of the main political parties; many mayors of the largest cities; many executives of regional councils.

In a book sponsored by the National Assembly on the relationships between "politics and money" one can read that "the confidence of citizens in their representatives is shaken", that "the basis of republican legitimacy is "undermined", and that "elected representatives are "victims of rumours, insinuations and calumnies".

Survey research conducted in the recent years shows that two every three French citizens believe that "most politicians are not honest". In 1990 and again in 1998, the National Assembly has decided an amnesty of acts of illegal financing of political parties. But these amnesties have been condemned by a large majority of the French adult population, with such a severity that a new proposition of amnesty formulated in the spring 2000 had been considered "harmful", "insupportable" by the general public, as "a provocation which risks to

generated demonstrations in streets". The project of a third amnesty is not anymore on the agenda. In Italy, in 1994, 6059 persons were under judicial investigation. Among them were 335 deputies, 100 senators, 331 regional councilors, 122 provincial councilors, 1525 communal councilors, 973 entrepreneurs and businessmen, 1373 civil servants (Allum 1994, p. 166). In the middle of them were the five party leaders of the *pentapartito* coalition, and four former prime ministers. The 435 deputies and senators represented almost half of the elected parliamentarians.

During the years 1992 to 1994, the Italian newspapers have daily reported in entire pages the vicissitudes of the prosecutions for corruption. Never in the history of the European democracies had a political class been more humiliated that the Italian during these 30 months. It would not be enough to say that the Italian political class had been decimated — which would imply that only a tenth of politicians were excluded from the forum. It was clearly decapitated. More than half of the Italian politicians at the top of the political pyramid had been eliminated at the following legislative elections.

According to data published by the prosecutors of Milan in February 1995, in this city alone were investigated during the previous three years about 2500 persons, of whom 718 were preventively incarcerated. About 210 of these 2500 persons were condemned, at the first trial, but most have appealed to a higher judicial court. Only one person had been condemned definitely.

How to explain that a few dozens judges have been able to decapitate the powerful political class of the *partitocrazia*? It is generally admitted that one of the main reason is the status of the magistracy, its independence and freedom of action but this explanation applies more to Italy than to France (Azzariti, 1994; Pizzorno, 1998). Another reason

valid for both countries, is the already mentioned nexus judiciary-media. A prosecution becomes a political event only from the moment when journalists report and comment it. Revealing, interpreting, investigating by the media is a continuation of the work of the courts. The so called "secret of judicial instruction" is too often a pretext to hide political-financial scandals (Montebourg, 2000). In democratic regimes, the alliance between magistrates and journalists is the most efficient counter-power. Even in France, where many judges are placed under the control of the threatened politicians and their partisans, the journalists are the best protectors of the magistrates, who in turn, help the journalists to play their role as informants of the public, as opinion-guides.

For a variety of reasons, most politicians who were under judicial investigation had not been formally condemned, and those who were condemned, are not in jail. Many have benefited of amnesties. Many have escaped from condemnation because of prescription of their acts. Corrupted practices take time to be discovered, and, often, when the affairs come to light, it is too late. Prescription forbids further prosecution. In addition, any judicial decision can be the object of an appeal at a higher level of the judicial hierarchy. Judicial proceedings are proverbially very slow. Relatively few of the investigated politicians were effectively arrested. Until the final condemnation they are protected by the principle of "presumption of innocence". In France, but not in Italy, a vicious circle is perceived by millions of citizens. Powerful politicians appoint the prosecutors, who, too often, protect their godfathers. Finally, a small proportion of guilty politicians are in jail. None the less, most of those who were amnestiated, or have benefited of prescription or who succeeded to delay a formal and final condemnation are politically wounded.

From the very first day when their name had appeared in the media for-corrupted behaviour, their political credit and influence are abruptly diminished. A scandal is a redemptive act. Even if someone is not formally condemned, even if he is not in jail, by the simple fact of being under investigation, he is severely wounded, and condemned to "civil death", or at least to a political temporary exclusion.

A judicial prosecution or a journalistic information is a sanction by itself, damaging the prestige and authority of the politician, even if subsequently, the suspected cabinet minister, or mayor is found "not guilty". In France, a non-written ethic rule and the jurisprudence oblige the incriminated holder of an important political position, to resign immediately. Such an exclusion from the political forum is a kind of civil death.

Politicians are powerful people but also very vulnerable. Most cases of political corruption arrive at the ear of the magistrates and journalists by denunciations, formulated by political enemies, by associated-rivals, by partners-in-conivance and by complices-in-facts. Among political enemies the fight is open according to the democratic rules, but enemies to not share secrets. They know how to protect themselves from frontal attacks. At the contrary, associated-rivals are in normal times rivals as much as allies, for instance as fractional leaders within the same party. In some circumstances associated-rivals may become dangerous enemies because they can hurt each other by revealing some secrets, notably in matters of corruption.

Partners-in-conivance establish transversal alliances, they protect each other, as recently in France. But the French media have denounced such a connivance at the summit of the State. This led an important politician, leader of a party and candidate to the presidential election of May 2002 to recall to the

audiences in September 2001 that "the fish becomes rotten by the head". Complices-in-pact is another type of vulnerability. When a member of a chain becomes a looser, there is a high risk of scandal for the entire chain.

These four types of vulnerability appear only in democratic regimes. In dictatorships corrupted politicians are not vulnerable, at least most of the time. Ironically, the blowing of a political-financial scandal is, for a democratic regime, a positive act.

### Legitimacy and dissatisfaction

Given such an erosion of confidence in institutions - in particular concerning the parliament as a central institution - a phenomenon which has persisted for two decades in some democracies and longer in others, one wonders if there is in the old democracies a risk of challenging the legitimacy of the political regime. The reply to such a question should not be speculative. It should be based on empirical data. There is not a single country in the world where all the people perceive the regime as totally legitimate. Legitimacy comes in degrees. Ranking a regime on a scale from minimum to maximum of legitimacy is a valid approach for comparative analysis of political systems. Many scholars have felt the need of such scaling: "Legitimacy runs the scale from complete acclaim to complete rejection... ranging all the way from support, consent, compliance through decline, erosion and loss. In case of conscious rejection we may speak of illegitimacy" (Hertz 1978, p. 320). As Juan Linz stresses, "no political regime is legitimate for 100 per cent of the population, nor in all its commands, nor forever, and probably very few are totally illegitimate based only on coercion" (Linz 1988, p. 66).

Legitimacy never reaches unanimity. All groups and all individuals

do not evaluate equally the authority of the political power. There are apathetic strata and rebellious subcultures, pacific opponents and armed terrorists, and between these extremes the majority is only partially convinced of the government's pretension to legitimacy. David Easton believes that frequent violation of the law and dissident movements are an indication of the degree of legitimacy. But in empirical research it is difficult to identify and to measure this phenomenon.

There is often confusion between legitimacy and legality. In a democracy, governments change periodically. It is considered as legitimate precisely because there are rules concerning the replacement of the holders of political power. Hostility toward the party in power is compatible with the belief in the wisdom of the regime. Occasional violations of constitutional rules do not undermine the legitimacy of the political regime. What is lost in such a situation is the confidence in a particular institution and in its leaders. A distinction between the legitimacy of the regime and the confidence in certain institutions or rulers is necessary because no institution can totally escape the criticism of some people. Unanimity is a ridiculous pretension of totalitarian regimes.

The available documentation does not permit to say that democratic legitimacy has been contested. The majority of citizens are favourable to improving political regimes by reforms according to democratic rules (cf. *Eurobarometer*), but between conventional reforms and revolutionary agitation there are many forms of action and pressure. Another question raised by *Eurobarometer* was whether a high proportion of citizens were satisfied with the functioning of democracy (in December 1995). In all of Western Europe, one out of every two citizens declared that he or she was dissatisfied

with the way in which democracy was functioning in his own country. In most cases this signifies a desire for improvement. The dissatisfaction regarding the functioning of institutions does not challenge the legitimacy of the regime. A pertinent question has been asked many times in various countries inviting people to choose from three propositions concerning the issue of legitimacy. 1) Accept overall the existing law, our present system of government and our society; 2) See many shortcomings in our present system, but believe in a gradual improvement within the existing system of government; 3) Completely reject the existing law, our present system of government and our society, the only solution is complete social change.

The first proposition implies a belief in the legitimacy of the regime; the second bears witness to the conviction that, in spite of all insufficiencies, the existing regime is the best conceivable and that, in addition, it is improvable. The third indicates that the existing regime is perceived as illegitimate. In most countries, the proportion of people who chose the third option was small. In some countries the proportion was relatively significant, (more than ten percent) particularly in France and Italy.

How far can the level of confidence fall before it disrupts the foundations of democracy? Italy can serve here as test. Between 1991 and 1994, this country experienced an implosion which eliminated important political parties from the political arena, brought about a change of ideology and of the name of parties, and provoked a hecatomb of the political class following a large number of scandals of corruption. The corrosive effect of corruption on the regime's legitimacy appeared clearly. Nevertheless, democracy has not collapsed, it has spontaneously reconstructed itself. Even in this extreme

case, democracy proved itself ineradicable.

Today most citizens cannot conceive of an alternative solution to a democratic regime. The available documentation does not allow us to conclude a rejection of the basic civic culture. The only exception that comes to mind is Russia, but this is an exception that confirms the rule : today, Russia is a democracy in gestation, it is not yet an advanced democracy.

In their book, *The Confidence Gap*, S. M Lipset and W. Schneider arrived at the same diagnosis. They asked if there was a crisis of legitimacy in the United States. Their interpretation is that "people lose confidence in their leadership much easier than in the system" and that "the public has become more and more critical about the performance of the major institutions". Their conclusion is that "the loss of confidence has positive and negative aspects. It is real because the Americans are extremely dissatisfied with the performance of their institutions. It is in some sense superficial because Americans have not yet reached the rejection point of these institutions" (Lipset and Schneider, pp. 378-9).

Substantial empirical evidence covering Western democracies oblige us to make a clear distinction between the legitimacy of the regime, confidence in institutions, and popularity of governments. In a democratic country, even if the number of dissatisfied people is high for a long period of time, the legitimacy of the regime is not challenged, except in case of economic, military or political disaster (Dogan and Higley, 1998). The democratic regime does not collapse because the majority of citizens believed that there is no better alternative than to reform democracy in a democratic way. The virtue of democracy is that it offers the possibility of change according to the rules of the

political game. It is easier to avoid errors when one can anticipate the actions of others. This is what Carl Friedrich calls the "rules of anticipated reaction". Such a quasi-medical precept is particularly useful when one analyses the erosion of confidence and seeks a remedy.

It is not because we are convinced that democracy is the best system of government that we should refrain from admitting that it is not perfect, that it contains dysfunctions and injustices, that it can, as living organisms, experience pathological trends that engender feelings of alienation.

Legitimacy of the democratic regime is not contested in any of the western post-industrial democracies, but the persistence of low confidence shows that we are in the presence of serious dysfunctions (Heath and Dorren, 1991; Gwyn, 1980; Kaase and Newton, 1995; Lockerbie, 1993; Ester, Halman and de Moor, 1993; Mori 1991-1995; Halman, 2001).

The development of mass communications and the increasing intervention of the state in all domains have created what is called governmental overload. Intermittent voting rites are no longer sufficient. Parliament is no longer a privileged center of power. To the old constitutional theory of parliament mandate, it is gradually substituted a permanent surveillance of institutions and their leaders by frequent recourse to surveys of public opinion. Parliamentary elections take place every four or five years, but surveys can be conducted every month. Parliamentary democracy becomes more and more survey-directed, giving citizens the possibility of expressing themselves on concrete problems. In all countries, politicians are sensitive to the results of surveys.

Overloaded with conflicting tasks, governments can not satisfy all aspirations. By its omnipresence, the state engenders doubt and dissatisfaction.

In this stateist society, a large part of the GNP is collected and redistributed by the state according to criteria and methods which are contested by certain categories of the population, disadvantaged or privileged. Citizens depend more and more on a government in which they have less and less confidence. The more powerful the state, the less efficient seems to be. The more generous it is, the less impartial it appears. As a result, citizens are manifesting scepticism. Advanced democracy today is in a paradoxical situation. The more it develops, the more it demands of a powerful government. But a free society does not support a too-powerful government. It is for this reason that the arrows of discontent and distrust are directed against the central government and its institutions.

What types of citizens do we need in a democracy? Ignorant, naive, deferential, sheep-like, credulous, believers in myths? Or informed citizens, demythologized, who are at the crossroads of multiple influences and cleavages, in brief, rationally distrustful citizens? A good critical scepticism can only consolidate democracy. By crisis of confidence, we must understand rather the collective aspiration to more democracy, and not a loss of faith in its fundamental values. All political philosophers have said and repeated: democracy is the least bad political system. Erosion of confidence is first of all a sign of political maturity. It is not so much that democracy has deteriorated, but rather the critical spirit of most citizens has improved. What has changed during the last decades is the perception we have of the performance of the political system.

Pluralist democracy is today becoming less governable, not so much because of government overload, but rather because of the diffusion throughout all strata of society of a mitigated confidence, or in other words, of rational distrust nourished by experience. One of

the principal lessons to be drawn is that electoral procedures are no longer sufficient for building confidence in representative democracy. Today citizens' judgment is no longer expressed only once in a while at election time; it is pronounced weekly or monthly, by survey research. Contrary to classical theories, and to some old, sometimes dusty, constitutional practices (as in Britain), the electoral procedure today - while it is irreplaceable and rightly sanctified - can no longer insure the harmonious operating and full legitimacy of democratic regimes in the most developed and demanding countries.

From one electoral rite to another, choices must be made and decisions must be taken for which the vote expresses a vague indication, too often misleading. Deception, frustration and discontent are

the inevitable results. Surveys conducted according to the rules of the art under the supervision of a constitutional court could in some cases usefully complement universal suffrage. It is not inconceivable that one day such a survey will be institutionalized in certain domains, at least on a consultative basis, without decision-making power, as participation of large social strata in the great political debates.

Since there are too many dysfunctions in the most advanced democracies (and even more in other kinds of regimes), the venerable parliamentarianism is called upon to enlarge the political forum.

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**Table 1.**  
 "No confidence at all" or "not very much" in 1999-2000

1. Parliament		2. Public Administration		3. Courts Justicial Institutions	
Lithuania	89	Greece	80	Lithuania	81
Czech Rep.	89	Lithuania	79	Bulgaria	72
Romania	81	Czech Rep.	78	Croatia	70
Croatia	79	Slovenia	75	Estonia	68
Slovenia	75	Bulgaria	73	Czech Rep.	67
Estonia	73	Romania	73	Slovakia	65
Bulgaria	72	Croatia	69	Italy	64
Latvia	72	Poland	68	Belgium	64
Greece	71	Italy	67	Romania	60
Ireland	69	Netherlands	63	Portugal	59
Poland	67	Germany	61	Spain	58
Hungary	66	Slovakia	61	Poland	58
Spain	66	Estonia	60	Slovenia	56
Italy	66	Spain	60	Hungary	55
Germany	64	Finland	59	France	54
Britain	64	Austria	57	Greece	54
N. Ireland	60	France	54	Latvia	53
Austria	59	Britain	54	N. Ireland	52
France	59	Belgium	54	Netherlands	52
Finland	56	Sweden	51	Britain	51
Sweden	51	Latvia	51	Ireland	46
Denmark	51	Hungary	50	Sweden	39
Portugal	50	N. Ireland	48	Germany	39
Belgium	48	Portugal	46	Finland	34
Netherlands	45	Denmark	45	Austria	31
		Ireland	41	Denmark	22

Source : European Values Study: Third Wave (edited by Loek Halman)

**Table 1.** continued  
 "No confidence at all" or "not very much" in 1999-2000

4. Church Ecclesiastical Hierarchy		5. Trade Unions		6. The Press media	
Czech Rep.	80	Greece	88	Croatia	85
Netherlands	70	Bulgaria	85	Britain	84
Britain	66	Czech Rep.	78	N. Ireland	82
Slovenia	65	Hungary	76	Bulgaria	74
Bulgaria	65	Romania	73	Greece	69
Austria	61	Spain	73	Hungary	69
Germany	61	Britain	72	Austria	68
Spain	58	Italy	71	Denmark	67
Belgium	57	Austria	69	Ireland	65
Estonia	56	Slovenia	69	Italy	65
Sweden	55	Estonia	68	France	64
France	54	Latvia	68	Germany	64
Hungary	52	Poland	66	Finland	64
Ireland	48	France	65	Czech Rep.	62
Finland	42	Croatia	64	Romania	62
Denmark	41	Germany	62	Belgium	62
Croatia	38	Belgium	62	Estonia	58
Greece	36	N. Ireland	62	Latvia	55
N. Ireland	36	Lithuania	60	Sweden	54
Italy	33	Sweden	58	Poland	53
Slovakia	31	Slovakia	57	Slovakia	51
Poland	31	Portugal	53	Spain	49
Lithuania	29	Ireland	53	Netherlands	45
		Denmark	52	Slovenia	39
		Finland	46	Portugal	34
		Netherlands	41	Lithuania	23

Source : European Values Study: Third Wave

**Table 1.** continued  
 "No confidence at all" or "not very much" in 1999-2000

7. Army		8. Police		3. Courts Justicial Institutions	
Czech Rep.	75	Lithuania	74	Greece	53
Estonia	65	Estonia	68	Italy	47
Austria	61	Czech Rep.	67	Czech Rep.	45
Netherlands	61	Greece	68	Bulgaria	43
Belgium	60	Latvia	60	Croatia	42
Spain	57	Slovakia	56	Portugal	40
Sweden	56	Bulgaria	53	Hungary	36
Hungary	54	Hungary	55	Britain	34
Latvia	52	Romania	55	Lithuania	33
Lithuania	50	Slovenia	50	Sweden	32
Italy	48	Poland	45	France	32
Germany	45	Spain	45	Spain	32
N. Ireland	44	Belgium	45	Netherlands	27
Ireland	41	N. Ireland	37	Latvia	26
Bulgaria	41	Netherlands	36	Estonia	26
Croatia	38	Portugal	34	Germany	26
France	37	France	34	Denmark	25
Poland	33	Italy	33	Slovakia	24
Portugal	29	Britain	30	Belgium	22
Greece	26	Sweden	28	Romania	21
Slovakia	23	Germany	26	Slovenia	20
Romania	17	Austria	24	Poland	19
Britain	17	Ireland	16	Finland	17
Finland	16	Finland	10	N. Ireland	17
		Denmark	9	Austria	14
				Ireland	14

Source : European Values Study: Third Wave

## Abstract

*An important proportion of citizens do not manifest confidence in many basic institutions (parliaments, parties, unions, army, public bureaucracies, big business, courts, ecclesiastic hierarchy, police) nor in the political class. Such a deficit of trust is attested by a wealth of empirical data. None the less, the legitimacy of the democratic regime is not challenged: European citizens do not conceive realistically an alternative system of government. But a new counter-power plays an increasing and crucial role in advanced pluralist democracies: the tandem of magistrates and journalists. France and Italy are considered as clinical cases, concerning in particular the corruption at the highest level of the State and society. What types of citizens are needed in advanced democracies? Ignorant, naive, differential, credulous, believers in myths? Or well informed, rationally distrustful citizens? Today democracy is permanently under the supervision of the public, as attested by surveys conducted periodically.*