

“Democracy and Distrust” is the title of a well-known book constitutional theory, which argues that courts should step in to correct dysfunctions in the democratic process. But that’s not what I want to talk about right now. Instead, I want to talk about public trust in the institutions that make democracy work: the media that provide information about public affairs and the government officials who lead the government.

As everybody knows, confidence in Congress is at an all-time low. What’s more disturbing is that this is not just an isolated phenomenon, brought on by the partisan rancor and frequent deadlocks that we see today. Instead, the same loss of confidence afflicts all three branches of government, as well as the media.

In June, Gallup published a [poll](#) that provided both a snapshot of public views and a historical comparison. Here are some key findings about the percentage of Americans with high confidence in various institutions:

- The Presidency — 35% (10% below the historical average since 1973)
- The Supreme Court - 37% (8% below the historical average)
- The media - 28% (5% below the historical average)

Note that these are the figures for those with high confidence, if you add in the percentage with “some confidence” the numbers aren’t as dire. In June, slightly over half of the public had at least “some confidence” in Congress, although it’s hard to see why.

Who *do* Americans trust? By far the most trusted institution is the military (78%), small businesses and the police follow next. Confidence in organized religion has steadily declined over the past forty years, and is now below 50%. It doesn’t seem to be a terribly good sign for a democracy when twice as many people approve of the military as the civilian branches of government. (And what does it say about society when more people trust small businesses than the church?)

In terms of the environment, the problem is that the very institutions that we need to communicate about public affairs and deal with common issues are increasingly distrusted by the public.

The public doesn’t have a great deal of trust in big business either (currently at 19%), but the high trust level in small businesses can help provide an ample regulatory shelter for the big ones. This explains, by the way, why anti-regulatory forces are couching so much of their rhetoric in terms of protecting small businesses even when the campaigns are largely at the behest of corporate behemoths.