A Look at Levels of Public Trust in the Professions ©Neil Hamilton and Mark Jones* Published in Minnesota Lawyer, August 17, 2009

In Black’s Law Dictionary, “confidence” is defined as “assured expectation” or “firm trust.” This article seeks to assess the amount of confidence that the American public has in its institutions, where current polling suggests that public trust in business is experiencing a significant decline, while trust in government is experiencing modest growth and trust in law firms continues at a low level.

Harris Poll

In February 2009, the Harris Poll Confidence Index, which has spanned over four decades, surveyed 1,010 adults. For sixteen items, the survey asked, “As far as people in charge of running [READ EACH ITEM] are concerned, would you say you have a great deal of confidence, only some confidence, or hardly any confidence at all in them?”

The 2009 Confidence Index presented several striking observations. First, when asked about their confidence in Wall Street, only 4 percent of participants possessed a “great deal of confidence,” a 13 percent fall from 2007 and an all-time low for the industry. Before this recent decline, Wall Street has typically enjoyed trust levels exceeding 15 percent and highs of 30 percent in 1999 and 2000. Moreover, the Cohen & Wolfe Financial Confidence Survey confirms this descent, finding trust in financial institutions had weakened in 40 percent of respondents in the past year.

A second observation from the 2009 Confidence Index found a decline in confidence in major companies. While their 2009 confidence level nearly triples Wall

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Street at 11 percent, major companies are stuck in a declining trend. Since recording trust levels at 28 percent in 2000, companies’ confidence fell to 17 percent in 2005 before dropping to their current state. In light of the current economic recession, it is probable that the public’s confidence level in major companies will continue to decline through the end of 2009 into 2010.

While major companies have almost always had low levels of public confidence, they are approaching their Confidence Index low of 10 percent in 1992. While confidence experienced only a three percent drop from 2008 to 2009, the 17 percent decrease since 2000 presents a significant trend. Furthermore, the fact that Wall Street and major companies were the only surveyed items to decline from 2008 to 2009 presents additional cause for concern.

Next, the 2009 Confidence Index revealed low, long-term confidence levels in law firms. Since their inclusion in the Index in 1973, law firms have been one of the lowest rated institutions, rarely eclipsing 15 percent of respondents possessing a “great deal of trust.” Over the past 30 years, law firms’ confidence levels have stabilized near 12 percent, rarely fluctuating more than two or three percent to levels of 10 percent in 2000 and 11 percent in 2009. Furthermore, law firms recent peak was 17 percent in 1984 and bottomed at 7 percent in 1997.

Polling on occupational prestige and ethics provides further insight on public trust in the legal profession. Since the 1970s, a separate Harris Poll longitudinal survey on the “prestige” of lawyers indicates that the public standing of the legal profession relative to other occupations has rebounded somewhat from the dark days of corporate wrongdoing, including the Enron and WorldCom scandals, in the early 2000s, when the public was
unable to distinguish the prestige of the legal profession from occupations like labor union leaders and bankers. While the current Harris Poll shows lawyers’ public standing has risen to that of architects, business executives, and athletes, lawyers remain significantly below other peer-review professions. Moreover, the Harris Poll found four of the five occupations with the lowest public standing have been involved in the current economic catastrophe: real estate agents, accountants, stockbrokers, and bankers.

In a longitudinal survey on ethics and honesty conducted by Gallup, the legal profession drew similar comparisons with some small variation. According to Gallup, the current public perception of the ethics and honesty of the legal profession is nearly indistinguishable from real estate agents and labor union leaders.

A comparison of the Harris Poll Confidence Index’s “firm trust” levels in business to government is also revealing. For instance, despite the significant decline in Wall Street’s trust, the White House experienced a substantial rise in trust from 15 percent in 2008 to 36 percent in 2009. Meanwhile, Congress received a increase in trust from 8 percent in 2008 to 9 percent in 2008, which should be viewed as inconsequential due to Congress’ low baseline of trust, eclipsing 20 percent only once in the last twenty years.

School Survey

Since the beginning of 2009, additional polling provides complementary support for The Harris Poll Confidence Index. On July 13, 2009, the University of Chicago Booth School of Business and Kellogg School of Management at Northwestern University released its third Financial Trust Index. Of those surveyed, four out of five Americans, distrusted the American financial system. Similar to the Harris Poll, corporations and
Wall Street rated the lowest of the polled institutions, where seven out of eight Americans distrusted each institution, respectively.

A Gallup poll from March 5-8, 2009 asked 500 adults, “Who do you trust more to solve the United States’ economic problems: The United States government or United States businesses?” While 53 percent of respondents indicated that they trusted the government to solve national economic problems, only 42 percent felt businesses were the more trustworthy corrective force.

**Edelman Trust Monitor**

In addition, the 2009 Edelman Trust Barometer provides confirmation of decreasing levels of public trust in business. In the Edelman Trust Barometer, 77 percent of American respondents reported they trusted companies less than a year ago. Moreover, only 38 percent of Americans felt they trusted businesses “to do what was right,” a 20 percent decrease from 2008. When specific industries were polled, trust in banks decreased from 69 percent in 2008 to 36 percent in 2009.

CEOs experienced similar setbacks to businesses in the 2009 Edelman Trust Barometer. When asked, “If you received information about a company from a CEO, how credible would it be?” only 17 percent of respondents felt the information would be credible, a six-year low in CEO confidence levels. Despite low trust in business, there was no indication that trust in government had risen to offset the business’ decline. In fact, the 2009 Trust Barometer reflected a nine percent decline in government trust from 2008.

**Public Trust Monitor**
A final confirming source is the Public Trust Monitor. In January 2009, Public Strategies Inc. and POLITICO launched the Public Trust Monitor to provide public policy leaders and corporate decision-makers with two vital tools: a snapshot of how the public perceives their performance and a measure of how such attitudes change over time.

The Public Trust Monitor’s 2009 second quarter report asked 1,000 registered voters, “How much do you trust the United States government to do what is right?” Overall, 63 percent of respondents said they trusted the government “a great deal” or “some,” a six-point improvement from December 2008. Conversely, when respondents were questioned how much they trusted corporations to do what is right, only 37 percent trusted corporations “a great deal” or “some,” while 63 percent did not trust corporations “very much or at all.”

When the Public Trust Monitor polled remedies for the current economic situation, 61 percent of respondents felt that federal regulation of corporations should be increased. Additionally, 54 percent of respondents disapproved of the way corporations have worked with the government to solve problems facing the United States. These responses are similar to the findings of the Edelman Trust Barometer, where 65 percent of respondents worldwide agreed that government should impose stricter regulations and greater control over business across all industry sectors.

The Public Trust Monitor also questioned the new economic stimulus package. When respondents were asked how much they trusted various sources to spend economic stimulus money as intended, corporations ranked last with a trust level of only 25 percent. Comparatively, 47 percent trusted the federal government to spend stimulus dollars as
intended. Furthermore, as government localized to the state and municipal level, trust increased, with city and local governments possessing the most trust at 55 and 59 percent, respectively.

**CONCLUSION**

While recent surveys clearly show the decline of the American public’s trust in business and continuing low trust in the legal profession as a gatekeeper, neither the business sector nor the legal profession have responded with an honest self-assessment or a proposal to rebuild the public’s trust. With these surveys in mind, the business sector and the legal profession should work with the moral cultural sector, including education at all levels, but particularly graduate education, to self-assess responsibility for the decline in public trust and to propose and implement solutions to build it. This effort must foster the virtues and skills from which public trust flows.