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# PANDEMIC: ATTITUDES TOWARDS MEASURES THAT LIMIT CIVIL LIBERTIES

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A large number of measures that limit civil liberties have been put in place in countries dealing with the COVID 19 pandemic. The crisis has led to a certain number of values that are essential to western democracies being put on hold: the freedom to come and go and to engage in one's affairs, the freedom to meet other people and the right to protest and hold demonstrations, and, more indirectly, the right to a private and familial life and the right to an education.

In France, the theory of exceptional circumstances and Article L. 3131-1 of the Public Health Code (Paragraph 1 of this article stipulates that "in the case of a serious threat to public health that calls for urgent measures to be adopted, particularly the threat of an epidemic, the Minister for Health can, by substantiated decree and in the interests of public health, order any measure proportionate to the risks and appropriate to the circumstances of the time period and area concerned to be adopted, in order to prevent and/or to limit the consequences of the aforesaid threat to the health of the population. The Minister can also adopt such measures after the declared state of emergency for public health has been terminated, as provided for in Chapter 1a of the present act, in order to ensure the long-term elimination of the health crisis") were used to justify the implementation of these measures that deprive the population of certain freedoms, before the state of emergency for public health was voted in with the law of March 23, 2020<sup>1</sup>.

One of the most spectacular facets of this limit to civil liberties is undoubtedly the confinement to place of residence, which as of April 7, 2020 affected 4 billion people worldwide. This figure, which just a few short weeks ago seemed unimaginable, raises the question of resilience among those in confinement.

1. Emergency Law n° 2020-290 of the 23rd of March 2020 to deal with the Covid-19 epidemic.

2. The first was carried out on March 16 and 17, 2020, the second on March 24 and 25, the third on April 1 and 2 and the final one on April 7 and 8.

In this very particular national and international setting, it seemed vital to probe the attitudes of the French population towards these measures that deprive them of civil liberties. This is what we have undertaken with the comparative survey entitled: "Citizens' Attitudes towards Covid-19", which now includes four waves <sup>2</sup>.

The representative sample of the French population (2,016 individuals) was thus interviewed by IPSOS about a series of measures that limit liberties traditionally considered to be essential, such as the freedom to come and go and to engage in one's private affairs. In particular, respondents were asked if they were favourable or not to the following:

1. Shutting down public transport;
2. The introduction of a curfew and surveillance of movements by the police, the gendarmerie and the army;
3. The general confinement of the population who are forbidden from leaving their homes except for medical reasons (Waves 2 to 4);
4. Closing down shops and non-essential businesses;
5. Mandatory quarantine for patients infected outside the home;
6. The use of mobile phones to monitor the movements of individuals (Waves 2 to 4);
7. Systematic testing for COVID-19 (Waves 3 and 4).

3. During Wave 1, 1,010 individuals were interviewed, 1,999 in Wave 2 and 2,016 in Waves 3 and 4.

To summarise, most public policy choices were quite strongly approved of by the sample when the first three waves were carried out<sup>3</sup>. However, the situation had evolved significantly by the time Wave 4 took place. Approval of curfew remains high with a favourable opinion rising from 60.2 % in Wave 1 to 79.6 % in Wave 2, and then falling to 70.8 % during the last wave to date. The closing of shops and non-essential businesses which obtained a very strong rate of approval (more than 80 % of favourable opinions during the first three waves with a peak at 87.5 % during the second wave<sup>4</sup>) has plummeted to 60.5 %. The shutting down of public transport which was also positively viewed, albeit less than the previous two items, has undergone the same change. While the maximum number of favourable opinions on this question reached 63.3 % during Wave 2, the percentage fell to 53 % in Wave 4.

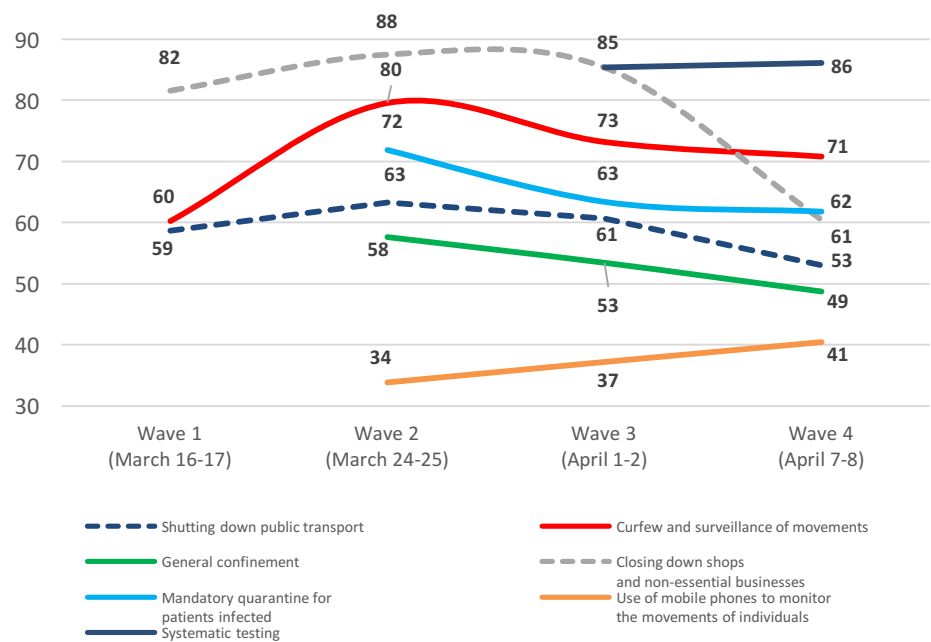
The question on the particularly sensitive issue of general confinement has followed the same tendency. While this item received a majority of favourable opinions at 57.6% in Wave 2 when the question was first asked, the tendency began to decline in Wave 3, falling to 53,4 %. When Wave 4 took place, the approval rating for confinement was lower than 50% for the first time (48,7 % precisely). Looking at this item from the opposite perspective, at the same point in time, unfavourable opinions on confinement stood at almost one third of the sample (29.3 % in Wave 4). Thus, the initially strong approval rate of confinement, the measure that most strongly represents the deprivation of liberty, is rapidly decreasing, falling as it has under the symbolic threshold of 50 %.

Two exceptions, for which the approval rating is progressing should

nonetheless be noted.

The first is the adoption of systematic testing for the virus which rose from an approval rating of 85.4 % in Wave 3 to 86.1 % in Wave 4. It should be noted here that this measure is highly appreciated whereas it has neither been realised, nor does its realisation seem feasible in France for the time being. The decision to systematically test for the virus which has been adopted in other European countries such as Germany, Italy, Austria and Estonia shows a level of testing that is twice as high (more than 10 people tested per 1,000 inhabs.) compared to fewer than 5 in France) as testing in France.

Figure 1: Changes in favourable opinions between Waves 1 and 4 (as a %)



Source: Citizens' Attitudes towards the COVID-19 pandemic survey, CEVIPOF, 2020

Another notable change has occurred with respect to the use of mobile phones to monitor the movements of individuals. While this measure is the focus of less objection with the passage of time, the approval rating nonetheless remains limited at 40.5 % (compared to 34% in Wave 2) of respondents in Wave 4, even though a number of debates on the subject have taken place in the media and on social networks.

Generally speaking, with the exception of the two subjects mentioned above, Wave 4 confirms what was beginning to emerge in Wave 3. For most of the propositions, a more or less well-defined inverted V-shaped curve was becoming apparent. The maximum level of acceptance which was present at the end of the first ten days of confinement (Wave 2), was gradually replaced (to a greater or lesser degree) by weariness and at times impatience. In some cases, the strong constraints placed on everyday life and on the economy have led to a collapse in acceptability rates. This is the case for example with the closing of non-essential companies for which the favourable opinion rate has decreased by 20 points.

The decrease in levels of approval is evident, though to a lesser extent, for the shutting down of public transport and mandatory quarantine. However, it is particularly revealing to observe (as already mentioned above) the shift to below 50 % for approval of the general confinement of the population which remains the measure that best symbolises the fight against the epidemic in France.

A clear difference is apparent here: while between Waves 2 and 3 the rates were always higher than the initial percentages of Wave 1, this is no longer the case for all items in Wave 4. After three weeks of confinement, the large number of deaths announced every evening no longer has the same impact. Restrictions on civil liberties were legitimated and accepted as the population clearly understood the magnitude of the pandemic, notably illustrated by the number of deaths. This effect has now faded. The huge uncertainty about how tomorrow’s economy will function, combined with the emergence of controversies (such as the use and availability of masks or the use of hydroxychloroquine) surrounding how the crisis is being managed have created the conditions for a wavering in public opinion with respect to the legitimacy of public decisions.

Figure 2: Changes in levels of satisfaction with the way the government is handling the coronavirus pandemic (as a %)

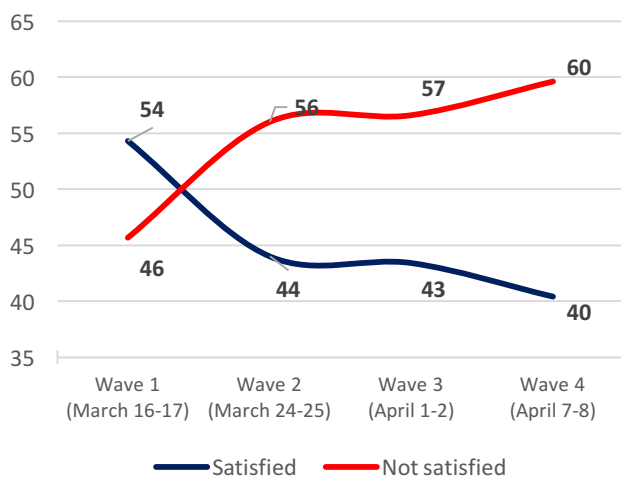
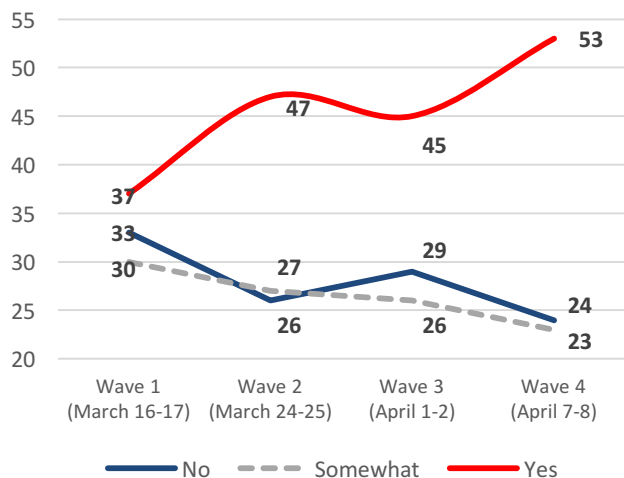


Figure 3: Changes in levels of anger with the way the government is handling the coronavirus pandemic between Waves 1 and 4 (as a %)



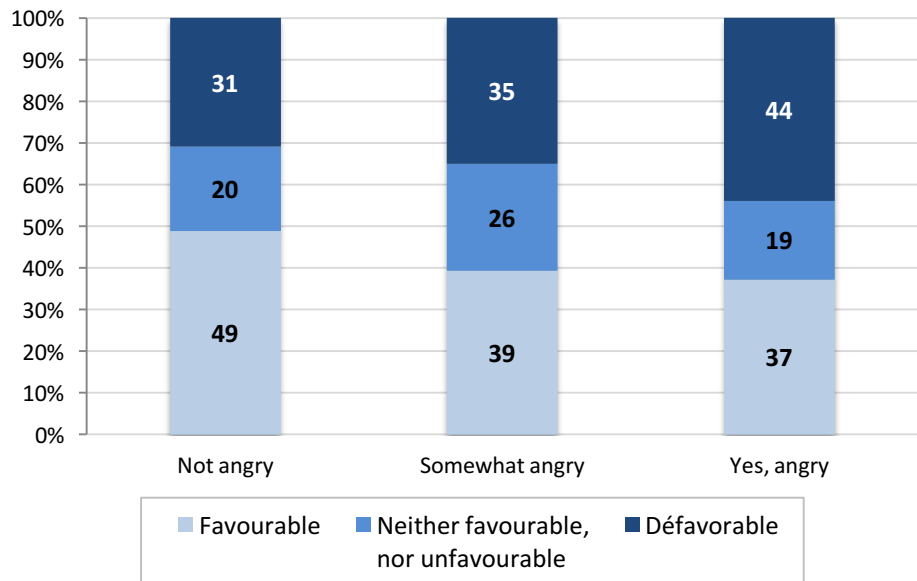
Source: Citizens’ Attitudes towards the COVID-19 pandemic survey, CEVIPOF, 2020.

This change is occurring in a context of growing dissatisfaction with the way in which the government is handling the coronavirus pandemic (Figure 2). However, such dissatisfaction does not seem to be the result of weariness with the perceived stagnancy of the situation alone. It is also the result of an increasing level of anger (+16 points in 4 weeks) which has passed the 50% threshold with 53% of respondents saying they are angry about the way in which the government is handling the coronavirus crisis.

It comes as no surprise to learn that as the level of anger rises, the level of support for measures that curtail liberty such as, for example, tracking mobile

phones decreases. (Figure 4).

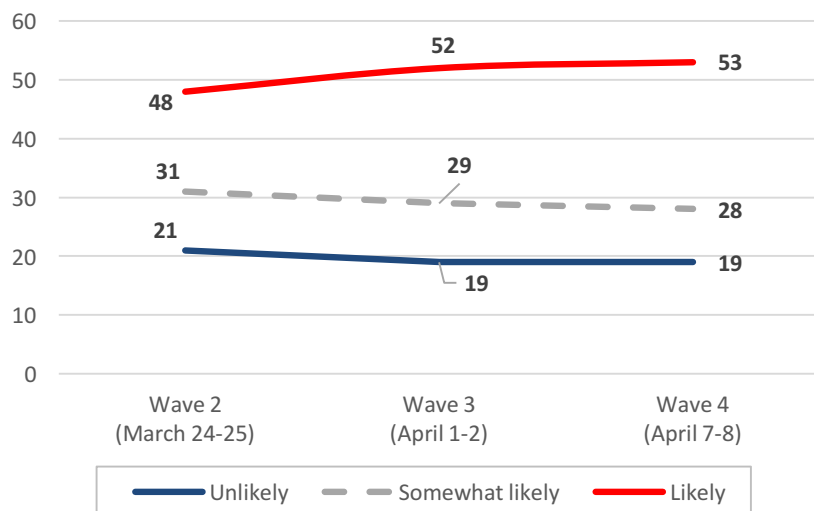
Figure 4: Attitudes towards tracking mobile phones according to level of anger with the way in which the government is managing the coronavirus pandemic during Wave 4 (as a %)



Source: Citizens' Attitudes towards the COVID-19 pandemic survey, CEVIPOF, 2020.

Such anger is accompanied by an increased level of distrust in public discourse which goes hand in hand with opposition to measures that curb civil liberties.

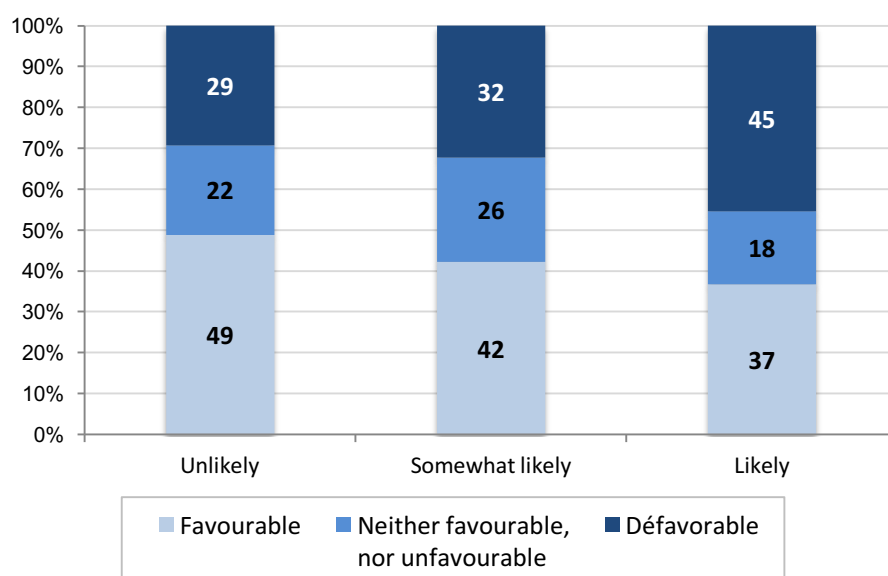
Figure 5: Changes in answers to the question “in your opinion, how likely is it that the government is hiding information from the French people about the coronavirus epidemic,” between Wave 1 and 4 (as a %)



Source: Citizens' Attitudes towards the COVID-19 pandemic survey, CEVIPOF, 2020.

Thus for example, on the particularly delicate subject of tracking mobile phones, the more respondents doubt the transparency of the government, the more they are likely to have an unfavourable opinion of this type of surveillance of the epidemic.

Figure 6: Attitudes towards tracking mobile phones according to the likelihood that the government is hiding information about the coronavirus epidemic from the French people in Wave 4 (as a %)



Source: Citizens' Attitudes towards the COVID-19 pandemic survey, CEVIPOF, 2020.

After four weeks of confinement, attitudes among the French population range between resilience, weariness and anger. The sudden accumulation of public health measures and measures that restrict individual liberties, which were broadly understood and accepted at the start of the crisis, has today led to lesser social acceptability of the aforementioned measures. This is undoubtedly a point which calls for vigilance in the political governance of the crisis which should be followed over the course of the next several weeks.

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