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## 6

### **Familiarity, Confidence, Trust: Problems and Alternatives**

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#### I

Trust has never been a topic of mainstream sociology. Neither classical authors nor modern sociologists use the term in a theoretical context. For this reason the elaboration of theoretical frameworks, one of the main sources of conceptual clarification, has been relatively neglected. Furthermore, empirical research - for example, research about trust and distrust in politics - has relied on rather general and unspecified ideas, confusing problems of trust with positive or negative attitudes toward political leadership or political institutions, with alienation (itself a multidimensional concept), with hopes and worries, or with confidence. In their monograph on patrons, clients, and friends, Shmuel Eisenstadt and Luis Roniger (1984) use the concept of trust as roughly equivalent to solidarity, meaning, and participation. This makes it possible to show that unconditional trust is generated in families and small-scale societies and cannot be automatically transferred to complex societies based on the division of labour. Trust, then, needs for its reconstruction special social institutions; friendship networks and patron-client relations are examples for this adaptation. But this is merely to reiterate well-known statements about the division of labour and the need to reconstruct solidarity, about *Gesellschaft* and *Gemeinschaft*. It does not give any new insight into the particularities of trusting relations. To gain such insights we need further conceptual clarification.

Bernard Barber at least perceives this need. In his recent monograph *The Logic and Limits of Trust* (1983; see also Barber 1985) he tries for the first time to provide some kind of ordering. He proposes to distinguish between three different dimensions in which trusting expectations may fail: the continuity of the natural and the moral order, the <<95>> technical competence of actors in roles, and the fiduciary obligations of actors, that is, their duty and their motives to place the interests of others before their own. This distinction refers to the content of expectations and, indirectly, to causes of disappointment. It leaves unspecified, however, the social mechanisms which generate trust in spite of possible disappointment. It is this question, and in a more general sense the problem of the *function of trust*, which is my primary interest (Luhmann 1979), and which leads to a different approach to conceptual problems.

To begin with, we have to avoid confusion between *familiarity* and *trust*. Familiarity is an unavoidable fact of life; trust is a solution for specific problems of risk. But trust has to be achieved within a familiar world, and changes may occur in the familiar features of the world which will have an impact on the possibility of developing trust in human relations. Hence we cannot neglect the conditions of familiarity and its limits when we set out to explore the conditions of trust.

Soon after we are born we begin making distinctions. An observer might think we were applying the beautiful logic of George Spencer Brown (1971). We arrive (and find ourselves included) in an unmarked space. We execute the first command: draw a distinction! In doing this we are forced to indicate which side of the distinction we mean. Indicating what we mean (maybe our own body), we elaborate on the distinction. We tend to repeat that indication. This will condense the form. Through condensation the indicated side will assume not simply the logical quality of sameness but, in addition, the metalogical quality of familiarity. The

distinction develops, ripening into a distinction between familiar and unfamiliar. It remains possible to cross the distinction; otherwise it would not be a distinction. We can use the opposite side (which remains the opposite side, the unfamiliar) to return to the preferred side, the familiar side. As soon as one side grows thick with condensations the distinction reinforces its own asymmetric structure, and we begin to live in a familiar world with familiar dangers within boundaries which mark off the unfamiliar. And we - or at least our ancestors - have invented myths in order to reintroduce the distinction into the distinguished, into the marked space. This again follows Spencer Brown: the distinction 're-enters' its own space.

If this is the operative version, phenomenology describes its results. In fact, I have begun to reformulate the famous concept of the 'life-world' (Luhmann 1986). We can live within a familiar world because we can, using symbols, reintroduce the unfamiliar into the familiar. We never have to leave the familiar world. It remains our life-world. We never cross the boundary. It remains a horizon that moves as we move. But we know in a familiar way about the unfamiliar. Familiarity breeds unfamiliarity.

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We develop forms to account for the other, the hidden side of things, the secrets of nature, the unexpected surprise, the inaccessible, or (in modern terms) the complexity. We can operate only in familiar terms, but when we observe and describe our operations we proceed paradoxically. We use the familiar distinction between the familiar and the unfamiliar.

I cannot continue to elaborate on an operational theory of familiarity. However, one further point is essential for the following discussion of confidence and trust. I shall use the concept *symbol* in a particular way, returning in fact to its original meaning: *s'ymbolon* as distinct from *diábolon* (Müri 1931). Symbols are not signs, pointing to something else. They presuppose the difference between familiar and unfamiliar and they operate in such a way as to enable the re-entry of this difference into the familiar. In other words, symbols represent the distinction between familiar and unfamiliar within the familiar world. They are forms of self-reference using the self-reference of form. In fact, symbols have developed as the successors of myth, replacing it first by symbolic interpretation and later by pure symbolism.<sup>1</sup>

Traditionally, the symbolic function of using familiar terms to cope with the unfamiliar has been the province of religion (Luhmann 1984a and 1985). Only in early modern times did a new term (*riesgo*, *rischio*, risk) appear to indicate that unexpected results may be a consequence of our decisions, and not simply an aspect of cosmology, an expression of the hidden meanings of nature or the hidden intentions of God. This discovery of 'risk' as a general feature of life - roughly replacing what had previously been known as *fortuna* - does not facilitate the task of religion, but it adds another dimension to human experience. It becomes ever more typical and understandable that decisions cannot avoid risk. Such awareness of risk - the risks of technological development or of investment, of marriage or of prolonged education - is now a very familiar aspect of everyday life, but it does not necessarily convey a cosmological or religious meaning. Secrecy, and therefore dissimulation and distrust, are no longer the essence of life and of prudence,<sup>2</sup> but trust is bestowed at your own risk (Short 1984).

This transformation of historical semantics, this shift from cosmology to technology, in highly simplified terms, must be presupposed when we try to understand the function of symbols in general and the differentiation between confidence and trust in particular. Trust and confidence are placed in a familiar world by symbolic representation, and therefore <<97>> remain sensitive to symbolic events which may suddenly destroy the basis for their existence. Observing events which contradict previous trusting relationships - becoming aware, for

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<sup>1</sup> <<96>> Assmann (1984) is particularly aware of this non-symbolic or pre-symbolic original meaning of myths.

<sup>2</sup> <<96>> 'El secreto es vida de las determinaciones saludables' (Ramirez [1617] 1958: 25) was a common opinion at the time. See also Bacon (1895); Accetto ([1641] 1930).

instance, that scientific data have been falsified with the intention of publishing spectacular results - may lead to a sudden collapse of confidence or trust. Thus a symbolic basis for confidence or trust emerges, only to vanish again and leave unmarked a position which briefly provided, as you may retrospectively realize, for the unity of the familiar and the unfamiliar within the familiar life-world.

## II

All this has been a prelude to my main topic. I want to propose a distinction between confidence and trust. Both concepts refer to expectations which may lapse into disappointments. The normal case is that of confidence. You are confident that your expectations will not be disappointed: that politicians will try to avoid war, that cars will not break down or suddenly leave the street and hit you on your Sunday afternoon walk. You cannot live without forming expectations with respect to contingent events and you have to neglect, more or less, the possibility of disappointment. You neglect this because it is a very rare possibility, but also because you do not know what else to do. The alternative is to live in a state of permanent uncertainty and to withdraw expectations without having anything with which to replace them.

Trust, on the other hand, requires a previous engagement on your part. It presupposes a situation of risk.<sup>3</sup> You may or may not buy a used car which turns out to be a 'lemon'. You may or may not hire a babysitter for the evening and leave him or her unsupervised in your apartment; he or she may also be a 'lemon'. You can avoid taking the risk, but only if you are willing to waive the associated advantages. You do not depend on trusting relations in the same way you depend on confidence, but trust too can be a matter of routine and normal behaviour.

The distinction between confidence and trust thus depends on perception and attribution. If you do not consider alternatives (every morning you leave the house without a weapon!), you are in a situation of confidence. If you choose one action in preference to others in spite of the possibility of being disappointed by the action of others, you define the situation as one of trust. In the case of confidence you will react to disappointment by external attribution. In the case of trust you will have <<98>> to consider an internal attribution and eventually regret your trusting choice.

Moreover, trust is only possible in a situation where the possible damage may be greater than the advantage you seek (Deutsch 1958; 1962: 302ff.). Otherwise, it would simply be a question of rational calculation and you would choose your action anyway, because the risks remain within acceptable limits. Trust is only required if a bad outcome would make you regret your action.

The distinction between confidence and trust depends on our ability to distinguish between dangers and risks, whether remote or a matter of immediate concern. The distinction does not refer to questions of probability or improbability. The point is whether or not the possibility of disappointment depends on your own previous behaviour. Since 'risk' is a relatively new word, spreading from whatever sources into European languages via Italy and Spain only after the invention of the printing press, we may suppose that the possibility of making this distinction is likewise a result of social and cultural development. The degree to which our own behaviour, in spite of social dependencies, is thought to have an impact on our future state, has varied considerably in the course of history. Whereas in the Bible, for instance, the Last Judgement comes as a surprise, the late Middle Ages began - under the influence of the confessional - to represent it as the predicted outcome of risky behaviour. In committing sins you risk the salvation of your soul, which thereby becomes a matter not of church practice but of individual lifestyle and effort.<sup>4</sup>

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<sup>3</sup> <<97>> This is a point made in psychological research. For a recent report see Petermann (1985).

<sup>4</sup> <<98>> A kind of empirical proof may be that this change is in no way the result of the Protestant movement but can be observed in Catholic circles as well (Hahn 1982; 1984). It is the result of an increasing awareness of risk, traditionally defined in religious terms.

If this is true, the relation between confidence and trust becomes a highly complex research issue. The question is not simply to assign expectations to types and to sort them according to whether they are based respectively on confidence or on trust. A relation of confidence may turn into one of trust if it becomes possible (or is seen to be possible) to avoid that relation. Thus elections may to some extent convert political confidence into political trust, at least if your party wins. Conversely, trust can revert to mere confidence when the opinion spreads that you cannot really influence political behaviour through the ballot. As a participant in the economy you necessarily must have confidence in money. Otherwise you would not accept it as part of everyday life without deciding whether or not to accept it. In this sense money has always been said to be based on 'social contract' (for a recent example see Lagerspetz 1984). But you also need trust to keep and not spend your money, or to invest it in one way and not in others.

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Seen from this point of view, political and economic liberalism attempts to shift expectations from confidence to trust. Insisting on freedom of choice, liberalism focuses on the individual responsibility for deciding between trust and distrust with respect to politicians, parties, goods, firms, employees, credit, etc. And it neglects the problems of attribution and the large amount of confidence required for participation in the system. Mobilizing trust means mobilizing engagements and activities, extending the range and degree of participation. But what does this mean, if people do not perceive a condition of trust or distrust but a condition of unavoidable confidence? They will not save and invest if they lack trust; they will feel alienated if they lack confidence.

Moreover, we have to acknowledge that the relation between confidence and trust is not a simple zero-sum game in which the more confidence is given the less trust is required and vice versa. Such a theory would neglect the structural complexity of social systems as an intervening variable. But a social evolution which achieves increasingly complex societies may in fact generate systems which require more confidence as a prerequisite of participation and more trust as a condition of the best utilization of chances and opportunities. Confidence in the system and trust in partners are different attitudes with respect to alternatives, but they may influence each other; and in particular, a decline in confidence or an increasing difficulty in finding situations and partners which warrant trust may unleash deteriorating effects which diminish the range of activities available to the system.

### III

Familiarity, confidence, and trust are different modes of asserting expectations - different types, as it were, of self-assurance. However, they use self-reference in different ways.

Familiarity and confidence presuppose asymmetric relations between system and environment (Luhmann 1984b: 35ff., 242ff.). Familiarity draws the (asymmetric) distinction between familiar and unfamiliar fields and puts up with the familiar. The unfamiliar remains opaque. There is no need for conscious self-reflection: one is familiar, not unfamiliar, with oneself. Confidence, on the other hand, emerges in situations characterized by contingency and danger, which makes it meaningful to reflect on pre-adaptive and protective measures. The source of disappointment may be social action. Anticipation therefore differentiates between social actors. Whereas the difference between the familiar and the unfamiliar is controlled by religion, the difference between social actors as Sources and victims of disappointing behaviour is controlled <<100>> by politics and law.<sup>5</sup> The degree to which religion on the one side and politics and law on the other are differentiated in ancient societies can be taken as an indicator that contingency increases (Gunnell 1968) and that distinct control techniques are required for coping with problems of familiarity and problems of confidence. With respect to the distinction

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<sup>5</sup> <<100>> However, an early sociological pamphlet about the new crimes of abusing confidence and trust uses the term 'sin' in its title (Ross 1907).

between familiar and unfamiliar, religious techniques of symbolization suffice. The political distinction between enemies and friends, between potentially dangerous and reliable people, amounts largely to a question of maintaining peace within territorial boundaries. In both cases a self-assertive individualism develops. It is sufficient to maintain one's position in the face of an opaque, fateful destiny and visible sources of danger: the hero is the appropriate symbol for this demand.

The case of trust is very different and requires quite another type of self-reference. It depends not on inherent danger but on risk. Risks, however, emerge only as a component of decision and action. They do not exist by themselves. If you refrain from action you run no risk. It is a purely *internal* calculation of *external* conditions which creates risk. Although it may be obvious that it is worth while, or even unavoidable, to embark on a risky course - seeing a doctor, for instance, instead of suffering alone - it nevertheless remains one's own choice, or so it seems if a situation is defined as a situation of trust. In other words, trust is based on a circular relation between risk and action, both being complementary requirements. Action defines itself in relation to a particular risk as external (future) possibility, although risk at the same time is inherent in action and exists only if the actor chooses to incur the chance of unfortunate consequences and to trust. Risk is at once in and out of action: it is a way action refers to itself, a paradoxical way of conceiving action, and it may be appropriate to say that just as symbols represent a re-entry of the difference between familiar and unfamiliar into the familiar, so too risk represents a re-entry of the difference between controllable and uncontrollable into the controllable.

Whether or not one places trust in future events, the perception and evaluation of risk is a highly subjective matter (Kogan and Wallach 1967; Fischhoff et al. 1981). It differentiates people and promotes a different type of risk-seeking or risk-avoiding, trusting or distrusting, individuality. Among the many sources of modern individualism this may have had considerable importance. The individualism of risk-calculating merchants, learning from experience, attentive to news, making decisions on the basis of a well-judged mix of trust and distrust, replaces the individualism of the hero holding out against all kinds of danger and fit for all manner of unhappy surprises. Combining both types, Robinson Crusoe fascinated the period of transition.

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Of course, the relative emphasis on familiarity, confidence, or trust is not simply prescribed by social structures or cultural imperatives. To a large extent this remains a matter of definition, and particularly with respect to confidence and trust one can choose to see the relation - the decision to see the doctor - as either unavoidable confidence in the medical system or a matter of risky choice. Belonging to the same family of self-assurances, familiarity, confidence, and trust seem to depend on each other and are, at the same time, capable of replacing each other to a certain extent. It is not possible, of course, to completely replace with yourself something on which you also depend. Hence, we have to assume a complicated relation between dependence and replacement that depends itself on further conditions. These conditions are not given *a priori* but change in the course of social evolution, and this affects the extent to which familiarity, confidence, and trust become variously important in social life.

#### IV

The conditions of familiarity have been dramatically changed over the ages by the invention of writing, by literacy, and in particular by the printing press.<sup>6</sup> Now a huge amount of knowledge can be stored with which one may be and forever remain unfamiliar, although others may know and use it. In the first instance these developments must have led to increasing social tension. Already the sophisticated art of rhetoric, with its emphasis on remembering the places, inventing (and that meant: finding) ideas, and amplifying effects, was a reaction to this new situation. It challenges the speaker because the audience is no longer debarred from secret knowledge: it

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<sup>6</sup> <<101>> See also, from a different point of view, Horton (1967: 60f).

may know the texts and may even know more texts, and others, and better ones. The printing press made rhetoric obsolete by enlarging the problem.<sup>7</sup> The world itself could be compared to a book, written by God in partly illegible letters; and immediately Protestants, philosophers, and scientists began to read it in different ways. The unfamiliar no longer screens off possible dissensus, tension, and conflict. The social world is reconstructed in terms of 'interests' (Raab 1965: 157ff., 246ff.; Gunn 1969; Hirschman 1977). Now, you may try to calculate and to outwit interests; you may see ways to use the interests of others which are reliable precisely *because* they are interests (Gunn 1968).

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These considerations lead to the hypothesis that the printing press has completely changed our modes of coping with the unfamiliar. The distinction of familiar and unfamiliar becomes blurred; the religious technique of reintroducing the unfamiliar into the familiar through symbolization loses its former potency. There is no longer any need to distinguish *symbolon* and *diábolon*, good and bad forces, at a cosmological level. These schemes are replaced by the question of whether knowledge and power are used in a positive or a negative way, given particular interests. Thus confidence and eventually trust are the decisive issues, and familiarity survives as a purely private milieu<sup>8</sup> without function for society as a whole. Differences in familiar milieux may now explain cultural and national differentiation, or the diverging results of socialization; they no longer describe the human condition.

A second major change comes about when the predominant type of social differentiation shifts from stratification to functional differentiation. People<sup>9</sup> are no longer placed in a fixed social setting but must have access to all functional subsystems of the society on which they simultaneously depend. Structures become contingent; the law can be changed, if not by statute then by judicial practice (Horwitz 1977). The fluctuations of the economy are no longer thought to be limited by the boundaries of 'just prices'. Science surprises the public with new discoveries and new theories as a matter of routine.<sup>10</sup> Essential structures and territorially bounded cultural entities are largely displaced by time-limited entities such as fashion and style.<sup>11</sup> These new conditions,<sup>12</sup> of access and temporal pressure, of opportunity and dependence, of openness and lack of integration, change the relation between confidence and trust. Trust remains vital in interpersonal relations, but participation in functional systems like the economy or politics is no longer a matter of personal relations. It requires confidence, but not trust.

The inclusion of persons in important social systems is thus neither a matter of nature, nor a matter of trusting, risk-taking, or rational decision. The forms of exclusion likewise have changed. They no longer consist in having no place to live or being in a state of mortal sin (having <<103>> lost the *habitus* of faith); nor are they the result of rational distrust. At the level of social inclusion there is no choice of opting in or opting out; nor is it a question of being

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<sup>7</sup> <<101>> It took, as we well know, several centuries to realize this effect. Latin rhetoric was institutionalized and taught in schools and, in spite of the emphasis in the sixteenth century on 'self-improvement' through reading, it certainly was not possible to stop teaching (Ong 1967; 1971; 1977).

<sup>8</sup> <<102>> In fact, during the eighteenth century the term 'milieu' changes its meaning accordingly. It no longer denoted a mediating position, a middle between extremes, but concrete surroundings, something for which the nineteenth century would invent the term 'environment'.

<sup>9</sup> <<102>> Even the word 'people' changes its meaning, losing in the eighteenth century its customary connotation of property owners.

<sup>10</sup> <<102>> Tenbruck (1975) speaks of the 'trivialization of science', and by this means that there will never again be a Newton.

<sup>11</sup> <<102>> The semantic career of fashion begins with the terminological bifurcation of *le mode* and *la mode* at the end of sixteenth century. The concept of 'style' assumes a temporal meaning only in the second half of the eighteenth century.

<sup>12</sup> <<102>> 'Condition' too (from the Latin *condicio*, not *conditio*) changes its meaning, no longer being given by birth.

well born or of being 'elected'.<sup>13</sup> Both these bases of forming social trust have disappeared. Modern life depends on contingent structures and changeable conditions. One cannot avoid participation because 'such is life', but there is no rational basis for accepting what is unavoidable. There is neither the need nor even the occasion to decide about confidence in the system. One can only feel unhappy and complain about it.

Given these conditions the relation between confidence and trust is once again important. The large functional systems depend not only on confidence but also on trust. If there is a lack of confidence there will also be a diffuse sentiment of dissatisfaction and alienation or even anomie. This may have no immediate impact on the system. If trust is lacking, however, this changes the way people decide about important issues. Trust, as may be recalled, is an attitude which allows for risk-taking decisions. The development of trust and distrust depends on local milieu and personal experience. These conditions may be extended by television culture, for instance in the case of political leaders. The testing and control of trust and the continuing perception of those symbolic events that eventually destroy it require a relatively concrete setting. They depend on a previous structural reduction of complexity. Moreover, they require a visible relation to one's own decisions about accepting a risk. Under modern conditions they depend, in addition, on confidence. A lack of confidence may mean, without further reflection, a lack of trust, and lack of trust means that behaviour which presupposes trust will be ruled out. So wealthy Brazilians invest in superfluous apartment buildings for wealthy Brazilians, but not in industry. Whole categories of behaviour may effectively be precluded, and this further reinforces a situation in which one cannot have confidence in the system.

Thus lack of confidence and the need for trust may form a vicious circle. A system - economic, legal, or political - requires trust as an input condition. Without trust it cannot stimulate supportive activities in situations of uncertainty or risk. At the same time, the structural and operational properties of such a system may erode confidence and thereby undermine one of the essential conditions of trust.

This does not lead to the conclusion that the distinction between confidence and trust is obsolete. On the contrary, if complex societies do indeed show a lack of confidence and trust the distinction becomes more important, because denial and retreat in each case have different consequences. The *lack of confidence* will lead to feelings of alienation, <<104>> and eventually to retreat into smaller worlds of purely local importance to new forms of 'ethnogenesis', to a fashionable longing for an independent if modest living, to fundamentalist attitudes or other forms of retotalizing milieux and 'life-worlds'. This may have indirect repercussions on the political system and the economy, depending very much on the actual state of these systems, on the unpredictable coincidence with other factors within what Michel de Certeau (1980: 337f.) has called *le temps accidenté*. The *lack of trust*, on the other hand, simply withdraws activities. It reduces the range of possibilities for rational action. It prevents, for example, early medication. It prevents, above all, capital investment under conditions of uncertainty and risk. It may lead to a bad life in moral terms, because one no longer expects to be rewarded after death. It may reduce public interest in innovative art which is not yet recognized and confirmed by the establishment of experts.<sup>14</sup> Through lack of trust a system may lose size; it may even shrink below a critical threshold necessary for its own reproduction at a certain level of development. However, the distinction between confidence and trust throws light on the fact that the withdrawal of trust is not an immediate and necessary result of lack of confidence.

A conceptual distinction, of course, is not yet an empirical theory. We need, in addition, to construct hypotheses about, and conduct research into, those special conditions in particular systems which may interrupt such a vicious circle of losing trust by losing confidence by losing

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<sup>13</sup> <<103>> Except, it seems, in South Africa (Loubser 1968). Note also the correlation of this type of inclusion/exclusion with an almost exclusive socialization in families.

<sup>14</sup> <<104>> See the study of fine distinctions, which of course have to be 'safe' distinctions, by Bourdieu (1979).

trust by losing confidence. The economy, for example, may enjoy periods in which it is possible to have reasonable trust in investment, and stable political conditions may assist in this. Results may then strengthen confidence in monetary stability - that is, in the system. The law may protect civil rights, freedom, and property even in the face of political opportunity. Thereby, it may create a confidence in the legal system and in positions of security which then makes it easier to place trust in other relations.<sup>15</sup> Moreover, we know from many empirical studies that a negative stereotype of the system, the bureaucracy, 'capitalistic' enterprises, and international corporations is not incompatible with positive experiences in individual cases. *Your* bank gives you good service; *your* doctor, although state employed, has proven to be very careful and considerate. Hence it may be possible to build up trust on the micro-level and protect systems against loss of confidence on the macro-level.

Seen from this point of view, the distinction between confidence and trust gives an additional flavour to the notorious micro/macro distinction <<105>> that is so difficult to handle in empirical research. We know perfectly well how to come down from the macro-level to the micro-level, considering the impact of societal structures and changes on individual attitudes. It is much more difficult to ascend again and to speculate about the effects of an aggregation of individual attitudes on macro-phenomena. Did Weber really prove his point, when he stated that new types of ascetic and thrifty motivation brought about the transition from traditional to capitalistic society? We could reconsider this issue by asking whether there were special conditions available for creating confidence through providing occasions for trusting commitment. Above all there is the vanishing importance of the distinction between familiar and unfamiliar fields of activity and the transition from adventurous capitalism to risk-calculating capitalism;<sup>16</sup> but there is also the increased reliability of the law, the protection of individual property against political expropriation, and the increased visibility of interdependence within the market economy. Disturbing events could be identified, and specifiable possibilities of attribution could make it possible to think of the next case as different.

We should, of course, avoid overstating a single explanatory device. The concept of trust cannot replace the concept of *Gemeinschaft* or of solidarity. Trust or distrust: this is certainly not the distinction we should use to characterize modern society. In describing modern society it may be more important to accept two interdependent structural changes: firstly, the increasing diversification and particularization of familiarities and unfamiliarities; and secondly, the increasing replacement of danger by risk, that is by the possibility of future damages which we will have to consider a consequence of our own action or omission. If this is true our rationalities will, as a matter of course, require risk-taking; and risk-taking will as far as others are involved, require trust. And again, if this is true, we are likely to enter sooner or later into the vicious circle of not risking trust, losing possibilities of rational action, losing confidence in the system, and so on being that much less prepared to risk trust at all. We may then continue to live with a new type of anxiety about the future outcome of present decisions, and with a general suspicion of dishonest dealings.

I do not claim that conceptual clarification and theory building provide us with an effective instrument to avoid such a fate. But they may help us to see clearly what happens.

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<sup>15</sup> <<104>> Barber (1983) also makes this point about the cooperation of law and trust building.

<sup>16</sup> <<105>> This was partly an effect of recent discoveries of unknown territories and, finally, of the 'globalization' of the earth, but also of improved news services.



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