

## Liberal Political Institutions and the Problem of Distrust

**Abstract:** Many liberal democratic societies currently face a “crisis of trust”. This crisis contributes to social problems and inhibits attempts to redress injustices. Some argue that liberal political institutions can act as a bulwark against the effects of this crisis of trust. But this presupposes that liberal political institutions are not themselves contributors to the crisis of trust. Drawing on insights from the moral psychology of distrust, I argue that the proper functioning of liberal political institutions is one possible contributor to the crisis. Certain cherished liberal political institutions utilise distrust as a functional principle of institutional design, for example judicial review and the separation of powers. Widespread distrust would lead to social breakdown. So the continuing function of these institutions assumes that distrust can be isolated to particular parts of the political sphere. Distrust can be isolated only if its use can be rationally controlled. But distrust is a subtle affective state that operates largely outside our rational control. Distrust is recursive (distrust breeds distrust) and contagious (distrust spreads), without our knowing: the problem of distrust. Without additional mechanisms for control, distrust spreads and deepens through a social system, contributing to the crisis of trust.

**Keywords:** distrust; trust; crisis of trust; institutional design; liberalism; moral psychology

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Trust is a fundamental dimension of human sociality.<sup>1</sup> A diffuse trust underpins the daily interactions we have with others. It forms an atmosphere so diffuse we notice it only rarely, for example when the lack of it forces one to “whistle Vivaldi” to signal that one is “cultured” and thereby not violent.<sup>2</sup> Deepened and active interpersonal trust makes possible our joint projects, both

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<sup>1</sup> Annette Baier, “Trust and Antitrust,” *Ethics* 96, no. 2 (1986): 2.

<sup>2</sup> Brent Staples, “Just Walk On By: Black Men and Public Space,” *Harper's Magazine*, December, 1986; Claude M. Steele, *Whistling Vivaldi: and other clues as to how stereotypes affect us* (New York: W.W. Norton & Co, 2010), Ch 1. For the general point, see Onora O'Neill, *A Question of Trust*, Reith Lectures, (Cambridge: Cambridge University Press, 2002); Laurence Thomas, “Trust and Survival: Securing a Vision of the Good Society,” *Journal of Social Philosophy* 20, no. 1 (1989); Geoffrey Hosking, *Trust: A History* (Oxford: Oxford University Press, 2014); Niklas Luhmann, *Trust and Power*, trans. Gianfranco Poggi (New York: John Wiley and Sons, 1979).

small and large scale.<sup>3</sup> And trust in our institutions is necessary for their functioning, which in turn helps facilitate our collective and individual agency and serve our interests.<sup>4</sup> It is these necessary functions of trust that Sissela Bok aptly captures in this line: “*Whatever* matters to human beings, trust is the atmosphere in which it thrives.”<sup>5</sup> Trust, Bok points out, is a general instrumental good.

Many liberal societies around the world are facing a “crisis of trust” along all three of these dimensions. This crisis contributes to forms of social anomie and inhibits efforts to address injustice.<sup>6</sup> While this crisis of trust is not necessarily specific to nor necessarily at its worst in liberal societies, I limit my argument in this paper to the crises in liberal societies.<sup>7</sup> Many causes have been posited for this crisis. They include: rising economic inequality;<sup>8</sup> the zero-sum competitive culture endemic to capitalism;<sup>9</sup> ethnic and cultural diversity;<sup>10</sup> or, at least, to such diversity when it is

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<sup>3</sup> Karen Jones, "Trustworthiness," *Ethics* 123, no. 1 (2012); H.J.N. Horsburgh, "The Ethics of Trust," *The Philosophical Quarterly* 10, no. 41 (1960); Philip Pettit, "The Cunning of Trust," *Philosophy & Public Affairs* 24, no. 3 (1995).

<sup>4</sup> Patti Tamara Lenard, "The Decline of Trust, the Decline of Democracy," *Critical Review of International Social and Political Philosophy* 8, no. 3 (2005); Patti Tamara Lenard, "The Political Philosophy of Trust and Distrust in Democracies and Beyond," *The Monist* 98, no. 4 (2015); Valerie Braithwaite and Margaret Levi, eds., *Trust and Governance* (New York: Russell Sage Foundation, 2003); Russell Hardin, *Trust and Trustworthiness* (New York: Russell Sage Foundation, 2002); Mark Warren, ed., *Democracy and Trust* (Cambridge: Cambridge University Press, 1999); Anthony Giddens, *The Consequences of Modernity* (Stanford: Stanford University Press, 1990).

<sup>5</sup> Sissela Bok, *Lying* (New York: Pantheon Books, 1978), 31n; Baier, "Trust and Antitrust."

<sup>6</sup> Kevin Vallier, *Social and Political Trust: Concepts, Causes and Consequences*, Knight Foundation (Miami: Knight Foundation, 2018); Lenard, "The Decline of Trust, the Decline of Democracy."; Piotr Sztompka, "Trust, Distrust, and Two Paradoxes of Democracy," *European Journal of Social Theory* 1, no. 1 (1998); Robert Putnam, *Bowling Alone: The collapse and revival of American community* (New York: Simon & Schuster, 2000); Piotr Sztompka, "Trust and Emerging Democracy," *International Sociology* 11, no. 1 (1996); though see O'Neill, *A Question of Trust*. The crisis is not necessarily recent; cf. Bok, *Lying*, Ch 2; Hosking, *Trust: A History*. But searching for the exact phrase “crisis of trust” on Google Scholar reveals 6,400 results, 5,110 since 2007 (roughly around the time of the global financial crisis).

<sup>7</sup> Thanks to two anonymous reviewers for pushing me to make this scope limitation explicit.

<sup>8</sup> Joseph E. Stiglitz, *The Price of Inequality* (New York: W.W. Norton & Co, 2012); Giulia M Dotti Sani and Beatrice Magistro, "Increasingly unequal? The economic crisis, social inequalities and trust in the European Parliament in 20 European countries," *European Journal of Political Research* 55, no. 2 (2016); Chase Foster and Jeffry Frieden, "Crisis of trust: Socio-economic determinants of Europeans' confidence in government," *European Union Politics* 18, no. 4 (2017).

<sup>9</sup> Karl Polanyi, *The Great Transformation* (Boston: Beacon Press, 2001 [1944]); Geoffrey Hosking, *Trust: money, markets and society* (London: Seagull Books, 2010); Samir Amin, *Capitalism in the Age of Globalization: The management of contemporary society* (New York: Zed Books, 2014); Claus Offe, *The Structural Problems of the Capitalist State: Essays in Political Sociology* (Frankfurt: Suhrkamp, 1972).

<sup>10</sup> Stephen Macedo, "The Moral Dilemma of U.S. Immigration Policy," in *Debating Immigration*, ed. Carol M. Swain (New York: Cambridge University Press, 2009); David Miller, "Immigrants, Nations, and Citizenship," *The Journal of Political Philosophy* 16, no. 4 (2008). In relation to Miller's argument, see Lubomira Radoilska, "Immigration, Interpersonal Trust, and National Culture," *Critical Review of International Social and Political Philosophy* 17, no. 1 (2014); Ryan Pevnick, "Social Trust and the Ethics of Immigration Policy," *Journal of Political Philosophy* 17, no. 2 (2009); Arash Abizadeh, "Does liberal democracy presuppose a cultural nation? Four arguments," *American Political Science Review* 96, no. 3 (2002).

characterised by power or status inequalities;<sup>11</sup> misuse of power by authorities;<sup>12</sup> mass society and a decline in civil associations;<sup>13</sup> new technologies and consequent changes in human interaction.<sup>14</sup>

These posited causes are all external to the liberal political systems of the societies in which this crisis is occurring. And one might think that liberalism is well-suited to resisting these external shocks. After all, liberal political orders have been the most stable in recent history, in part because of the way in which liberalism limits and divides power and stabilises social expectations. Yet, I will suggest, another possible cause of the trust deficit is precisely the *proper functioning of liberal political institutions*. That is, the institutional manifestation of liberalism may carry within itself seeds of the social problems stemming from the crisis of trust that many liberal societies face. If this is right, such social problems are not wholly (though they may be largely) external to liberalism. Rather, they may be partially internal to it.<sup>15</sup>

That liberal political institutions have not been theorised as a possible cause of the crisis of trust might be due only to omission or oversight. But, I will suggest, there is a deeper philosophical reason: how we conceive of the moral psychology of trust and distrust, namely, that we derive the latter from the former. Instead, we should think of distrust not simply as the converse of trust, but as an independent phenomenon in its own right. Doing so opens the possibility that the use of distrust central to the proper functioning of liberal political institutions may be subject to what I call the *problem of distrust*: distrust, due to what I will call its *subtlety*, is *recursive* and *contagious*. It has the

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<sup>11</sup> Amandine Catala, "Democracy, Trust, and Epistemic Justice," *The Monist* 98, no. 4 (2015). See also Peter Thisted Dinesen and Kim Sønderskov, "Ethnic Diversity and Social Trust: A Critical Review of the Literature and Suggestions for a Research Agenda," in *Oxford Handbook of Social and Political Trust*, ed. Eric Uslaner (New York: Oxford University Press, 2017).

<sup>12</sup> Brad T. Gomez and J. Matthew Wilson, "Political Sophistication and Attributions of Blame in the Wake of Hurricane Katrina," *Publius* 38, no. 4 (2008).

<sup>13</sup> Putnam, *Bowling Alone: The collapse and revival of American community*; Russell Hardin, "Distrust," *Boston University Law Review* 81, no. 3 (2001).

<sup>14</sup> Francis Fukuyama, *The Great Disruption: human nature and the reconstitution of social order* (London: Profile Books, 1999).

<sup>15</sup> My argument runs against that of Kevin Vallier in *Trust in a Polarized Age* (Oxford: Oxford University Press, 2020). I don't have the space here to consider Vallier's arguments in the detail they deserve, though I note that the mechanisms for the spread of distrust that I suggest here can run in parallel with Vallier's mechanisms for the increase of social and political trust through liberal institutions. I say more about this when I distinguish trust and distrust in section 3.

potential to deepen and spread, undermining the stability of the political institutions it underpins and thereby the stability of the societies in which those institutions are located. The general theoretical lesson is that political philosophy would be well served by drawing on a more complex moral psychology.

Here is how the argument will proceed. In section 1, I'll explain how distrust is central to liberal political institutions. I will distinguish two kinds of institutional design principles: *functional* and *justificatory* principles. Distrust is one of the former. I'll compare that use of distrust – what I'll call the distrust strategy of institutional design – to its contrary, the trust strategy. A necessary assumption of the distrust strategy is that distrust can be contained to where it is needed. In section 2, I'll explain how this assumption rests on some standard assumptions about the nature of distrust: that distrust is a belief state and that it rests on reasons. These assumptions ignore the moral psychology of (dis)trust, particularly the *affective* nature of distrust. It cannot therefore account for what I will call the *subtlety* of distrust – the way in which it operates below our rational control. So, in sections 3 to 5, I'll propose an affective account of distrust, drawing on recent work by Karen Jones and Jason D'Cruz, among others, that pushes back on these standard assumptions. On my account, distrust is an affective attitude of suspicion towards others and their motives. With that account in hand, I examine some of the social and political dynamics of distrust, which lead to the problem of distrust. My account draws together explicitly institutional political philosophy and individual moral psychology. In section 6, I'll close with some very brief suggestions for remedying the problem of distrust. Since distrust forms such a central and important part of our political practices, we ought not remove distrust from our institutional design.<sup>16</sup> Rather, we should develop ways to alleviate the

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<sup>16</sup> That is, this paper does not aim to provide any final answer to the broader normative question of the benefits or otherwise of distrust. Any response to that broader question needs both to be contextualised with respect to particular institutional systems and to take into account the relation of trust and distrust to the wider institutional and normative framework, including when trust or distrust is deserved or not. For empirically grounded work that seeks to refocus attention on when trust is deserved, see Pippa Norris, *In Praise of Skepticism: Trust but Verify* (Oxford University Press, 2022). See also Jason D'Cruz, "Distrust," in Judith Simon (ed), *Routledge Handbook on Trust and Philosophy* (Routledge, 2020). Thanks to xxx for pushing me on this point.

problem of distrust. These ways should begin from considering seriously the relation between political philosophy and moral psychology.

### 1. Functional principles of institutional design and the trust/distrust strategies

Let me begin by introducing some jargon: what I mean by describing distrust as a *functional principle of institutional design*. I will move in roughly reverse order through the parts of that compound term. By *institution*, I mean a more or less formalised normative structure, centred on a set of functions or purposes, that distributes rights, duties, powers and responsibilities according to rules among roles occupied by individuals.<sup>17</sup> I will focus in this paper on *political* institutions, by which I mean, quite narrowly, the institutions of public governance that constitute the modern state.<sup>18</sup> By *institutional design*, I mean the process of building institutions that serve particular purposes. Of course, institutions arise in all sorts of ways, by accretion of custom and by slow development as well as by deliberate decision. Even those institutions that are deliberately created (say, by a constitutional convention) have elements of the customary and informal. Nonetheless, at least since the rise of modern written constitutionalism as a means of state-building in the West at the end of the long 18<sup>th</sup> century, we have an understanding of political institutions as products of *convention*, created to serve particular purposes, that can be amended and updated.

*Principles* of institutional design can be classified in many ways. I'll draw one distinction here which helps elucidate the role of trust and distrust in institutional design. One kind of principle defines the

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<sup>17</sup> The requirement of (some degree) of formalisation is meant to distinguish institutions, particularly of the state-based *political* kind I focus on here, as a subset of social practices more generally. See e.g. Sally Haslanger, "What is a Social Practice?," *Royal Institute of Philosophy Supplement* 82 (2018); Seumas Miller, *The Moral Foundations of Social Institutions* (Cambridge: Cambridge University Press, 2010), Ch 1; Rahel Jaeggi, *Critique of Forms of Life*, trans. Ciaran Cronin (Cambridge: Belknap Press, 2018); Michael Hardimon, "Role Obligations," *The Journal of Philosophy* 91, no. 7 (1994).

<sup>18</sup> Two caveats: first, I have no quibble with people who want to use "political" more broadly than this highly restrictive and stipulative sense of the term; indeed, I would normally follow them. The stipulation holds just for the purposes of this argument. Second, in the spirit of wider uses of "political", the analysis proffered here, I think, holds for other institutions outside the narrowly political, and to party-political or activist strategies, though I will argue for neither application here. See, on the latter, Meena Krishnamurthy, "(White) Tyranny and the Democratic Value of Distrust," *The Monist* 98, no. 4 (2015); Catala, "Democracy, Trust, and Epistemic Justice."; Trudy Govier, "Distrust as a Practical Problem," *Journal of Social Philosophy* 23, no. 1 (1992).

purposes an institution is meant to serve, or the intrinsic good they are intended to embody. Call these *justificatory* principles.<sup>19</sup> In this vein, John Rawls thought that the institutions of the basic structure were meant to ensure justice and social stability.<sup>20</sup> Justificatory principles can be distinguished from *functional* principles of institutional design. These are principles *by which* institutions contribute to the achievement of those justificatory purposes. Functional principles are instrumental principles. They are concerned with the means by which the purposes or goals of an institution are achieved. Sissela Bok had this kind of principle in mind in her description of trust as “the atmosphere in which [whatever matters to human beings] thrives.”

This distinction is intended to be heuristic. Purposes can be nested, and even of something like justice one can always ask: and what function does justice serve?<sup>21</sup> Nonetheless, the distinction is not entirely empty. An example may help. Take markets. Markets may have several justificatory principles. Perhaps markets, as Adam Smith and Albert Hirschman argue, foster certain virtues of calm self-interest and civility in people. Perhaps they allow people to satisfy more of their preferences.<sup>22</sup> Or, perhaps, they have no justificatory principle other than the varied purposes for which people use markets.<sup>23</sup> Irrespective of disagreements as to the justificatory principles of markets, however, they have as a *functional principle* the efficient distribution of goods and services

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<sup>19</sup> It may also be the case that institutions are justified just because they are created in furtherance of certain rights, which, it may be argued, are not purpose-based or future-oriented justifications. Even so, such institutions will still need functional principles of institutional design. Cf. Amartya Sen, “The Moral Standing of the Market,” *Social Philosophy and Policy* 2, no. 2 (1985).

<sup>20</sup> One can, as Rawls did, go on to specify those principles at lower levels of abstractness (justice as fairness as opposed to the justice of uncoerced transactions, for example).

<sup>21</sup> For example, the challenges to Socrates in Plato’s *Republic*.

<sup>22</sup> Albert O. Hirschman, *The Passions and the Interests: Political Arguments for Capitalism Before its Triumph*, ed. Amartya Sen (Princeton: Princeton University Press, 2013 [1977]); Deirdre McCloskey, *The Bourgeois Virtues: Ethics for an Age of Commerce* (Chicago: University of Chicago Press, 2006).

<sup>23</sup> Cf. Charles E. Lindblom, *The Market System* (New Haven & London: Yale University Press, 2001). If this were right, then the virtues of the market would all be functional. See also Sen, “The Moral Standing of the Market.” On my classification, therefore, it is possible for an institution to have only functional principles and no justificatory principles.

through pricing – what Smith called the “invisible hand”.<sup>24</sup> Efficiency (whether we characterise it in terms of Pareto optimality or whatever else) is a functional principle for market design.<sup>25</sup>

Or take the criminal law. The justificatory principles of the criminal law are contested. Perhaps the principle is retributory justice, or rehabilitation, or deterrence, or all of these. But holding fixed the justificatory principle – say, retributory justice – certain functional principles will hold. Just retribution may imply, for example, limiting rules of evidence (hearsay, character evidence) and high standards of proof (beyond reasonable doubt). If, by contrast, we suppose deterrence to be the main justificatory principle of the criminal law, then perhaps “beyond reasonable doubt” will not be a necessary functional principle. Functional principles may change depending on the justificatory principles.

Hopefully these two examples, examined too briefly on their own merits, give some sense of the notion of a functional principle of institutional design. I now turn to *distrust* and *trust* as such principles.

We can distinguish two distinct institutional strategies in liberal political thought. Call them the *trust strategy* and the *distrust strategy*. According to proponents of the trust strategy, trust is the glue that binds political society together.<sup>26</sup> Trust functions to enable social co-operation and interpersonal relations, including by facilitating the political institutions that help us co-ordinate our social interactions.

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<sup>24</sup> Adam Smith, *An Inquiry into the Nature and Causes of the Wealth of Nations*, ed. R.H. Campbell, A.S. Skinner, and W.B. Todd (Oxford: Clarendon Press, 1976 [1776]), IV.II.9.

<sup>25</sup> There are obviously other related functional principles, i.e. consistency and stability of outcomes; see for example Alvin Roth, "Marketplaces, Markets, and Market Design," *American Economic Review* 108, no. 7 (2018); Alvin Roth, "What Have We Learned from Market Design?," *The Economic Journal* 118 (2008); Alvin Roth, "The Theory and Practice of Market Design," *Nobel Prize Lecture* (2012).

<sup>26</sup> E.g. Giddens, *The Consequences of Modernity*; John Rawls, *A Theory of Justice: A Revised Edition* (Cambridge: Belknap Press, 1999); Partha Dasgupta, "Trust as a Commodity," in *Trust: Making and Breaking Cooperative Relations*, ed. Diego Gambetta (Oxford: Basil Blackwell, 1988).

On this strategy, trust is a functional principle for certain political institutions, including institutions of representation, delegation, practices of judicial deference, and cooperative versions of federalism. Generally, we can say, institutions that empower certain groups to make decisions on behalf of others run on trust.<sup>27</sup> The structures envisaged here are akin to what Peter Cane has called structures of *concentration* and *accountability*. Power is concentrated in certain institutions, which are then held accountable for their actions post-hoc (through, for example, election, removal, or loss of reputational power).<sup>28</sup> These institutions facilitate decision-making while maintaining methods for quickly reversing decisions. The trust strategy relies on trust for the functioning of certain institutions. But, importantly, these institutions do not themselves necessarily *foster* trust. In that sense, it is a commonplace to say that “democratic states rely on widespread stores of trust among their populations”.<sup>29</sup>

According to the *distrust strategy*, institutions predicated on distrust protect against abuses of power. Proponents of the distrust strategy include Montesquieu and Madison. Among these institutions we can include judicial review, strict versions of the separation of powers, constitutionalisation of rights, and veto powers. Cane calls these structures of *diffusion* and *checks-and-balances*. Power is diffused among different institutions so that they individually can check and balance the exercise of power by other institutions.<sup>30</sup> This is a strategy based on distrust insofar as it is predicated on the idea that governmental power is potentially dangerous to citizens’ interests. That power needs to be justified, controlled, balanced, and contested.<sup>31</sup> We may add Hume’s point that, “in contriving any system of

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<sup>27</sup> E.g. John Locke, *Second Treatise of Government*, ed. C.B. Macpherson (Indianapolis: Hackett Publishing Company, 1980 [1690]), §171.: “...society hath set over it self [governors], with this express or tacit Trust, That it shall be employed for their good, and the preservation of their Property.”

<sup>28</sup> Peter Cane, *Controlling Administrative Power: An Historical Perspective* (Cambridge: Cambridge University Press, 2016), 4-8.

<sup>29</sup> Lenard, "The Political Philosophy of Trust and Distrust in Democracies and Beyond," 353.

<sup>30</sup> Cane, *Controlling Administrative Power: An Historical Perspective*, 4-8.

<sup>31</sup> Sztompka, "Trust, Distrust, and Two Paradoxes of Democracy," 26-7; Mark Warren, "Introduction," in *Democracy and Trust*, ed. Mark Warren (Cambridge: Cambridge University Press, 1999), 1; John Dunn, "Trust and Political Agency," in *Trust: Making and Breaking Cooperative Relations*, ed. Diego Gambetta (Oxford: Basil Blackwell, 1988); John Hart Ely, *Democracy and Distrust: A Theory of Judicial Review* (Cambridge: Harvard University Press, 1980).



government... every man ought be supposed a *knave*".<sup>32</sup> The distrust strategy is an extension and political implementation of the point, made by Annette Baier and others, that more trust is not always better.<sup>33</sup> Trust can be abused, or used for immoral purposes. Distrust functions as a means of constraining the exercise of power, as a form of insurance against breaches of trust.

The trust and distrust strategies are contraries, but not inconsistent. Combinations of them can be found in any one institutional system. For example, the U.K. governmental system now embodies some form of rights-constitutionalisation and judicial review (distrust strategy) with a strong form of parliamentary supremacy (trust strategy). But since trust is a scarce resource in large-scale modern societies, the distrust strategy may, some argue, be preferred overall.<sup>34</sup> The dangers of the abuse of governmental power may generally outweigh the benefits of facilitating governmental action.<sup>35</sup> These two thoughts underpin the United States' governmental system. In Russell Hardin's words, "[t]he United States was created on a principle or theory of distrust in government."<sup>36</sup> The revolutionary history of the United States, drawing on Locke, is standardly taken to explain this principle. Locke's theory of distrust is evident, for example, in his arguments against co-locating the executive and legislative powers of government, on the grounds that "it may be too great a temptation to human power-seeking frailty".<sup>37</sup> So, even though the two strategies are not inconsistent, one may predominate over the other. This is arguably the case for what some take to be the premier exemplar of liberalism, the United States.

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<sup>32</sup> David Hume, "Of the Independency of Parliament," in *Political Essays*, ed. Knud Haakonssen (Cambridge: Cambridge University Press, 1994), 24.

<sup>33</sup> Baier, "Trust and Antitrust."

<sup>34</sup> Russell Hardin, "Liberal Distrust," *European Review* 10, no. 1 (2002); John Braithwaite, "Institutionalizing Distrust, Enculturating Trust," in *Trust and Governance*, ed. Valerie Braithwaite and Margaret Levi (New York: Russell Sage Foundation, 2003); Karen Cook, Russell Hardin, and Margaret Levi, *Cooperation Without Trust* (New York: Russell Sage Foundation, 2005).

<sup>35</sup> Judith Shklar, "The Liberalism of Fear," in *Liberalism and the Moral Life*, ed. Nancy Rosenblum (Cambridge: Harvard University Press, 1989).

<sup>36</sup> Hardin, "Liberal Distrust," 76.

<sup>37</sup> Locke, *Second Treatise of Government*, §143. But see Garry Wills's re-reading of the Declaration of Independence as a document of the Scottish Enlightenment rather than as a strictly Lockean treatise: G. Wills, *Inventing America: Jefferson's Declaration of Independence* (Athlone Press, 1978).

The consistency of these two strategies can be shown theoretically through looking at republicanism. Republicanism combines trust and distrust in an instructive way. Republicans argue for high levels of trust amongst the citizenry and high levels of distrust of the government by the citizenry. The latter is necessary to restrain the possibility of domination, and the former is necessary so that the citizenry can cooperate effectively to restrain government.<sup>38</sup> Republicanism indicates a further distinction between the parties to the trust or distrust relation. Trust or distrust can hold between a) citizen-citizen; b) citizen-government; c) government-government; d) government-citizen.<sup>39</sup>

The distrust strategy as embodied in the U.S. might be understood to involve elements of the latter three. Take d), which we might think is otherwise important in situations of governmental breakdown, for example coups or civil wars. Madison argues in Federalist 63 that the people can be trusted only to elect, not to govern. U.S. government, Madison argues, is premised on "*the total exclusion of the people, in their collective capacity*".<sup>40</sup> However, the distrust strategy might be understood to target mostly b) and c) in the form of election and separation of powers, whereas the trust strategy, we might think, targets a).

Hence, one might argue as a first pass, the trust strategy targets *social* relations between members of civil society, whereas the distrust strategy targets *political* relations involving governmental institutions.<sup>41</sup> If this is right, we can formulate a necessary condition for the operation of the distrust strategy in liberal societies:

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<sup>38</sup> See Braithwaite, "Institutionalizing Distrust, Enculturating Trust."; Philip Pettit, "Republican Theory and Political Trust," in *Trust and Governance*, ed. Valerie Braithwaite and Margaret Levi (New York: Russell Sage Foundation, 2003).

<sup>39</sup> Cf. Krishnamurthy's distinction between *horizontal* and *vertical* distrust, where the former is of citizens by citizens, and the latter of government by citizens: Krishnamurthy, "(White) Tyranny and the Democratic Value of Distrust," 396. Some theorists distinguish in this vein between social and political trust. See Vallier, *Trust in a Polarized Age*.

<sup>40</sup> J. Madison, A. Hamilton, and J. Jay, *The Federalist Papers*, ed. I. Kramnick (Penguin Classics, 1987 [1788]). Cf. Madison's distrust of factionalism and majoritarianism in Federalist 10.

<sup>41</sup> I don't think this is quite correct, because obviously trust in governmental institutions is necessary for the operation of those institutions, which is necessary for the purposes of social cooperation. And of course there are relations between the two levels, for example the effect of governmentality on thick, non-rule based forms of community (see e.g. Max Weber, *The Protestant Ethic and the Spirit of Capitalism*, trans. Talcott Parsons, ed. Richard Swedberg (New York: Norton and Co, 2009); Ernst Gellner, "Trust, Cohesion, and the Social Order," in *Trust: Making and Breaking Cooperative Relations*,

*Vertical Isolation Thesis:* Relations of distrust can be isolated to the political domain.<sup>42</sup>

On the assumption that government plays an important role (however minimal) in organising social relations, and assuming that role requires some form of trust in government, the distrust strategy also relies on:

*Horizontal Isolation Thesis:* Relations of distrust can be isolated to specific political domains.<sup>43</sup>

An example of the Horizontal Isolation Thesis would be the idea that judicial distrust of executive action is warranted, but that so too is judicial deference to (hence trust in) legislative decisions.

These two theses, which taken jointly I'll refer to as the *Isolation Theses*, show a commitment by distrust theorists to the dangers of generalised distrust, whether at the social or political levels. Kevin Vallier describes well the "grave costs" to low levels of trust. "Falling social trust," he writes, "can undermine democracy, economic growth, economic equality, the rule of law, and the protection of minorities; it can foment tribalism and bigotry, weaken our capacity to form relations of love and friendship... and even negatively affect personal psychological well-being."<sup>44</sup> So it seems that even proponents of a certain form of distrust between citizens have to accept that this distrust must be limited to certain relationships.<sup>45</sup>

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ed. Diego Gambetta (Oxford: Basil Blackwell, 1988); James Scott, "Geographies of trust, geographies of hierarchy," in *Democracy and Trust*, ed. Mark Warren (Cambridge: Cambridge University Press, 1999).) But it will do for the purposes of illustration.

<sup>42</sup> The language of "vertical" and "horizontal" can be found in Patti Tamara Lenard, "Trust Your Compatriots, but Count your Change: The roles of trust, mistrust and distrust in democracy," *Political Studies* 56 (2008).

<sup>43</sup> A version of the Horizontal Isolation Thesis might also be necessary where distrust is utilised as a corrective strategy on the social level: that distrust is limited to distrust of particular groups or within particular areas of social life. There would be a consequent modification to the Vertical Isolation Thesis. Cf. Yann Allard-Tremblay, "Trust and Distrust in the Achievement of Popular Control," *The Monist* 98, no. 4 (2015); Charles Mills, "White Ignorance," in *Race and Epistemologies of Ignorance*, ed. Shannon Sullivan and Nancy Tuana (Albany: SUNY Press, 2007); Krishnamurthy, "(White) Tyranny and the Democratic Value of Distrust."

<sup>44</sup> Vallier, *Trust in a Polarized Age*, 2.

<sup>45</sup> Sztompka, "Trust, Distrust, and Two Paradoxes of Democracy." argues that "*the greater the extent of institutionalized distrust, the more spontaneous trust becomes.*" 26. That is, he argues that a cause of generalized trust is institutionalized distrust. There's some truth to this argument, but the relation is of course not linear (more institutionalized distrust=more social trust) and there are many other intervening factors.

For example, Yann Allard-Tremblay argues that democracy requires institutions that foster “sectional distrust”. Sectional distrust is distrust of the capacity of certain parts of society (e.g. the wealthy) to govern in the public interest.<sup>46</sup> This is despite democracy’s general requirement of “guarded epistemic trust”; namely, trust in others’ truthfulness. On the basis that equality of opportunity is undermined by political dynasties like the Bushes and the Clintons, Allard-Tremblay argues for class-based mechanisms of distrust. This is what John McCormick calls “Machiavellian Democracy” – the cultivation of “a popular disposition of distrust... toward wealthy and prominent members of the citizenry and the government.”<sup>47</sup> Despite this need for distrust, Allard-Tremblay still accepts that “extensive distrust is indeed inimical to democracy... [and] for any society based on social cooperation.”<sup>48</sup>

Meena Krishnamurthy argues that we can derive a specifically justice-oriented conception of distrust from Martin Luther King Jr.’s “Letter from Birmingham Jail”. This form of distrust, on Krishnamurthy’s reading of King, consists in “a confident belief that other individuals, groups, or institutions will not act as justice requires.”<sup>49</sup> In the Birmingham City campaign, Krishnamurthy argues, King extended this form of distrust to government institutions and white moderates. But presumably, though Krishnamurthy does not mention it, this form of distrust would have been destructive of the emancipatory potential of the civil rights movement had it been extended to the citizenry indiscriminately, for example to the black population. We can look for example to Frantz Fanon’s analysis of French colonial control in Algeria. Creating intragroup divisions within the colonised peoples was a key step in maintaining control – a tool practiced by the CIA against the

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<sup>46</sup> Allard-Tremblay, “Trust and Distrust in the Achievement of Popular Control,” 385.

<sup>47</sup> John McCormick, *Machiavellian Democracy* (Cambridge: Cambridge University Press, 2011), viii. Cited in Allard-Tremblay, “Trust and Distrust in the Achievement of Popular Control,” 385.

<sup>48</sup> Allard-Tremblay, “Trust and Distrust in the Achievement of Popular Control,” 387.

<sup>49</sup> Krishnamurthy, “(White) Tyranny and the Democratic Value of Distrust,” 397.

civil rights movement.<sup>50</sup> Even where widespread distrust is warranted, it must have limits, especially if building non-oppressive institutions is a goal of an emancipatory social movement.

If distrust is not to undermine social stability, then, distrust must be such that the Isolation Theses can be satisfied. In the next section, I'll argue that what underwrites the Isolation Theses is an overly *rationalist* conception of distrust that cannot account for distrust's *subtlety*, and hence its properties of *recursivity* and *contagion*.

## 2. The standard account of distrust

The standard accounts of distrust in the literature are *rationalist* in two senses. First, they take distrust to be a belief state, and second, they take distrust to be supported by reasons, in the motivational sense.<sup>51</sup> I think these accounts are picking out real phenomena. Distrust *can* be a matter of belief, and it *can* be supported by reasons. But these are highly articulated and rare forms of distrust. Distrust takes other forms. These other forms emphasize distrust's *affective aspect*. I'll provide two criticisms of the standard account in this section and move to my own positive account in section 3.

A clarificatory note: the conception of distrust I'm providing here should not be read as a wholesale competitor to other accounts.<sup>52</sup> Rather, I'm picking out a phenomenon that is useful for a particular form of political diagnosis.<sup>53</sup> It's an important question as to the relations between the different phenomena that different conceptions of a concept pick out. All I insist on is that it is not

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<sup>50</sup> Frantz Fanon, *The Wretched of the Earth*, trans. Constance Farrington (New York: Grove Press, 1963).

<sup>51</sup> Some accounts of distrust, for example Krishnamurthy's, are only rationalist in one sense or the other. An exception here is perhaps Karen Jones's account. Jones analyses trust as an affective attitude of optimism about the other's goodwill and competence. But Jones also says that trust necessarily involves an expectation that the trusted will give significant weight to your interests in their deliberation. This expectation does seem to be based in reasons.

<sup>52</sup> I am thus open to pluralist accounts of distrust, for example along the lines suggested by Jason D'Cruz in "Humble Trust".

<sup>53</sup> Cf. Krishnamurthy, "(White) Tyranny and the Democratic Value of Distrust," 392; Alexis Burgess and David Plunkett, "Conceptual Ethics 1," *Philosophy Compass* 8, no. 12 (2013); Alexis Burgess and David Plunkett, "Conceptual Ethics 2," *Philosophy Compass* 8, no. 12 (2013).

necessarily the case, where there are competing conceptions, that we must choose one for all purposes.

Importantly, though, my conception of distrust shares a similar etiology to the more rationalist phenomena. Whatever causes distrust in the rationalist senses will also cause my conception of distrust. Indeed, my conception of distrust arguably has wider causes. This is likely to mean that it is more widespread than the other phenomena. But, at the very least, it's by default coextensive with the more rationalistic conceptions. This common etiology means that the phenomenon I'm capturing can't be dismissed as something *practically* or *psychologically* unrelated to the phenomena that the rationalist might think specifically underwrites the distrust strategy.<sup>54</sup> This is so even if it turns out they are *conceptually* distinct.

My first criticism of rationalist accounts of distrust is how they are derived. Conceptions of distrust are usually generated by first specifying a conception of trust, and then inverting that conception.<sup>55</sup> Yet, I suggest, trust and distrust are not simply opposing attitudes on the same spectrum. They should be theorised distinctly and differently. There are asymmetries between them to which we should be sensitive. To adopt a remark of J.L. Austin's, "it will not do to assume that the 'positive' word must be around to wear the trousers; commonly enough the 'negative' (looking) word marks the (positive) abnormality."<sup>56</sup> In particular, I will suggest, deriving our account of distrust from that of trust will lead us to overlook the *subtlety* of distrust.

In the literature, trust and distrust are generally taken to be three-place relations:

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<sup>54</sup> Thanks to xxx, yyy, and zzz for pushing me on this point.

<sup>55</sup> Cf. Edna Uhlmann-Margalit, "Trust, Distrust, and In Between," in *Distrust*, ed. Russell Hardin (New York: Russell Sage Foundation, 2004); Russell Hardin, "Distrust: Manifestations and Management," in *Distrust*, ed. Russell Hardin (New York: Russell Sage Foundation, 2004); Karen Jones, "Trust as an Affective Attitude," *Ethics* 107, no. 1 (1996); Margaret Levi, "A State of Trust," in *Trust and Governance*, ed. Valerie Braithwaite and Margaret Levi (New York: Russell Sage Foundation, 1998); Katharine Hawley, "Trust, Distrust, and Commitment," *Nous* 48, no. 1 (2014); Trudy Govier, "Trust, Distrust, and Feminist Theory," *Hypatia* 7, no. 1 (1992).

<sup>56</sup> J.L. Austin, "A Plea for Excuses," in *Philosophical Papers*, ed. J.L. Austin, J.O. Urmson, and G.J. Warnock (Oxford: Oxford University Press, 1979).

*Three-place account of (dis)trust:* X (dis)trusts Y with respect to Z.

X and Y are parties to the trust/distrust relation, and Z specifies a domain, which could be a set of actions, a subject matter, etc. So, Xu could trust Yolanda *on work-related matters*. Or, Xanthia could distrust Yiyi *to look after her puppy*.

To trust another, on these rationalist accounts, is generally (as a necessary condition) to believe that the other will act in your interests. Conversely, to distrust another is to believe that the other won't act in your interests. This is the first sense in which these accounts are rationalist. They take distrust to be a *belief*, simply because they conceive of trust in that way.

The second sense in which these accounts are rationalist is that they take distrust (like trust) to rely on reasons open to the distruster:

*Reasons for (dis)trust:* X (dis)trusts Y with respect to Z, **because R**.

With respect to trust, these reasons function to distinguish trust from mere reliance.<sup>57</sup> For example, Hardin's encapsulated interest account of trust takes R to be "Y's interests encapsulate X's".<sup>58</sup> Or in Katherine Hawley's account, "Y has committed to act in X's interests".<sup>59</sup> It is because Y's interests encapsulate X's (and X is aware of that fact), or because Y has committed (explicitly) to act in X's interests, that X's relation to Y is one of trust and not mere reliance. Kevin Vallier's more recent

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<sup>57</sup> Karen Jones is an exception here insofar as she thinks both trust and distrust are affective attitudes. But even so, her account of trust (at least in her earlier, published work) takes trust to include "an expectation that Y will be directly and favourably moved by the thought that X is counting on her" – an expectation grounded in evidence: Jones, "Trust as an Affective Attitude," 6. Jones of course takes into consideration the ways in which the attitude of trust can lag behind evidence. But nonetheless, I think, her account (at least in her early work) is minimally rationalist in the second sense that I propose, I think perhaps because she too derives her account of distrust from her account of trust – and perhaps our ordinary language conception of trust is at least minimally rationalist in that sense.

<sup>58</sup> Hardin, *Trust and Trustworthiness*. Cf. Hardin, "Distrust: Manifestations and Management."

<sup>59</sup> Hawley, "Trust, Distrust, and Commitment." See also Pamela Hieronymi, "The Reasons of Trust," *Australasian Journal of Philosophy* 86, no. 2 (2008).

*moralised* conception of trust also fits here: people trust in others and in government *because* they are responsive to moral concerns.<sup>60</sup>

These two rationalist commitments are related. Beliefs are the kind of thing that are supported by reasons. It is those reasons that justify the belief. Of course there are recalcitrant beliefs and similar phenomena, but beliefs are generally the kind of thing that follow reasons.<sup>61</sup> I can grant, for the purposes of argument, that trust is generally like this.<sup>62</sup> We often choose whom to trust, on the basis of their trustworthiness. Even where we do not choose to trust, where find ourselves trusting someone, we are generally aware that we trust them, and on what grounds. If distrust was rationalist like trust, then it would be clear how the Isolation Theses hold. Distrust would be the kind of thing (generally) under our rational control. So we would be aware of who we distrust and on what grounds, and able to direct our distrust where it is justified. Rationalism about distrust underwrites the Isolation Theses and thus the distrust strategy of institutional design.<sup>63</sup>

These rationalist accounts do not adequately account for distrust's *subtlety* – the way that it operates below the level of explicit reflective awareness.<sup>64</sup> We generally know what we believe and why. But distrust works largely under that level. When we distrust, we need not (and often do not) know *that*

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<sup>60</sup> Vallier, *Trust in a Polarized Age*, 49-87.

<sup>61</sup> See Grace Helton, "If You Can't Change What You Believe, You Don't Believe It," *Nous* 54, no. 3 (2020); Nishi Shah and David Velleman, "Doxastic Deliberation," *The Philosophical Review* 114, no. 4 (2005).

<sup>62</sup> None of my arguments about distrust rely on first assuming that trust is rational. I use rationalist accounts of trust as a foil partly for dialectical reasons: to suggest that part of the reason why structural uses of political distrust are met with so little skepticism is that the derivation of distrust from rationalist accounts of trust suggests that distrust too is rationally controllable. Thanks to an anonymous reviewer for pushing me on this point.

<sup>63</sup> I don't think a rationalist conception of distrust is strictly *necessary* for the Isolation Theses to hold. There may be other ways to generate the requisite isolation, for example, various forms of self- or other-monitoring. This opens space for remedy. I am also not sure whether a rationalist conception of distrust is *sufficient* for the Isolation Theses. One may have to have other kinds of commitments, i.e. to some form of transparency over one's own beliefs, etc. All that I need to claim here, I think, is that a rationalist conception of distrust plays an important role in our *existing* (perhaps implicit) justification of the Isolation Theses. Thanks to an anonymous reviewer for pushing me on this point.

<sup>64</sup> Cf. Patti Tamara Lenard, "Emerging from distrust: A review of strategies and principles for action," *Critical Review of International Social and Political Philosophy* 11, no. 3 (2008).



we distrust or *why* we distrust. Two arguments support this claim: first, a *phenomenological argument*; second, what I'll call the *persistence argument* from social psychology.

### **The phenomenological argument**

The phenomenological argument is directed against the second rationalist assumption, that distrust holds on the basis of (motivating) reasons. We distrust others on the basis of very little, or of nothing at all: skin tone; eye shape; other minor physical differences or deviations from the 'norm'; contingent geographical location; bulky clothes in the dark; advertising. We do not articulate these grounds to ourselves. Indeed, we would often vociferously reject them. They are not reasons for distrust that we in our "post-racial" society would generally endorse.<sup>65</sup> Jason D'Cruz usefully summarizes empirical research on the "arational, atavistic factors" that drive implicit impressions of trustworthiness: "judgments of trustworthiness are made extremely rapidly and spontaneously based on remarkably thin and fleeting first-impressions... The effect of additional time to study a face is simply to increase confidence in judgments rather than revise them."<sup>66</sup> If distrust were reason-sensitive, then we would not distrust so easily and on the basis of grounds that we would reject.

### **The persistence argument from social psychology**

The persistence argument is directed against the first rationalist assumption, that distrust is a belief. Once caused, studies suggest, distrust persists even in light of countervailing evidence and even

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<sup>65</sup> The implicit attitude literature is of course relevant here. See Tamar Gendler, "Alief and Belief," *The Journal of Philosophy* 105, no. 10 (2008); Tamar Gendler, "Alief in Action (and Reaction)," *Mind & Language* 23, no. 5 (2008); Eric Schwitzgebel, "Acting Contrary to Our Professed Beliefs or the Gulf Between Occurrent Judgment and Dispositional Belief," *Pacific Philosophical Quarterly* 91, no. 4 (2010); Alex Madva, "Why Implicit Attitudes Are (Probably) not Beliefs," *Synthese* 193 (2016).

<sup>66</sup> Jason D'Cruz, "Humble Trust," *Philosophical Studies* 176 (2019), 938.

despite an explicitly avowed contrary belief. Distrust, like many other affects, is *recalcitrant* to contrary evidence.<sup>67</sup>

In one set of studies run by Steven Fein and James Hilton, subjects were told they would take part in a mock job interview, either as interviewer or interviewee.<sup>68</sup> The interviewers were to recommend one interviewee for hire. In fact, all subjects were interviewers, assigned either to a “high-suspicion” group or a “low-suspicion” group. The “interview” took place in isolated cubicles via email to rule out confounding factors. The high-suspicion group were given contextual cues consisting of possibly tampered letters of reference or behavioural reports of a previous interview that brought one of a few interviewees under suspicion. These cues were contrasted with explicit and putatively more compelling and authoritative information that was meant to exculpate that interviewee of any ulterior or suspicious motives. That interviewee was also the strongest on paper of all the candidates. The low-suspicion group were not given any such contextual cues.

In all studies, subjects in the high-suspicion group were less likely to choose the person under suspicion for the job than in the low-suspicion group. Subjects in the high-suspicion group also had

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<sup>67</sup> D’Cruz, “Humble Trust.” This is one example of the general phenomenon that Justin D’Arms and Daniel Jacobson call “emotional recalcitrance”: “The Significance of Recalcitrant Emotion (or, anti-quasijudgmentalism),” *Royal Institute of Philosophy Supplement* 52 (2003).

<sup>68</sup> Steven Fein and James Hilton, “Judging Others in the Shadow of Suspicion,” *Motivation and Emotion* 18, no. 2 (1994). Several studies in this vein were conducted; see Steven Fein, “Effects of suspicion on attributional thinking and the correspondence bias,” *Journal of personality and social psychology* 70, no. 6 (1996); Steven Fein, James L Hilton, and Dale T Miller, “Suspicion of ulterior motivation and the correspondence bias,” *Journal of Personality and Social Psychology* 58, no. 5 (1990); James L Hilton, Steven Fein, and Dale T Miller, “Suspicion and dispositional inference,” *Personality and Social Psychology Bulletin* 19, no. 5 (1993). See also Emily Thorson, “Belief Echoes: The Persistent Effects of Corrected Misinformation,” *Political Communication* 33, no. 3 (2016). See, for the phenomenon of affective perseverance generally, David K Sherman and Heejung S Kim, “Affective perseverance: The resistance of affect to cognitive invalidation,” *Personality and Social Psychology Bulletin* 28, no. 2 (2002); Robert B Zajonc, “On the primacy of affect,” (1984); Robert B Zajonc, “Feeling and thinking: Preferences need no inferences,” *American psychologist* 35, no. 2 (1980); R.B. Zajonc, “Feeling and Thinking,” in *Feeling and Thinking: The Role of Affect in Social Cognition*, ed. Joseph P. Forgas (Cambridge: Cambridge University Press, 2001). The underlying paradigm that I am committed to here is broadly pragmatist: cognitive inquiry is secondary to feeling and perceiving a situation. See John Dewey, *Logic: The Theory of Inquiry*, ed. Jo Ann Boydston, vol. 12, Later Works, (Carbondale: Southern Illinois University Press, 1938).

generally more negative impressions of the interviewee under suspicion and were more likely to list negative qualities as descriptive of the interviewee.<sup>69</sup>

Fein and Hilton found that “while [subjects] were making inferences about the actor that suggested they took his behaviour on face value”, nonetheless “the subjects’ distrust of the actor continued to emerge and influence their thoughts and feelings about him.”<sup>70</sup> That is, even where the subjects had explicit reasons not to distrust and endorsed the trustworthiness of the candidate, “the target may continue to be under the shadow of suspicion for some time to come.”<sup>71</sup> Moreover, thresholds for further explicit suspicion were lowered once distrust had been cultivated, and “it is possible that to the extent that their original suspicions are strong, perceivers are primed to perceive potential ulterior motives... even if the original source of the suspicion proves groundless.”<sup>72</sup> Fein and Hilton suggest this may be particularly problematic for individuals who are part of negatively stereotyped or stigmatised groups.<sup>73</sup>

Both the phenomenological and the persistence arguments are meant to show the *subtlety* of distrust. Distrust operates below the level of explicit reflective awareness. The Fein and Hilton study is also evidence for shared causal etiology. The same factors that cause explicit distrust (ie evidence that a person is untrustworthy) also cause the kind of distrust in which I’m interested, one which operates below the level of explicit reflective awareness. The latter, however, persists after the former has disappeared.

### 3. An affective account of distrust

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<sup>69</sup> Fein and Hilton, "Judging Others in the Shadow of Suspicion," 185-7; 91-3.

<sup>70</sup> Fein and Hilton, "Judging Others in the Shadow of Suspicion," 193.

<sup>71</sup> Fein and Hilton, "Judging Others in the Shadow of Suspicion," 194.

<sup>72</sup> Fein and Hilton, "Judging Others in the Shadow of Suspicion."

<sup>73</sup> Fein and Hilton, "Judging Others in the Shadow of Suspicion."

What might explain the subtlety of distrust? I propose that it can be explained by focusing on distrust's *affective aspect*. Distrust is an affective attitude of suspicion towards another and their motives for acting.<sup>74</sup> We *feel* distrust towards another rather than *believing* another untrustworthy.

The relationship between affect and belief is complex. I don't have the space to provide a general theory of emotions (following Amelie Rorty, I don't even think that "emotions" are a natural kind that *can* be theorised generally), though I think that *some* emotions (in *some* forms) do embed beliefs or belief-like propositional states.<sup>75</sup> In claiming that there are affective forms of distrust that do not embed belief, I rest on the minimal and empirically supported claim that there are forms of distrust that have effects on thought, feeling, and action and that are not (directly) sensitive to deliberation or to consciously affirmed reasons. As I emphasized earlier, my argument does not depend on denying the existence of cognitively rich and deliberation-sensitive forms of (dis)trust – it just relies on the claim that such forms are not the only forms.<sup>76</sup> Yet even though they are not based on belief, affects need not be wholly blind. They can be intentional, insofar as they are directed towards objects, and they can embody an evaluative response to those objects.<sup>77</sup> (If one wanted to insist that this intentionality is equivalent to them embedding beliefs, so be it: then "beliefs" are not necessarily under rational or deliberative control.<sup>78</sup>)

Distrust is an affective attitude of suspicion. Suspicion, on my account, involves both an affective withholding on behalf of the distruster and a blocking of the distrusted. Distrust involves an affective "putting up walls". This is meant as a phenomenological description of distrust. Think of

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<sup>74</sup> My account of distrust, I have learned, bears remarkable similarities to Jason D'Cruz's account, as it is developed in "Humble Trust", "Distrust," in Judith Simon (ed.), *The Routledge Handbook of Trust and Philosophy* (Routledge, 2020), and in his manuscript in progress *The Courage to Trust*. Thanks to an anonymous reviewer for these references.

<sup>75</sup> Amelie Oksenberg Rorty, "Enough Already With 'Theories of the Emotions'," in Robert C. Solomon (ed), *Thinking About Feeling* (Oxford University Press, 2004). On the cognitive theory of emotions, see e.g., Robert C. Solomon, "Emotions, Thoughts, and Feelings: What is a 'Cognitive Theory' of the Emotions and Does it Neglect Affectivity?," *Royal Institute of Philosophy Supplement* (2003): 1-18. Other notable cognitivists about emotion include Martha Nussbaum, William Lyons, and Peter Goldie in philosophy, and Richard Lazarus and Klaus Scherer in psychology.

<sup>76</sup> Thanks to an anonymous reviewer for pushing me on this point. I also take it that

<sup>77</sup> See e.g. Jenefer Robinson, *Deeper than Reason* (Oxford University Press, 2005).

<sup>78</sup> See Helton, "If You Can't Change What You Believe, You Don't Believe It."

the bodily concomitants of distrust: shying away; physical separation; placing distance between oneself and the other; narrowing of one's eyes. The adverbial form is illustrative: think of how one looks at another "distrustfully".

This affective conception of distrust plays two roles in my argument. First, it explains the subtlety of distrust. Our affects are not always directly available to consciousness, but nonetheless have effects on our behaviour and our thinking. While it is not impossible to bring our affective evaluations to reflective consciousness, it is often difficult and may take work. There are barriers to doing so – both the usual barriers to do with our attention and "keeping an eye on oneself", and particular barriers to do with the difficulties of uncomfortable self-knowledge, where our affects may reveal that we are not entirely as we tell ourselves. So, too, our affects may be justified or unjustified, but we often do not have them *on the basis of* reasons. Reasons do not necessarily settle our affective attitudes.

Second, it explains why distrust is a useful institutional tool. Distrust influences the way we perceive the world. It orients us in certain ways, since our emotions act in part as lenses through which we see things.<sup>79</sup> They make certain aspects of the world salient, and render others silent. For example, anger alerts us to injustice or wrong, and envy may blind us to the good things we possess. Our affects thus have epistemic *framing effects*. Distrust's epistemic effect is to *block epistemic goods* from the distrusted other – not only explicit beliefs in the form of testimony, but also their broader ways of seeing the world. Distrust prevents us from sympathising with the other, from putting ourselves

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<sup>79</sup> See e.g. Karen Jones, "Emotional Rationality as Practical Rationality," in *Setting the Moral Compass: Essays by Women Philosophers*, ed. Cheshire Calhoun (Oxford: Oxford University Press, 2004); Cheshire Calhoun, "Cognitive Emotions," in *What is an Emotion?: Classic readings in philosophical psychology*, ed. Robert Solomon (New York: Oxford University Press, 1984).

(however imperfectly) into their shoes. Distrust primes for negative interpretations of actions, motives and character, and renders positive interpretations less salient.<sup>80</sup>

These epistemic effects explain why distrust is a useful institutional tool. Take judicial review. The judiciary, if it is to check the exercise of power by the other branches of government, cannot take their interpretation of the law for granted.<sup>81</sup> They must thus *block* the point of view of the other branch and come to their own decision on the legal merits of the case. More generally, this principle is why checks and balances are best done by an external agency. It ensures this epistemic independence of points of view.

Take another example: constitutionalisation of individual rights. One common stated reason for putting certain matters outside the reach of certain institutions, with the associated costs that accrue to being (for example) unable to legislate on those matters, is that those institutions cannot be trusted to deal with those matters. We withhold jurisdiction on those matters, and block those institutions from acting to affect them. Or take other forms of entrenchment, such as supermajority voting. Supermajority voting works on the principle that because we think that this policy is especially justified and therefore that no motive will be sufficient to change it, we require *more evidence* that changing the policy is the will of the people. The epistemic effects of distrust therefore explain its institutional usefulness.

These comments also allow me to respond to another possible objection: that I am illegitimately conflating “distrust” as a psychological state and “distrust” as a functional principle of institutional design.<sup>82</sup> The latter, one might argue, is distinct from and unrelated to the former. Hence, the

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<sup>80</sup> Roderick Kramer, "The Sinister Attribution Error: Paranoid Cognition and Collective Distrust in Organizations," *Motivation and Emotion* 18, no. 2 (1994).

<sup>81</sup> It is true that there are practices of judicial deference, for example in rational basis review. These are trust based practices insofar as the judiciary trusts the greater substantive expertise or ability of another branch of government and reviews only for procedural or formal propriety. Deference requires taking the other's word at face value.

<sup>82</sup> Thanks again to xxx for this objection.

criticism might run, one can't infer from characteristics of the former to problems with the latter.

But this objection separates far too strongly institutions and the agents that populate them.

Institutions are *peopled*. Institutional norms structure the attitudes of the agents that are embedded within them, both as a descriptive matter and (generally) for good normative reasons.

Descriptively, take the phenomenon of ideological capture: the way in which participants in institutional practices take on the ideology of those institutions.<sup>83</sup> Normatively, there are good institutional reasons for congruence between individual attitudes and institutional principles, practical reasons of efficiency and effectiveness not least. It is a form of institutional dysfunction when agential attitudes come apart from the institutional norms and purposes that agents in their institutional roles help achieve. Think of the dysfunction that besets legislative institutions purportedly based on trust when members of those institutions begin to have extreme levels of distrust towards one another. This is just to repeat the claim I made earlier, that the affective phenomenon of distrust that I focus on here has a similar etiology to the more rationalist forms of distrust that, some might argue, properly underpin the operation of the institutional principle.

#### 4. The problem of distrust

Distrust, I have argued, has at its core the affective attitude of suspicion. Suspicion explains the *subtlety* of distrust. The subtlety of distrust, in turn, causes *the problem of distrust*. The problem of distrust is that distrust is *recursive* and *contagious* such that distrust naturally spreads and cannot be limited, without explicit means of doing so, to the particular domains in which it's used for justified institutional purposes. These properties of distrust mean, as I'll argue, that the Isolation Theses don't hold.

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<sup>83</sup> This phenomenon is clearly not always normatively desirable. Take the ideological capture of financial regulators that contributed to the 2008 global financial crisis; see e.g. Adam Levitin, "The Politics of Financial Regulation and the Regulation of Financial Politics: A Review Essay," *Harvard Law Review* 127, no. 7 (2014).

## Recursivity

Distrust is recursive insofar as it is self-perpetuating. Distrust breeds distrust.<sup>84</sup> If distrust has the two epistemic effects of blocking and withholding, then it will be difficult for us to gain new information that will counteract our distrust. At the same time, because distrust primes us for negative interpretations of behaviour and character, any incoming information will tend to confirm our distrustful attitude. The extreme end of suspicion is paranoia.

Recursivity can be explained by a number of features of distrust, in particular: its *temporality*; its relation to *justification*; and its *mechanism*. Many theorists have noted that distrust is more easily caused than trust.<sup>85</sup> Trust takes a long time to build and is easy to destroy, whereas distrust is the opposite: it can build very quickly, and is difficult to dissipate. One betrayal can undermine years of a close relationship. Distrust's temporality is thus, in general, faster than trust's.<sup>86</sup>

It is true that, under certain circumstances, trust-trustworthiness cycles can flourish. In homogenous societies or those with extremely strong existing in-group bonds, trust may be easy to build. And these dynamics may be strengthened when a group unifies against a (real or perceived) adversarial out-group. But in the modern liberal societies with which this paper is concerned, these conditions do not usually hold (pace, perhaps the "Nordic exception") – though the need to generate them may explain some of the strengthening illiberal tendencies we see, including scapegoating (unifying an in-group against an out-group) and exclusion of certain others (increasing homogeneity). In the absence of these conditions, mechanisms for expressing and containing distrust, without *building* trust, will likely be insufficient to equalise the temporalities of distrust and trust.<sup>87</sup>

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<sup>84</sup> See Karen Jones, "Trust, distrust, and affective looping," *Philosophical Studies* 176 (2019).

<sup>85</sup> Uhlmann-Margalit, "Trust, Distrust, and In Between."; Hardin, "Distrust: Manifestations and Management."; Govier, "Distrust as a Practical Problem."; Dasgupta, "Trust as a Commodity."

<sup>86</sup> See e.g. Dasgupta, "Trust as a Commodity."; Hardin, "Distrust: Manifestations and Management."; Levi, "A State of Trust."

<sup>87</sup> I thank an anonymous reviewer for this point.



Distrust is also easier to build than trust in another respect. Trust arguably requires actual justification, whereas distrust can be formed on the basis of only *perceived* justification.<sup>88</sup> Especially where I have been betrayed previously, I am likely only to trust you if you prove your trustworthiness to me. Trust is more of an explicit attitude than distrust. It's thus much easier for trust to fall into distrust, or for distrust to deepen, than for distrust to become trust. We might say therefore that distrust is an "absorbing state": one in which there are many transitions from many other states, and thus one that, over time, is likely to dominate.<sup>89</sup> Further, distrust is mutually reinforcing. If X distrusts Y, then Y is likely to distrust X, *simply because X distrusts Y*. There's some support for this claim from game-theoretic results. Repeated violations of reciprocity in stag-hunt or iterated sequential prisoners' dilemma games, especially under imperfect information, cause mutual distrust and thus further defection – a vicious circle.<sup>90</sup> Distrust breeds more distrust.

The psychological literature on "paranoid cognition" provides some further evidence for these arguments. By "paranoid cognition", I mean simply a cognitive style that tends towards treating others as possible persecutors, threats, exploiters or accusers.<sup>91</sup> I do not mean fully-fledged paranoia. Such a cognitive style, at least in milder forms, is relatively common. It is heightened in situations of greater than normal self-awareness, tension, or awkwardness.<sup>92</sup> Paranoid cognition is self-confirming insofar as it primes people to think that other people's behaviour is targeted *at them*; and, of course, if others are acting against you, they are unlikely to tell you so. Thus, paranoid cognition is exacerbated by ingroup/outgroup biases, though it is not reducible to them. Roderick Kramer

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<sup>88</sup> Cf. Fein and Hilton, "Judging Others in the Shadow of Suspicion."; Diego Gambetta, "Can We Trust Trust?," in *Trust: Making and Breaking Cooperative Relations*, ed. Diego Gambetta (Oxford: Basil Blackwell, 1988), 234.

<sup>89</sup> The reference here is to the mathematical notion of an "absorbing Markov chain". Cf. Robert Goodin, "Global Democracy: in the beginning," *International Theory* 2, no. 2 (2010): 191. Goodin argues there that democracy is an "almost-absorbing state" due to certain social and psychological tendencies.

<sup>90</sup> Edna Uhlmann-Margalit, "Trust out of Distrust," *Journal of Philosophy* 99, no. 10 (2002); Hardin, "Distrust," 498-500.

<sup>91</sup> K.M. Colby, "Modeling a Paranoid Mind," *The Behavioral and Brain Sciences* 4, no. 4 (1981). Cited in Kramer, "The Sinister Attribution Error: Paranoid Cognition and Collective Distrust in Organizations." See also Allan Fenigstein and Peter Vanable, "Paranoia and Self-Consciousness," *Journal of Personality and Social Psychology* 62, no. 1 (1992).

<sup>92</sup> Fenigstein and Vanable, "Paranoia and Self-Consciousness."

suggests that paranoid cognition, caused in part by individuals' positioning within a particular social system, is one of the psychological mechanisms that underlie the social phenomenon of distrust.<sup>93</sup>

The link between paranoid cognition and distrust might help explain why distrust is faster than trust, why it is self-perpetuating, and why it is mutually reinforcing.

## Contagion

Distrust is also *contagious*: it spreads within and across groups. We've seen that distrust is mutually reinforcing. If X distrusts Y, Y is likely to distrust X. But because distrust is epistemically blocking, it is unlikely to attach to a full or relatively full description of a person (since one is not in a position to get that full description), but to a partial description of that person under certain descriptors. These descriptors are often group descriptors. A common form of distrust will be: X distrusts Y *as a member of group A*. Take distrust of legislators. Legislators are some of the least trusted members of society.<sup>94</sup> It's unlikely that each and every one of those legislators earned that title independently. It's far more likely that distrust attaches to them as a group and thereby to them as individuals. And distrust attached to them as a group in part due to individual failures (i.e. individual scandals).

Distrust is thus *contagious by association*: distrust of Y as a member of group A will spread to other members of A.<sup>95</sup>

Distrust is also subject to the general phenomenon of affective contagion. One picks up affects by social osmosis, through subtle physical and social cues.<sup>96</sup> We calibrate our affects to those of others

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<sup>93</sup> Kramer, "The Sinister Attribution Error: Paranoid Cognition and Collective Distrust in Organizations," 223.

<sup>94</sup> Cf. Orlando Patterson, "Liberty against the democratic state: on the historical and contemporary sources of American distrust," in *Democracy and Trust*, ed. Mark Warren (Cambridge: Cambridge University Press, 1999); C.K., "Verify, then trust: Why America has a trust problem," *The Economist*, 2017, <http://www.economist.com/blogs/democracyinamerica/2017/04/verify-then-trust>; "Trust in Government," 2016, accessed 5/7/2017, <http://www.gallup.com/poll/5392/trust-government.aspx>.

<sup>95</sup> There's some indirect support for this claim in the implicit attitude literature. See Madva, "Why Implicit Attitudes Are (Probably) not Beliefs."

<sup>96</sup> See Elaine Hatfield, John Cacioppo, and Richard Rapson, *Emotional Contagion* (New York: Cambridge University Press, 1994); Pamela Adelman and R.B. Zajonc, "Facial Efference and the Experience of Emotion," *Annual Review of Psychology* 40 (1989).

when we are engaged in a common task, or focused on a common object.<sup>97</sup> We also pick them up without explicit advertence to another's affects, for example when in physical proximity or in collective action. A common social identity or closeness of relationship is a contributor to affective contagion. Affective sharing contributes to shared identity. Both of these also explain the spread of distrust on the grounds of group identity.<sup>98</sup> Distrust thus spreads within groups. Trust, of course, is also contagious. But, given the point made above about the faster temporality of distrust, distrust moves more quickly. And since individuals generally have multiple group affiliations, distrust can spread across groups through these processes of recursivity and contagion.

Distrust, unlike trust, is more likely to be *domain-insensitive*.<sup>99</sup> If I trust you, I generally trust you with respect to a particular domain, and on the basis of your particular competence or expertise in that domain. That trust therefore won't extend beyond the domain. But distrust (perhaps unlike trust) is of *motives*, rather than of *competence*. We can distrust highly competent people precisely because they are competent and motivated by ill will, and we may only not trust those who have good will but are incompetent. Distrust thus takes *persons* as its object. It is of *you* rather than of *your abilities*. My distrust of you will thus be likely to "track" you across domains.<sup>100</sup> Even where my distrust is targeted at a particular domain on the basis of reasons, it nonetheless has a tendency to spread, given that I am less likely to take your motives at face value.

It is important to note, as Fein and Hilton's study suggests, that the mechanisms of distrust that give rise to recursivity and contagion can kick in even where distrust is generated for good reasons.

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<sup>97</sup> Brian Parkinson and Gwenda Simons, "Affecting Others: Social Appraisal and Emotion Contagion in Everyday Decision Making," *Personality and Social Psychology Bulletin* 35, no. 8 (2009): 1081; Antony Manstead and Agneta Fisher, "Social Appraisal," in *Appraisal Processes in Emotion*, ed. Klaus Scherer, Angela Schorr, and Tim Johnstone (Oxford: Oxford University Press, 2001).

<sup>98</sup> Scott Wiltermuth and Chip Heath, "Synchrony and Cooperation," *Psychological Science* 20, no. 1 (2009); Frank Walter and Heike Bruch, "The positive group affect spiral: a dynamic model of the emergence of positive affective similarity in work groups," *Journal of Organizational Behavior* 29, no. 2 (2008).

<sup>99</sup> Thanks to xxx for discussion on this point.

<sup>100</sup> Cf. Miranda Fricker's notion of "tracker prejudices" that contribute to systemic epistemic injustices: see Miranda Fricker, *Epistemic Injustice* (Oxford: Oxford University Press, 2007), Ch 2.

Distrust of technocratic elites may be completely justified for their role in causing and mishandling the 2007-8 global financial crisis. Yet the rise in distrust due to that crisis may have persisted in various affective forms (for example, displaced onto migrant groups or even particular political parties) even as explicit reports of trust in political elites have stabilised.<sup>101</sup> That is, we can draw a distinction between the *originating* causes of distrust and the ways in which it is *maintained* once created.<sup>102</sup> Distrust may originate in justified and rational ways and persist (through recursivity and contagion) in non-rational ways.

### 5. How the problem of distrust undermines the Isolation Theses

Recursivity and contagion undermine the Isolation Theses. Distrust that is justifiably targeted for institutional purposes against a particular group or institution will not be limited to that group or institution, or for those purposes. My claim in this paper is a theoretical one: simply to raise the spectre of this dynamic as it applies to liberal political institutions. I do not make any empirical claims about the relative strength of this dynamic, especially as compared to other causes of distrust, whether in liberal or non-liberal societies. I also do not make any empirical claims about the degree to which this dynamic might be mitigated by the existence of (political and non-political, as well as non-institutional means) for alleviating or slowing down the spread of distrust in liberal societies. To make any such claims would require empirical studies that are able to isolate the relevant causal factors – a difficult (though I suspect not unachievable) task.

But I do think that there is some general evidence for this fact in the slow (but unfortunately presently speeding up) breakdown of liberal institutions worldwide. It is true, in established liberal democracies in western Europe, that measures of generalised social trust have remained relatively steady even in the midst of political institutional failures (e.g. in response to the global financial crisis

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<sup>101</sup> I thank an anonymous reviewer for pushing me on the relation between justified distrust and affective distrust.

<sup>102</sup> On the distinction between originating and maintaining causes in a different context, see Saray Ayala-Lopez, “A Structural Explanation of Injustice in Conversations: It’s about norms,” *Pacific Philosophical Quarterly* 99, no. 4 (2018).

of 2008). The United States is an outlier insofar as measures of social trust there have been declining for decades along with measures of political trust, and one might rightly think that there are other causes of distrust at play there (rising inequality, a specific form of racial oppression) other than the political gridlock enabled and encouraged by its implementation of the distrust strategy.

But there are also particular examples.

Take distrust of particular legislators on the basis of isolated instances of corruption. Gabriella Montinola has analysed the rise of distrust in the Philippines after the fall of the Marcos regime in 1986. He argues that institutional changes to the role of the legislature and the Supreme Court led to isolated instances of corruption in a purportedly strongly anti-corruption regime. In turn this led to increased distrust of the entire legislative institution, and indeed to distrust of *all* political institutions, including the judiciary.<sup>103</sup> Since individual legislators are representative of the entire institution, if X distrusts Y *as a legislator*, X will come to distrust all legislators. And where legislators have connections to other branches of government, for example in appointing other government officials, including judicial officers, or in coordinating action with them, that distrust will come to attach to them in virtue of association.

A second example can be found in Patrick Troy's study of public planning policy in Australian jurisdictions.<sup>104</sup> Troy found that either or both of procedural (lack of consultation, information, and lack of clarity as to decision-making structures) or perceived substantive failures on behalf of government led to citizen distrust of those particular government institutions. This distrust included associated feelings of powerlessness and resentment. Those citizens felt that their interests were being ignored in favour of sectional interests in the building and construction industry. The distrust

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<sup>103</sup> Gabriella Montinola, "Corruption, Distrust, and the Deterioration of the Rule of Law," in *Distrust*, ed. Russell Hardin (New York: Russell Sage Foundation, 2004).

<sup>104</sup> Patrick Troy, "Distrust and the Development of Urban Regulations," in *Distrust*, ed. Russell Hardin (New York: Russell Sage Foundation, 2004).

incurred by government administrators thus spread to the associated sectional interests, because of a perception that “they were all in it together”.

Partha Dasgupta generalises the point made in the two previous examples. Where institutions are involved in citizen relations, for example in monitoring or enforcing agreements between citizens, “trust among persons and agencies is interconnected.”<sup>105</sup> Hence, institutional failings will undermine trust in citizens, and the failure of joint action will also reflect on institutions.

A third example might be the distrust that populist groups (or even established political parties) encourage of other political groups or parties. Party-based criticism is an important check-and-balance. But where such criticism becomes targeted at another party’s *motives* in governing, as it has become (justifiably so) in many countries, the entire political system becomes tarnished, and, in turn, the party-line voters who identify with each party come to distrust each other. We have not only polarisation, but entrenched echo chambers.<sup>106</sup>

These distrust dynamics are not specific to liberal societies. It is true and for obvious reasons that authoritarian and previously existent (as opposed to ideal) communist societies have and had far higher levels of social and political distrust than existing liberal societies. The claim I am making is not a comparative one about the severity of the problem of distrust for liberal societies. It is a hypothesis about one (not *the*) cause of the crisis of trust in liberal societies – but a cause that is particularly important for those societies insofar as it is internal to liberalism. What I take these examples to be evidence for are general distrust dynamics across and between political institutions and society. They support the claim that distrust is recursive and contagious, and the further claim that these properties of distrust threaten the Isolation Theses. And so insofar as liberal political

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<sup>105</sup> Dasgupta, “Trust as a Commodity,” 50.

<sup>106</sup> C Thi Nguyen, “Echo chambers and epistemic bubbles,” *Episteme* 17, no.2 (2020); C Thi Nguyen, “Cognitive islands and runaway echo chambers: problems for epistemic dependence on experts,” *Synthese* 197 (2020). Kevin Vallier argues similarly for a *distrust-divergence* hypothesis: that political partisan polarization on the one hand, and social and political distrust on the other, are mutually reinforcing: *Trust in a Polarized Age* (Oxford University Press, 2021).

institutions utilise distrust as a functional principle of institutional design – though they are not unique in doing so or necessarily special in the degree to which they do so – the problem of distrust will, I suggest, arise for liberal societies.

One may worry that the existing evidence does not bear out the hypothesis. For example, measures of generalised social trust in Western European and Nordic liberal democracies have remained relatively stable or have even risen since data were first systematically gathered in the 1980s.<sup>107</sup> And although some studies have found a correlation between political trust and (generalised and particular) social trust, there is some debate about the extent to which these different forms of trust affect each other.

My response to this worry is twofold. First, there are ambiguities in what standard measures of generalised social trust are measuring, and difficulties in mapping those measures onto the affective kind of distrust that I have proposed here. The World Values Survey, for instance, measures generalized social trust with a binary question asking “Generally speaking, would you say that most people can be trusted or that you need to be very careful in dealing with people?” Yet, as many have pointed out, the referent of “most people” is ambiguous, and the binary question is not well geared to measuring shifts in the degree of trust that individuals have.<sup>108</sup> Further, that question (and other questions that measure social trust) treat distrust as the absence or negation of trust, not as a distinct phenomenon as I have proposed in this paper. Since social trust is measured through questionnaire (rather than through game theoretic experiments, for example, which have their own shortcomings), it is not well geared to measuring affective distrust that operates below the level of reflective

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<sup>107</sup> See, for an overview, Pippa Norris, *In Praise of Skepticism: Trust but Verify* (Oxford University Press, 2022), particularly Ch 4. I thank an anonymous reviewer for pushing me to address these data specifically.

<sup>108</sup> See generally Paul C. Bauer and Markus Freitag, “Measuring Trust,” in Eric M. Uslaner (ed.), *The Oxford Handbook of Social and Political Trust* (Oxford University Press, 2020); Edward Glaeser et al., “Measuring Trust,” *The Quarterly Journal of Economics* 115, no. 3 (2000); Vallier, *Trust in a Polarized Age* Ch 2; though note Eric M. Uslaner, “Measuring Generalized Trust: In defense of the ‘standard’ question,” in Fergus Lyon, Guido Möllering, and Mark N. K. Saunders (eds.), *Handbook on Research Methods on Trust* (Edward Elgar Publishing, 2012) 72-82.

consciousness. This is not to say that affective distrust will not show up at all in questionnaire responses. It may show up, for example, in measures of distrust of certain groups or populations, as the empirical studies cited earlier in this section suggest.<sup>109</sup> It may better be measured (and this is only a suggestion) in measures of social polarization around, for example, party-political lines, or in measures of group threat.<sup>110</sup>

Second, I am not making the monocausal claim that liberal political institutions uniformly generate distrust, or that liberalism has no way of managing distrust. It is the weaker claim that of the many posited causes for the “crisis of trust” in liberal democracies, *some* of them may be internal to liberalism. That is consistent with liberal democracies having other resources, as Kevin Vallier has argued, to generate trust and manage distrust. And it is consistent (as I note in concluding), though I don’t take a stand here, with the idea that some forms of liberal trust-generation, suitably strengthened, may be sufficient to respond successfully to the crisis of trust.

## 6. Conclusion and thoughts on remedy

I’ve painted a rather bleak picture of how distrust operates as a functional principle of institutional design in liberal political institutions. Distrust, because of its subtlety, is recursive and contagious. Its use as a functional principle of institutional design may lead to the spread of distrust throughout a social system. It may do so especially when combined with other sources of distrust that I have not examined here. Liberalism, in its political aspect, may contribute directly to the crisis of trust.

What follows from this bleak picture? One thing that doesn’t follow is that we should not use distrust as a principle of institutional design. It plays a valuable function in restraining the exercise of

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<sup>109</sup> Note also Glaeser et al.’s finding that trust games reveal trust to be far lower between participants of different racialized groups.

<sup>110</sup> There is some evidence of this in newer literature on the relationship between “affective polarization” and social trust. See, e.g., Amber Hye-Lon Lee, “Social Trust in Polarized Times: How perceptions of political polarization affect Americans’ trust in each other,” *Political Behavior* 44 (2022); Mariano Torcal and Zoe A. Thomson, “Social Trust and Affective Polarization in Spain (2014-19),” *Electoral Studies* 81 (2023); Carolin Rapp, “Moral opinion polarization and the erosion of trust,” *Social Science Research* 58 (2016).



governmental power, and of forcing governments to justify their exercises of power to those over whom they exercise it. And, at the social level, it plays a valuable and justified role in preventing injustice and motivating the fight for justice.<sup>111</sup> Instead, we need to consider ways to *alleviate* the problem of distrust.<sup>112</sup> I gesture towards two such strategies here in closing.

First, we can find ways to limit the recursivity and contagion properties of distrust, thus reinstating something like the Isolation Theses. This may involve making distrust *more rational*, bringing it into the sphere of reflective awareness and judgment. Or it may involve finding ways to check the spread of distrust on the affective level, perhaps through forms of virtue or habit. We also need to think more about the other effects of distrust and of particular distributions of distrust. What about the phenomenon of self-distrust, or intragroup distrust? How might we address those phenomena?

Second, we can design and create institutions that not only require trust for their functioning, but *actively foster trust*. Identifying which institutions actively foster trust requires a much longer argument and deeper attention to the wider political culture of a given society, as well as an explicit theory of trust. I cannot do so here. Cultivating trust in a society that conceives of politics as interest-based and zero-sum, for instance, would arguably require *different* institutions from a society with a generalised deliberative culture. As a first pass, some such institutions may include forms of minority group political representation, encouragement for group identity formation, substantive and symbolic reparations for past injustices,<sup>113</sup> institutional recognition of various minority perspectives or institutional deference to these perspectives on certain issues, community engagement by parts of the state, and so on. Each of these has dangers. Under certain conditions, and if not supported by a

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<sup>111</sup> Cf. Krishnamurthy, "(White) Tyranny and the Democratic Value of Distrust."

<sup>112</sup> Such strategies need to take into account the wider sociological literature on the creation of generalised trust: see e.g. Sztompka, "Trust, Distrust, and Two Paradoxes of Democracy."; Braithwaite, "Institutionalizing Distrust, Enculturating Trust."; Vallier, *Trust in a Polarized Age*.

<sup>113</sup> Bernard Boxill, "The Morality of Reparation," *Social Theory and Practice* 2, no. 1 (1972); Bernard Boxill, "A Lockean Argument for Black Reparations," *The Journal of Ethics* 7, no. 1 (2003); Alice MacLachlan, "'Trust Me, I'm Sorry': The Paradox of Public Apology," *The Monist* 98, no. 4 (2015).

wider cultural and institutional strategy, they may actually exacerbate distrust. They may be seen as ad hoc, or attempts at appeasement, or as merely consequentialist. Designing such institutions requires taking into account present facts about the distribution of distrust; that is, the overall level of distrust in a social system and the areas where or parties against whom distrust is focused, its causes and its justifications.

These two strategies, and the prior identification of the problem of distrust, rest on acknowledging the irrationality of distrust as an affective state. The general principle on which this paper rests is that our political practices and our political philosophy must begin from a realistic moral psychology that recognises and takes seriously *all* our capacities as agents: not only our capacity for reason, but our other capacities for emotion, for imagination, for sympathy, that characterise our particular embodied being in this world. It's only with such a recognition that we can begin to address the social and political problems that we presently face.

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