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Abstract

The dominant approach to the public sphere is characterized by idealism and normativism. It overemphasizes civic-minded or civil discourse, envisions unrealistically egalitarian and widespread participation, has difficulty dealing with consequential public events, and neglects the spatial core of the public sphere and the effects of visibility. I propose a semiotic theory that approaches the public sphere through general sensory access. This approach enables a superior understanding of all public events, discursive or otherwise. It also captures the dialectical relationship between the public sphere and politics by (1) specifying the mechanisms through which visibility and publicity become resources or constraints for political actors, (2) explaining the political regulation of visibility, (3) showing the central role that struggles over the contents of public spaces play in political conflict, and (4) analyzing the links among social structure, social norms, and political action in the transformation of the public sphere.

Keywords

public sphere, publicity, visibility, political action

“The concept of public sphere is morally admirable but analytically useless.”

—Charles Tilly¹

The public sphere is a key concept in contemporary social science. We also observe a robust consensus among scholars and other intellectuals that a vibrant public sphere is a sine qua non of liberal democracy. Yet the dominant approach to the phenomenon, suffering from idealism and normativism, neglects the spatial core of the public sphere. As an alternative, I develop in this article a realistic and positive theory based on general sensory access. Responding to Tilly’s brutal assessment, my objective is to theorize and operationalize the public sphere in a way that is morally void but analytically useful. To this end, I emphasize the spatial dimension of the public sphere, examine the semiotics of general visibility along with the logic of publicity, and show how these impinge fatefully on all political behavior. This approach enables a superior understanding of public spaces and events, including the communications privileged by the dominant approach. It also captures the dialectical relationship between politics and public spaces. The public sphere can both enhance and derail

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liberal democracy, and the article specifies the mechanisms through which publicness and publicity become resources or constraints for political actors. At the same time, content regulation of the public sphere is an integral, yet understudied, part of politics, and struggles around the contents of public spaces are central to political conflict. Finally, I analyze the causal links among social structure, social norms, and political action in the transformation of the public sphere.

THE DOMINANT MODEL AND ITS LIMITATIONS

The debate about the public sphere has been oriented by Habermas (1997:105): “By ‘public sphere’ we mean first of all a realm of our social life in which such a thing as public opinion can be formed. Access to the public sphere is open in principle to all citizens. Citizens act as a public when they deal with matters of general interest without being subject to coercion.” *The Transformation of the Public Sphere* (Habermas 1989) traced the history of the phenomenon from the eighteenth-century salons to the contemporary physical or virtual spaces where citizens partake in conversations regarding the common good. In such communications, the particularities of the speakers need to be bracketed out, and there should be widespread and informed participation. Most sociologists deploy an analogous conception: Oliver and Myers (1999:38), for instance, call the public sphere “the abstract space in which citizens discuss and debate public issues.” The emphasis is on discursive civiness among citizen groups in public spaces (e.g., Eliasoph 1998; Emirbayer and Sheller 1999; Ferree et al. 2002; Koopmans 2004; Lichterman 1999; Somers 1993; Soysal 1997).

Habermas’s book also set off criticisms. Historical research has questioned its timing (e.g., Zaret 1999) and class analysis (e.g., Baker 1990). Calhoun (1992) has compellingly argued that identities, excluded by Habermas from the public sphere, are often formed in the course of public debates. Feminists have pointed to the gendered nature of the private and public distinction and to female forms of public action (Elshtain 1981; Pateman 1983; Ryan 1990). Against Habermas’s unitary public sphere, scholars have called attention to contentious counterpublics formed by subordinate groups (e.g., Eley 1992; Farge 1992; Fraser 1992; Landes 1988; Negt and Kluge 1993; Warner 1990).

These criticisms yielded important insights about public debate in civil society. Nevertheless, Habermas and his critics all operate within the same paradigm, which is characterized by these idealist and normative elements: (1) the condition of civiness or civility, (2) the conflation of the public sphere with citizenship, and (3) the ideal of widespread, egalitarian participation. Some scholars have addressed these problems. But studies that escape one problem are usually undermined by others.

The Condition of Civiness or Civility

Barring important exceptions (e.g., Schudson 1998), the public sphere is typically seen in this literature as contingent on the normative orientation of its occupiers. Baiocchi (2003:55), for example, calls the public sphere “an instance of open-ended and public-spirited communication.” Eliasoph (1998:16) writes that it “comes into being when people speak public-spiritedly.” Alexander’s (2007:31) “civil sphere”—a notion that resembles the public sphere—is also defined by a universalistic morality, as it is “a solidary sphere in which a certain kind of universalizing community comes to be culturally defined and to some degree institutionally enforced.”

But concern for the common good is difficult to establish objectively. The public-spiritiveness that we find in the world often reflects our biases: hence the propensity of public sphere scholars to focus on left-leaning movements and their silence on nonprogressive

groups.² And one can have sundry self-serving interests while marching in demonstrations, participating in parent-teacher association meetings, signing petitions, or writing op-ed pieces. Of course, from the NRA to the ACLU, those who intone in public do so using universalist nomenclature like equality or freedom, and few would write a letter to a newspaper without a pretension to speak in the name of some general, grandiose principle. Yet high-minded rhetoric in public is frequently found by its addressees to be ritualistic, hollow, if not devious. It rarely goes without instigating debunking attempts. What if we say that the public sphere emerges whenever people engage in civil debate regardless of their intentions? But then we are left with very little: it is hard to find engrossing and consequential public events or communications that do not feature disruptiveness, ad hominem attacks, or malice.

The Conflation of the Public Sphere with Citizenship

The dominant approach identifies the public sphere as the site where citizenship is exercised. Yet, while analysts privilege studying collective actors discoursing in the open, the defining act of citizenship, voting, is an individual one, carried out in secret. Furthermore, there is much elevated public discourse (about truth, God, art, etc.) that is irrelevant to citizenship. Finally, even though public sphere studies are usually about organizations in civil society (the social realm outside the ambit of the state), there are no differences in content or apparent motivation that warrant treating the discourses of regular politicians separately from those of entities such as Moveon or the Tea Party—their windy rhetoric and alpine pretensions to be above the profane realm of institutional politics notwithstanding. There are, moreover, strong financial, ideological, and organic links between civil society actors and institutional politics.

The Ideal of Widespread and Egalitarian Participation

The dominant approach envisions the public of the public sphere as an engaged community acting in a given space and not, more realistically, as an audience of what is happening in that space. This is because it assumes the possibility of—in effect, prescribes—widespread and egalitarian dialogical participation. Such a stringent proviso is, however, all too often not obliged by reality, and public sphere studies frequently turn critical, if not condemnatory. Habermas, for instance, argues that the public sphere degenerated thanks to industrial capitalism, mass democracy, welfare state, and sensationalistic media. Others claim that capitalism, racism, and patriarchy make the public sphere exclusionary. But the assumption is that absent systemic domination and exclusion, egalitarian civic dialogue in public spaces would flourish. For some, the public sphere is the very locus of emancipatory struggles between hegemonic and contentious publics, which are seen as groups both consisting of active participants.

Inactivity in social and political life is, however, widespread, and it is hard to chalk this up to domination or exclusion. Participation in public affairs is sheer drudgery for many; others often steer toward such activity only because of disappointments in their private lives, and only temporarily so, as the public arena will never fail to eventually engender frustrations of its own (Hirschman 1982). In any case, deliberation about public issues requires knowledge, and ignorance is rampant (Neuman 1986): in 1964, at the height of the Cold War, only 38 percent of Americans knew that the USSR was not a member of NATO (Somin 2004:4). And ignorance erodes interest; hence the low levels of civic participation in contemporary and nineteenth-century America (Altschuler and Blumin 2001; Putnam 2000). Public communication rarely involves widespread, egalitarian participation. A few

professors dominate faculty meetings; others remain bystanders. Turnout was very low in the colonial New England town meetings, where the agenda was set and discussions led by local notables—more comfortable with and more keen on public speaking (Mansbridge 1983). Most putatively civic discourse is produced by ambitious types in front of nonparticipating audiences.

The dominant approach is therefore blind to, reluctant to acknowledge, or prone to denounce away the inevitable, constitutive asymmetry of the public sphere between the few who receive attention and the numerous who give it. There is such an asymmetry in all the spaces where the dominant approach studies public-spirited discourse, such as the media or neighborhood meetings. The asymmetry will be sharp to the extent that attention from others is profitable—hence scarce and subject to fierce competition. And those who seek attention are not only out to convey ideas but also to acquire fame and reputation—which are at once gratifying to those with a penchant for public life and essential for all effective political action, putatively civic or not.³ The more important and interesting a public event, the more skewed the ratio of the spectators to participants will be—especially when information technology is involved. By seeing the public as an engaged community, the dominant approach ignores not only that most people are willing spectators but also the way spectatorship affects participation in public.⁴ Events are public only to the extent that they are watched by an audience, and, as we will see, spectatorship has constitutive effects on their making.

Scandal and the Dominant Approach

Consider how, due to the aforementioned problems, the dominant approach has difficulty making sense of the quintessential public event, scandal. Scandal is an episodic event that is occasioned by the publicization of a real or alleged transgression to a negatively oriented audience. Whether they are about abuse of power, heretical ideas, adultery accusations, financial skulduggery, aesthetic novelties, organizational intrigues, or celebrity fandangos, scandals rarely entail civic or civil debate, but rather nasty public wrangling. Those who take part in them are at least apparently self-interested. Scandals are often unrelated to citizenship. They contaminate public life with sordid stuff, discredit institutions, divide societies, and degrade public morale. They involve a sharp discrepancy between participation and spectatorship: it is the elite who take in part in them (Adut 2008; Lang and Lang 1983; Thompson 2000).

Take one of the most outstanding and momentous public events in French history, the Dreyfus affair. The scandal broke with the conviction of a Jewish captain, Alfred Dreyfus, in a court-martial for espionage and metastasized when evidence suggested that the officer had in fact been framed. The Dreyfus affair divided the elite into two camps that attacked each other for willfully ruining France. The scandal formally ended with the pardon of Dreyfus in 1899 and his reinstatement seven years later, but its repercussions reached well into the twentieth century. Vichy was, in part, the revanche of the anti-Dreyfussards. The Dreyfus affair was an episode marked by calumny, distrust, deception, and violence (Griffiths 1991). The *J'accuse* of Zola engaged in sexual libel even as it was denouncing a genuine miscarriage of justice (Sennett 1977:239-51). The Dreyfussards and anti-Dreyfussards—both members of the elite—were not parties in a civic or civil dialogue but factions in a ferocious fight. Most French people were the spectators of the scandal, not its participants.

If we abide consistently with the assumptions of the dominant approach, we would have to leave out of the public sphere not only the Dreyfus affair, but also the Watergate and Lewinsky episodes, the revolt of the Impressionists, and the sexual abuse scandals that recently roiled the Catholic Church—in fact, any public event that transcends sedate, seemingly discussion à la the Charlie Rose show. Or we would have to classify such events (given the

moral distemper and contamination they breed, the vitriol and prurience they unleash, and the apparent opportunism that frequently characterizes their protagonists) critically as symptomatic of a degraded public sphere.

The difficulty in dealing positively with scandal as an event in the public sphere is a liability for the dominant paradigm. Scandals are engrossing. They are ubiquitous, too: competition in politics and art is frequently conducted through scandal, by public denunciations or commissions of transgressions. In effect, much of moral conflict in public stems from or morphs into scandal, and it is through scandal that norms are solidified and transformed in politics, art, and society (Adut 2008). But most consequential public events registering significant interest, such as scandals, do not hew to the moral and formal strictures of the dominant approach.⁵ Finally, as I show later, scandal cannot be adequately understood unless we understand the logic of publicity—something that the dominant approach ignores.

AN ALTERNATIVE APPROACH

The communications that the dominant approach focuses on (1) are hard to establish, (2) constitute a tiny fraction of significant public events, (3) are a problematic way to study citizenship, (4) are not qualitatively different from communications by institutional political actors, (5) rarely involve egalitarian and widespread participation, and (6) are governed by the dynamics of spectatorship that public sphere scholars ignore.⁶ There is an even bigger problem, however. The public sphere is essentially some sort of a space for the dominant approach: it is where certain communications happen. But this space is a black box; attention is devoted not to it, but, idealistically and normatively, to the civic or civil communications that are supposed to be undertaken in an egalitarian fashion by a collectivity in it.

The dominant approach is not only available one. The term *public sphere* is often used in everyday language as well as scholarly contexts to refer to physical or virtual spaces to which there is general access, regardless of whether public-spirited communication happens in them by a collectivity. Urbanists and others designate streets as part of the public sphere (e.g., Glazer and Lilla 1987; Jacobs 1961; Lash 1979; Sennett 1977); media scholars do the same for television (e.g., Dahlgren 1995). When we divulge something in the open, we say that we have made it public. According to legal scholars, when information is available for general scrutiny, it is in the public domain. When feminists write about how women have been historically enjoined from the public sphere, they mean spaces like streets and the workplace. Hannah Arendt's understanding of the phenomenon entails an exposed area where one is seen and heard by unspecified others and submitted to their judgment (Arendt 1958).⁷ The civic speech of the dominant approach also occurs in spaces characterized by general access: the agora, town hall meetings, Internet, and so on. The dominant approach envisions an ideal, often normative relationship between public spaces (areas characterized by general access) on the one hand and public-spirited and publicly created action in those spaces on the other. It thus adds stringent conditions to the public sphere and become critical when they do not obtain. But there is no necessary relationship between these things. All kinds of selfish, elite behavior occur in public spaces. And a couple can discuss world peace in bed, and unless they are John Lennon and Yoko Ono with cameras glued on their naked bodies, it would be absurd to talk here about a public sphere. We must dispense with the idealism and normativism of the dominant approach while retaining the spatial core of its object.

Access is central to a realistic account of the public sphere. But those who approach the public sphere through access mean different things by it and rarely engage in theoretical reflection. So we should first theorize access and its modes. In doing so, we can come up with a general model that would capture the common logic of the spaces designated as making up the public sphere.

There are three forms of access to a public space. One can access a public space physically—for example when we enter a street in person. By contrast, representational access involves one's name, image, sounds, or words appearing in a public space—such as a newspaper or unclassified governmental records. Finally, we have sensory access to a public space when its contents are available to our senses.

Some urbanists use the physical access criterion. This is, however, unduly restrictive as it would exclude many spaces (e.g., open archives and the media) the contents of which consist of images and words—not people per se. There can be no physical access to these spaces, but they are commonly denoted as public sphere not only in ordinary language but also by the dominant approach scholars. In all these instances, we are dealing with representational access. But we would be equally wrong by defining the public sphere with this form. First, even though representational access implies will, those who appear in the public sphere through their representations may not have desired to do this. Take a hitherto obscure citizen whose foibles are being trumpeted out on national television. It would be uncontroversial to say that the details of this person's life have been shoved onto the public sphere. Second, even though the public sphere implies general access, there are many public spaces that allow severely constricted opportunities for being seen or heard—especially if they obtain a lot of publicity. The Op-Ed page of the *New York Times* is such a space. Physical access is impossible. Representational access is precious: anyone who speaks English can send an opinion piece to the *New York Times*, but few will see their names printed in that hallowed forum, entry to which is strictly controlled by finicky gatekeepers. Nevertheless, few would deny that the *New York Times* Op-Ed page is public sphere. The page does admit of general access, but the access at issue here is sensory access—by readers. Streets are both sensorily and physically accessible to citizens, as long as they are decently attired and not too disruptive, but many public spaces—usually those whose contents receive routine attention from multitudes—are accessible to us only as spectators. The flip side of this logic is that the spectators need not themselves be in the public sphere: one can watch television, look out of the window, or search governmental records through the Internet in the privacy of one's house.

The *public sphere* is thus a generic term denoting all virtual or real spaces, the contents of which obtain general visibility or audibility. These spaces are public spaces—space meaning any container of signs that can be sensorily accessed with or without mediation. It is general sensory access to it that makes a space public. By general, I mean access by those who are strangers to each other and to those who are physically or representationally in the public space—even though there may be restrictions as to which strangers can have sensory access to a given public space, such as age restrictions for R-rated movies or citizenship restrictions for access to the national archives. Even spaces designed explicitly to create public opinion can only do so to the extent that their content is generally visible—and not to the extent that all participate in these spaces with civic intentions or civility. And since the communications that public sphere scholars study occur in spaces characterized by general sensory access, even if we wanted to study exclusively ostensibly civic or civil discourse, this would require understanding the logic of visibility and audibility.

The Semiotics of General Visibility

The public sphere involves a space, but not necessarily a physical one, and it is public only insofar as it contains signs that are generally accessible by spectators. Hence, the public sphere is a space of signs, and its theory must be semiotic. Public spaces differ in terms of their primary function. Some of them, such as streets, permit physical presence; while their *raison d'être* is not providing semiotic phenomena, once one physically accesses them one cannot help giving off signs. Other public spaces (for instance a museum or the Internet)

mainly exist to provide signs to strangers who have sensory access to them. Another distinction is whether access depends on technology. Public spaces also vary in terms of their sign content (visual or auditory) and those who usually have access to them.⁸ Regardless, all such spaces have common semiotics shaping the relationship between their contents and those who see or hear them.

First, the governing principle of the public sphere is that its contents are subject to spectatorship.⁹ A spectator is someone who does not have to be involved in what he sees; even when that happens—as when the spectator reacts with indignation to a wrongdoing—he acts as an outsider. Such spectatorship is frowned upon in the private world, where we are expected to be subjectively, personally involved in others. This is antithetical to the objective, distant attitude that we have a right (and are normally expected) to adopt with strangers in the public sphere. The gaze of strangers can compel us to be civilized and altruistic; it can equally falsify our conscience and behavior.

Second, the public sphere is the realm of appearances: in public, we are simply what we seem to be. Since we interact repeatedly with intimates in the private sphere, we do not rely on impressions. Contrarily, spectators' judgment is based on appearances; internal states matter less. The role of intentions in liability correlates negatively with the social distance between an actor and his audience (Black 1993). The dependence on appearances stems in part from high information costs. Moreover, the opinion of our audiences, once formed, will fast become obdurate. We thus discipline our appearances in public spaces, where action and speech call for formality and etiquette (Fisher 1981; Goffman 1963; Lofland 1973) along with a continual effort to be not misunderstood.

Third, people who appear in the public sphere instantiate types or represent groups for spectators—this synecdochic tendency being the stronger, the more social distance there is between those who appear and those who watch. In the private sphere (as at home or in a personal letter), *per contra*, we delve deep into each others' souls. And we relate to intimates in singular terms: they are not fungible, and it is cognitively and morally hard to reduce them to a type (Boltanski 1990). The tendency to make generalizations stems in part from a rational reaction to imperfect information and from availability heuristics. Profiling is rife in the interactions and assessments among strangers. Consider the visceral inclination of frustrated drivers caught in L.A. traffic to relate to each other in ethnic stereotypes (Katz 2001).

These semiotics have complex moral implications. Action geared toward the welfare of strangers usually requires public spaces. Yet the public sphere is a superficial world: it reduces singular beings to appearances and types. There is an elemental inauthenticity to it, for publicness transforms all action into performance: insofar as it is public, all purportedly civic-minded action or talk can seem staged (Arendt 1958:74). All virtues displayed in public, except courage, are inherently disputable.

PUBLICITY

Another way to define the public space is to say that it is any area the contents of which can be subject to publicity. In effect, publicity is what most makes the public sphere sociologically relevant: consequential events in public usually obtain publicity, and publicity momentarily impacts the events themselves. But we should not confuse publicity with communication, as the dominant approach does (e.g., Emirbayer and Sheller 1999:733). Publicity is not the serial transmission of information or something being known by a lot of people. It is also different from publicness—simply being in a public space. By publicity, I mean attention on a focus by a public—a collectivity consisting of strangers who realize each other as the spectators of the same thing: for example, the members of a crowd watching an accident on the street or readers who read about a controversy in the newspaper.

Actual publicity does not always occur in a given public space. Unless they are famous, exceptionally important, or eye-catching in some respect, the contents of a public space will receive little or no publicity. Information in government archives is rarely widely publicized, because there is so much of it and because it is not attention-grabbing enough. Moreover, most of us abide with norms that discourage looking too conspicuous to strangers, and those who notice untoward attire or comportment may exercise civil disattention. Still, the contents of a public space can always ipso facto be subjected to publicity. In some spaces, which are explicitly designed with publicity in mind, such as television or Congress, things appear as a matter of course to an already constituted audience. And the more publicity a public space is expected to receive, the more central that space within the general public sphere will be. An event, by prompting collective attention, can construct a public, too: an accident will transform pedestrians into a public, however fugacious and contextual. In contrast with spaces with an ongoing audience, publicity in some areas is in posse, difficult to attain due to coordination problems. Many other public spaces, such as suburban streets or sylvan spots, are typically deserted. But even there we may still control our appearances because we are timorous of publicity—always a possibility in the public sphere, this possibility indeed being its very quiddity.

Publicity in actual spaces, such as a court, is direct; in virtual places like newspapers, it is mediated. Publicity also varies by audience size, organization, and interest. It varies by duration. Despite all these variations, publicity has two general and interdependent elements: (1) common knowledge—the situation where everyone knows that everyone knows that everyone knows . . . —among spectators and (2) the asymmetry between the focus and spectators.¹⁰ Even when publicity does not reveal new facts, the common knowledge that it generates imparts facticity and unavoidability to what each spectator privately knows, while asymmetry can erect a sharp inequality between the focus and others. Thanks to these two elements, publicity accentuates the semiotics of visibility—the spectatorship effects, the reduction to appearances, and the tendency to generalize. But publicity has autogenous effects, too: it can make and unmake groups just as it can increase or decrease social standing.

The Collective Effects of Publicity

Publicity can create groups by transforming isolated individuals into a public—a collectivity united by a common focus. The relationship between the rise of print capitalism and nationalism (Anderson 1983) is probative of this. Attention on the same thing can also strengthen commonness and solidarity in existing groups, especially through collective emotional entrainment (Collins 2005). Publicity is thus a core ingredient of rituals. Knowing that others are experiencing simultaneously the same emotion intensifies our own experience when we are listening to a joke or participating in a lynching. These mechanisms are operative in mediated publicity, but they take on full force in face-to-face contexts. Mimesis and collective effervescence among the audience will be stronger the more homogenous the audience is, the more visible its members are to each other, the more simultaneous their exposure to the focus is, and the more affectively powerful their attitude to the focus is. Publicity can also enhance collective action by solving coordination problems, such as the assurance game, a situation where a group member will only act if she knows that other members will do the same (Sen 1967).

Yet collective action spurred by publicity is not always beneficial to the group. Consider how, when publicized, alarming information about imminent danger would actuate a panic—a situation where the common knowledge of the shared focus incentivizes individual actions whose sum makes the group worse off.¹¹ Publicity can also reveal, and increase by this process, fears and uncertainties in a group and generate a self-defeating collective stance.

Ermakoff (2008) finds such processes at work in two tragic events: the March 1933 bill that allowed Hitler to amend the Weimar Constitution and the transfer of plenary political authority to Marshal Pétain in July 1940. Moreover, publicity can undermine an existing group if internal divisions are revealed unavoidably in the publicization process. For instance, when there is some preference falsification vis-à-vis an officially upheld norm, the publicity of its transgression can weaken the norm and the group, especially if there is no punishment and if the act encourages open disapproval of the norm. This is why transgressions committed in public are particularly troublesome for authorities. In Victorian England, even though homosexuality laws were underenforced as long as transgressions remained private (Greenberg 1988), the deliberate or negligent publicization of one's homosexuality was punished with extra ferocity (Adut 2008). If a transgression of any kind is repeated in quick succession with significant publicity and impunity, it will end up being normalized, especially if the audience is normatively heterogeneous.

The Status Effects of Publicity

Publicity can also significantly alter the social status of an individual by making him or her the focus of attention and by granting him or her opportunities to perform. The parity between a sole actor and a multitude of spectators aggrandizes: the bigger one's audience, the bigger one's importance—especially when attention is positive. It is, in effect, only through positive and widespread publicity that individuals will attain mythical, sacred powers. But attention is enhancing in itself. Public recognition is a signal yet oddly understudied asset in life, no less weighty than economic, political, cultural, or social capital.¹² Scholars want to be cited, presidents are preoccupied about their legacy, athletes seek fame, and marginal groups desire media representation. And recognition feeds on itself. Boorstin's (1961:217) quip that a celebrity is "a person well-known for his well-knownness" does not only apply to Paris Hilton. Any celebrity, from Einstein to Mozart to George W. Bush, will also be known for being known, since laymen will be hard-pressed to ascertain for themselves whether the famous deserve the attention they get. Their being known will always give us a reason to take note of people.

What if the attention is negative? Negative publicity can humiliate the focus—especially those with fiduciary pretensions. Even when the evidence is scant regarding a person's wrongdoing, those who watch the focus can still act on the assumption that he is guilty—especially if the watchers are visible to each other—to signal rectitude to each other. The assumption of guilt is often less risky than the assumption of innocence. Moreover, due to the semiotics of general visibility, which are amplified in situations of publicity, the accused party will often represent a negatively stereotyped group—this further lowering evidentiary standards. But while he is being damned, the focus is also getting attention. If the focus has been an unknown entity, if the consensus regarding him is due to preference falsification, if his act seems courageous, or if he is shameless or has the gumption to make hay of his notoriety, the pros of attention can trump the cons of disapproval.

In many instances, attention is neutral in the beginning, and publicity offers performance opportunities whereby the focus can acquire honor by signaling rectitude or courage. One signals rectitude by following a norm in public at a visibly high cost. We can equally morally upgrade ourselves by successfully attacking a higher-status person, for publicity would allow us to signal courage to spectators. Furthermore, to the extent that our public challenge is recognized, the attention that spectators accord us lets us effectively establish equivalence with our opponent—in addition to leaching onto his fame. For obscure artists and marginal political actors, simply being known—amid the multitudes of anonymous competitors—confers great advantages. The lower the level of normative consensus in a social field, the

higher the level of competition in it and the vaguer its criteria of success are, the more being noticed by multitudes will be arduous and essential to success, and the more likely that actors will seek notoriety through provocative moves in public. But performance in public is risky: publicity will degrade the focus if he acts in a way that bespeaks of cowardice or lack of control—things that publicity will itself make more likely.

PUBLICITY AS RESOURCE AND CONSTRAINT FOR POLITICAL ACTORS

Like most significant social practices, art, politics, and justice take effect partially in the public sphere, with varying levels of publicity. These practices retain their proper logics. And they are not completely public: artists paint in private, politicians cut deals behind the arras, and prosecutors cannot leak certain information during their investigations. Yet artists enter the public sphere when they exhibit, prosecutors when they plead in court, and politicians when they appeal on the stump to their constituencies. To that extent, their words and deeds (both in their production and interpretation) will be overdetermined by the semiotics of general visibility and the dynamics of publicity. The relationship between politics and the public sphere is particularly complex: not only publicity can be an invaluable resource or a redoubtable constraint for political actors, but the public sphere is also the object of political action. It is in part through political action that public spaces are regulated, and it is in part through politics that the visibility rules in society change. First, let us consider the uses and pitfalls of publicity.

All political actors from community organizers to presidential candidates seek publicity and exploit its collective and status effects. Publicity is obviously good to communicate ideas. But there is more. Political actors scramble for attention, chase after fame. They try to form groups around themselves. They strive for selfless reputations by concocting civic narratives, for courageous reputations by lacing into prominent Goliaths. Those who receive wide, constant, and favorable publicity are turned into quasi-sacred beings, representing ideals and groups.

Displaying courage or civic-mindedness is vital to attain power. Once one has power, however, holding onto it requires the actor to signal that he is indeed powerful by performances—demonstrations, royal progresses, perp walks, Roman triumphs, gay pride parades, and so on—designed to draw maximum publicity. Such performances do not necessitate physical presence; it suffices that power is represented in some way to the public. And these events are not always refulgent. Consider the public executions of early modern Europe, which, as spectacles inscribing the might of the avenging king on the body of the gibbeted convict (Foucault 1979), underscored the brawn of the central authority against peripheral rivals—as leviathans parceled the continent among themselves and monopolized the use of violence within their borders (Spierenburg 1984).

The opportunistic use of publicity in effect frequently combines self-aggrandizement with the derogation of others. One way to do this in the political arena is through scandal. Political actors try to undermine rivals by publicizing their wrongdoings with the hope that the event will generate widespread publicity. If the exposure seems courageous or if the denouncee is of higher status, the scandal will also elevate the scandalmonger. One can also cause a scandal through provocative transgressions in public, as in civil disobedience. Such acts can yield recognition and courageous reputations. Outsiders or lower-ranking actors are more likely to resort to this scandal type, even though the provocations of low-status people are less likely to be noticed.

A great deal of political competition—to the extent that it involves moral attacks—adopts the form of scandal, even when it is not explicitly named as such. And we cannot make sense

of scandal independent of the semiotics of general visibility. First, actors gain or suffer in scandals because of the way they appear. Second, apparent offenders, because of their publicness, stand for groups and categories. They can be discriminated based on their associations, or their disgrace can be extended to their groups. Political actors (from whistleblowers to congressmen) who resort to scandal exploit these characteristics: they publicize legally substandard evidence, they tarnish their rivals with the guilt of their groups, and they attack groups through their high-status members. Moreover, the logic of publicity is central to political scandal. Reactions to offenders are governed by how the publicity affects the meaning of their acts. Widely-known and tolerated things may pique harsh reactions once they are made common knowledge through publicity. For example, political finance in France during the twentieth century was mostly illegal yet accommodated. It was only when their financial dalliances were successfully publicized in the 1990s that French politicians suffered opprobrium (Adut 2008).

Publicity is a scarce resource. Access to its channels is unequally distributed and correlated with status. The more effective a channel, the less carrying capacity it will have. At the same time, publicity can prove a stumbling block for political actors.

First, the more political actors are getting publicity in the public sphere, the more their activities are transparent, and the more they will be judged by their appearances—over which they may have limited control. Because of their fiduciary pretensions, political actors need to appear uncorrupt because their audiences lack full information or expertise to confirm whether they have committed an offense and because appearing to do wrong can corrupt others. One's appearances should not "give scandal"—defined in Thomist ethics not simply as perpetrating a sin but as providing occasion for another's fall (Thompson 1995:227n–28n). Political actors may be stumped, frequently unfairly, by how their appearances are interpreted by audiences. The size and heterogeneity of the public that they are dealing with will call for prudence from political actors: the larger and the more diverse their public, the harder it will be for them to stabilize the meaning of their utterances. Hence their discourse will be vague, prosy, if not claptrap. Electronic media will further undercut political actors by rendering it hard to segregate audiences and say different things to different groups (Meyrowitz 1985). Thanks to innovations like YouTube, political actors cannot know for sure whether the performance they give in a public space to a certain public will not be reproduced in another public space, to a different public. But actually all performances are chancy, even for grandees. One reason why European authorities discontinued public executions is that the attending rabble could turn rampageous and barrack for the convict. In effect, public torture proffered the prisoner the possibility, if he exhibited mettle on the gallows, to reclaim his honor and even to become a martyr glamorized by broadsheets (Foucault 1979:67). While the spectacle was designed to underscore royal omnipotence by debasing the criminal, the ordeal could also make a hero of the latter (Masur 1989). Similarly, any whistleblower or congressman who denounces an alleged evildoer in public risks a come-down if he unwittingly reveals ill intentions or if the denouncee can retaliate with his own charges.

Second, the publicity that a political actor enjoys, while potentially glorifying and immunizing him in the short run, will also ultimately saddle him with unrealistically high expectations from the audience. This will often eventuate in dissatisfaction and distrust. And the less the public trusts a political actor (or his office), the more transparency will be imposed on him, the less control he will have over his appearance, and the more he will need to appear authentic. All political movements thus contend that they are artless, spontaneous grassroots occurrences, and all presidential candidates play the undesigning, idealistic outsiders against the cynical, malevolent Washington types. But authenticity is elusive. Appearing authentic requires much effort, which, when uncovered, vitiates the appearance

itself. In any case, all political actors—whatever their professed sentiments and rhetorical acuity—can always be suspected of showboating and harboring selfish agendas under virtuous veneers. And since politics, because of its highly public nature, selects for and fosters narcissism among its practitioners, audiences will frequently find their misgivings vindicated.

The Case of American Presidents

The public sphere and especially publicity are hence inherently ridden with paradoxes for political actors. Publicity accompanies and is essential to power, but under certain conditions it can also transmute into a cause of profanation. An example is the American presidency. Except extraordinary circumstances such as the Civil War, the presidency was a relatively weak office until the early decades of the last century (Lowi 1985). Most governance was state governance, and the federal government was indistinguishable from patronage politics. Presidents had little independence from the party machines. They had to make do with a meager staff, and executive departments reported to Congress. Relative isolationism further diminished the role of the president in the general polity. These factors made the presidency a not very visible office: only 20 percent of the political reporting in Washington was devoted to the presidency in the nineteenth century (Kernell 1997:70). And presidents were not allowed to go over the heads of the Washington elite to directly appeal to the people. When he barnstormed across the country during his impeachment trial to glean support against his congressional detractors, Andrew Johnson was widely slated as a demagogue (Tullis 1988:87–93).

Yet the American presidency eclipsed the political parties and Congress during the first half of the twentieth century, especially with the New Deal and the Cold War. Economic and administrative modernization coupled with the rising importance of foreign affairs increased the public's dependence on the presidency. Armed with expanded powers, the White House became the most prominent facet of government with the incumbent emerging as the unifying figure of the nation and the cynosure of public attention (Brace and Hinckley 1992). The percentage of reporting on the presidency soared to 80 percent in the early twentieth century. As they attained far-flung and intense publicity, presidents routinely circumvented Washington. The presidency now thoroughly plebiscitary, the incumbents' positive public image—measured and publicized continuously by polls—became the wellspring of all executive action. The high level of publicity that the presidency obtained sacralized the institution and redounded to the clout of the presidents in their dealings with the Washington elite.

Despite heightened attention, presidents could largely control the way they appeared in public. The moral integrity of the presidency was seen as a public good, and the press was fairly procumbent until the late 1960s. The private lives of presidents were presented in a flattering light; journalists kept silent about the mistresses of Harding, Franklin D. Roosevelt, and Kennedy (Summers 2000). Presidential withholding of information, in the form of executive privilege, became increasingly frequent especially after the Second World War (Schlesinger 2004). Since the Constitution does not make unambiguous stipulations regarding the confidentiality of executive documents, this issue has a strongly political component (Rozell 2002) and is closely linked to the general standing of the office of the presidency. From June 1955 to June 1960, Congress was denied information 44 times by the executive branch officials; the entire nineteenth century had witnessed fewer such cases than those five years had. The presidency ascendant, braced by strong public confidence, allowed the presidents to keep information from Congress. Both Truman and Eisenhower could, without any fuss, assert privilege against the House on Un-American Activities Committee on the issue of congressional access to executive information regarding the security files of government

employees. Even when a president grew unpopular, as in the case of Truman whose approval ratings plummeted to 20s at the end of his last term, the institution of presidency still commanded awe (Neustadt 1997:194–97) and retained its confidentiality prerogatives. Truman could claim privilege in 1952 even for those executive officials considered as security risks by his own administration (Schlesinger 2004:153–55). While presidents obtained high levels of publicity, many of their activities remained safely outside the public sphere.

But what served presidents until the late 1960s undermined them later. High publicity eventually led to high expectations, so presidents increasingly commenced their terms with high approval ratings and left office with low ones (Lowi 1985). An asset in a time of high confidence, high publicity became a liability with the burgeoning anti-authority ethos of the 1960s, which radicalized with Vietnam and Watergate. The percentage of those who reported to be trusting government officials all or most of the time dropped from 76 percent in 1964 to 53 percent in 1972. In 1958, 24 percent of Americans believed that the government was run by crooks; this figure rose to 32 percent in 1970, 36 percent in 1972, and 45 percent in 1974 (American National Election Studies). As a result of declining trust and increasing suspicion of wrongdoing, more and more of the operations of the presidency were pushed onto the public sphere. The White House was subjected to intensified surveillance and subpoena powers from independent counsels (Garment 1991), and Congressional oversight activity escalated (Mayhew 2005). The Supreme Court waxed disrespectful of White House's privacy claims. The presidential efforts to assert executive privilege, regarded by a leery Congress as deceitful maneuvers, failed. Some presidents felt compelled to disclose even personal documents: Reagan voluntarily turned in his diaries during the Iran-Contra investigation. Clinton was forced to testify about his sex life. The exigency of transparency extended to all executive officials with the 1976 Government in the Sunshine Act and the 1978 ethics legislation.

Presidents found it increasingly difficult to master their appearances. Transparency, resulting from distrust, led to further distrust. As confidence in their office cankered after Vietnam and Watergate, presidents were impelled to invest in impression management (Maltese 1992): the only job of more than 30 percent of the White House staff during the Carter administration was dealing with the media (Grossman and Kumar 1981). Constant polling to monitor the image of the president became part and parcel of executive governance (Edwards 1996). All this, however, not only deprives presidents of resources that could otherwise be expended to govern. The imperative of impression management in a miasma of distrust also renders presidents susceptible to inauthenticity accusations (Hecl 1996) and encourages them to resort to deceit, which, when uncovered, only confirms public distrust. The more one is forced to manage one's impressions, the less one can deliver, and the more inauthentic and deceitful one risks looking.¹³ The percentage of those who had a great deal of confidence in the White House fluctuated between low teens and mid-30s from 1972 to today, with the exception of 2002 and 2003—50 and 40 percent, respectively, thanks to 9/11 (Harris Poll).

THE POLITICS OF THE PUBLIC SPHERE

The public sphere is not only the semiotic container of political activity. Insofar as their contents are concerned, public spaces in society are also both the objects of state regulation and stakes in political conflict—matters overlooked by the dominant approach. Political activity thus shapes the public sphere through and through. Interest and ideology affect the behavior of states and other political actors as they fashion the contents of public spaces. But these actors are also constrained by visibility norms, which themselves are in part the products of large-scale structural and cultural transformations.

The State Regulation of the Public Sphere

All governance entails censorship. The potentially disruptive effects of audibility, visibility, and especially publicity prod states to restrict the sensory contents of public spaces such as streets, newspapers, national archives, parliaments, strip clubs, prime time television, and courts. Consider American laws regarding privacy, public decency, defamation, fraudulent advertising, broadcasting, suggestive material in the workplace, crying fire in a crowded theater, flying the Confederate flag, public advocacy of imminent lawless behavior, restriction of speech in airports, or testimony. As a result, political actors cannot seek and exploit publicity completely as they please.

Laws curtailing the contents of public spaces are often propped up by utilitarianism: certain images or words are deemed harmful to specific audiences (e.g., minors) or individuals (e.g., defamed citizens)—this exceeding their benefits (Posner 2001). Spaces obtaining extensive publicity (e.g., primetime television) are more regulated to protect vulnerable audiences (e.g., children). By contrast, pornographic Web sites, being subject to audience restrictions, suffer minimal regulation. Harm is often a product of publicity. Shouting fire in a crowded theatre is unprotected because it is an instance where common knowledge, instead of solving a collective action problem, engenders an acute one, a panic. Harm can even be quantified: in libel cases, public falsehood is assigned monetary value.

But utilitarianism is inadequate in accounting for censorship. The issue is often symbolic or emotional—as in publicly denying the Holocaust in Europe, uttering coarse words on American radio, or sunbathing nude. The differential regulation of public spaces is also shaped by the meanings and prestige of public spaces in society. The confederate flag cannot be flown from public buildings but can be displayed in front of one's home; profanity and even informal speech are banished from high-status media. Peripheral, lower status spaces are, however, not always laxly regulated: a parochial private college will have an easier time restricting hate speech than a prominent state university will. Similarly, libel laws are inoperative in Congress. Artistic public spaces like museums enjoy high symbolic legitimacy, and it is there where content too scabrous for lower-status spaces, like subway walls, can be presented.

There are also properly political factors underlying the regulation of the public sphere. Political philosophy matters. Nonliberal regimes naturally regulate more: medieval European governments controlled urban visibility by sumptuary codes, and the Elizabethan Star Chamber abrogated all public criticisms of state officials—the veracity of the utterances exacerbating their criminality (Riesman 1942:735). Heresy was a crime in premodern times. By contrast, liberal states are more latitudinarian of appearances on the streets (even though streaking is actionable and red light districts are demarcated) and of dissident speech. Some transparency is obligatory for legitimacy in constitutional regimes, but we also find significant variations among liberal democracies regarding the extent to which state operations are in the public sphere. These stem from political and legal traditions. States with deeper bureaucratic pasts, such as France, are more opaque than their Anglo-Saxon counterparts. The United States and the United Kingdom, both common law countries, treat libel disparately. Public figures have little protection in the first country: after the Supreme Court's 1964 decision *New York Times v. Sullivan*, plaintiffs have to prove malice on the part of defendants. While racist speech is protected in the United States, it is not in Germany, and those who gainsay publicly the Holocaust in France bear penalties. There are international differences regarding the classification of official documents: the British Official Secrets Act authorizes more secrecy than what is enjoyed by the American government (Posner 2006:108). To prevent a "prior restraint on speech," the *New York Times* was given imprimatur to publish the Pentagon Papers in 1971, even though the documents were classified.

We find variations within individual countries, too. The disclosure rules in politics change: dissident speech is less countenanced wartime, and military conflict boosts deference to institutional authority among the citizenry, which then translates into heightened accommodation of the privacy claims of public institutions (Stone 2004). Consider how presidential privacy distended after September 11. The Harris poll recorded that trust in the White House climbed from 21 to 50 percent; shortly after, Bush signed an executive order that authorized former and sitting presidents to claim executive privilege over their own papers and those of a past administration. Thanks to signing statements, Bush could also constrict the inspectors general's reporting to Congress on the Iraq war (Drew 2006).

Political Struggles over the Contents of the Public Sphere

The more the harms of publicity are indirect and not across the board, the more the content regulation of the public sphere will be fraught with politics. Political domination is often achieved through controlling the visibility of groups, as it is the case in gender control in parts of the Muslim world. In some Middle Eastern societies, women are sequestered to the private sphere and coerced to practice purdah in the public sphere (marketplace, streets, etc.) so that they do not appear to male strangers unless veiled. Veiling is underpinned by discourses that either impute perturbing powers to the public appearance of femininity or sanctify a womanhood that cannot be but defiled by the lustful gaze of the male stranger. Women may voice such arguments, too, and veiling can ironically enable some of them, who would otherwise be cloistered to domesticity, to venture into the public sphere and even into political action there (Göle 1997) with their virtue intact. Nevertheless, for many women veiling is oppressive. It can have a class component, too. Polygamy, which is common in many Muslim countries, reinforces the dominium of affluent men by allowing them to monopolize women and thereby the means of reproduction. It also, however, yields a surfeit of sexually frustrated low-status men without the wherewithal to get married and high monitoring costs for husbands with multiple wives. Thus purdah, by desexualizing women, mitigates the perils that polygamy induces for magnates.

Political actors of all hues clamor for changes in visibility rules to secure access for themselves and their groups to spaces that enlist large publicity. They demand to be seen and heard, and those who are thus represented acquire confidence and strong identities. Struggles for attention are the hallmark of contemporary identity politics. The spokespeople of minority groups in the United States protest their invisibility in central public spaces such as television, Congress, and elite universities. Gay and lesbian groups, by making their lifestyles more visible, endeavor to legitimize what was previously deviant. High visibility can normalize if the public space where it happens is a central one—due to high publicity or symbolic prestige. Increased visibility can also signify enhanced power for authorities or social actors with political aspirations.

But the relationship between power and visibility is complex and nonlinear, not just for high-status political actors like presidents but also for social groups. Even though marginal groups in contemporary democracies often demand visibility in the public sphere for empowerment, in more repressive contexts visibility can undermine already stigmatized groups. Anti-Semitism, for instance, rose in nineteenth-century Europe as Jews became more visible in the public sphere with urbanization and emancipation (Friedlaender 1997:73–80).

Political conflict often involves the visibility of things as much as of people. And it is often through political conflict that the visibility or audibility of something in a public space is defined authoritatively as a benefit or a harm. In effect, conflicts over what should and should not be seen and heard in public spaces are central to politics. Some

conservatives and feminists, for example, denounce pornography, whereas liberals lament the omnipresence of violence and discriminatory language in the movies and other loci. Most crusading entails pushing for censorship in a public space. Raunchy literature about contraceptive devices circulated freely in much of the nineteenth century (Starr 2004: 236) until the Comstock Act of 1873 prohibited the mailing of such material and ushered in widespread, state-enforced censorship. Or consider how the progressive movement helped establish the secret ballot, driving voting out of the public sphere.

But political actors do not only restrict visibility. Sexual politics, for instance, has greatly expanded the content of the American public sphere. Since the seventies, a passel of actors—feminists, gay and lesbian activists, avant-garde artists, and mainstream politicians—have been politicizing sexual matters. But sex can only be properly politicized if it is already public. Sexual politics has therefore assaulted the conventions that had formerly kept sexuality out of public view. At the forefront of the struggle, feminists placed the public expression of sexuality at the heart of women's liberation. Their watchword "personal is political" was oriented to neuter the shame shrouding sexuality so that women could openly discuss their biology. Privacy norms were decried for sheltering enormities like marital rape and sexual harassment. Moreover, feminists averred that interpersonal and domestic issues were categorical and public ones (MacKinnon 1987). Since a man's domination over a woman in the private sphere simply instantiated men's domination over women in general, interpersonal and domestic life could claim no exemption from public scrutiny. Sexual harassment laws thus retrenched the privacy protections of erotic encounters—much to Clinton's dismay when he was dragooned to testify about a workplace affair, his prevarication eventuating in his impeachment. Gay rights groups further sexualized the public sphere with practices like coming out, which is not only the emancipatory act par excellence for the individual homosexual, but also aims to normalize, and even celebrate, homosexuality. Such publicization can be waged aggressively, too—as in the outing of homosexual politicians who do not endorse gay marriage. Sexual politics has not only been deployed by anti-establishment forces: countless politicians have exploited the atrophy of modesty by publicizing their private lives to humanize themselves or assert moral superiority over rivals.

How Visibility Norms Can Constrain Political Action

Political actors attempting to change the contents of the public sphere are constrained by modesty and reticence norms. These are particularly strong in puritanical cultures and mold political activity. Victorian modesty trammelled moral crusades: the anti-prostitution campaign that the irrepressible William Thomas Stead embarked upon in *Pall Mall Gazette* was lambasted by the London establishment as shameless (Terrot 1979). Even though Victorians condoned underground pornography (Marcus 1975), both Shakespeare and the Bible had to be expurgated of their crudities, elite newspapers were discrete about carnal matters, legal officials underenforced sex laws to forefend scandals, and adultery scarcely figured in the English novel (Adut 2008; Leckie 1999).

Such norms can even constrain states: one reason for the disappearance of public executions in modern Europe was the attitudinal change toward the publicity of suffering (Gatrell 1994; Spierenburg 1984). A master process within the Western modernization was the gradual elimination of death, violence, and pain from the public sphere, especially from spaces receiving high publicity (Ariès 1976; Elias 1982). The feudal Europeans were much less squeamish than us (Huizinga 1954); public executions in the sixteenth and early seventeenth centuries were festivals featuring disfigurement and mutilation. But with modernity the bourgeoisie grew fussier: cemeteries migrated to the outskirts of cities, and death became a private event. Public punishments from executions to the pillory were now perceived as

antithetical to a dignity that even the most horrific criminals had a right to. Sloughed off its truculent trappings, punishment eventually disappeared out of sight.¹⁴

How Visibility Norms Change

Political actors cannot change the visibility norms at will; audience attitudes need to be favorable, and attitudes themselves are in part the products of organizational and cultural transformations. We see this again in the rise of sexual politics. The sexual liberalization of the 1960s, which set the stage for the victories of sexual politics in the subsequent decades, stemmed from macro developments: young demographics, increasing female participation in the labor force, and the ideology of expressive individualism came together in the 1960s to weaken the traditional sex norms. Only less than a quarter of Americans approved of premarital sex in late 1950s; by the late 1970s, this was the percentage of those who found such activity to be wrong. Marriage age rose; fertility rates tumbled down; divorce and cohabitation rates skyrocketed from the sixties onward, debilitating marriage as the normal living arrangement. A far-reaching, albeit not always recognized, upshot of the growing autonomy of sexual activity from the nuclear unit was the hiking demand for sexual content in the media (D'Emilio and Freedman 1988). Sexual liberalization also commenced to enfeeble the modesty and reticence norms, which had hitherto kept high- and middle-status media with high publicity by and large innocent of explicit material. Sexual politics would radicalize the carnal content of the American public sphere from the 1970s onward, but the sexualization process had already made major strides by then; it was in the course of the 1960s that sexual material started to flood the American media. As late as 1962, one could not say "venereal disease" on national television (Sabato 1993:82). By contrast, the American media furnished a smorgasbord of racy material from the second half of the 1960s onward. The mainstream press abandoned circumlocution in sex talk, and popular music sprouted out explicit lyrics. A rarity in the twentieth century prior to the Chappaquiddick affair of 1969 (Collins 1998; Summers 2000), sex scandals regarding political figures came to gut the front pages of newspapers. Nudity became common staple in Hollywood. Commercials turned ever more suggestive, and television followed suit (Lichter, Lichter, and Rothman 1994). American law gave the go-ahead to the sexualization of the public sphere. Even though the Supreme Court had continually contracted the scope of obscenity from its *Ulysses* decision in 1933 until the early 1960s, the legitimation of the public representation of sexuality was contingent on artistic intent. But as the Warren Court asserted the appositeness of sex for general consumption, what was formerly restricted to fringe, *infra dignitatem* precincts (underground pornography, red light districts, etc.) diffused into the center of the American public sphere. It was the attenuation of modesty and reticence, caused partially by the organizational and cultural factors discussed previously, that enabled the unfettered politicization of sexual matters in the public sphere during the 1970s. Sexual content had to have already made significant forays into public spaces, as a result of changing public attitudes, before it could be successfully politicized by norm entrepreneurs. But, of course, politicization quickened the erosion of modesty and reticence. The sexualization of the American public sphere was further hastened by technological innovations in the following decades that decreased publicization costs and facilitated access.

CONCLUSION

The semiotic theory presented here has both phenomenological validity and social scientific utility. It is realistic. Unlike the dominant paradigm, it is not predicated upon imponderable motivations or habitually breached dialogue etiquettes. It conceives the public as a collection of strangers whose attention is fixed on the same thing, emphasizes the activities of the

elites, and corresponds to a real and well-demarcated object. It brings to the fore the essential spatial dimension of the public sphere, which is assumed but inadequately analyzed by the dominant approach, while showing that the space in question is a semiotic one—proposing thereby a unified framework for understanding all kinds of significant events and communications in a wide array of public spaces. This framework, based on the semiotics of general visibility (with its tendency to reduce the world to types and appearances) and publicity (with its constitutive elements, common knowledge and asymmetry, generating various collective and status effects), allowed us to derive many causal arguments regarding political behavior in and about the public sphere.

Many scholars within the dominant paradigm collapse the public sphere with the civil society. A few make a differentiation, such as Calhoun (1993:273), who, in a very sophisticated analysis, conceptualizes the public sphere as the “operationalization of civil society’s capacity for self-organization.” But even then the public sphere is subsumed within the parameters of civil society. The result is that the public sphere risks being reduced to another phenomenon; visibility and publicity, things that affect and concern all political actors and communications, are ignored. I have uncoupled civil society from the public sphere in this article, because Congress, a municipal park, national archives, and a court of law—which are obviously not civil society—are all unambiguously public spaces. This uncoupling also enables us to not conflate two important and independent types of conflict: those among groups in civil society and those around visibility in public spaces by all kinds of actors.

Further work on publicity would add to our understanding of norms. The strongest prescriptive norms involve taboos, very important phenomena curiously ignored by sociologists. Anthropologists have usefully argued that a taboo is a dangerous entity to be avoided (Douglas 166; Frazer 1994) that can be sacred as well as profane (Steiner 1956). The name of God is, for example, indelible for Jews. Nevertheless, theorists have not been sufficiently cognizant of a key difference between taboos and other prohibitions: even a sensory encounter with the representation of a taboo can be hazardous. And many acts interdicted by taboos can be committed in private, as it is the case with those pertaining to nudity and the use of profanity. Malinowski (1926:80) reported that Trobrianders could brook even incest as long as it was not openly denounced. Taboo is therefore intrinsically linked to publicity. It is after all the most vital functions routinely discharged in private (e.g., defecation) that are surrounded by the strongest taboos, which severely restrict their publicization. Sex taboos also differentiate between the proper and improper public representations of sexuality, and their contravention is often equally shameful for audiences. This reveals another characteristic of taboo: inasmuch as the violation is public, the intention of the violator becomes immaterial. Take, for instance, “nigger,” a contemporary taboo word, which cannot be uttered in public, even to condemn its racist use, unless one is black. These properties of taboo suggest that theorizing publicity is pivotal to an adequate sociology of norms.

The theoretical stress on visibility and publicity also enhances our grasp of culture. Many sociologists of culture, justifiably, study signs organized in texts or systems. But meaning often transcends discursive or paradigmatic structures. The publicity of a transgression, for instance, will transform the meaning of that transgression and often make it seem far more serious. Before his trials, Oscar Wilde, whose homosexuality was a much bruited open secret during the early 1890s, was the beloved of London society; afterwards, he became an outcast (Adut 2008). According to the theory advanced here, whether a sign is publicly available, whether it is successfully publicized, as well as the specific space in which it is displayed will significantly affect its signification and effects. This is a correction to the usual semiotic theories, which, by focusing either on the relationship between a sign and its receiver or on the relationship among signs, ignore the role of visibility and publicity in the production of meaning.¹⁵

The semiotic theory captures a crucial yet understudied component of any society: the regulation of visibility and audibility. Political power shapes the public-private distinction by determining the contents of public spaces. And much of political conflict revolves around the contents of public spaces, especially those receiving high levels of publicity. The theory thus brings censorship to the fore both as a signal mechanism through which public spaces and their audiences are regulated and as a tool in political conflict. It also makes a contribution to work on symbolic politics. Scholars in this field are often content with studying how powerful groups make authoritative, performative definitions of things. What is missing is how censorship—struggles over the contents of public spaces—is a central element of symbolic politics. We need more research on censorship, a social fact usually neglected by sociologists that is central both to symbolic politics in civil society and to political governance in general.¹⁶

Sociologists often emphasize the constitutive power of language. But when they write about language, sociologists usually refer to ideology and not to concrete speech acts enunciated in particular circumstances. Reduction of language to ideology prevents us, however, from determining when words matter and when they do not. By contrast, a good way to find this out is to study when collectivities sanction utterances. Censorship reveals much about the power of language and the culture of a group. But censorship can only be understood by understanding the semiotics of visibility and audibility and the effects of publicity.

The framework adopted here empowers us to tackle many focal and understudied issues in public life by stressing the complex, contradictory, and nonlinear effects of general visibility and publicity on political actors, social groups, and institutions. I tentatively proposed some mechanisms, but more work especially on how and when visibility can degrade and victimize or enhance and empower individuals and groups is a desideratum. So is further research on the different forms of representational (indexical, iconic, or symbolic) access to the public sphere. I have in this article focused on general visibility at the expense of general audibility. Future research should, however, emphasize the differences between audible and visual access, especially with regards to censorship.

The effects of visibility and publicity on institutions are also understudied but central issues in public life. The perspective adopted in this article underscores that the public sphere is not always good for liberal democracy.¹⁷ Full-blown transparency discourages bold decisions and fosters formulaic department among state officialdom and politicians (Anechiarico and Jacobs 1996). It makes it harder for political actors to strike bargains and achieve compromises (Garment 1991). The highfalutin discourse of democracy with openness as its sacrosanct value is incongruent with the hole-and-corner wheeling and dealing that democratic politics cannot do without. Moreover, legislators who vote in public—by acclamation, roll call, or show of hand—will also be especially susceptible to special interest pressures. High transparency can profane political institutions—instead of dispelling doubts about their activities—by decreasing politicians' vulnerability to scandal. The proliferation of scandals will weaken public confidence, which can harm the public itself as some trust in government is a public good. It is not a fluke that the two public institutions still enjoying high prestige, the Supreme Court and the military, are the very ones that have had more success in keeping their operations out of the public sphere and that the most transparent branch of government, Congress, is also the one with the lowest social esteem.¹⁸ This article proposed various mechanisms through which transparency fosters distrust, but the evidence provided was decidedly limited. More research on the structural conditions under and processes through which transparency will generate distrust is salutary. Another issue that calls for additional scholarship is when authenticity becomes a concern in public life and how it can be signaled convincingly by political actors.

Politics is not the only activity molded by visibility. Consider also law. Much of the judicial process is public in Western democracies. Visibility ensures the rights of the accused,

checks the illegitimate politicization of the judicial process, and renders legal actors accountable. It makes it difficult for authorities to burke the misprisions of the high and mighty. But the public sphere is not an unalloyed blessing for justice. The more publicity a trial gets, the more it risks transmogrifying into a circus where appearances trump actual evidence and social types individuals. More research is necessary to understand how visibility affects practices like law, art, justice, and economy.

Finally, the semiotic public sphere theory contributes to the study of citizenship. The dominant approach to the public sphere is either silent or sanguine about the effects of visibility on citizenship. This is problematic. Circulation of information and access to public venues where one can criticize government officials are vital for liberal democratic governance. But intensified citizen activity in public can intensify polarization (Sunstein 2001). In states that allow public registration of party affiliation, rates of partisanism are higher (Harvey 1999). Michael Young (2003) shows that the golden age of American associational life touted by Tocqueville had a dark side: the antebellum conflict between the evangelical sin societies and fraternal associations was a key cause of the Civil War. Compulsory publicness of citizenship activities smothers dissent, too. It is the hallmark of authoritarian governments that they require their citizens to vote in public and engage in civic participation. It is because the public sphere can make the voter knuckle under social pressure or allow her to commodify her vote that we have the secret ballot. Transparency is a control technique used both by governments and forces in civil society. For instance, as the French Revolution radicalized, show of hand supplanted secret voting. Mandatory participation in ceremonies along with public confessions and purges further publicized citizenship during the Terror. These examples suggest that citizenship can be adequately explained only if we consider its spatial context and visibility.

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NOTES

1. Quoted in Emirbayer and Sheller (1999:45).
2. Alexander's civil sphere is, for example, monopolized by progressive movements (Wolfe 2007).
3. Baiocchi (2003:65–66) notes that community meetings can be used for reputational ambitions. But he sees this as antipodal to the essence of the public sphere, which, according to him, is "public-spiritedness."
4. Alexander (1989) should be commended for studying performances in the "civil sphere." His focus is nevertheless the civic-minded discourse (especially its moral categories and heroic narratives) that undergirds performances. Moreover, performances that change society are very often uncivil.
5. Some public sphere scholars have written on scandal, but usually by purging the phenomenon of its unsavory nature. Consider Alexander (1989) who argued that Watergate was a ritual of renewal in which the moral categories of "American civil religion" were reaffirmed. This perspective glosses over the self-interested, partisan, and uncivil actions and reactions by everybody during the scandal. Watergate was lived as a disruptive, sordid affair: Ford took office by saying, "Our national nightmare is over," and most Americans agreed. Far from renewing civic values, confidence in public authority declined both during and after Watergate (Adut 2008:99–128).

6. Despite these issues, some dominant approach scholars have nevertheless produced extremely insightful work. Take, inter alia, Lichterman's (1999) trenchant analysis of discourse in identity politics. There are also many excellent works on civil society that occasionally borrow dominant approach terminology. Consider Ikegami's (2005) wonderful analysis of aesthetic networks in premodern Japan, Cohen and Arato's (1992) sophisticated theorization of civil society, Mische's (2009) brilliant study of youth activism in Brazil, and Benson and Saguy's (2005) remarkable comparison of the American and French media.
7. As Benhabib (1992) points out, Arendt (1958) works with two models. The first is topographic, conceptualizing the public sphere as an agonistic space where greatness is achieved and displayed. My theory has affinities with this model—even though I argue that political competition is not the only activity that can be undertaken in the public sphere. Arendt's second model involves an associational space—any place where citizens act in concert. This republican model, a cognate of the Habermasian one, is fashioned after Ancient Greece. But it minimizes the insidious side of publicity: there was intense pressure for conformity among the Greeks, for whom ostracism was a common punishment (Finley 1983)—this not comports with Arendt's claim that the public sphere is the realm of diversity. The Greeks were themselves acutely cognizant of how agonistic politics fostered temporizing and demagoguery.
8. One is more visible than audible in physical public spaces. We are audible only when we speak, whereas we are visible when we just are—even though speech produces more direct and less equivocal meaning than visual signs (Barthes 1967). We can thus have an intimate conversation in a café, provided that we do not shout; it is harder to appear in intimate get-up in the same space. The expectation of privacy in the public sphere therefore applies to our voices, not appearances, as we are entitled to pockets of private verbal spaces within larger visual public spaces.
9. Because the content of most public spaces is at least partially visual, and for simplicity's sake, I will hereafter use the terms *spectatorship*, *spectator*, and *visibility*, when *auditorship*, *auditor*, and *audibility* are also involved. My general claims would, on the whole, also apply to public spaces that only admit of auditory content.
10. Excellent work on common knowledge includes Centola, Willer, and Macy (2005); Chwe (2002); Collins (2005); Correll et al. (2012); and, in particular, Zuckerman's (2010) ingenious account of the recent real estate market bubble.
11. A similar dynamic often occurs in scandals. We may all prefer to ignore a well-known transgression. Yet blinking at it will be difficult once the transgression is made public as this could now make each of us look bad in the eyes of the others. One therefore displays zeal toward the offender only to signal resolve or rectitude to others—this ratcheting up reactions through a self-feeding process. The more homogeneous the public, the more visible its members are to each other, the more potent this propensity will be.
12. An important exception is Gamson (1994).
13. See Kurtz (1998) for anecdotal evidence.
14. This process was helped by the successful centralization of political authority, which rendered violent displays of power to internal contenders, a potential stimulant of urban disorder, less necessary.
15. An important exception is Swidler (2001:168–169).
16. An important exception is Beisel (1997).
17. Important work eluding facile correlation of the public sphere with liberal democracy includes Koselleck (1988) and Wickham (2010).
18. See figures in <http://www.pollingreport.com/institut.htm>.

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