

The Societalization of Social Problems: Church Pedophilia, Phone Hacking, and the Financial Crisis

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Abstract

This article develops a theory of “societalization,” demonstrating its plausibility through empirical analyses of church pedophilia, media phone-hacking, and the financial crisis. Although these strains were endemic for decades, they had failed to generate broad crises. Reactions were confined inside institutional boundaries and handled by intra-institutional elites according to the cultural logics of their particular spheres. The theory proposes that boundaries between spheres can be breached only if there is code switching. When strains become subject to the cultural logics of the civil sphere, widespread anguish emerges about social justice and concern for the future of democratic society. Once admired institutional elites come to be depicted as perpetrators, and the civil sphere becomes intrusive legally and organizationally, leading to repairs that aim for civil purification. Institutional elites soon engage in backlash efforts to resist reform, and a war of the spheres ensues. After developing this macro-institutional model, I conceptualize civil sphere agents, the journalists and legal investigators upon whose successful performances the actual unfolding of societalization depends. I also explore “limit conditions,” the structures that block societalization. I conclude by examining societalization, not in society but in social theory, contrasting the model with social constructionism, on the one hand, and broad traditions of macro-sociological theory, on the other.

Keywords

social problems, social crisis, civil sphere, church pedophilia, phone hacking

In this article, I theorize eruptions in the boundaries between civil and non-civil spheres. I elaborate this model with reference to two recent social crises, pedophilia in the U.S. Catholic Church and telephone hacking in the United Kingdom.¹ How do endemic, ongoing institutional strains suddenly burst their sphere-specific boundaries and become explosive scandals in society at large? *Intra-institutional* authorities typically “handle” even severe institutional strains. This has the

effect of making such strains relatively invisible and untroubling to those on the outside. Problems become crises, I suggest, only when they move outside their own spheres and

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appear to endanger society at large. I call this broader movement *societalization*, arguing that it can be triggered only when the discourses and material resources of the civil sphere are brought into play. When sphere-specific problems become *societalized*, routine strains become sharply scrutinized, once lauded institutions are ferociously criticized, elites are threatened and punished, and far-reaching institutional reforms are launched and sometimes achieved.

WHAT IS SOCIETALIZATION?

The civil sphere is a real social force, but it is also an idealized community, one that is imagined as being composed of individuals who are autonomous yet mutually obligated, who experience solidarity even as they respect each other's independence (Alexander 2006; Alexander, Lund, and Voyer forthcoming; Alexander et al. forthcoming; Alexander, Stack, and Khoshrokovar forthcoming; Alexander and Tognato 2018; Kivisto and Sciorino 2015). In cultural terms, the civil sphere is organized around a discourse that sacralizes the motives, relations, and institutions necessary to sustain democratic forms of self-regulation and social solidarity. This includes qualities such as honesty, rationality, openness, independence, cooperation, participation, and equality (Jacobs 1996, 2000; Mast 2006, 2012; Smith 1991, 2005). The discourse of civil society is binary; it identifies and pollutes qualities that endanger democracy, such as deceit, hysteria, dependence, secrecy, aggression, hierarchy, and inequality. The civil sphere, moreover, is not only discursive. It possesses powerful materiality, via factual and fictional communicative institutions and powerful regulative institutions backed by state coercion.

Vis-à-vis other, *non*-civil institutional-cultural fields, the civil sphere is at once oppositional and aspirational. That is why nothing about the location and traction of civil boundaries is certain; they cannot be ascertained in the abstract (Ku 1998). What is deemed civil? What is deemed not to be?

These questions have been answered in remarkably disparate ways over the course of historical time. Is gender hierarchy a family affair, handled by the domestic sphere's patriarchal elite, or is it experienced as violating broader, more civil norms (Alexander 2001; Luengo 2018)? Does what goes on inside a church stay within its walls, a matter between believers and their god, or is the dispensation of God's grace subject to civil scrutiny? Is an exploitative capitalist economy left alone to work its markets for better and for worse, or do more civil considerations have the right to intervene (Lee forthcoming; Ngai and Ng forthcoming; Thumala Olave 2018)? Civil spheres have continually legitimated what later came to be seen as egregiously anti-civil practices. Civil spheres are restless. Even as their ideals are invariably compromised, their utopian promises continually trigger radical criticism, social movement struggles, social crises, and institutional reform.

In what follows, I conceptualize the relative, labile, shifting status of social problems, not in historical or interactional terms, but analytically, as a systemic process. One might imagine, at T_1 , a hypothetical "steady state" of boundary relations between civil and non-civil spheres, in which, from a bird's-eye view, there *appears* to be social stability and there is *imagined* to be reciprocity between spheres.² In such a putatively steady state, most civil sphere members do not experience the operations of other spheres as destructive intrusions; they do not feel compelled to shred existing institutional boundaries to mount antagonistic efforts to repair another sphere's insides.

In real time, every social sphere experiences continuous, often severe strain. In the economy, there are selfish economic decisions and irresponsible losses, bankruptcies and thefts, destructive inflations and recessions. The religious world experiences continual financial corruption, wrenching disciplinary and recruiting failures, and polarizing theological disputes. In the world of mass communication, the boundaries between privacy and publicity are repeatedly violated,

professional norms are cast aside, plagiarism is frequent, and media elites often conflate financial self-interest with professional responsibility.

In conditions of steady state, however, such strains are institutionally insulated; because they remain intra-sphere, they do not generate much attention outside. Indeed, subject to intra-institutional logics (Friedland and Alford 1991), strains often bolster rather than challenge organizational authority. Rather than appearing to degrade civil sphere ideals, such strain-in-steady-state may seem to affirm democratic pluralism.

Steady state breaks down with societalization. A practice that once aroused little interest outside a particular institution now appears threatening to society itself. Matter out of place (Douglas 1966), it becomes something morally polluting, and strenuous efforts at purification are made (Alexander 1988; Cottle 2004).

Societalization begins when a semiotic code is triggered (T_2), moving public attention space (Hilgartner and Bosk 1988) from institutional part to civil whole. Critical and emancipatory narratives now arise, and vast material resources can be brought into play. When ordinary occurrences become events (Mast 2006, 2012; Sewell 1996; Wagner-Pacifici 2017), confidence and trust give way to fear and alarm. Harsh regulatory interventions may follow (T_3), for the civil sphere's communicative and regulatory institutions intertwine. In response to critical cultural and regulatory interventions, however, backlash builds up (T_4). Institutional elites targeted by the civil sphere strike back, and where to draw the line between spheres becomes a matter of bitter struggle. Standoff, not problem-solving, marks the pathway back to steady state (T_5).

When the moral and institutional foundations of society seem endangered, anxieties frequently focus on the institution of office, a key regulative institution of the civil sphere (Alexander 2006:132–50). At the heart of every democratic society is the fervent belief that power can be exercised for the public

good, that powerful office not only should, but can, be occupied by good-willed human beings.³ For civil spheres to have teeth, those who possess power must be bound by a vocation, an ethics of office (Weber [1904–1905] 1927). Office translates abstract discourse about civil morality into the institutional demand that leaders act on behalf of others, eschewing nepotism and self-dealing. When semiotic shift defines a strain as endangering the civil center (Shils 1975), institutional authorities are accused of failing their office obligations, triggering strenuous efforts to remove them.

HOW DOES SOCIETALIZATION HAPPEN?⁴

At T_1 , practices of intra-institutional elites are insulated from the communicative and regulative interests of the civil sphere. At T_2 , journalists exercising civil power denounce such insulation as a dereliction of civil responsibility, as a cover-up. At T_3 , those who exercise material power on behalf of the civil sphere issue sanctions and restructure social organization. At T_4 , non-civil elites fight back, the separation between spheres is reconstructed, and there is an ambivalent, ambiguous, and contested return to the steady state (T_5).

T_1

Church Pedophilia in the Steady State. Sexual relations between adult authorities and minors has taken place inside the Catholic Church for centuries (O'Conaill 1995; White and Terry 2008). In 2010, Pope Benedict XVI suggested, in his Christmas address to cardinals and other Church officials, that, as late as the 1970s, "pedophilia was theorized as something feeling in conformity with man even with children" (*Belfast Telegraph* 12/21/10).⁵ This extraordinary effort at self-exculpation reveals the sharp contrast between intra-institutional practices and broader social values. What began to change for the Church after the 1970s was not its own view of pedophilia, but moral and institutional pressure

from the outside civil sphere. Scattered, locally contained scandal began to move priestly pedophilia from inside the church onto the front pages of newspapers and courthouse steps. The wall separating the civil sphere and Church pedophilia was made visible and unattractive, and it was gradually undermined.

The Catholic hierarchy had never officially encouraged pedophilia. However, during the long period of steady state, the Church successfully engaged in intra-institutional efforts to keep the existence of such activities hidden from those outside its walls. How did the Catholic religion understand pedophilia? How did Catholic elites respond to the practice? The brunt of Churchly effort was devoted to sustaining its own moral evaluations and to keeping its institutional responses in-house. According to the Head of the Congregation of Clergy, priestly pedophilia, while regrettable, was to be regarded as "an unavoidable fact of life" (*New York Times* 7/2/10 [hereafter *NYT*]). This is a plausible understanding in light of Christian values; rather than violating universal moral standards, it confirms the fallen nature of humankind. "Priests are flawed creatures" like the rest of us, a high Church official explained (*NYT* 3/28/02). If contrition cannot change immoral behavior, according to another Church official, one can only pray "this difficult problem will be resolved" (*NYT* 4/20/02). "The transforming power of God's grace is at the heart of Christian teaching," one bishop explained; "the notion that someone is irredeemable is alien" to Catholic culture (*NYT* 3/28/02; see also Bruni and Burkett [1993] 2002:167; *USA Today* 4/22/02a). If a priest "seeks Reconciliation," then "Canon law gives him absolution" (*NYT* 4/20/02). From the Churchly perspective, priestly pedophilia does not challenge the steady state of inter-sphere relations. It does not merit public condemnation, much less arrest and imprisonment.

Armed with such justification by faith, Church authorities confronted growing alarm over pedophilia by demanding deference to intra-institutional authority. Before he became

Pope Benedict, Cardinal Joseph Ratzinger was deeply implicated in the Church's decades-long intra-institutional struggle to make sure pedophilia was contained. The cardinal served as Director of the Congregation for the Doctrine of the Faith, which had been granted authority over sexual abuse since 1922. In his two decades as Director, however, Cardinal Ratzinger chose never to exercise this nominal authority (*NYT* 7/2/10). "Clerical culture took precedence," the Pope's biographer explained, noting the cardinal had great "concern for the proper order of authority" (*NYT* 4/30/10). When the abuses first became public, and U.S. bishops organized to confront them, Cardinal Ratzinger warned that creating policies to eliminate pedophilia had "no theological basis," that, despite the intra-church origins of such nascent reform efforts, the latter "do not belong to the structure of the church" (*NYT* 6/14/02).

Alongside such cultural motivations for maintaining the steady state, intra-institutional efforts to contain pedophilia were motivated by the practical exigencies of maintaining the Church as an ongoing organization. "The temptation of all churches," one religious observer warned, "is to see the Church as more important than its message" (*NYT* 3/28/02), and another acknowledged the "chronic shortage of priests in the U.S." (*NYT* 4/20/02). Church officials responded to priestly pedophilia, not only by pondering the frailties of faith and deferring to established moral authority, but by making sure that pedophilic priests would not be prevented from "doing their job"—whatever their aberrant sexual behavior (*NYT* 4/20/02).

For ideational reasons and material exigencies, Church authorities responded to evidence of sexual abuse by demonstrating sympathy and concern for priests, not for their victims. They suggested counseling, not punishment (Barth 2010; National Review Board 2004). "Is anyone getting help for Father Diaz? He is experiencing a very difficult situation. Should we be doing more for him?" (*NYT* 4/20/02). These were the worries that Brooklyn Bishop Daily expressed about

Father Diaz in private letters circulating years before revelations about the Father's serial pedophilia became public. Although the behavior was widely known inside the Church, Bishop Daily rarely mentioned it, instead commending Father Diaz for being hard-working and for "ministering during the past 25 years in the best international traditions of the Roman Catholic Church" (*NYT* 4/20/02). He also noted Father Diaz's priestly kindnesses, pointing to the attestations of parishioners, not only those of religious authorities. In all these ways, the Bishop judged Father Diaz to be an "exemplary" priest (*NYT* 4/20/02), no matter his sexual crimes.

Intra-institutional loyalties at T_1 are supported by inter-institutional suspicions and hostilities. The millennia-long distrust of ecclesiastical for civil authority was manifest, for example, in Pope John Paul II's 2002 support for a letter praising a French bishop who was willing to enter prison rather than hand over a pedophile priest to civil courts (*NYT* 4/30/10). In a 2001 article in *The Pilot*, Boston's archdiocesan newspaper, Cardinal Law suggested that, when abuse victims turned to civil authorities, they prevented church authorities from properly dealing with the issue (*Wall Street Journal* 1/18/02 [hereafter *WSJ*]). Speaking about a decision not to bring priestly pedophilia before the police, one bishop explained: "It would have been a great scandal, and all the energies of the church would have been spent dealing with those would take advantage" (*NYT* 4/20/02).

Phone Hacking in the Steady State. A steady state would seem more difficult to sustain when strains emerge, not from institutions outside the civil sphere, but from those within it. "Who will guard the guardians?" asked Lord Chief Justice Brian Leveson on the first day of the extra-parliamentary inquiry into U.K. phone hacking that he directed (<http://www.levesoninquiry.org.uk>). Journalism is a key communicative institution of the civil sphere. It projects symbolic constructions of social reality, offering judgments about civil fitness in the guise of factual

empirical descriptions (Alexander 2016). News stories can support or undermine the legitimacy of intra-institutional reactions to strain. How, then, can moral outrage about a practice be triggered if the very institution that communicates civil judgment is itself impugned?

Possibilities for the internal corruption of journalism are ever present. News media depend on extra-journalistic resources to finance reporting, and every subsidy—from market sales, family ownership, or state subvention—creates pressures that can compromise the medium's civil independence. Those who finance journalism can exercise anti-civil control. In response to this threat, journalists organize self-regulating professional associations. Only if they gain autonomy from outside pressure can journalists interpret events critically (Schudson 2008).

For repair to become possible when anti-civil strains emerge from inside the civil sphere, rather than from without, the civil sphere has to split, one part calling another to account for endangering sacred democratic ideals, one communicative medium exposing the corruption of another, one organizational official condemning another as unfit to serve. In Britain, such a split has long existed among communicative institutions, pitting tabloid and broadsheet newspapers in heated, sometimes deadly fights.

Disagreement over how visibly fact and fiction are, or should be, intertwined has deeply divided tabloid and broadsheet. Furthermore, the ideological inclinations of broadsheet media are widely known: the *Guardian*, owned by a Scottish family trust, leans left; the *Times of London*, controlled by Rupert Murdoch's News International, looks right. Still, broadsheet reporting, framed in a relatively complex and balanced manner, aspires to professional journalistic norms (*Guardian* 11/2/11).

Britain's extraordinarily influential tabloid media, by contrast, often publish "news" that is more fictional than factual representation. Eschewing professional-cum-civil norms of transparency, sourcing, and balance, tabloids

are replete with unattributed information, one-sided quoting, and exaggerated revelation (*NYT* 3/16/89, 7/21/11). Tabloid news is structured by simplistic plotting and dramatic narrative resolution (*New Yorker* 4/2/12). Broadsheet newspapers report stories of public interest; tabloids devote themselves to human-interest stories (*Guardian* 11/2/11).

For decades, Australian-born magnate Rupert Murdoch owned two of Britain's most lucrative and powerful tabloids, the *News of the World* and the *Sun*, which between them accounted for more than five million daily sales. Together with the *Times* broadsheet, which the family also owned, Murdoch controlled nearly 40 percent of Britain's daily newsprint market (*Guardian* 6/12/12). The conservative publisher reaped huge economic profit and marked civil power as a result.

In 2005, well-documented investigations publicly reported that Murdoch's tabloid newspapers were doing journalism in an anti-civil manner. The *Guardian* led a small handful of other British news media in revealing that Murdoch reporters had, as a regular and ongoing practice, hacked into celebrities' and royals' private cell phones, trolling for prurient information to splash over the front pages of the family's tabloids (*NYT* 9/5/10). Such journalistic intrusions into private life can be construed, not only as undermining the institutional boundaries that sustain pluralism, but also as threatening the individual autonomy upon which contemporary democracies rely.

In the real civil society of 2005 Britain, however, these revelations did little to undermine the steady state. Instead, hacking was treated as an intra-sphere matter. Egregious, paralegal methods of tabloid newsgathering had long been business-as-usual on Fleet Street. The black arts of journalism—spying, bribing, entrapping—had been an open secret for decades, with hacking widely perceived as merely a technological upgrade. The source of these phone hacking allegations, moreover, was itself dismissed as lacking civil standing: bitter hostility between broadsheet and tabloid was an old story (*NYT* 3/16/89). *Guardian* reports about Murdoch's tabloid hacking

were construed as routine manifestations of the endless political struggle between left and right. Finally, because the reported hacking victims were royalty and celebrities, they were often portrayed not as civil victims, but as arrogant members of Britain's elite.

The "steady as she goes" reaction to the 2005 hacking revelations was further sustained by the cooperation of Conservative parliamentarians and, more covertly, by the U.K. Metropolitan Police, Scotland Yard. After an abbreviated, largely pro-forma investigation, just one *News of the World* reporter and one private investigator hired by that tabloid were tried and jailed for intercepting voice messages, and only a single parliamentary committee held hearings (*Guardian* 2/3/07; *WSJ* 7/20/11, 7/25/12). Tabloid owners and police directors alike reassured Britain's civil audience that there was no systemic problem, just a few bad apples. Media self-control was maintained, nothing broader and more systemic seemed at stake.

Because intra-institutional control was sustained, phone hacking, as a widespread, putatively debilitating social practice, remained largely invisible to the broader British public. This appearance of steady state was maintained despite continuing efforts to push the practice into the broader democratic field. On July 9, 2009, the *Guardian* published another round of news stories polluting the civil ethics of Murdoch journalists, and for the first time raised flags about the professionalism of British police (*Guardian* 7/9/09). Yet, as before, these charges were persuasively challenged by aggressive ripostes from within influential corners of Britain's communicative and regulatory institutions.

On the afternoon of July 9, noting the media commentary, the Scotland Yard officer who had headed the earlier, severely abbreviated investigation, asserted, "I have no reason to consider that there was anything *inappropriate* in the prosecutions that were undertaken in this case" (House of Commons 2010: Ev 455 [italics added]). Murdoch's *Times* opened its pages to the former director of Scotland Yard's Specialist Operations, who

assured the British public that, contrary to *Guardian* allegations, the original investigation had “left no stone unturned” (House of Commons 2010: 8.108). Claiming it had “seen no new evidence to suggest [widespread] phone tapping,” the Press Complaints Commission (PCC), a semi-official national body charged with communicative mediation, lambasted the *Guardian* for speculation, declaring, “the PCC can only deal with the facts” (House of Commons 2010: 8.206).

The implication was that the messenger was anti-civil, not the message. Such audacious efforts to depict *Guardian* reports, not as news but as ideology, were largely successful. Phone hacking was an institutional strain that continued to be handled in-house. In fact, Scotland Yard knew that the phones of thousands of ordinary British citizens, not just a handful of royals and celebrities, had been hacked (*NYT* 9/5/10), but police leaders cooperated with conservative media elites to prevent this, potentially deeply alarming, fact from becoming public. Such was the steady state maintained.

T_2

Code Switch and Church Pedophilia. That priestly pedophilia is heinous was the uncontested presumption, the ground base upon which that strain eventually became societalized, but it was neither the primary referent of symbolic explosion nor its sociological trigger. Pedophilia was, rather, the pretext for writing a social text about the nature of civil obligation and the terrible danger of failing to fulfill it.⁶

The *Boston Globe* published nearly 300 exposés about Church pedophilia in the first four months of 2002 (Bradlee 2002:x). This crusading journalism, later recognized with a Pulitzer Prize, code switched the Church’s heretofore hidden, intra-institutional sexual practices, exposing them to the harsh light of a new day. However, the big news, the eye-catching disclosure that made “the dam . . . burst,” the revelation that “struck a nerve” (Bradlee 2002), was not the fact of priestly

pedophilia, but the *Globe*’s reporting that Boston Cardinal Bernard Law had known about the practice for decades. “Church Allowed Abuse by Priest for Years” (*Boston Globe* 1/6/02 [hereafter *BG*]), the *Globe*’s front-page headline indignantly screamed, the subhead explaining: “Aware of [Father] Geoghan record, archdiocese still shuttled him from parish to parish.” The priest in question, John J. Geoghan, was reported to have abused more than 130 young people “during a three-decade spree through a half-dozen Greater Boston Parishes” (*BG* 1/6/02).

But even as Geoghan faced the first of two criminal trials for his actions, the *Globe* (1/6/02) insisted that “details about his sexual compulsion are likely to be overshadowed by a question that many Catholics find even more troubling: Why did it take a succession of three cardinals and many bishops 34 years to place children out of Geoghan’s reach?” In the *Globe*’s book-length account, *Betrayal: The Crisis in the Catholic Church*, which came out later that year, Deputy Managing Editor Ben Bradlee Jr. (2002:ix–x) framed the newspaper’s accomplishment similarly, as exposing high-level official corruption: “A story about a priest who was accused of molesting children was now a story about a bishop who protected that priest [so that] the Church got to keep the ugly truth under wraps.”

The *Globe*’s months-long reporting was represented simply as factual; certainly, it was based on painstaking research and guided by professional norms of journalistic objectivity. But moral judgments, not only empirical facts, were also in play—precisely because journalism is a key communicative institution of the civil sphere. Inside every one of the *Globe*’s factual descriptions, an interpretive framework was implicitly embedded.

Drawing from core civil values, media reports polluted the Church’s intra-institutional values and actions, demonstrated the failure of its leaders to fulfill office obligations, exposed the corruption of Boston’s police and courts, and broadly decried the dangers to sacred democracy the once esteemed Church now represented. The

Globe's investigative journalism detailed how the Church responded to priestly pedophilia with strenuous efforts to keep knowledge about the practice wholly inside the walls of the religious sphere. Its critical reporting of institutional insulation evoked the vocabulary of anti-civil motives—secrecy, silence, manipulation, and deceit (e.g., *BG* 1/6/02, 1/31/02, 3/14/02, 12/4/02).

It was because they were motivated by such anti-civil qualities, according to *Globe* reporters, that Church leaders succeeded, not only in keeping sexual abuse hidden from the civil sphere, but in keeping evidence of their own “oversight failures” sealed inside court-sanctioned confidentiality agreements (*BG* 1/31/02 [italics added]). *Globe* reporters documented how Church authorities had acted, not on behalf of powerless others, but only on behalf of themselves. These failures were depicted as the abrogation of office responsibility, which had undermined the possibility for civil control. “Someone in a supervisory role knew or should have known,” the *Globe* (1/31/02) observed, “but they did nothing to stop.” *USA Today* (4/22/02a) affirmed that those in power “car[ed] more for their own image than ministering to hundreds of victims.” And the *New York Times* (3/28/02) noted that, by “covering up scandal [and] threatening those who wanted to speak out,” Church authorities misled the public.

Because institutional power was not regulated by civil office, the *Globe* (1/17/02) reported, the clergy “were exempt from the law.” Ecclesiastical authority “had little to fear from the courts (*BG* 1/7/02; see also *BG* 1/17/02). Because the civil sphere had left Church authorities alone, the *Globe* (5/12/02) argued, judges were themselves “complicit in secrecy.” An Appellate court in New York characterized an earlier pedophilia investigation as “an impermissible inquiry into church doctrine protected by the freedom of religion” (*BG* 5/12/02). Another judge objected that it was “outrageous to search the home of a priest” (*BG* 5/12/02), refusing police officers’ request for a warrant. With office corrupted and the law in retreat, the *Globe* (11/23/02)

reported, Church records had been “sealed behind a constitutional fire wall.”

Two months after the *Globe's* initial revelations, the *New York Times* (3/28/02) described “the reactions of Roman Catholic Church leaders” as “shocking.” Public opinion, the sea within which civil institutions swim, had become deeply offended. Five months after the first stories were filed, the *Wall Street Journal* (6/13/02) reported that 68 percent of Americans believed the Catholic Church was covering up the sex scandal “instead of getting the facts out,” and 89 percent were convinced that “Catholic bishops should be removed [from office] for transferring priests instead of calling the police.” Among many Americans, Christianity is believed to provide a metaphysical anchoring for U.S. democracy (Gorski 2017); there were now fears that America’s civil center would not hold. Indeed, rather than evoking sexual practice or religion, the *Globe* articulated the foundational language of democracy:

Boston may be the quintessential American Catholic city, yet the scandal soon proved to be far more than a local story. It became an international story about how the rights of powerless individuals are pushed aside in the interests of a powerful institution, about how mortals can damage an immortal faith. (Investigative Staff of the Boston Globe 2002:8)

Making an analogy with the most egregiously anti-civil scandal of the twentieth-century United States, the *Wall Street Journal* (4/18/02) asserted that the pedophilia scandal would “go down with Watergate . . . as a textbook case of duplicity.”

Code Switch and Phone Hacking. The phone tapping of private citizens by tabloid reporters continued without disturbance until late 2010. An enormously profitable activity for tabloid owners, it was treated, not only by most of the media but also by other U.K. elites (in police, politics, and business), as routine practice. With the steady state in place, phone

hacking could continue to be handled in a manner that kept the practice intra-institutional, hidden from public gaze. The boundary between phone hacking and civil sphere seemed impregnable. Most British media would not code switch; those that tried found themselves unable to convince the British public to accept their critical interpretations.

What kick-started the stalled societalization of phone hacking were journalistic judgments from outside the United Kingdom. In September 2010, more than a year after the *Guardian's* second effort at projecting excoriating civil judgment, reporters from the *New York Times'* London bureau published a voluminous, tightly sourced investigation that exposed, not only the breadth of tabloid hacking, but also significant corruption of the U.K. civil sphere's regulatory institutions (NYT 9/5/10). The *Times'* revelations built on the *Guardian's* earlier reporting, but its journalism significantly enlarged the scope and significance of hacking. *Times* reporters documented that, far from anomalous, hacking was a widely known practice among influential media elites, and it had been covered up by U.K. police.

An ocean away from the ideological issues that divided U.K. newspapers, *New York Times* reporting was more likely to be considered a legitimate representation of social reality. Its reports were regarded more as the kind of free-floating objective facts that, in the very act of their description, effectively perform civil judgment. Even as its form was factual, however, the *Times* (9/5/10) reporting rang with civil indignation, describing a "frantic, degrading atmosphere" among *News of the World* reporters who "openly pursued hacking or other improper tactics." *News of the World* deputy editor Andrew Coulson, the *Times* (9/5/10) suggested, had created a "do whatever it takes mentality" that neutralized office obligations, fostering a selfish "hyper-competitive ethos" above a civil ethic of collegial self-regulation.

Not just communicative institutions but, according to the *Times*, a wide range of the British civil sphere's regulative institutions

had failed to perform in independent, critical, and democratically responsive ways. Scotland Yard authorities had withheld critical information from private lawyers and state prosecutors, and its senior investigators had been compromised by "close relationships" with editors at *News of the World* (NYT 9/5/10). This was no longer a story only about "sleazy journalists," it was also one about "crooked cops" opined *USA Today* (7/22/11).

News of the World editors immediately sought to undermine the *Times* reporting. They suggested it was motivated not by civil concerns, but by "rivalry with a competing news company" (NYT 9/5/10), referencing Murdoch ownership of the *Times'* rival, the *Wall Street Journal*. This time, however, the effort to maintain institutional insulation failed. The *Times'* intervention into the British civil sphere did not transform phone hacking from an occurrence into an event, but it did create a new set of "facts" challenging intra-elite contentions. This news interpretation had the potential to undermine intra-institutional control.

Faced with the *Times'* accusations of impropriety and moral degradation, Scotland Yard felt compelled to re-open its investigation. The same high police official who had once summarily dismissed *Guardian* reports now acknowledged "that it would be sensible to look again at the matter [because of] the allegations of the *New York Times*" (Leveson Inquiry Report 2012:9.13; Ward 2014). Scotland Yard mounted Operation Weeting, interviewed "new witnesses, who had been identified by the *New York Times*" (Leveson Inquiry Report 2012:9.10; Ward 2014), and began contacting victims far and wide. Private lawyers became emboldened, searching for clients who could plausibly launch hacking complaints. Any sustained police investigation, however, required that the wider British public be mobilized and angry. This depended, in turn, on critical journalism finally taking hold.⁷

On July 4, 2011, two years after the *Guardian's* second round of investigative reports and nine months after the *New York Times'*

external intervention, a bombshell story transformed hacking from an intra-sphere occurrence into an event that triggered a societal crisis. On the *Guardian's* front page, below a color photo of a smiling, red-haired, teenage girl, a report declared, "the *News of the World* illegally targeted the missing school girl Milly Dowler and her family in March 2002, interfering with police inquiries into her disappearance" (*Guardian* 7/4/11; see also *Telegraph* 7/4/11). Milly Dowler's disappearance 10 years earlier had been widely represented—by broadsheet and tabloid, by left and right—as a deeply disturbing low point for the U.K. civil sphere, a heart-wrenching story of innocence destroyed by foul play. The wounding collective memory remained vivid, and Dowler's murderer had been convicted only 10 days before the *Guardian's* July 2011 story.

The newspaper now revealed that Milly Dowler had not only been murdered but hacked.⁸ Adumbrating a boundary shift from institutional part to social whole, media widely reported the Dowlers's lawyer declaring that *News of the World* had "no humanity" (*Guardian* 7/4/11), and the unfolding news narrative prominently featured such polluting, anti-civil accusations as "heinous" and "despicable." Milly's case was so offensive because she was an "ordinary citizen" rather than an elite celebrity (*WSJ* 7/13/11). "It's fair game to hack into politicians and celebs," London journalism professor Ivor Gaber told the *Wall Street Journal* (7/14/11), "but once you hack into a murdered teenager's phone it is different."

The Dowler hacking was broadly characterized as a "revelation," rather than simply information (*Guardian* 7/4/11, 7/13/11, 12/15/11), a desecrating evil that had been hidden by malevolent, anti-civil power. Transforming "a long-simmering problem into an explosive scandal" (*WSJ* 7/25/12), British media reported on, and simultaneously triggered, a "political firestorm" (*NYT* 7/21/11). Outrage echoed like a thunderclap through communicative institutions in the British civil sphere, careening back and forth

among blogs, radio, television, and print (*Adweek* 6/20/11; *Telegraph* 7/4/11).

Far from being routine, hacking was now connected to the heart of the anti-civil profane. In a *Guardian* (7/8/11b) opinion piece, an academic described "the degree to which the *News of the World* profaned what many people take to be sacred" as "unprecedented in postwar media history." He continued, "The transgression of the *News of the World* and News International is not simply that they acted 'unethically' (in a narrow professional sense), or even illegally [but that] the actions of people associated with the *News of the World* became profanations, an evil polluting . . . cherished sacred significance." By the end of the "dramatic day of unfolding developments," what was now referred to as the "phone hacking crisis" was said to be "enveloping the *News of the World*" (*Guardian* 7/5/11), a declaration, whose factual status was not challenged, that intra-institutional power had finally been superseded.

In the days after, other "revelations" emerged. Murdoch's tabloid had also hacked into telephone calls among families of Britain's "7/7" terror victims and into conversations between families and British soldiers in Afghanistan who were later to die in combat (*Guardian* 7/5/11). Such accounts "further shocked the public," which "reacted with horror" to what a former soldier characterized as a "sordid investigation by journalists" conducted "to make monetary profit" (*Guardian* 7/6/11). The civil sacred and the economic profane were now dramatically juxtaposed. The *Telegraph* (7/7/11) spoke of "the sanctity of the precious phone calls home," asserting hacking "violated personal life"; the *Times*, a broadsheet, and the *Daily Mirror*, a tabloid, both headlined "Hacked to Death" (*Guardian* 7/8/2011a).

For almost a decade, the tabloid elite had managed to keep its hacking activities below the radar of the civil sphere, bribing police, issuing false statements, and representing their accusers as self-interested competitors, if not democracy's enemies. When societalization transformed hacking into anti-civil

evil, the Murdoch group felt compelled to camouflage itself in civil clothes. In 2009, a *News of the World* editor comfortably lied to Parliament, assuring the civil sphere's elected representatives that "no evidence of wrongdoing had been uncovered" by the paper's internal investigations (*NYT* 9/5/10). Later, in the flush of societalization, the Murdoch camp decided that such head-on resistance would undermine its civil status, posing grave risk to its companies. So public deference to civil power would be paid. Murdoch editor Rebekah Brooks called the hacking activities "appalling," claiming to be shocked by revelations about tabloid conduct she herself had directed (*Guardian* 7/5/11). Murdoch's media company, News International, stated it would be "absolutely appalled and horrified" if the charges were true, promising total cooperation with police and Parliamentary inquiries, and for good measure announcing an internal investigation of its own (*Guardian* 7/6/11). When called to testify before Parliament, Murdoch declared: "This is the most humble day of my career. To say I'm sorry is not enough" (*USA Today* 7/20/11). He claimed, "at no time do I remember being as sickened as when I heard what the Dowler family had to endure—nor do I recall being as angry as when I was told that the *News of the World* could have compounded their distress" (*USA Today* 7/20/11).

Murdoch's most audacious performance of civil degradation came on July 9, with the surprise announcement that *News of the World* would be shuttered. News International presented its decision as an act of purging and repentance, going so far as to promise that revenue from the tabloid's last issue would be donated to "good causes" (*USA Today* 7/8/11). Critics dismissed the move as merely a loss-staunching strategy, "more an act of survival than one of contrition" (*USA Today* 7/26/11).

The *Guardian* (7/9/11) suggested, however, that after 168 years of publication, the tabloid had transformed from a "British institution" symbolizing "brash populist British journalism" into a collective representation of extra-legal surveillance at the very heart of

anti-civil darkness. No matter how politically strategic and economically competent Murdoch the person, Murdoch the symbol was submerged up to its figurative neck in anti-civil muck. An editorial in *The Daily Mail* headlined: "Hubris and a Threat to Press Freedom" (*Guardian* 7/8/11a).

Once lauded as a brilliant businessman and populist visionary, the media mogul was now portrayed as a greedy, anti-democratic, imperial tyrant. Under the headline "Murdoch Facing Parliament's Ire in Hacking Case," the *New York Times* (7/6/11) reported, "from all sides of the House of Commons, the disgust came thick and fast." A Labour MP declared, "We have let one man have far too great a sway over our national life," and a Conservative colleague immediately agreed: Murdoch was guilty of "systemic abuse of almost unprecedented power" (*NYT* 7/6/11). The code had been switched; steady state was a thing of the past, societalization the order of the day.

T_3

Regulating the Church. The movement from the interpretative intervention of communicative institutions to the material force of regulatory intervention came quickly, with legal officials eagerly taking up the media's call. Massachusetts Attorney General Thomas Reilly "read disclosure after disclosure," the *Globe* (5/12/02) reported, and he "became furious," asking, "where's the moral outrage?" Subsequently, Reilly "insisted that prosecutors, elected and accountable to the public, should be deciding the culpability of sexually abusive priests—not the cardinal," and he "fired legal shots at the church, *forcing* [Cardinal Law] and the archdiocese repeatedly to alter course" (*BG* 5/12/02 [*italics added*]). For decades, courts had allowed evidence of sexual abuse to be sealed behind confidentiality agreements. Now, in the wake of code switch, and "acting on a motion by the *Globe*" (*BG* 1/06/02), courts ordered that files be opened for public scrutiny. Truckloads of documents were transferred from the Boston Archdiocese to court jurisdiction.

Only by displacing the authority of religious leaders could democracy be saved.

Shifting the location of the boundary between civil and religious spheres was the most far-reaching civil repair to emerge from societalization. Reporting a “legal watershed,” the *Globe* (5/12/02) declared “[Bernard] Law became the first cardinal in the United States to be deposed over his actions as a prince of the church.” In a victory for democracy over aristocracy, the civil sphere increased its sway, “holding the cardinal and other church leaders to a higher standard” (*BG* 5/12/02). Sex abuse had been facilitated by office abuse, by weakness in a key civil sphere institution. Church authorities would now be placed more firmly under civil control. Grand juries of citizens were impaneled in large U.S. cities, to which local district attorneys—legal representatives of the wider civil sphere—presented damning evidence, not only of sexual abuse but of the official irresponsibility that had allowed it.

A 2005 report from Philadelphia’s Grand Jury described dozens of victims and offending priests, asserting that the city’s cardinal, the highest ranking local Church official, had “excused and enabled abuse” (*NYT* 6/14/12). The impaneled Philadelphia citizens issued 60 indictments against the city’s Churchly authorities. Abuse victims filed thousands of suits in U.S. courts, more than 550 in California in one year alone (*NYT* 6/14/12). With civil authority displacing religious authority, church funds came under judicial control. Five years after societalization began, California’s Churches had been compelled to hand over more than \$200 million to plaintiffs, and four dioceses in mid-size U.S. cities had filed for bankruptcy. Decades after societalization, legal fees alone were estimated to have cost the U.S. Catholic Church \$2.5 billion. In the late 1960s, states had begun requiring caregivers to report suspected sexual abuse to police. A half century later, such mandatory reporting laws were finally extended to the church (Isely 1997:292; Lothstein 1993; Myers 2008:454).

These civil interventions into the religious sphere—from the outside—triggered “outrage

in the pews” (*WSJ* 4/26/02) and among reform-minded religious authorities. This new pressure opened up possibilities for institutionalizing civilly-oriented reforms from within, making office obligations more binding on Churchly power. Angry Catholic laity stressed the internal, intra-religious nature of their indignation (*USA Today* 4/24/02), giving voice to a sense of quasi-civil exclusion from secret Churchly hierarchy and forming civil associations of their own. As the editor of the conservative *Catholic World Report* put it, “If American clerical leadership has been paralyzed, the ordinary faithful . . . should take the lead” (Lawlor 2002). Victims’ rights groups demanded that Church leaders be more accountable to laity (*USA Today* 4/22/02b). Among these were the Committee for the Prevention of Clergy Sex Abuse and the Voices of the Faithful, the latter gaining 19,000 members in the first half of 2002, the first six months of its operation.

In June 2003, the U.S. Conference of Bishops approved the Dallas Charter. It compelled local dioceses and religious orders to cooperate with a multi-million dollar investigation by John Jay College of Justice, which led to a highly critical, widely distributed report on financial costs, abusers, and victims (*USA Today* 1/8/04). The Charter also ordered every U.S. diocese to set up review boards of laity to examine abuse claims, counseling officers for victims, a massive preventive education program (that eventually reached more than six million children), mandatory background checks on all adults working with children, yearly compliance audits, and a review board to audit compliance at the national level (NPR 1/11/07; *USA Today* 1/8/04, 11/18/04, 2/21/05). Pope Benedict was forced into unprecedented early “retirement” under the shadow of the pedophilia scandal. His successor, Pope Francis, moved to defrock clerical pedophiles and to conduct quasi-civil trials inside the religious confines of the church-state (*NYT* 6/16/15), although his own commitment to deepening the civil reconstruction of religious authority eventually proved open to serious question (*NYT* 1/18/18, 1/20/18a, 1/20/18b, 1/23/18).

Regulating the Media. The aftershocks of the Milly Dowler explosion forced the British code switch. The ensuing tsunami of public opinion compelled civil intervention, the *Guardian* (7/13/11) declaring—with scarcely concealed satisfaction—that the revelations of tabloid wrongdoing had “deeply affected public opinion and therefore galvanized parliament and even government.” Phone hacking had finally been construed as a threat to democracy, as a practice motivated by profit, not truth, one that threatened individual autonomy. Office regulation had failed. Murdoch’s own broadsheet, the London *Times*, declared that the failure to morally construe office reflected a dangerous chasm between media power and civil values: “The first rule of newspaper ethics, as with the ethics of political life, is not to lose touch with the moral codes of the audience: common sense, goodwill help to neighbors, decent conduct in general” (*Guardian* 7/8/11a).

If the public’s power of interpretation were to be protected from anti-civil interference, U.K. media would have to be subject to civil regulation. The material, coercive elements of the civil sphere now intervened to punish and remove members of the intra-institutional elite, the very same office-holders who had earlier claimed to be acting in the name of the civil sphere itself. Challenged by media revelations about their own corruption, Scotland Yard and regional police forces now moved to examine tens of thousands of pages of notes and millions of emails, demanded hundreds of interviews, and invaded business offices and private homes searching for evidence of anti-civil conduct. They also made some 100 arrests, including Rebekah Brooks and Andrew Colon; the chief reporter at another Murdoch tabloid, the *Sun*; and a Defense Ministry official—all of whom were charged with conspiracy to commit misconduct in public office.

Describing the rationale for a jury’s decision to convict a Scotland Yard Chief Inspector, the *Guardian* (1/13/13) depicted her as “guilty of misconduct in public office,” quoting a high-ranking Scotland Yard authority

declaring “it is a great disappointment that a detective chief inspector . . . should have abused her position,” and insisting “there’s no place for corrupt officers . . . in the Metropolitan police service.” A long string of other editors and reporters, who had worked at *News of the World* and other tabloids, and a number of detectives and senior investigators at Scotland Yard, were arrested as well (*WSJ* 11/21/12). Many were convicted and went to jail, including Colson, who was sentenced to 18 months. Powerful editors, as well as local and national police authorities, were forced to resign. Hundreds of hacking victims brought lawsuits that eventually cost the Murdoch media company one billion dollars.

In the earliest days of the crisis, as civil interventions exploded, political figures, influential journalists, and intellectuals demanded an official inquiry. When an already existing Parliamentary Select committee declared its intention to intensify its hearings, this was widely judged to be not enough. Only an independent, extra-parliamentary commission, it was argued, could defend the more universal interests of society against the particularistic interests of money, party, and ideology. On July 6, 2011, Prime Minister David Cameron acceded to this demand for broadening the exercise of civil power. Proposing that an independent Inquiry be commissioned, Cameron instructed the Speaker of the House to make the vote on its creation a matter of free debate instead of party discipline, describing it as “an issue that united all three political parties” (*Guardian* 7/13/11).

Six days later, Cameron appointed Lord Justice Brian Leveson as Chair of the Inquiry, with power to summon witnesses and require them to testify in public and under oath (<http://www.levesoninquiry.org.uk>). Journalists described Leveson as an iconic embodiment of impartial judgment and civil duty, “not a great socializer” but “tough, persistent and industrious” (*Guardian* 7/24/11). Deputy Prime Minister Nick Clegg linked the Leveson appointment to civil purification, describing a “once-in-a-generation chance to clean

up the murky underworld of the corrupted relationship between police, politics, and press" (*Guardian* 7/24/11).

Five months later, when Lord Leveson publicly opened the Inquiry, he represented its task as a moral obligation imposed by the idealizing aspirations of the civil sphere, stressing the relationship between journalism, regulation, and social solidarity: "The press provides an essential check on all aspects of public life. That is why any failure within the media affects all of us. At the heart of this Inquiry, therefore, may be one simple question: who guards the guardians?" (<http://www.levesoninquiry.org.uk>). Six months later, while the Leveson Inquiry was still toiling away, this question was answered by the House of Commons Culture Media and Sports Committee, which reported that its own phone hacking investigation had exposed a dangerous failure of office:

Rupert Murdoch . . . exhibited willful blindness to what was going on in his companies and publications. This culture . . . permeated from the top throughout the organisation and speaks volumes about the lack of effective corporate governance at News Corporation and News International. We conclude, therefore, that Rupert Murdoch is not a fit person to exercise the stewardship of a major international company. (*NYT* 5/1/12)

In response to this massive civil intervention, both communicative and regulative, the "unspoken laws of tabloid news," unchanged for centuries, were now "reconfigured" from within (*NYT* 11/30/15). Rupert Murdoch testified to state authorities that he had "spent hundreds of millions of dollars in an effort to clean up . . . we are now a new company, and we have new rules, new compliance officers" (*NYT* 4/26/12). While these statements certainly were self-serving, the organizational repair was real, compelling editorial authority to be exercised in a manner more responsive to civil codes and less to the prurient whims of readers and owners.

Four years after the code switch and civil intervention, the *New York Times*, which had

played a pivotal role in triggering societalization, concluded that tabloid journalism had been deeply changed. "The few drug and sex stings still orchestrated by [tabloid] newspapers," the U.S. paper reported, were now "subject to heavy legal scrutiny," being "justified by the papers [only] on the grounds that they have a public purpose beyond prurience" (*NYT* 11/29/15). Tabloid journalists were now instructed to "consult a member of the in-house legal team" before engaging in aggressive investigative tactics (*NYT* 11/29/15). Reporters who had once been "bullied by their editors into using dubious methods to get scoops" (*NYT* 11/29/15) were now formally instructed about their civil obligations and rights.

[Murdoch's] News UK⁹ set out new rules for its reporters on topics like bribing public officials (do not), paying for stories (only sometimes), using private investigators (only with approval) and collecting private information electronically (do not do that, either). Employees are also required to have training on conflicts of interest, bribery, technology, workplace conduct, electronic communications and whistle-blowing. (*NYT* 11/29/15)

"The tabloids are becoming less tabloidy," a leading U.K. media scholar observed (*NYT* 7/24/14). "The British press has had to clean up its act," a former tabloid editor acknowledged. The *Guardian* editor who had guided the anti-Murdoch paper throughout its phone-hacking revelations declared, "the days of the Wild West" are over (*NYT* 11/30/15). NPR media correspondent David Folkenflik offered this verdict: "It really took this scandal to change the dynamic, there, of this incestuous nature of the newspaper barons and executives with the top law enforcement officials and the top politicians" (WBUR 2014).

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Church Backlash. As mounting civil pollution and sanctions undermined the steady state, societalization made the intra-institutional strategies of Churchly authorities null

and void. Yet, far from acknowledging the moral motivation of its critics, high Church officers “often dismissed allegations of pedophilia by priests as an attack on the church by its enemies” (*NYT* 7/2/10). Religious authorities waged war against civil sphere judgments and institutional intrusions. After a critical meeting with Cardinal Law five months into the pedophilia scandal, Pope Benedict announced the U.S. cardinal would retain his position. *USA Today* (4/22/02a) reported the Pope’s anxiety that intra-institutional, Churchly values were being abandoned in the face of civil pressure: there was “concern by the Vatican” that “the church is run by U.S. public relation surveys, not its own standards of forgiveness, penance and restitution.”

Denying the legitimacy of civil concerns, Church authorities framed media code-switching as strategic and self-interested. *La Repubblica*, the liberal Italian newspaper with extensive Vatican contacts, reported that “certain Catholic circles” suspected that “a New York Jewish lobby” was responsible for the media outcry, a veiled reference to the religion of the Sulzberger family, owners of the *Globe* and the *New York Times* (*NYT* 4/3/10). If not the media, then other entities were to blame for the critical publicity, anything and anybody other than the Church itself. Decades earlier, Pope John Paul had worried out loud that publicizing sex abuse would only help “the Communists and the Protestants” (*NYT* 4/20/02).

Resisting societalization, Church officials now blamed “social trends of the 60s,” for having spawned “sexual license” and the relativist “corporate culture” of anything goes (*NYT* 3/28/02). Prominent Catholic theologian Richard John Neuhaus told *USA Today* (4/22/02a), “pedophilia is not the issue; it’s the general laxity in morals and doctrine that prevailed at the time when these (sex offender) priests were seminarians.” The chief exorcist for the Holy See described *New York Times*’ coverage of Pope Benedict as “prompted by the Devil”: “There is no doubt about it. Because he is a worthy successor to John Paul II, it is clear that the Devil wants to grab hold of him” (*USA Today* 4/22/02a).

Just as many powerful Church elites refused to accept the immorality of their motives and actions in civil terms, they fought strenuously against external efforts at civil regulation. They claimed, for example, that victims’ lawyers were pursuing lawsuits, not for normative reasons, but for material compensation. As far as their own material and ideal interests were concerned, they quietly mounted a full-court, state-by-state campaign against relaxing statutes of limitation, whose elimination would have greatly facilitated civil prosecution of Churchly sex abusers (*NYT* 3/28/02).

Recalling a successful campaign to prevent Colorado from extending its limitations statute, one lawyer described the Church’s political effort as “the most brutal thing I’ve ever been through” (*NYT* 3/28/02). A decade after code switch, under the headline “Church Battles Efforts to Ease Sex Abuse Suits,” the *Times* (6/14/12) reported one high church official’s warning that nullifying statutes of limitation “would not protect a single child but would generate an enormous transfer of money in lawsuits to lawyers.”

The extraordinary energy and resources the Church devoted to resisting civil intrusion had a significant effect. To sustain punitive regulation, the legal and police powers of the civil sphere must breathe the oxygen of public support. Because U.S. legal sanctions are mostly organized locally, Church officials worked to drum up “substantial parish and community support” for shamed and even convicted priests, and the punishments meted out were diluted accordingly (*NYT* 4/20/02). It was widely reported that, even as “civil authorities are pressing bishops to be more forthcoming,” priestly abusers were being “treated delicately by law enforcement” officials, despite the Church’s refusal to speak about abuse in public or open up personnel files (*NYT* 4/20/02).

Legal confrontations with the Church were massively publicized, but criminal cases were consistently plea-bargained rather than publicly tried. One Bronx prosecutor, commenting on what he viewed as an alarmingly gentle court decision, complained that “this

only happened because this guy was a priest” (NYT 4/20/02). Of the 90 preventive measures the Kansas City diocese agreed to in 2008, only a minority were ever enforced (NYT 8/15/11). Even some provisions in the powerfully reformist Dallas Charter, adopted by the National Council of Catholic Bishops in June 2002, were watered down by the Vatican before the Charter went into effect at the end of that year.

Media Backlash. By the time the UK Leveson Inquiry was in full swing, Murdoch and the tabloid elite were no longer performing contrition. “I take a particularly strong pride that we have never pushed our commercial interests in our newspapers,” declared an unrepentant former managing editor of *The Sun*, a Murdoch tabloid, after being acquitted of bribing the police (Guardian 4/25/12): “It has now been exposed for what it is—a politically motivated witch hunt against tabloid journalism” (Guardian 4/27/15). Even as they faced massively intrusive efforts at civil exposure and punishment, and effected profound internal reorganization, the institutional elite began furiously pushing back.

“A truly grotesque amount of taxpayers’ money has been spent” on Scotland Yard’s investigation into phone hacking, a now unrepentant Murdoch retorted to ferocious interrogation by Leveson’s chief counsel, who had put it to him that “your main objective [was] to improve the commercial appeal of these papers and you weren’t really concerned with the ethical side” (Guardian 4/26/12a). Yes, *News of the World* had engaged in phone hacking, the mogul replied, but it had been senior editors who ordered the practice; he himself had been “misinformed and shielded” (Guardian 4/26/12a). Murdoch now maintained, in fact, that he had upheld the highest standards of office: “I do try to set an example of ethical behavior and to make it quite clear that I expect it” (Guardian 4/25/12). Against the charge of deceit, he insisted that his intention as a media owner was “always to tell the truth, certainly to interest the public, to get their attention, but always tell the truth”

(Guardian 4/25/12). The *New York Times* (4/26/12) reported that the Leveson “questioning seemed almost deferential and genteel,” in marked “contrast” to Murdoch’s appearance “before Parliament last year.”

Murdoch’s turnabout presaged intense pushback from a newly reunited media elite. Deep civil anxieties about phone hacking had triggered the creation of the Leveson Inquiry, but what came out the other end, 14 months later, was actually a proposal to strengthen the state, not the civil sphere. At the end of its four-volume, 2,000-page report, Leveson proposed, with great fanfare, a royally chartered commission with the power to prevent media abuse, first by issuing warnings against journalists and news media and, if the warnings went unheeded, by handing down legal judgments and backbreaking fines.

The proposal’s particulars shifted over the next two years, recommending that the expanded regulatory power be cushioned by three layers of mediating committees (Guardian 10/10/13). But the reform proposal would still put journalism on a government leash. It would protect not simply against phone hacking, a practice now exposed and punished, but against whatever media activities a newly created governmental body would deem to have crossed the line.

The political and intellectual left, if a bit reluctantly, maintained this would be all right; if the media were an industry like any other, then regulating it would serve the people’s interest. Those inside the media, whatever their ideology, mostly disagreed. They indignantly declared that the media was not only an industry, but a civil institution. Editors, publishers, and reporters labeled the proposed regulation a “*politicians’* charter” shockingly tone deaf to the needs, interests, and meanings of journalism (Ward 2014 [italics added]). “The newspapers have adopted an attitude of defiance,” an LSE media blogger complained (*Media Policy Project* 1/8/14). Local newspaper groups went public with fears that the new system could “open the floodgates to compensation payments,” place “a crippling burden on the UK’s 1,100 local

newspapers,” and inhibit “freedom of speech and the freedom to publish” (*Guardian* 4/26/12a). National newspapers stridently warned against any further weakening of journalism in the brave new world of digital news.

Democracy now seemed threatened not by anti-civil tabloid media, but by the media’s critics. The boundaries between civil sphere and state were being reconstructed. What had once been conceived as the final fruit of civil repair was now framed as a threatening, intrusive, and anti-civil state. During his Leveson testimony, Murdoch had warned the Inquiry “to be cautious when contemplating regulation,” averring “the press guarantees democracy, and we want democracy not autocracy” (*Guardian* 4/26/12b). The cunning media magnate was proven right. The tables had turned. Intra-institutional self-regulation was now defended in the name of democracy itself. Murdoch’s exercise of his own power was secure.

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Return to the Religious Steady State. On the fifth anniversary of the *Boston Globe* revelations that had triggered code switching, National Public Radio revisited the event, devoting consecutive reports to “Scandal in the Church: Five Years On.” The program’s host hailed the historic movement from intra-institutional darkness to civil visibility. “The *Boston Globe* revealed widespread abuse of children by priests and proof of a cover-up by the church,” she recounted, referencing media intervention vis-à-vis anti-civil Churchly authority (NPR 1/11/07).

When a contributing reporter attested that SNAP, the Survivors Network of Those Abused by Priests, still gets “calls from new victims every week” (NPR 1/11/07), he was careful also to emphasize that abuse was now being handled intra-institutionally. A survivor who had become a member of the lay committee on clergy abuse for the Cincinnati archdiocese declared, “this is our church” and “our responsibility to yell and to scream”

(NPR 1/11/07). A decade later, the *Times* reported that “the United States Conference of Catholic Bishops said that from July 1, 2015, to June 30, 2016, it received 730 credible abuse allegations against 361 priests,” and a lawyer representing current victims observed, “It’s endless” (*NYT* 7/26/17). The strains remained, but claims against abuse mushroomed, and there was now a special committee of the U.S. Conference of Catholic Bishops to vet them.¹⁰

Return to the Media Steady State. Leveson outlasted the scandal that triggered it and the civil repairs made in response. The Inquiry had been commissioned in the immediate wake of code switching, during the molten heat of civil indignation. It publicly convened, however, only five months later, after hundreds of arrests had been made, dozens of public apologies proffered, and the most urgent fears for the center abated. The Inquiry uncovered bits of new information, but moments of riveting revelation were rare: 337 witnesses were heard and counted, yet although their testimony sometimes generated pity, it failed to trigger the pathos of inflamed civil judgment. Far from becoming a media event whose compulsive viewing interrupted regular broadcasting and everyday routines (Dyan and Katz 1992), the Leveson hearings streamed on an obscure cable channel, Parliamentary TV, sustaining only a cult viewership. The Inquiry had become a spectacle for the partisan and curious, not civic ritual but mundane record.

Civil outrage had declined. The Leveson proposals triggered furious pushback from journalists and publishers, who defended intra-institutional control against outside intrusion from a meddling, insensitive state. The boundaries between civil and non-civil spheres were back in place. When the Conservative government shelved its promises to make Leveson into law (*Guardian* 4/21/16, 11/1/16, 12/22/16), reposts from political opponents were lackluster (*Guardian* 4/13/15). Thus was the return to the steady state.

WHY DOES SOCIETALIZATION HAPPEN?

Why does the social process presented in the preceding section happen? How is it possible that a temporal sequence can unfold in response to critical interpretations of strains, such that steady states are undermined, crises mushroom, and civil repairs become possible, before backlashes emerge and boundaries between spheres rebuild?

At the most general level, the reason is social differentiation, which not only separates the culture and organization of institutional spheres but, contrary to functionalist lore, makes their spheres of justice (Walzer 1984) often seem incompatible. Beyond the fact of agonistic spheres, a relatively autonomous civil sphere is the “mechanism” (Gross 2009; Norton 2014a) at the heart of the machine.

But who actually carries the water? Who evokes the discourse? Whose institutional prerogatives feel raw and bristled? Who and what are the civil sphere’s elites? There are agents of societalization. Societalization is not only about systems, spheres, and institutions. It is also about social actors whose identities and roles compel them to societalize, and whose material status is vastly enhanced if they succeed.¹¹ Journalists and prosecutors have an interest in ferreting out what they see as civil violations, which they call “holy shit stories” (Havill 1993:68) and “red hot cases” (Samuelsohn 2017).

At the micro-level, societalization can be conceptualized as a series of performances and counter-performances (Alexander 2011; Alexander, Giesen, and Mast 2006; Mast 2016; Norton 2014b; Reed 2013). Investigative journalists scan the social horizon for big stories, hoping to lob incriminating constructions to citizen-audiences who will fuse with their indignant narrations, sharing their rage. Editors place what they judge to be seriously egregious reports about civil calumny on the front page, at the top of the hour, at the beginning of the digital news feed. Publishers supply critical resources for such endeavors and then watch their backs. Prosecutors circle

like hungry birds of prey, scanning with hawk eyes, itching to come in for the kill. Special investigators search for examples of malfeasance, issue arrest warrants, organize evidence and precedent, sequester grand juries, issue damning reports, and demand harsh penalties. If civil agents succeed, they gain not only a deep sense of personal vindication, but social glory—fame, stardom, prizes, wealth, and higher office await.¹²

Audiences are primed to be receptive to such civil performances by virtue of their belief that civil discourse is sacred, that its ideals must be protected from harm. Such background belief is necessary, but it is not sufficient. Only if these general codes have been organized into established “scandal genres” will reports of civil crimes be credible, and moral and emotional significance assigned. If pedophilia has already been powerfully scandalized, if yellow journalism has long been criticized and feared, then the symbolic structures and memories of scandal provide background representations against which contemporary performances of civil indignation can arouse indignation (cf. Hunt, Snow, and Benford 1994). But at T_1 , scandal genres lay latent; only if these background representations are triggered by skilled performers, via code-switching scripts (T_2) and intrusive regulation (T_3), will civil repair proceed—until backlash (T_4) intervenes.

When performances of civil indignation succeed, journalists and prosecutors are hailed as heroes of the civil sphere, larger than life figures whose daring deeds are held to exemplify truth, justice, and the American way (Bradlee 1995:384). For the members of their occupations, they become sacred icons of exemplary professional practice (Bradlee 1995:369; Revers 2017). Hagiographic biographies recount their glory, spinning tales of civil crusades (Stone 1963) and David versus Goliath (Havill 1993:72). Often derided as selfish and strategic by the non-civil elites they target, civil agents see themselves as inspired by a sense of “mission” (Graham 1997:434), by a “noble calling” (Hallock 2010:xvi) that holds “the keys to the gates of

justice" (Dees 2011:348). They are motivated, not by money, but by a "yearning to make a difference" (Bradlee 1995:94; Friend 2015:30).

Civil agents present themselves as vessels of transcendental morality, as arbiters of truth and standard bearers of openness and reason, describing the non-civil elites who oppose them as deceptive, secretive, and irrational (Ben-Veniste 2009; Bradlee 1991; Bradlee Jr. 2002; Friend 2015; Graham 1997:457).¹³ The powerful rich pray upon virtuous citizens; civil heroes attack hierarchy and defend independence (Beeson 2015; Ben-Veniste 2009; Comey 2013; Darrow 1961; Dees 2011; Henderson 2016; Morgenstern 2015; Russell 1933; Scott 2015).

Privately, civil agents often seethe with spluttering outrage and distemper, engage in fantasies of murderous revenge, and are motivated by boundless self-regard and ambition (Allen 2007; Friend 2015; Guthrie 2014; Meacham 2011; Roberts 2017). Those who mythologize them as civil heroes see them as altruistic, almost saintly figures who sacrifice for the common good (Havill 1993; Hofstadter 1955; Scott 2015).

WHY DOES SOCIETALIZATION NOT HAPPEN?

When prosecutors brandish evidence of fraud and bribery, they cannot always make it stick, and when tenacious reporters and editors publish outraged exposés, they do not always inflame. Scandal is performed but audiences do not exclaim (Bradlee 1995:409). This points to the existence of limit conditions to the societalization process.

Fully enunciated sequences of societalization are more exception than rule. Significant institutional strains usually do not trigger critical journalism. Code switching from intra-institutional to civil criteria fails to fuse with citizen-audiences. When societalization is triggered, it often stalls. When it does not stall, societalization can lead to spiraling conflicts that undermine the civil sphere rather than repairing it.

Marginalization

Societalization is blocked or stalled to the degree that those subject to institutional strain and dysfunction are subaltern groups (Fraser 1992). When stigmatized populations are hived off into segregated institutions and communities, the strains they are subjected to, and their agentic adaptations to them, are invisible to, or ignored by, those whose perceptions are mediated by the communicative institutions of the dominant civil sphere and whose actions are regulated thereby.¹⁴

This was certainly the case for the predations suffered by manual workers in early industrial capitalism (Marshall 1965); for Jews in medieval and early-modern European societies (Trachtenberg 1961); for colonized peoples under imperialism (Said 1978); for South African blacks under Apartheid rule (Frederickson 1981); for African Americans subject to slavery, Jim Crow, and northern ghettoization (Frederickson 1971); for Irish Catholics in Northern Ireland after the end of the civil war and before the Good Friday agreements (Kane forthcoming); for women in patriarchal societies (Pateman 1988); and for gay and lesbians in heteronormative ones (Seidman 1992).

It was unlikely that the strains and impositions to which such marginalized groups were subject would be reported in mainstream media; when such reports did appear, they would rarely generate code switching (Jacobs 2000). Core groups imagine such peripheral persons as less than fully human, as lacking civil capacity (Landes 1988). Indeed, to protect themselves from pollution by these putatively dangerous others, central groups engage in hostile aggression rather than empathic societalization, withdrawing to privileged enclaves rather than reaching out to under-privileged communities (Massey and Denton 1993).

In the face of such deeply rooted blockages to societalization, other kinds of responses to strain may arise, responses that can provide less direct pathways to amelioration. Social movements can emerge, some

moderate, others more radical, confronting rigid hierarchies and projecting felicitous performances of injustice (Eyerman 2006; Eyerman and Jamison 1991; Kane forthcoming; Ostertag forthcoming). Intellectuals can make scathing critiques, and social scientists can launch far-reaching investigations; white papers can be published, and religious jeremiads made (Smith and Howe 2015).

Such social-cum-cultural reactions to blocked societalization appeal to an idealized civil sphere free from the destructive compromises that have legitimated marginalization in the actually existing civil spheres of the day. If such protests gain traction (Snow and Benford 1988:205), they affect the collective representations against which subaltern institutional strains are viewed and excused. Indignant, counter-hegemonic narratives arise about abusive, anti-civil domination. These leave traces in the collective conscience, memories that dig the grooves along which future episodes of societalization can run, widening the reach of existing scandal genres and creating new ones as well. There is a gradual accretion of melodramatic stories about the pathos of sexual abuse, pedophilia, financial corruption, and reckless and irresponsible journalism. Such narratives project new civil heroes, recounting individuals and movements that courageously resisted anti-civil forces and institutions and triumphed in the end (Branch 1988; Cott 1987; Pfohl 1977). If such a reservoir of sacred and profane is not a sufficient condition for successful societalization, it is certainly a necessary one. Priestly pedophilia was a long-standing underground narrative in Western societies (Jenkins 1996). Only after pedophilia came under broad and increasing scrutiny in the last three decades of the twentieth century (Pfohl 1977), however, did a scandal genre emerge that eventually allowed the societalization of Churchly practices.

Polarization

If societies are sharply divided against themselves, even such growing recognition of anti-civil abuse is not enough. Social indignation

can become refracted in a manner that fails to engage the full horizon of common concern. The paradoxical result is that, rather than expanding solidarity, societalization may actually intensify division, a deepening polarization that can lead to the weakening, and sometimes even destruction, of the civil sphere, rather than to its strengthening and repair.

Consider the enslavement of African Americans in the antebellum United States. Abolition movements created increasing sensitivity to slavery and eventually massive indignation. However, the outrage was experienced primarily among Northern, not Southern, whites. The former began to experience code switch, but Northern media projections failed to fuse with broad audiences in the white South. Over time, those who promoted the societalization of slavery and those who blocked it came to see one another as irredeemably anti-civil, as enemies who must be physically destroyed if their respective Northern and Southern civil spheres were to be preserved. After decades of communicative and regulatory failure, force seemed the only way. Only after military victory were Northern civil institutions able to intrude into the Southern civil sphere and begin efforts to repair it, a "Reconstruction" that was itself eventually rolled back (Foner 1988).

Or consider the societalization of anti-Semitism in nineteenth- and early-twentieth-century Europe. Over the course of these decades, Western European societies introduced civil repairs, some dramatic, some incremental. These changes began to allow Jewish incorporation, providing once excluded Jewish people with political, economic, and cultural citizenship. Such a societalizing dynamic, however, also fueled extraordinary blowback, with deepening chasms opening up between more cosmopolitan and more primordial cultural and political forces and elites. In France, after Jewish incorporation had proceeded apace throughout much of the nineteenth century, the Dreyfus Affair exploded in the 1890s. Public expression of anti-Semitic sentiment dramatically increased, deepening political and cultural polarization and setting

the stage for Vichy's collaboration with Nazi Occupation four decades later (Griffiths 1991; Marrus and Paxton 1981). In Germany, where Jews had been even more rapidly incorporated than in France, the backlash was much more brutal. The societalization of anti-Semitism had the perverse effect of inflaming Jew-hatred, significantly contributing to the destruction of the German civil sphere, which in turn allowed the annihilation of German Jewry itself.

WHY HASN'T SOCIETALIZATION ALREADY BEEN IDENTIFIED AND EXPLAINED?

In the social sciences, reactions to strains are usually conceptualized in the realist mode, as if they are unmediated by the relatively independent culture and institutions of a civil sphere. The social problem is institutional, the reaction is real, and the causal logic moves from strain to societal reaction. Is there a social crisis about media? It is because "journalistic deception" has undermined the "credibility of news" (Lasora and Dai 2007:190), creating "journalistic delinquency" (Dickinson 2010:223; see also Emmot 2011; Fenton 2012). Investigations into responses to Church pedophilia have made similar arguments, with social scientists laying blame on the "medieval, monarchical model of the Church" (Wilkes 2002:105), "clerical celibacy" (O'Conaill 1995), rigid bureaucracy (Barth 2010), insulated elites (Doyle 2006), and the rollback of Vatican II reforms (Carroll 2002).

In such a model, there is an inverse relation between strain and steady state—the more of the former, the less of the latter. My contention is the opposite. Steady states do not give way because of institutional strains within, but because of collective representation leveraged from the institutional outside. It is not strains that generate social crises, but societalization, a process triggered by cultural logic and media representation.

Recognizing the need to attenuate the relationship between strain and response, and to study intervening mediation, generated the sociology of scandal that has emerged in recent decades. Gamson (2001:197) acknowledges that sex scandals are less about sex than "hypocrisy, recklessness, and amorality," and Thompson (1997:39) allows there are "transgressions of certain values, norms, and codes." Rather than conceptualizing the independent moral power of such cultural codes, however, scandal sociology instrumentalizes media representation. Thompson (1997) links indignant expressions of scandalized morality to struggles for social capital and field position, echoing Bourdieu's (1998) claim that journalism cares simply about its own "ontological glorification." Gamson (2001:198) insists that scandals are produced because they "solve problems" for serious journalism, allowing them to compete with tabloids by transforming soft into hard news.

Adut (2005:231 [*italics added*]) claims that scandal-creating publicity is a response to "costs on third parties," explaining that "the anticipation of . . . externalities is *of course* the main motivation for strategically creating scandals in the first place." Describing scandals as "an episodic process of strategic interaction in public" (Adut 2005:231), he (2004:532) suggests they are motivated by opportunities for "status enhancement." Because "scandals rarely entail civic or civil debate," Adut (2004:532) explains, they "contaminate public life with sordid stuff," serving only to "discredit institutions." Hilgartner and Bosk (1988:58) argue that "the collective definition of social problems occurs not in some vague location such as society or public opinion" but in institutional arenas.

That pragmatism has frequently been claimed as the source of such mechanistic reduction is puzzling, for it was precisely from symbolic interactionism that an anti-reductionist, social problems approach first emerged (e.g., Becker 1963; Blumer 1971; Spector and Kitsuse 1977). With its insistence on perception, subjectivity, and malleability, constructionism bears a family resemblance

to the societalization model I developed here. It has been short-circuited, however, by its reluctance to recognize cultural structures as social facts; its resistance to speaking the language of social spheres, institutional elites, and social power; and its polemic against the very idea of society (e.g., Fine 1996). As such limitations came to be widely recognized, the search for more meso and macro approaches led pragmatism to material rather than cultural structures, to a focus on the politics of the definitional process and to "structural analysis" *tout court* (Adut 2012; see also note 11; Fine 1997:297–99).

Moral panics theory marked a theoretical high point in pragmatism's self-critical response to interactionism. It dismissed the heightened moral anxiety that characterizes scandal as "ideological exploitation," identified symbolization with "exaggeration and distortion," equated defined social drama with "social control" and "status degradation," and defined journalistic outrage as "manufactured news" (Cohen 1972:141, 43, 106, 44). Such a reaction to the limits of interactional, as compared to, *cultural* pragmatics (Alexander et al. 2006) throws the baby out with the bathwater. Avoiding the cultural turn, it drives from symbolic interactionism into the cul de sac of scandal sociology.¹⁵

Outside of the late-Durkheimian tradition, macro-sociology has had surprisingly little to say about "society" as a social fact. Modernity has been widely understood as breaking down the holism of traditional society into fragments. In the language of functionalism (Luhmann 1982; Parsons and Smelser 1956), modern social systems continuously differentiate and specialize into autonomous if often reciprocating subsystems. In the language of Marxian and Weberian conflict theory (Bourdieu 1993; Marx [1867] 1962; Weber 1978), social differentiation produces warring elites and fighting classes, which form coalitions of convenience inside institutional domains, or fields.¹⁶ What these otherwise radically divergent macro-theories share is the conviction that, with modernity, the whole

that overarches separately organized parts has been lost. In the theorizing of his middle period, Durkheim believed collective consciousness could, in principle, regulate social differentiation, but he rarely specified the mechanisms for doing so, viewing intra-sphere strains in the modernity of his own time as unregulated and egoism and anomie as holding sway (Durkheim [1893] 1984: Book III; Durkheim [1897] 1966).¹⁷

The model of societalization advanced here challenges this widely shared macro-sociological vision of obdurate division. Despite but also because of modernity, I maintain, "society" remains a vigorous cultural and material presence. A broadly civil sphere exists that can challenge the particularistic discourses and institutional demands of separate spheres. The discourse of civil society is utopian and solidaristic, and the civil sphere's communicative and regulative institutions have the power to project this moral language beyond the boundaries of separate spheres and powerfully reconstruct them.

These are only capacities, however, not functional inevitabilities. Spheres abut and antagonize one another; they pursue their own interests rather than aiming at some hypostasized complementarity. Perceptions of steady state insulate strains, hiding conflicts inside the walls of institutional separation. When civil agents use communicative and regulative resources to breach these barriers, civil repair becomes possible; but backlash is inevitable and standoff an unavoidable eventuality. Societalization does not so repair the internal functioning of spheres and their interrelations that new crises will be prevented from arising again. Social indignation flows, but it also ebbs.

Yet, even as societalization gives way to the illusion of steady state, the civil sphere remains restless, ready to fight another day. Societalization revives what Plato called the memory of justice. For the philosopher, justice is an ideal form implanted inside every human being. For the sociologist, the memory of justice is not born but made.

Acknowledgments

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Notes

1. Space restrictions preclude the inclusion here—in the print version of this article—of a third case study, an examination of the 2008 financial crisis. It can be found in online supplement 1: “Societalization of Financial Crisis.”
2. I use the adjectives “hypothetical” and “putatively” and the verbs “appears” and “imagined” because I wish to emphasize, vis-à-vis functionalist and conflict theorizing about inter-sphere boundary relations, that steady state does not refer to a condition of objective equilibrium but, rather, to institutional insulation—a condition in which significant conflicts inside spheres are not *experienced* as threatening to the society at large. This distinction marks the difference between a mechanistic model of inter-sphere relations and the cultural-sociological approach I employ here. In Keynes’s critique of classical economic theory, he makes a similar point. While classical predictions about economic equilibrium assumed stable rates of capital investment, Keynes argues that the latter actually depends on the propensity to invest, which he equates with subjective estimations of probability. Because optimistic or pessimistic predictions about future interest rates cannot be proved objectively, Keynes argued, equilibrium depends on social conventions and collective states of mind (Keynes [1936] 1964:141–53).
3. “The foundation of democracy is faith in the capacities of human nature; faith in human intelligence and in the power of pooled and cooperative experience. It is not belief that these things are complete but that if given a show they will grow and be able to generate progressively the knowledge and wisdom needed to guide collective action” (Dewey 1937).
4. The empirical reconstructions in this section are not meant to provide conclusive evidence for the societalization model, but to address a more preliminary question, that of its theoretical plausibility. Can the model’s key concepts be used to reconstruct a narrative of each crisis that illuminates homologous structures and phases? That mimes parallel shifts in meanings of social actors before and after occurrences were

transformed into events? That finds similar traces of elite struggles, reform opportunities, backlash efforts, and fraught, open-ended returns to the steady state?

To answer these questions, I use an interpretive method, one that allows me to create a dense reconstruction of iterative empirical sequences. My aim is to hermeneutically reconstruct the shifting meanings of events and actors as they were represented in mainstream newspapers, for example, the *New York Times*, *Boston Globe*, *Wall Street Journal*, *USA Today*, *Financial Times*, *Guardian*, *Telegraph*, *Independent on Sunday*, and the *Observer*. I examined several hundred newspaper articles produced on each topic, weighted to the 12 to 18 months after the onset of each crisis but also sampling longer-term developments, follow-ups, and policy outcomes.

In Peircean terms, the empirical method used here is neither deductive nor inductive but abductive (Timmermans and Tavory 2014). In the terminology of the *Geisteswissenschaften*, the “human” as compared with the natural sciences, the method is hermeneutic. Because of the positivist common sense that continues to inform so much U.S. sociology, it is important to insist that the hermeneutical method is not a vehicle for mere description; it neither condenses information already known in other venues nor summarizes ethnographic or field observations; neither is it coding in the mechanistic understanding of computational science (Birnacki 2012). Rather, hermeneutical reconstruction is creative, open-ended, and theory driven (Reed 2011). It pieces together submerged, implicit, and fragmented events and speech acts into broader, more robust meaning-patterns. More than abduction, this process also involves theoretical logic, referencing not only the empirical data but also pre-observational, conceptual presuppositions that underlay research programs (Lakatos 1970). What Dilthey (1976) first described as the hermeneutical circle—simultaneously constructing the meanings of wholes from parts and the meanings of parts from wholes—and Geertz (1973) later, rather misleadingly, dubbed thick description, has more recently come to be called “narrative analysis” (Abbott 1992; Jacobs 1996; Sewell 1992).

Because in so constructing events mass media are highly attentive to the sensibilities of those who consume their reports—the audiences of individuals who form their own understandings of contentious social processes as they unfold—media reports provide a privileged access to the collective consciousness. It is via competing efforts at public narration that social meanings are produced, social structures and spheres crystallized and activated, and efficient causation established. Such narrative efforts are reported on by mainstream news outlets that, at the same time, have a major role in their construction: they not only report facts that have happened but evaluate ongoing events in terms of their own values

and elite interests, thus creating new facts and new narrations themselves. Only by tracing media representations of “events” (Mast 2006; Wagner-Pacifici 2017) can we discover the sociologically powerful (because publicly-binding) interpretations that provide the evidentiary claims of this study.

5. Full bibliographic references for the newspaper articles cited here, and for other primary sources, can be found in online supplement 2: “Primary Sources.”
6. The analysis of the societalization of Church pedophilia from here on out—as compared with the preceding discussion of Church pedophilia in the steady state—focuses mostly on processes inside the United States. While civil sphere theory conceptualizes a general social and cultural structure—as does theorizing about, for example, capitalist economies and bureaucratic states—civil spheres currently find traction mostly inside national social organizations. To be sure, some elements of supranational regional and worldwide civil spheres are currently in place (Alexander 2007), and the societalization of Church pedophilia in the United States has had far-reaching repercussions globally—for other national civil spheres and for the Church world-wide (see note 10).
7. Within the broad temporal sequencing of societalization, the relationship between particular regulative and communicative interventions is path dependent, contingent, and interactive. The renewal of Scotland Yard’s investigation in the wake of the *New York Times*’ story, for example, triggered both regulatory and media interventions in the United Kingdom. Even when, for nationally specific reasons, a regulative institution takes the lead position in publicly attacking anti-civil corruption (Thumala Olave 2018), the societalization of the problem depends on the code-shifting performances of communicative media.
8. In light of its fateful triggering power, it is ironic that the charge that the Dowlers’s answering machine was secretly hacked by journalists later proved to be unfounded.
9. In the throes of societalization, Murdoch split his company, News Corporation, into separate entertainment and journalistic enterprises, renaming the latter News UK.
10. Despite the return to a steady state in the United States, U.S. newspapers have continued to conduct periodic investigations about Church pedophilia outside the United States, sometimes triggering code switching and civil repair, sometimes simply reporting on how these elements of societalization unfolded elsewhere. For example, in 2016, under the headline “Benedict’s Brother Says He Was Unaware of Abuse,” the *Times* (1/10/16) reported, with revealing insinuation, that “the Rev. George Ratzinger, the elder brother of former Pope Benedict XVI, said in an interview . . . that he had no knowledge that young boys in an internationally known

German church choir he directed for 30 years had suffered sexual abuse.” Three months later, reporting on “efforts to address ignored reports” of abuse in the boys choir, the *Times* (2/6/16) headlined “Church Confronts Abuse Scandal at a Famed German Choir.” Eighteen months after that, under the headline “‘Culture of Silence’ Abetted Abuse of at Least 547 German Choir Boys,” the *Times* (7/18/17) reported the findings of an “independent” investigator appointed by the Regensburg diocese where Rev. Ratzinger had once presided. The diocese had paid 450,000 Euros to victims, the paper noted, and “the school has also moved to change its culture and instituted steps to prevent and report abuse in recent years” (*NYT* 7/18/17). These articles contributed to exposing sex abuse in the German church, but they also documented that the institutional protagonist now doing the confronting and regulating was the Church itself.

In its similar, even more extensive coverage of the societalization of Churchly pedophilia in Australia, the *Times* linked sexual abuse to the failure of official regulation, noting that, while former Australian archbishop George Pell “knew about a number of priests and brothers accused of pedophilia during the 30 years in which he rose through the ranks of Australia’s clerical hierarchy,” he had “failed to act” (*NYT* 3/1/16). At the same time, the paper observed that Cardinal Pell had been ordered to testify to the Australian Royal Commission into Institutional Responses to Child Sexual Abuse, established three years earlier, and that, just hours before Pell’s testimony, the Royal Commission had released a cache of documents containing emails and letters relating to the abuse allegations. Sixteen months later, the *Times* (7/10/17) quoted a former Australian abuse victim: “The first part of justice is to have the past recognized. I think the royal commission has well and truly done that.” One year later, the *Times* (7/31/18) reported that, even as an Australian archbishop caught up in the pedophilia scandal had been forced to resign, the Church “has not yet stripped of his rank Cardinal George Pell [but] has instead emphasized that he claimed innocence and was awaiting for justice to take its course.”

11. Symbolic interactionist theorists concentrate on agency in theorizing the construction of social problems as scandals, for example, Becker’s (1963) “moral entrepreneurs” and Fine’s (1997) “reputational entrepreneurs.” Such pragmatist approaches, however, tend to reduce agency to the cynical pursuit of self-interest. For example, while Cohen (1972:112 [italics added]) rightly warns that “the presence alone [of] values does not guarantee successful . . . social problem definition,” arguing “there must also be enterprise,” it does not follow that “someone [who] takes the initiative” does so simply “on the basis of *interest*” and instrumentally “uses publicity techniques to gain” support.

12. The exploits of civil heroes are recounted in best-selling books and award-winning movies. The tenacious idealism of *Boston Globe* investigators into Church pedophilia was cinematized in *Spotlight* (2015), which won the Academy Award for best picture. Bob Woodward and Carl Bernstein, the intrepid reporters who code shifted the Watergate scandal, were the principal protagonists of *All the President's Men* (1976), the legendary 1970s film that won four Academy Awards. Four decades later, two of Watergate's other civil heroes, Ben Bradlee and Katherine Graham, were cinematized in *The Post* (2017), which received a best picture nomination from the Academy Awards and was named best film of 2017 by the National Board of Review.
13. In 1905, the legendary muckraker Upton Sinclair first published chapters of *The Jungle*, his societalizing call-out of the meat-packing industry, in an influential popular magazine aptly titled *Appeal to Reason*.
14. Blumer (1971:302) once observed that "the pages of history are replete with dire conditions unnoticed and unattended to." The theory of societalization presented here allows this constructionist insight to be explained in a macro-sociological way.
15. Thompson (1998) reversed out of the cul-de-sac with his cultural-sociological revision of moral panic theory.
16. Interpretation of these classical and modern macro-sociological traditions is, of course, highly contested, for example, speaking of Weber as a conflict rather than cultural theorist. Yet, even Weber's ([1916] 1946) "Religious Rejections of the World and Their Directions" essay, the oblique and fascinating outlier he attached as an introduction to his collected essays on the sociology of religion, proposes a view of modernity as so fractured that its value spheres are radically incommensurable. Whether interpreted in more materialist or cultural terms, there is little disagreement that Weber powerfully resisted the notion that "society" can exert a collective moral force in modernity. Swedberg (2005:254) writes, "[W]hile Weber occasionally uses the term 'society' . . . it plays no role in his general sociology, and it is not part of his 'Basic Sociological Terms' as outlined in Ch. 1 of *Economy and Society*"; Frisby and Sayer (1986:68) assert that "although one of his major works is entitled *Economy and Society*, it does not discuss . . . 'society' but rather societal tendencies of action or sociation (*Vergesellschaftung*) which is contrasted with action motivated by a tendency toward solidarity"; and Kalberg (1985:63) observes that "it is noteworthy that Weber uses 'society' (*Gesellschaft*) only on two occasions in *Economy and Society*, both times in quotation marks." Drawing from but simultaneously distancing himself from Tonnies, Weber does introduce the term *vergesellschaftung* (Weber 1972:21ff), a German active noun without any direct equivalent in English but widely translated as "association," in contrast with Weber's concept of *vergemeinschaftung*: "A social relationship will be called 'communal' (*Vergemeinschaftung*) if and so far as the orientation of social action . . . is based on a subjective feeling of the parties, whether affectual or traditional, that they belong together. A social relationship will be called 'associative' (*Vergesellschaftung*) if and insofar as the orientation of social action within it rests on a rationally motivated adjustment of interests" (Weber 1978:40–41). Weber (1978:41) associates *vergesellschaftung* with more modern, less traditional forms of action, for example, "rational free market exchange, which constitutes a compromise of opposed but complementary interests" and "voluntary association based on self-interest [and] the promotion of specific ulterior interests, economic or other, of its members." It is ironic but also theoretically illustrative of my broader argument that a contemporary disciple of Niklas Luhmann, Volker Schmidt (2014:25), actually translates *vergesellschaftung* as "societalization," equating the latter with "systemic relations whose establishment rests on mutual interests and/or instrumental concerns" in contrast with communal relations "that involve a sense of togetherness and belongingness." My argument in the present essay introduces the concept societalization with the decidedly different aim of demonstrating the continuing relevance of belonging and solidarity in contemporary societies, suggesting modern feelings of togetherness can take civil and universalizing rather than traditionalist and particularist forms.
17. Only with the "late" Durkheim, in the religious writings that laid the basis for contemporary cultural sociology, do we find a perspective on modernity that recognizes the continuing pulse of the social whole. Until the late twentieth century, these later religious writings were understood to be an anthropology of "primitive" societies, in contrast to the Durkheimian sociology of modernity laid out in the putatively "sociological" publications of the 1890s, which comprise Durkheim's middle period. In recent decades, however, scholars (e.g., Alexander 1983; Fournier 2012; Smith and Alexander 2005) have argued that, as Durkheim's thinking developed, he rejected the relatively narrow institutional focus of the 1890s writings, engaging in a "cultural turn" that culminated with *The Elementary Forms of Religious Life* (Durkheim [1912] 1995). (Other classical and modern macro-sociological traditions have also been revised in light of the cultural turn, e.g., efforts within the Bourdieusian tradition to give culture more autonomy and to acknowledge the possibility of moral universalism [Goldberg 2013; Gorski 2013; Townsley 2011]).

The Strong Program in cultural sociology (<https://ccs.yale.edu/strong-program>; Alexander and Smith forthcoming) connects late Durkheim to such later

developments as semiotics, post-structuralism, symbolic anthropology, literary theory, and performance studies. Formulating a sociological approach to the continuing role of symbol, code, solidarity, and narrative, it conceptualizes modernity in terms of the taught tension between part and whole, conflict and integration. Even while building upon late Durkheim, however, cultural sociology (cf. Lamont 2000; Zelizer 1985) brings its meaning-centered theory and methods to bear on the core “modernist” concerns of Weber and Marx—conflict, domination, and exclusion, on the one hand, and possibilities for solidarity, equality, and incorporation, on the other.

Victor Turner’s model of social drama (e.g., Turner 1969) has functioned as a key link between late-Durkheimian concerns and contemporary studies of conflict and reconciliation (e.g., Edles 1998; Wagner-Pacifici 1986), and it adumbrates the societalization model presented here. It describes a sequential process from breach to crisis to redress and then to reintegration or schism. The present approach differs from Turner’s model by virtue of its emphasis on contingency, cultural coding, communicative and regulative institutions, and civil solidarity in contrast to “communitas.” Viewing breach in a functional rather than cultural manner, Turner (1969:75, 78) failed to problematize eventness, viewing social drama through the lens of ritual theory as a “full phases structure” intrinsic to “the developmental cycle of all groups” rather than as a performative achievement. For Turner, crisis is a *phase* in the unfolding of a naturalistic sequence. From the cultural-pragmatic perspective of performance theory, by contrast, crisis is a contingent outcome of cultural-cum-institutional struggle. Because Turner’s social-dramatic theory of crisis fails to recognize the growing de-fusion of the elements of social performance (Alexander 2011), it cannot conceptualize social crisis as a contingent, variable, culturally-and-institutionally conditioned response to strain.

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