The discourse of American civil society: A new proposal for cultural studies

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In this essay we make a new proposal for the sociological approach to culture. We begin with a brief critical history of the social-scientific treatment of culture and a criticism of some recent alternatives. In the section following this we develop our own model, and, in the third part of the essay, apply this in a construction of what we call the discourse of American civil society. In the fourth and longest section of our paper, we demonstrate the plausibility of this substantive model by using it to investigate a disparate range of events in American social and political history.

Value analysis and its critics

From the 1940s to the 1960s, "culture" played a fundamental part in social science theory and research. Primarily by employing the concept of "values," sociologists, political scientists, anthropologists, and even psychologists continued a modified version of the hermeneutic tradition that Max Weber had introduced into social science.[1]

In the period that followed those early postwar decades, it is fair to say that value analysis, and what was taken to be the "cultural approach" more generally, was forcefully rejected. It was convicted, sometimes more and sometimes less justifiably, of idealism.[2] There were two main dimensions to the accusation. On the one hand it was argued that, in both theoretical and empirical work, values had been accorded an illegitimate primacy over other types of social structures. On the other, it was asserted that value analysis was idealistic in that it failed to heed the complexity and contingency of human action.

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These critiques, however, merely led to one-sided approaches in turn. Idealism was defeated at the cost of reductionism, and this time it was culture itself that played the subordinate role. Those sensitive to the failure of value analysis to record the significance of social structure recast culture as an adaptive, if creative and expressive response, to ecological and organizational demands.[3] Meanwhile, those concerned with the problem of action reduced culture to the product of action and interaction or aggregate individual behavior.[4] Social structural and actor-centered understandings of culture remain today the dominant trends in mainstream social science.

We take this movement from culture to social structure and action to be premature: It has solved the problems of value analysis at the expense of a consideration of meaning itself. While the careful correlation of culture with social structure represents a real advance over the more idealistic versions of value analysis, the "new institutionalist"[5] focus on practical action and objectification at the expense of representation and internalization and, more importantly, at the expense of internal symbolic logic and cultural process. While we sometimes find in this work the formal language of codes, myths, narratives, and symbols, we do not find the referents of these terms in a substantive sense. Too often, cultural forms are presented as empty boxes to be filled in by structural needs, with the result that the internal content of representations exercises little explanatory power.

Perhaps the most influential sociology of culture at present is that offered by Pierre Bourdieu.[6] Bourdieu acknowledges the existence of cultural codes and their role in the structuring of aesthetic judgement. He also offers a wonderfully perceptive "thick description" of French bourgeois culture. However, his project cannot be conceptualized as hermeneutical in any strong sense. For Bourdieu action is either strategic or the unreflexive product of the lifeworld ("habitus"); in neither case is it formulated with reference to powerful and specifically cultural normative commitments. Although habitus enables actors to construct their actions as meaningful, it is itself described as the product and reflection of underlying social structural conditions. Cultural capital, unevenly allocated by role in class structure, is essentially part of a feedback loop; habitus and gatekeeping practices are the subjectively located but objectively regulated means for maintaining the stratification system. Because the actual ideational content of the cultural capital cannot vary independently of objective position, culture and habitus are, in a causal sense, irrelevant to the structuring of action and the

shaping of institutional forms. French society would scarcely be any different if the high bourgeoisie preferred Charles Aznavour to the Well Tempered Clavier. In truth, Bourdieu offers us a sociology of culture rather than a cultural sociology.[7]

The authors of the recent theoretical tract *Cultural Theory* take a more traditional behavioral approach, building on the insights of the middle-period Durkheim rather than Marx.[8] We believe, however, that their work may be criticized in much the same way as Bourdieu's. Their argument that "cultural bias" is a functional response to the grid-group alignments of the social structure[9] supports Bourdieu's analysis of culture as a feedback loop. In consequence, the precarious autonomy of culture can only be rescued through assurances of a logic of reciprocal interaction and reinforcement between shared "values and beliefs" and social relations.[10] As a result, the authors' claim in their preface that "the subject of this book is meaning", is still-born. Instead of thick description or an analysis of the complex semantics and dynamics of meaning systems (such as even Bourdieu provides), they offer a typology of five "ways of life" – fatalism, hierarchy, individualism, egalitarianism, autonomy – which is meant to define every possible cultural orientation, but in fact represents little more than a gloss on different types of social structure.

The work of Robert Wuthnow provides a final example of the flight from meaning to social structure.[11] Although capable of affording revealing insights into the cultural universe,[12] Wuthnow prefers to turn away from the "problem of meaning." Whether his version of poststructuralism actually transcends the limitations of hermeneutic analysis is a moot point.[13] It is clear that in practice he tends to eschew the detailed and rich elaboration of meaning structures *and* discursive formations, choosing instead to discuss culture in terms of broad and inclusive categories such as "rationality" and "individualism." These impoverished cultural forms, moreover, are overwhelmingly depicted in Wuthnow's empirical work as a passive, selected product of a competitive social structural environment rather than as autonomous and causally potent variables in their own right.

Of the action-centered approaches to culture the most theoretically interesting and coherent line of work has taken up Garfinkel's emphasis on reflexivity – a strand that Giddens's approach to rules as resources can be taken to epitomize.[14] Though he acknowledges symbolic codes, Giddens is interested in discursive consciousness primarily as a

response to situational structures and interactive contingencies. His work does not model the internal structure of codes – "discourse" in the semiotic or poststructural sense – much less offer an analysis of how these codes inform social structure. Swidler's emphasis on culture-in-action can be understood, and criticized, in the same way.[15] The novelty of her effort rests on the argument that extra-individual, systemic, or coded orientational patterns often have litte effect on action, and that, in situations that are not entirely routine, individuals typically redefine these elements in fundamental ways. Insofar as Habermas can be interpreted as a cultural analyst, we would argue that his work can be similarly criticized. Focusing on speech acts rather than symbolic languages, his work describes meaning as the result of efforts by interested actors to negotiate consensual understandings of practical ends, within the framework of standards of evaluation that are the product of genetic epistemology rather than of meaning complexes and traditions.[16]

If these represent the most interesting recent theoretical approaches, the most empirically important efforts to re-center analysis on the individual are the behaviorist studies of culture. More rooted in political science than in sociology, recent studies such as those by Pye and Huntington have conceptualized cultures as congeries of attitudes, generalizing from survey data or from observations of individual behavior to the construction of what are taken to be central values.[17] Our criticism of this approach – and here we agree with Wuthnow[18] – is that, once again, it seems to be throwing the baby out with the bath water. Meaning in the autonomous sense of structured and independent symbolic patterns is eschewed, in an apparent exchange for closer approximation to "observable" attitudes and social acts.

Bringing contingency and institutional effects back into our understanding of how culture works is a vital task. In achieving this micro-macro link, however, one must not overlook the reality of emergent properties, which demands that the integrity of different levels of analysis be maintained. Neither the importance of attitudes and actions, nor the significance of organization and environment, negates the existence at still another level of a cultural system. The recent approaches to culture have not provided a satisfactory alternative to the value analysis that was discredited decades ago. They have provided for more subjectivity, more organizational responsiveness, more contingency, and sometimes more empirical pay-off in a traditional causal or predictive sense. They have not, however, provided a model

that achieves these advances while allowing for a continuing, formative reference to the cultural order.

How did this retreat from meaning come to pass? We believe that it was abandoned as a central topic because value analysis had a second fault which its detractors rarely recognized – it glossed meaning rather than interpreted it. Although ostensibly the torch bearer of the hermeneutic tradition, value analysis proved unable to cast much light on the realm of the subjective and ideal. Values were analytical constructs, which analysts derived on the basis of observed behavior. They had little to do with the concrete thoughts, feelings and emotive responses of members of a lifeworld. Moreover, in pitching meaning at a very generalized level under umbrella-like concepts, value analysis failed to provide a detailed picture of the internal workings of the cultural environment. Value analysis, then, had what might be called a "hermeneutic deficiency," that served to compound the idealistic flaw. From the point of view of actor-centered theories, the link between meaning and action was unclear and underspecified, giving rise, for example, to Garfinkel's vivid critique of the actor as "judgmental dope."[19] From the point of view of institutional and class-based theories, the shared, overarching and generalized nature of meaning rendered value analysis useless for explaining the characteristics and dynamics of specific groups, organizations, and subsystems in concrete social settings.[20]

Any satisfactory alternative to value analysis must attend to the issue of meaning. If it does not, the integrity of the entire hermeneutic project is lost. We suggest, paradoxically, that to resolve the problem of idealism in a satisfactory manner we must not turn away from a consideration of meaning, but rather develop a better theory of the cultural system itself. Only then can the problems of culture and agency, and culture and social structure, be addressed in a satisfactory way. Developing a better theory of the cultural system will, in fact, be our main ambition here. We propose to develop and elaborate a more hermeneutically sensitive and internally complex model of culture than that afforded by value analysis and any of its successors. Having developed this model, we shall then turn back to the question of idealism and consider the relationship of culture to action in some detail. We also take up the issue of the culture/social structure link. Yet, although we suggest how this relationship can be reconceptualized and offer specific examples to illustrate our approach, this latter topic is not a central theme.

An alternative model

Beginning from Parsons's insistence on the merely analytic distinction between culture and social system, we draw upon semiotics and post-structuralism and their elaboration in the new cultural history.[21] We also draw from the hermeneutical tradition, which suggests that meaningful action can be considered as a text,[22] and, of course, from symbolic anthropology. We bind these together in a manner that may, for want of a better term, be understood as late-Durkheimian.[23]

Definitions have an arbitrary quality, but they do have the virtue of offering a place to begin. We would like to propose that culture be thought of as a structure composed of symbolic sets. Symbols are signs that have a generalized status and provide categories for understanding the elements of social, individual and organic life.[24] Although symbols take as referents elements of these other systems, they define and interrelate them in an "arbitrary" manner,[25] that is, in a manner that cannot be deduced from exigencies at these other levels. This is to say that, when they are interrelated, symbols provide a nonmaterial structure. They represent a level of organization that patterns action as surely as structures of a more visible, material kind. They do so by creating patterned order, lines of consistency in human actions. The action of an individual does not create this pattern; at the same time, as we will see, cultural structures do not create the action itself.[26]

We may think of a cultural system as composed of these structures and may think of these structures themselves as being of several different kinds. One important kind of "cultural structure"[27] is the narrative. People, groups, and nations understand their progress through time in terms of stories, plots which have beginnings, middles, and ends, heroes and antiheroes, epiphanies and denouements, dramatic, comic, and tragic forms. This mythical dimension of even the most secular societies has been vastly underestimated in empirical social science and, until recently, in most cultural theory. With the appearance of theoretical works by Turner, Ricoeur, and Entrikin, and empirical studies such as those by Frye, Wagner-Pacifici, and Apter, along with the growing recognition of earlier thinkers such as Bakhtin, Smith, and Eliade, narrative structure is beginning to be appreciated once again.[28]

As Levi-Strauss and Barthes have suggested, however, beneath narrative there lie structures of a more basic kind which organize concepts and objects into symbolic patterns and convert them into signs.[29]

Complex cultural logics of analogy and metaphor, feeding on differences, enable extended codes to be built up from simple binary structures.[30] Because meaning is produced by the internal play of signifiers, the formal autonomy of culture from social structural determination is assured. To paraphrase Saussure in a sociological way, the arbitrary status of a sign means that its meaning is derived not from its social referent – the signified – but from its relation to other symbols, or signifiers within a discursive code. It is only difference that defines meaning, not an ontological or verifiable linkage to extra-symbolic reality.[31] Symbols, then, are located in sets of binary relations. When meaningful action is considered as a text, the cultural life of society can be visualized as a web of intertwining sets of binary relations.[32]

Taking our leave from Foucault, on the one hand, and from Parsons and Durkheim on the other, we assert that signs sets are organized into discourses.[33] These discourses not only communicate information, structuring reality in a cognitive way, but also perform a forceful evaluative task. Binary sets do so when they are charged by the "religious" symbology of the sacred and profane.[34] In this situation, analogies are not simply relations of sterile signs; they set off the good from the bad, the desirable from the detested, the sainted from the demonic. Sacred symbols provide images of purity and they charge those who are committed to them with protecting their referents from harm. Profane symbols embody this harm; they provide images of pollution, identifying actions, groups, and processes that must be defended against.[35]

Our argument for studying the importance of the undesirable and negative in culture deserves some further comment. In social science, cultural analysis has identified meaning with images of the desirable or the good. This idealizing – not necessarily idealist – tendency certainly characterized the early Durkheimian approach to morality, Weber's studies of the economic ethics of world religions, and the Parsons/Kluckhohn functionalism that derived from these earlier approaches and from British social anthropology.[36] It has also marked the critical approach from Marx and Gramsci to Althusser and Habermas, according to which ideology refers to a distorted or unrealistic correlation between the ontologically and epistemologically true and reified conceptions of the good. Much of the work of the Frankfurt school, for example, centers on the ability of capitalism to project a false equation between the economic system and the good society.

Such idealization is debilitating not simply because it severely circumscribes the relevance of the symbolic, but because, more importantly, it offers a distorted understanding of the texture and scope of meaning itself. It pushes the antithesis of the good outside of the cultural system into the social. Negative behavior is understood only in terms of what threatens value coherence and what instigates social conflict, either as undersocialization, which indicates a distance from the cultural order, or as rebellion, which indicates antagonism to it. From our perspective, by contrast, negativity is part of culture and is symbolized every bit as elaborately as the good.[37] Positive codes, indeed, can be understood only in relation to negative ones. The conflict between good and bad functions inside of culture as an internal dynamic. Conflict and negation are coded and expected; repression, exclusion, and domination are part of the very core of the evaluative system itself. It is for this reason that pollution, transgression, and purification are key ritual processes in social life.[38]

We return, in conclusion, to the challenges raised by value analysis and its successors. Only by strongly separating culture in an analytic sense from both action and social structure can we establish the grounds upon which these issues can be addressed. The first challenge concerns the issue of action and an associated complex of issues indicated by such contrasts as code/contingency, structure/event, socialization/creativity. The way out of this penumbra, we believe, begins when one recognizes that there is a homology between phenomenological descriptions of meaningful action as typifying-via-analogy[39] and the semiotic conception of analogical reason as the underlying logic propelling cultural codes. Phenomenology has demonstrated that individual action and perception depends upon implications being drawn from what is known to what is assumed. Garfinkel translated this as the "etc. clause," suggesting that actors must work to make their actions "accountable" in terms of legitimate normative order.[40] Actors have the capacity to produce legitimate accounts in a variety of real life circumstances, a capacity Garfinkel called "ad-hocing." From the semiotic perspective, cultural codes are elastic because there is only a conventional, not a necessary, relation between signifier and referent.[41]

From the phenomenological perspective, cultural codes are elastic because individuals can ad-hoc from event to code and from code to event. Codes are extended through time and space because new data and experience are taken as analogues for what has preceded. There is no inconsistency, then, between speaking of cultural structures and of

the contingency of action. Accountability and symbolic classification are different theoretical levels – emergent properties – of the same empirical process; they are concepts that explain the reciprocal interaction of structure and action. Culture, in our understanding, is one of the internal environments of action.[42]

This nonreductionistic approach to the relationship between symbolic patterns and action is obviously related to the equally significant question of the connection between symbols and social structure. Put simply, does a strong understanding of the analytic autonomy and internal complexity of culture imply idealism in the conventional causal sense? We would argue that it certainly does not. It is one thing to lay out the internal structure of cultural order and quite another to say precisely what role this culture structure plays in the unfolding of real historical events or in the creation or destruction of empirical institutions. As far as general statements of this problem go, Parsons' AGIL model still does the job. Culture is always a generalized input, but only through a "combinatorial" process with more concrete and more material exigencies does it actually affect social life. For any particular causal problem – for example, whether or not social crises are created and resolved – particular and detailed models of social structure, action, and culture must be developed.[43] Thus, ritualization does not occur simply because meaningful action is threatened and must be sustained. Ritual, or "social drama," is a contingent social development that can come into play only within a distinctive conjuncture of social and cultural forces, a conjuncture that includes such elements as the configuration of social elites, the nature and application of social control, and the degree of social consensus at a particular historical time. The same kind of conjunctural approach applies to whether the response to a particular social conflict or strain will lead to any sustained focus on generalized cultural and moral questions as such.

We have argued that culture regulates social structure in concrete, temporally defined event sequences. However, we also consider that there is a more foundational link between culture and structure. Culture is linked to social structure through the institutionalization process. As Shils and Eisenstadt have argued, concrete social structures have normative referents.[44] Therefore, it is through their institutional setting that discourses are able to play a crucial, concrete role in defining and regulating the most significant structures and processes of practical social life. Along with political and material structures, discourses define stratification and organize equality; they allow members to

understand deviance and justify punishment; they are economic, political, religious, scientific, and military. The organized signifiers of discursive signs are idealized and symbolic; yet their referents are practical, potent, and "real." In this limited sense, Foucault's arguments about the identity of truth and power have merit.[45] The identity, however, occurs only within the cultural system itself. It is possible, indeed necessary, to separate truth from power in the more general analysis of social life, as Parsons suggests in his analytic distinction between culture and social system, and Weber does in his efforts to trace the concrete interrelationship of religion with economic and political force. Separating out truth and power in this way enables Foucault's seemingly functionalist assertion of a fundamental homology between the cultural (knowledge) and social (power) systems to be qualified.

Certainly, the contents of cultural codes for any particular societal subsystem, institution or class will simultaneously reflect and comment upon its empirical tasks, power and systemic location;[46] nonetheless, systemic codes retain an autonomy by virtue of their formal logics. Disfunction and contradictions between the cultural and other, more materially contrained levels and imperatives of the social system may therefore arise. Cultural logic, for example, may argue for the exclusion of polluted figures from political life even while rational concerns for the maximization of power, wealth or stability counsel for inclusion.[47] Yet, as we demonstrate in the empirical section of this article, although the cultural logic provides for an autonomy from institutional determination, the content and application of culture is nevertheless responsive to particular situations, struggles and functional imperatives. Despite the importance of these issues, however, in this article, our aim is to illustrate a new approach to culture itself rather than to detail and exemplify the causal relationship between culture and social system. In the following studies, then, we do not seek to provide a full explanation of historical outcomes as such, but rather to demonstrate the existence of an enduring cultural structure pertaining to one particular institutional setting.[48]

The discourse of American civil society

We proceed now to develop this alternative conception of cultural organization in a more substantive form. We describe what might be called the "discourse of civil society." In formulating this ideal-type, we draw upon historical notions of civilization and civility[49] and also upon

the tradition of liberal political theory in which democracy is defined by the distinction between the state and an independent, legally-regulated civil order.[50] Because we conceive the goal of civil society to be the moral regulation of social life,[51] it is a concept that lends itself particularly well to our project per se. While any detailed discussion of the structure of civil society is impossible here, it certainly has institutions of its own – parliaments, courts, voluntary associations and the media – through which this regulation is administered.[52] These institutions provide the forum in which crises and problems are resolved. Their decisions are not only binding, but also exemplary. Most important from our perspective, however, is the fact that the institutions of civil society, and their decisions, are informed by a unique set of cultural codes.[53]

These codes, we are convinced, show marked similarities from one national society to another; not only broad pressures of Western cultural history but also the very structures of civil society, and its ability to interpenetrate with other social spheres, mandate a cultural structure that regulates civil life in similar ways. Such a homogeneity of core structures, however, does not preclude substantial and important variations in national form. Every civil society develops in an historically specific way. *Bürgerliche Gesellschaft, société*, and "society" name variations in the relations among state, economy, culture, and community in different national civil societies, just as they can be seen to suggest variations on widely-shared cultural themes.[54] In the present article, we concentrate on only the discourse of civil society in its American form. We concentrate on America for two reasons. First, detailed, thick description tends to be the most persuasive in cultural studies; one must fight against the tendency (tempting in comparative work) for interpretation to engage in a broad brushstroke portrayal of general themes. Second, America has typically been considered the closest approximation to a democratic nation-state. Here, if anywhere, we would expect to find the discourse of civil society in its most pristine form.

Civil society, at the social structural level, consists of actors, relationships between actors, and institutions.[55] At the very heart of the culture of American civil society is a set of binary codes which discuss and interrelate these three dimensions of social-structural reality in a patterned and coherent way. In the United States, there is a "democratic code" that creates the discourse of liberty. It specifies the characteristics of actors, social relationships and institutions that are appropriate in a democratically functioning society. Its antithesis is a

"counter-democratic code" that specifies the same features for an authoritarian society. The presence of two such contrasting codes is no accident: the elements that create the discourse of liberty can signify democracy only by virtue of the presence of antonymic "partners" in an accompanying discourse of repression.

Democratic and counter-democratic codes provide radically divergent models of actors and their motivations. Democratically minded persons are symbolically constructed as rational, reasonable, calm and realistic in their decision making, and are thought to be motivated by conscience and a sense of honor. In contrast, the repressive code posits that anti-democratically minded persons are motivated by pathological greed and self-interest. They are deemed incapable of rational decision making, and conceived of as exhibiting a tendency towards hysterical behavior by virtue of an excitable personality from which unrealistic plans are often born. Whereas the democratic person is characterized by action and autonomy, the counter-democratic person is perceived of as having little free-will, and, if not a leader, as a passive figure who follows the dictates of others.[56]

The discursive structure of actors

Democratic code	Counter-democratic code
Active	Passive
Autonomous	Dependent
Rational	Irrational
Reasonable	Hysterical
Calm	Excitable
Controlled	Passionate
Realistic	Unrealistic
Sane	Mad

Accompanying this discourse on actors and their motivations is another directed to the social relationships that are presumed to follow from such personal needs. The qualities of the democratic personality are constructed as those which permit open, trusting, and straightforward relationships. They encourage critical and reflective, rather than deferential, relations among people. In contrast, counter-democratic persons are associated with secretive, conspirational dealings in which deceit and Machiavellian calculation play a key role. The irrational and essentially dependent character of such persons, however, means that they still tend to be deferential toward authority.

The discursive structure of social relationships

Democratic code	Counter-democratic code
Open	Secret
Trusting	Suspicious
Critical	Deferential
Truthful	Deceitful
Straightforward	Calculating
Citizen	Enemy

Given the discursive structure of motives and civil relationships, it should not be surprising that the implied homologies and antimonies extend to social, political and economic institutions. Where members of the community are irrational in motivation and distrusting in their social relationships, they will "naturally" create institutions that are arbitrary rather than rule governed, that use brute power rather than law, and that exercise hierarchy over equality. Such institutions will tend to be exclusive rather than inclusive and to promote personal loyalty over impersonal and contractual obligations. They will tend to favor the interests of small factions rather than the needs of the community as a whole.

The discursive structure of social institutions

Democratic code	Counter-democratic code
Rule regulated	Arbitrary
Law	Power
Equality	Hierarchy
Inclusive	Exclusive
Impersonal	Personal
Contractual	Ascriptive
Groups	Factions
Office	Personality

The elements in the civil discourses on motives, relationships, and institutions are tied closely together. "Common sense" seems to dictate that certain kinds of motivations are associated with certain kinds of institutions and relationships. After all, it is hard to conceive of a dictator who trusts his minions, is open and honest, and who rigorously follows the law in an attempt to extend equality to all his subjects. The semiologics of the codes, then, associate and bind individual elements on each side of a particular code to the other elements on the same side

of the discourse as a whole. "Rule regulated," for example, is considered homologous with "truthful" and "open," terms that define social relationships, and with "reasonable" and "autonomous," elements from the symbolic set that stipulate democratic motives. In the same manner, any element from any set on one side is taken to be antithetical to any element from any set on the other side. Thus, hierarchy is thought to be inimical to "critical" and "open" and also to "active" and "self-controlled."

The formal logic of homology and opposition through which meaning is created, and which we have outlined above, is the guarantor of the autonomy of the cultural codes – despite the fact that they are associated with a particular social-structural domain. However, despite the formal grammars at work in the codes, which turn the arbitrary relationships between the elements into a set of relationships characterized by what Levi-Strauss has termed an "a posteriori necessity,"[57] it would be a mistake to conceive of the discourse of civil society as merely an abstract cognitive system of quasi-mathematical relationships. To the contrary, the codes have an evaluative dimension that enables them to play a key role in the determination of political outcomes. In American civil society, the democratic code has a sacred status, whereas the counter-democratic code is considered profane. The elements of the counter-democratic code are dangerous and polluting, held to threaten the sacred center of civil society,[58] which is identified with the democratic code. To protect the center, and the sacred discourse that embodies its symbolic aspirations, the persons, institutions, and objects identified with the profane have to be isolated and marginalized at the boundaries of civil society, and sometimes even destroyed.

It is because of this evaluative dimension that the codes of civil society become critical in determining the outcomes of political processes. Actors are obsessed with sorting out empirical reality and, typifying from code to event, with attributing moral qualities to concrete "facts." Persons, groups, institutions, and communities who consider themselves worthy members of the national community identify themselves with the symbolic elements associated with the sacred side of the divide. Their membership in civil society is morally assured by the homology that they are able to draw between their motives and actions and the sacred elements of the semiotic structure. Indeed, if called upon, members who identify themselves as in good standing in civil society must make all their actions "accountable" in terms of the discourse of liberty. They must also be competent to account for those

who are thought to be unworthy of civic membership – who are or should be excluded from it – in terms of the alternative discourse of repression. It is through the concept of accountability that the strategic aspects of action come back into the picture, for differing accounts of actors, relationships and institutions can, if successfully disseminated, have powerful consequences in terms of the allocation of resources and power. Strategically, this dual capacity will typically result in efforts by competing actors to tar each other with the brush of the counter-democratic code, while attempting to shield themselves behind the discourse of democracy. This process is clearest in the courts, where lawyers attempt to sway the opinion of the jury by providing differing accounts of the plaintiffs and defendants in terms of the discourses of civil society.

Before moving to our empirical investigation of this code, it is necessary to clarify the relationship between our theory and other work on American civic culture. Scholars such as Bellah and Huntington[59] have argued that American political culture is characterized by fundamentally conflicting ideals and values. In contrast, our approach argues for a semantic commensurability between contrasting themes in American culture. Our claim that there is an underlying consensus as to the key symbolic patterns of American civic society, and a relationship of complementarity between differing components of the cultural system, reinforces earlier arguments by scholars such as Hartz and Myrdal.[60] In recognizing the existence of a shared culture in the civil society we do not, of course, claim that differing traditions and sub-cultures do not exist in America. The communitarian tradition, for example, has a very different conception of civility. Discussions among intellectual and cultural historians have also been characterized by sharp disagreement over the nature of the basic ideas that underlie American political thought. Scholars have argued intensely over the comparative merits of civic republicanism, Lockean liberalism, and Protestant Christianity in accounting for both the ideal and material forms of American political culture at different times.[61] Our approach claims that these traditions, while importantly different in themselves, rest upon a single more basic symbolic framework. Bailyn, for example, argues that fear of negative elements such as power and conspiracy were at the heart of American ideology. In contrast, Hartz highlights positive values such as individual autonomy and contractual relations. Others, in the republican tradition, emphasize more collectivist elements such as honesty, trust, cooperation and egalitarianism. We suggest that the binary organization of America's civic codes enables these competing interpretations

to be seen as complementary rather than competing. Indeed, we would argue that our model provides less an alternative than a re-understanding of the various particular claims that have been advanced by other scholars. As we understand the discourse of civil society, it constitutes a general grammar from which historically specific traditions draw to create particular configurations of meanings, ideology and belief. We are not arguing, in other words, that all understandings of American civil society can be reduced to a single discourse. Rather, we assert that this broad discourse provides the possibility for the variety of specific cultural traditions, or rhetorical themes, that have historically characterized American political debate.

Finally, we should emphasize that we do not claim that this scheme provides the only level at which political and social debate is conducted. Although the discursive structure we identify is continuously drawn upon in constructing cultural understandings from contingent political events, the structure becomes the key foundation for public debate only in times of tension, unease, and crisis. Smelser and Parsons have argued that in periods of social tension communication becomes more generalized and abstract, shifting away from the mundane concerns with means and ends that characterize the discourse of everyday life.[62] Writing from within an earlier functionalist medium, these theorists ascribed generalization to a combination of psychological strain and adaptive pressure for conflict resolution. We take a more cultural approach, conceiving of such crises as liminal, quasi-ritualized periods in which fundamental meanings are also at stake.[63] When we examine conflicts over civic discourse, we are looking at generalized accounts in such liminal times.

How modern societies or subsets of these societies enter into such liminal periods of intense social drama, which groups or audiences are more influential or heavily involved, how and by what means these crises are eventually resolved, whether they polarize society or clear the ground for a new consensus – these are not questions that can be answered by interpretive analysis as such.[64] We would argue, nonetheless, that the discursive dimension of civil conflict is fundamentally important. Habermas has argued that democratic authority must stand the test of thematization. Citizens must be able to defend the rationality of their actions by invoking the fundamental criteria according to which their decisions are made. That they do so in terms of "arbitrary" or conventional symbolic codes[65] rather than the rationalistic, developmental frameworks that Habermas invokes makes the process no less

important and, in fact, much more challenging from the perspective of a social science. As political language must inevitably contain a structured and symbolic dimension, the entirely rational conduct of politics to which Habermas aspires becomes an impossibility. Precisely because the process and outcomes of crises of democratic authority are less predictably rational than Habermas and other democratic theorists suppose, it is necessary to explore the codes of civil society in a much more complex and dynamic way.

Historical elaborations of America's civil discourse

We propose to illustrate the plausibility of our approach by examining a series of crises and scandals in the past two hundred years of American history. Although in qualitative (and often also in quantitative) research rigorous falsification is impossible, we believe that by showing the pervasive nature of the same culture structure across time, types of events, and differing political groups our model can be established as a powerful explanatory variable in its own right. To this end, our historical discussion is more general and iterative than specific and detailing. Once again, we stress that we do not intend to explain any particular historical outcome; in order to accomplish this extremely detailed case studies are necessary. We offer, rather, the groundwork for such studies by demonstrating the continuity, autonomy, and internal organization of a particular cultural structure across time.

Attacks on U.S. Presidents

As conspicuous individuals, presidents tend to be evaluated in the public discourse in terms of the discourse of actors. However, civil society rarely limits its discourse to only one subset of codes. As we shall see, the types of relationships that U.S. Presidents are thought to be involved in, and the institutions they are often attributed responsibility for, provide important contextual material for the evaluation of their motives.

Two speeches of no extraordinary historical significance provide a useful starting point for our empirical investigations. The first was delivered in the Senate by Massachusetts Senator Charles Sumner on 31 May 1872, and amounted to an attack on the President Ulysses S. Grant. The second, delivered three days later, was a defense of Grant

by Illinois Senator John Logan. In these speeches we can see how two individuals hold to the same discursive codes, yet sharply differ in the way they apply them to the same referent, in this case President Grant.

According to Sumner, Grant was not a fit individual for the Presidency. He argued in Congress that Grant was more interested in personal profit and pleasure than the public good.

> The presidential office is treated as little more than [a] plaything and a perquisite.... Palace cars, fast horses and seaside loiterings figure more than duties.... From the beginning this exalted trust has dropped to be a personal indulgence.[66]

Not only does Grant fail to live up to the republican ideal of duty – note the contrast between public "trust" and "personal" indulgence – but he is unable to conduct himself rationally. Sumner argues that Grant is not able fully to control and command his own actions. He is under the spell of uncontrollable psychic forces and treats people as enemies.

> Any presentment [sic] of the President would be imperfect which did not show how this ungovernable personality breaks forth in quarrel, making him the great presidential quarreler of our history.... To him a quarrel is not only a constant necessity, but a perquisite of office. To nurse a quarrel, like tending a horse, is in his list of presidential duties.[67]

Sumner saw Grant's irrational and selfish personality as tempting him to establish a government founded on counter-democratic principles. Through personal whim, Grant has set up a government based upon nepotism and militarism. This arbitrary organization displays a hierarchical structure and depends upon secretive relationships and passive members.

> [Grant's various] assumptions have matured into a personal government, semi-military in character and breathing of the military spirit, being a species of caesarism or personalism abhorrent to republican institutions, where subservience to the President is the supreme law.
>
> In maintaining this subservience he has operated by a system of combinations, military, political and even senatorial, having their orbits about him, so that, like the planet Saturn, he is surrounded by rings.[69]

In view of the fact that Grant's government was characterized by a "Quixotism of personal pretension," it is hardly surprising that the President was also seen by Sumner as acting outside the boundary of

the law, most especially in his attempts to annex St. Domingo to the United States. Notice also here how Sumner attempts to ally himself with the democratic discourse by stressing his own rationality.

> In exhibiting this autocratic pretension, so revolutionary and unrepublican in character, I mean to be moderate in language and to keep within the strictest bounds. The facts are indisputable, and nobody can deny the gross violation of the Constitution and of International law with insult to the Black Republic – the whole case being more reprehensible, as also plainly more unconstitutional and more illegal than anything alleged against Andrew Johnson on his impeachment.[70]

In defending Grant, Senator Logan demonstrates a very different understanding of the appropriate arrangement of characters against the background of civil codes. He argues that it is Senator Sumner, not President Grant, who is best characterized by the counter-democratic discourse. Sumner is denounced as not living up to the ethical demand for rational conduct and thought, as a complex intellectual elitist, as a liar, and as a selfish egotistical soul with an inability to act as an autonomous Senator with a realistic world view.

> I was sorry to see a Senator ... lower himself as he did on this occasion, for the purpose of venting his spleen and vindictive feeling against a President and those who stand by him.[71]

> His statesmanship has consisted for twenty-four years in high-sounding phrases, in long drawn out sentences, in paragraphs taken from books of ancient character .... It consists of plagiarism, in declamation, in egotism.[72]

> Let us compare the tanner President with the magnificently educated Senator from Massachusetts, who has accomplished so much, and see how he will stand in comparison. The Senator from Massachusetts has lived his life without putting upon the records of this country a solitary act of his own origination without amendment of other men having more understanding than himself in reference to men and things. General Grant, the President of the United States, a tanner from Galena, has ... written his history in deeds which will live.[73]

Logan not only pollutes Sumner by identifying him in terms of the elements of the counter-democratic code, but he argues that Grant is best typified by the democratic ones. He does this by asking rhetorical questions that distance the President from the charges Sumner made.

> In what respect has the President violated the law? I ask the Senator from Massachusetts to tell this country in what has he violated the constitution, in what particular.[74]

> With whom has the President quarrelled? I do not know.[75]

Finally, Logan positively identifies President Grant with critical elements of the discourse of liberty, demonstrating that his honesty and good faith have allowed the legal order to be sustained, and cooperation and civility to rule.

> President Grant has made an honest President. He has been faithful. The affairs of the world are in good condition. We are at peace with the civilized world, we are at war with none. Every State in this Union is quiet; the laws have been faithfully executed and administered; we have quiet and peace throughout our land.[76]

In the speeches of Sumner and Logan we see how two individuals are able to typify and legitimate the same persons and events in sharply different ways. Yet to see this process in purely individualistic terms would be a mistake. While every individual typifies, ad-hocs, and accounts for events, they perform these activities with reference to cultural codes that are collectively held.

In the case of the impeachment of Andrew Johnson we see an attack on a President that is similar to Sumner's attack on Grant, but which was more severe and more widely shared. This is explicable in terms of Johnson's uncanny ability to alienate himself from large segments of the political community through his extensive (mis)use of executive powers, his antagonism towards Congress, and his soft-line on the question of Reconstruction. The issue that led directly to his impeachment, however, was his attempt, without Congressional permission, to remove Howard Stanton from his post in control of the War Office and to replace him with a personal friend, Lorenzo Thomas.

Andrew Johnson's opponents argued that he had a defective personality structure. He was held to be both calculative, selfish, and Machiavellian as well as irrational, emotive, and foolish. The seeming contradiction between these two lines of attack is not apparent to "practical reasoners" who are embedded in the binary oppositions of America's central codes. Thus the *New York Daily Tribune* is able to reconstruct Johnson's Machiavellian strategy in an editorial of February 7, 1868, and to argue against Johnson later in the same month on the grounds that he had little self-control.

> We can almost imagine the President's reasoning. 'I have had good use of Grant. He is an amiable man, easily bullied. He did well by me.... Now I've got Stanton out. Before Congress meets the country will have forgotten all about him. Grant will go back to the army. I'll give some of the Radical

> Senators a tax collector or two, and get Steedman and Black through the Senate, just as I got Rousseau through. So I'll have Stanton out of the way and Grant a dead duck, for the Radicals will call him my decoy bird and not trust him. With the Tenure of Office Bill thus blown to atoms, things will be lovely all around.[77]

> American gentlemen blushed when they remembered that a drunken Vice-President had shaken his fist in the face of the ambassadors of foreign countries.... We saw the President bandying words with a mob in Cleveland, defending a riot and murder in St. Louis, and making wild, incoherent speeches at every station.... It is well to remember that morally he was long since tried by the common sense of his countrymen.[78]

Johnson displays drunkenness and bad temper; he is associated with riots, mobs, wildness, incoherence and murder – the most anti-civil act of all. These traits are counterposed to morality and common sense and to the fraternal term "countrymen."

Given these serious character flaws it was inevitable that other aspects of the counter-democratic discourse would be applied to Johnson. It was argued that he had a master plan to set up a network of passive toadies in the place of active and critical public servants. In a crucial debate one Congressman argued, for example, that Johnson had attempted to replace Stanton in the War Office with "some fawning sycophant, who, for the sake of his patron, will consent to become the pliant tool in his hands for the accomplishment of his base purpose." The result of such acts, he goes on to argue, could only be the destruction of the institution of office and, eventually, of democracy itself.

> If [Johnson] may exercise such a power in this case [the Stanton removal] he has only to remove every civil officer who will not consent to be a fawning slave to his will, obedient to his power and destroy the Republic.[79]

More generally, it was argued in Congress that Johnson's intention was to break the law. This institutional violation was inevitable considering his fatally flawed character.

> In his maddened zeal to accomplish his evil designs, he has set at defiance the laws and law making power of the land.[80]

> Andrew Johnson ... deliberately and intentionally strikes at the majesty of the law and attempts to trample it beneath his feet. This act ... removed the mask from the man who was made President by the act of an assassin and proclaimed ... that Andrew Johnson would not hesitate to set the laws at defiance where they interfered with his plans, and if an opportunity offered to proclaim himself dictator upon the ruins of the Republic.[81]

Note that these simple arguments are built upon a series of interlaced antinomies. The alternative to sacred civility is evil calculation, to decent law-making, madness and defiance. The nation will be taken from majesty to ruin, from republic to dictatorship.

Those who were opposed to President Johnson argued for his exclusion from civil society on the basis of his counter-democratic motives, arguing that he was attempting to establish repressive relationships and institutions in the place of the existing system, which was seen as essentially democratic. Those who supported Johnson saw events in a completely different light, though they employed the same code. First, they opposed the rhetoric of moral confrontation itself, arguing in effect that the climate of symbolic generalization which had demanded the application of morally sanctioned codes was overblown. Suggesting that events should be understood not in terms of transcendental values but rather in the more mundane framework of detailed legal technicalities, Johnson's supporters claimed that a "realpolitik" attitude was necessary in order to sustain the national interest in the demanding period of Reconstruction. Among Johnson's most influential supporters was the *New York Times*:

> Congress has on its hands already quite as many subjects of grave and pressing importance as it can dispose of wisely. To throw into the political arena now, so exciting a subject as impeachment ... would be not only to postpone a wise and beneficient restoration of the Union and peace, but to invite a renewal of the dangers from which we have just escaped.[82]
>
> In our judgement the impeachment of the President is wholly out of place so long as the constitutionality of the law is in controversy.[83]

But a more direct confrontation with the polluting categories of Johnson's indictment was also necessary. In his own defense, Johnson argued that his efforts to remove Stanton from the War Office without Congressional permission had been designed to test a point of law rather than to usurp power. Accepting this typification, the *New York Times* writes:

> Mr. Johnson's method of carrying out his purposes has always been more objectionable than the purposes themselves. His present controversy is a case in point.[84]

Because the actual relationship between the "method of carrying out one's purposes" and the "purposes themselves" is unknowable, readers and political actors are being asked to fill in the missing links through a

kind of "documentary method."[85] In principle, differing opinions of the same events and personalities can be formed, or "documented," by persons with the same raw information. In practice, however, the information of public life is cooked, not raw: it is itself shaped by collective, cultural logics that permit only certain combinations of interpretations to make sense. It is not possible for Johnson to attempt to usurp power and, at the same time, to be seen as a rational, morally concerned person. It is possible, however, for Johnson to test the constitutionality of the law regarding the Tenure of Office Act and to remain a democratically minded individual. Because the *New York Times* believes in the worthiness of Johnson's intentions in removing Stanton from office, it is bound to argue that those who seek his impeachment are constituted by the counter-democratic code.

> Reason, judgement or patriotism has nothing to do with the purpose now proclaimed [impeachment]. In its inception and in its exercise it is partisanship worked up to the point of frenzy and aggravated with a personal hate, of which many who yesterday voted for impeachment will shortly be ashamed.[86]

Given these particularistic and irrational motivations, it should by now come as little surprise that those opposed to Johnson were accused in Congress not only of attacking the President, but also the fabric of democratic society. On the one side there is tyranny, fury, fanaticism, and usurpation; on the other the constructive activities of the patriots and their constitution.

> Mr. Chairman, in the brief time allowed me under the tyrannical rule of the majority of this House, I can but glance at the topics which present themselves for consideration now that a partisan caucus has determined to complete the usurpation of the Government by the impeachment and removal of the President.[87]

> This attack is directed against the walls of our Government, which were reared by the patriot fathers, and whose foundations were laid deep down in the constitution of our country – the fear is that they will not be able to resist the fury of this tornado of fanaticism.[88]

It should also come as little surprise that the type of social relationship invoked in this attack was considered to be repressive, involving the use of secrecy and calculation along with the brutal use of power.

> In the name of the larger liberty the American people are asked to consent to the embrace of a monster whose hidden mechanism is managed by the unprincipled Stanton, aided and abetted by the controlling men in the

> Radical party... The efforts of Mr. Stanton have been directed to establish an armed despotism in this country. ... This plot is reaching its culmination in the recent action of this body in impeaching the President of the United States.[89]

Evaluating institutions and business

One might suppose that the economic sphere is understood and evaluated merely in terms of its efficiency in providing for the generation, safe keeping, and distribution of wealth. However, this is not the case. Even economic institutions and transactions are liable to the process of generalization through which they become understood via the semiotic and moral distinctions that we have outlined in this article. The so-called "Bank War" of the 1830s provides a case in point. The issue at hand was the renewal of the charter of the Bank of the United States, which was due to expire in 1836. The bank had been chartered and endowed with various unusual rights and privileges by Congress in 1816. Those opposed to the renewal of the charter were led by the President, Andrew Jackson. In the case of Presidents, we have seen, their high individual visibility leads to a focus on psychological motivations. In contrast, attacks on institutions such as the bank, which tend to be more diffuse, usually focus on social and institutional relationships and activities.

A recurring theme in the assaults of the opponents of the bank are gothic images reminiscent of the macabre aspects of the literature of the time. In Congressional debates images abound of darkness, intrigue, and strange uncontrollable powers threatening to the civil society.

> The bank was an institution whose arms extended into every part of the community.... An institution like this, which by the mere exertion of its will could rise or sink the value of any and every commodity, even of the bread we ate, was to be regarded with a jealous watchfulness.[90]

> And what is that influence? Boundless – incalculable. Wielding a capital of sixty million dollars, with power to crush every state bank in the Union; having thereby in its iron clamp the press, the counting house the manufactory and the workshop; its influence penetrates into every part of this vast country, concentrating and directing its energies as it pleases.[91]

The bank had such a polluting power that it could transform democratic into counter-democratic social relationships.

> We moreover view it as one of the most stupendous engines of political power that was ever erected; capable of being exerted not only against the head, but every branch of the government, corrupting by its money, and awing by its power the virtuous and independent action of the representatives of the people in prostituting them to its base and sinister purposes.[92]

Associated with this corrupt and awesome power – which prostitutes and debases once autonomous citizens – was an aura of secrecy antithetical to the type of relationships that would have characterized a democratic instititution. Important evidence for this was the opposition of the bank's supporters to an open public enquiry. The bank's opponents argued that an open and rational investigation of the bank would be necessary to discover the truth.

> Our debate is set on the supposition that the charter has dissolved ... that the bank is no longer a living power but a cadaver – a dead subject, which we should examine with the dispassionate scrutinity of a surgeon who lets no piece of corrupted flesh, no bone or muscle, however monstrous, escape the edge of this knife.[93]

Dispassionate fairness implies not only rationality and objectivity, but vitality and life itself; the sinister and secretive bank, in contrast, is identified with death, with the pollution of corrupted, monstrous flesh.

Given the bank's secretive nature and power, it is only to be expected that its opponents would also find evidence that it was a particular institution favoring the interests of the enemies of civil society, of foreigners and the domestic elite over those of the American people. Therefore, on returning the Bank Bill, President Jackson included in his message to Congress the argument that "the stock will be worth more to foreigners than to citizens of this country."

> If we must have a bank with private stockholders, every consideration of sound policy, and every impulse of American feeling, admonishes that it should be purely American. Its stockholders should be composed exclusively of our own citizens.[94]

> If we cannot, at once, in justice to interests vested under improvident legislation, make our government what it ought to be, we can, at least, take a stand against all new grants of monopolies and exclusive privileges, against any prostitution of our government to the advancement of the few at the expense of the many.[95]

Supporters of the bank perceived things differently. As with the supporters of Johnson, they tried to prevent the application of moral

categories altogether by arguing that events had not reached a symbolic crisis point and that the bank could, consequently, be evaluated on utilitarian grounds.

> Sir, it is the highest eulogium [sic] that can be provided on the Bank of the United States that it provides the Government with a sound currency of a perfectly uniform value, at all places, for all its fiscal operations, and at the same time enables that Government to collect and disburse its immense revenues in the mode least oppressive to the community. If the same functions were exclusively devolved upon the state banks ... the absolute distresses and necessities of the country would drive those banks into the fatal policy of suspending specie payments in twelve months.[96]

Insofar as they accepted symbolic generalization as inevitable, the bank was also, but less often, justified in terms of the specific details of the democratic discourse. For example, one supporter argued against the assertion that it was a secretive institution, claiming that, to the contrary, the bank was open and honest.

> Bank checks are in circulation everywhere, and are seen every day. The amount issued by the bank is known, the bank has furnished the information.[97]

Defenses of the bank's moral status were less often resorted to, however, than attacks on the bank's opponents, who were portrayed as themselves counter-democratic. In rebutting one Congressman's allegations of corruption, one of the bank's most important supporters remarks:

> Has he not received some admonitions on the subject of yielding his ear too credulously to those suspicions which are whispered by anonymous and irresponsible informers.... I have no doubt that some dark insinuation has been poured into the gentleman's ear.[98]

Criticisms of the bank are discredited through their association with anonymity, which is suspicious because it allows people not to take responsibility for their statements. The rationality of the critics' thought processes, and the integrity of their motivations, are also called into question.

> I have not doubt that the gentleman regards the Bank of the United States as a great national curse, and I can, therefore, very well conceive that his mind will give credence to much slighter evidence against the bank than would satisfy a mind differently prepossessed, or having no prepossessions of any kind.[99]

> To destroy the existing bank ... would be an act rather of cruelty and caprice, than of justice and wisdom.[100]

Caprice speaks of irrationality and lack of control, cruelty of a lack of conscience and good will. These motives are themselves polluting; they make it seem unlikely that the "curse" on the nation could have come only from the actions of the bank itself. President Jackson too came under attack via the counter-democratic rubric. His high-handed dealings in the Bank War, including the firing of the secretary who refused to follow his orders to withdraw Federal deposits from the Bank of the United States and place them in the State Banks, were taken as important evidence of despotic inclinations. Seizing the moment, Henry Clay, Jackson's main political opponent, argued the President had "assumed the exercise of power over the Treasury of the United States not granted to him by the Constitution and laws, and dangerous to the liberties of the people."[101] Given this lawlessness, Clay is also able to assert that Jackson was determined to rule by power and to set up a network of repressive relationships within the government.

> We are in the midst of a revolution, which, although bloodless, yet we are advancing to a concentration of all powers of Government in the hands of one man. By the exercise of the power assumed by the President of the United States in his letter to this cabinet, the powers of congress are paralyzed except where they are in compliance with his own will.[102]

Thus, while the opponents of the bank were inclined to perceive its activities in a highly generalized framework, the proponents of the bank employed a mixture of a mundane means-ends interpretation of its activities with a generalized interpretation of the motives and methods of its detractors. This would seem to suggest that in a given crisis the two levels of discourse are not mutually exclusive. The level of generalization will vary according to the objects being typified and the strategic positions and interests of the participants.

The Teapot Dome scandal of the mid-1920s provides the second example of how the legitimacy of institutions and their transactions can be determined only in their relationship to codes. Teapot Dome was one of several scandals involving President Harding's administration that had only just begun to come to light when he died. He was succeeded by his Vice-President, Calvin Coolidge, under whose administration the investigations were conducted. Teapot Dome was the name of a geological structure in Wyoming that contained a reserve of oil set aside by Congress for the exclusive use of the Navy. Along with

other reserves, it was intended to provide an emergency supply in case of war. In 1924 a scandal arose when it became public knowledge that an executive order had been issued by Harding transferring jurisdiction over the reserve from the Secretary of the Navy to the Secretary of the Interior. It also became known that the Secretary of the Interior, Albert Fall, had negotiated a sale of some of the reserves to oil magnates, Harry F. Sinclair and Edward L. Doheny, the former having purchased Teapot Dome, the latter the Elk Hills reserve in California. Proceeds from the sale were not placed in the Treasury but went directly to the Navy to be used for improvements to bases, which amounted to $ 102 million spent without Congressional authorization. Moreover, Fall received various gifts and undisclosed sums of money.

Those attacking the Teapot Dome deals saw them as strongly counter-democratic, as secretive, illegal transactions that had been entered into for selfish reasons using Machiavellian calculation. As in the case of the Bank War, we see the opponents of the deals exhibiting a strong suspicion of the corrupting nature of large financial institutions and identifying themselves with the protection of the democratic ideals.

> See the marvelous cunning with which this thing was done. It is perfectly plain that for years these precious oil reserves had been watched with covetous eyes by these greedy exploiters. It was the vigilance and the courage and honesty of preceding administrations which held them off as they endeavored to encroach day after day, creeping and crawling and hungering for the gold hidden there, even though they had to betray and imperil a nation to get it.[103]

The oilmen are identified by the terms cunning, greed, covetousness (selfishness), and exploitation. These terms establish them as outside of civil society, which they appear to imperil and betray, much as the creeping and crawling serpent had once betrayed Eve. Against these amoral and nonhuman creatures, courageous, honest, and vigilant citizens seek to defend the nation.

> We are the immediate guardians of the Government. Are we going to stand off and permit big looters on the outside who have accumulated millions, maybe in questionable ways, to come and lay their tempting offers before unfit public officials hungry for the ill-gotten gain of corrupt transactions to open the doors to the nations natural resources and brazenly barter them like sheep in the market place.[104]

The image of rapacious leaders demands passive and deferential followers. Once again, an image emerges of networks of actors behaving

like puppets under the control of manipulative leaders. Although the leaders are seen actively as "combining and confederating,"[105] the mass of the people involved are depicted as passive and under the control of the leaders.

> It is perfectly amazing that in three great law departments, with many learned experts and many thousands of men, every one of whom knew or ought to have known that this thing was fraught with evil, there was not a voice raised. Cabinet officers, learned lawyers, shrewd experts were moved around like pawns upon a chessboard by unseen and cunning hands or by the avarice of Fall.... I cannot understand how one wise Iago could delude all these trusting Othellos about him, how one cunning and avaricious soul could exercise a kind of hideous hypnosis over hundreds of men.[106]

To combat the evils of Teapot Dome, two strategies presented themselves. The first was for an investigation to be carried out that would exemplify the discourse of liberty. Thus, in an important speech, President Coolidge counterposes the repressive associations and growing pollution of the scandal with promises of immediate punishment, which is attached to the antonymic set of openness and clarity, nonpartisanship, and the interests of the civil community.

> For us we propose to follow the clear, open path of justice. There will be immediate, adequate, unshrinking prosecution, criminal and civil, to punish the guilty and to protect every national interest. In this effort there will be no politics, no partisanship.[107]

The second strategy was to ignore the niceties of the legal system and simply to declare the contracts null and void before the issue went to court. This strategy is particularly illuminating because it reveals the compromises with repressive codes that authorities often declare to be necessary if democracy is to be protected and repaired.

> I do not care what legal phrases are used in fraudulently transferring the property of the Government of the United States to a band of marauders with their millions. I am ready to set a precedent by saying that these deals shall be declared off the minute the Government discovers the scandal and the crime.[108]

By this point in our discussion the reader will probably be able to guess the kinds of strategies used by those few who wished to defend the deals. They are well illustrated by a statement issued by the oil speculator Doheny. He argued that those investigating the deal were motivated by selfish political concerns, rather than high ideals.

> The election in November – not the legality of the oil leases – is the sole factor now controlling the politicians who are conducting the so-called oil investigation.... The American people send senators and representatives to Washington to legislate. But some of the latter find they can gain far more publicity by acting as gum-shoe detectives than in trying to act as statesmen.[109]

Due to this selfish attitude it is the investigators and not Doheny who pose a threat to law and constitutionality.

> The attempt is now being made to destroy the leases and convict myself and other citizens in an atmosphere deliberately prejudiced and poisoned. Such an attempt cannot succeed without destroying the sacred constitutional right to a fair and impartial trial.[110]

Doheny accuses his accusers of failure to observe their offical duties and of being not only vain and prejudiced, but farcical in their destructive pursuits. Constructing the oilmen as citizens, he argues that the efforts to punish them threaten to pollute (poison) the values of fairness and impartiality, which form part of the sacred center of democratic life.

Finally, Doheny argues that his own actions were in accordance with the democratic code. Far from being treasonous, he asserts, his leases were undertaken for the common good. He goes on to contrast his own noble and self-sacrificing gesture with the dirty tactics of his opponents, who have deceived the civil society as to his true generosity and patriotism.

> Admiral Robinson, Chief of Engineers of the Navy, and other experts, have testified that the Dehony leases, including the construction of the tankage at Pearl Harbor, were essential to the protection of the Pacific Coast. ... Senator Walsh and his Democratic colleagues know full well that in order to make the Pacific coast safe against enemy attack my company has actually advanced to the government nearly $ 5 million for which we will have to wait for payment for an indefinite period. But by insinuations of scandal and actual scandal mongering, they have successfully obscured that fact from the public.[111]

It is one of the many ironies of the Teapot Dome affair that the facilities constructed by Doheny at Pearl Harbor as part of his Elk Hills deal later helped prevent the total collapse of the U.S. Pacific Fleet after the Japanese attack.

Dissent over policies

Whether policies are understood as a threat to the values and unity of the American nation or accepted as legitimate depends crucially on the coding that is made of them. In this section, we briefly demonstrate how differing opinions about policy are shaped by the democratic and counter-democratic codes.

The Nullification Crisis of 1832 provides a miniature of the political understandings that characterized America on its way to the Civil War. The rhetoric of states' rights was a territorially and a historically-specific version of the democratic code, and it was on this basis that a convention in South Carolina nullified acts approved by Congress imposing high tariffs on imported manufactured goods. The South Carolinians argued that these were prejudicial to their interests, that the tariffs would raise the cost of living for those in the South while favoring the Northern manufacturing states. These objections were not couched in a mundane means-ends idiom, however; they were pitched in an intensely moral discourse. The Nullification Ordinance itself begins with an indictment of Congress as a repressive institution, characterized by counter-democratic social relationships and motivations.

> Whereas the Congress of the United States, by various acts, purporting to be acts laying duties and imposts on foreign imports, but in reality intended for the protection of domestic manufactures, and giving of bounties to classes and individuals engaged in particular employments, at the expense and to the injury and oppression of other classes and individuals, and by wholly exempting from taxation certain foreign commodities, such as are not produced or manufactured in the United States, to afford a pretext from imposing higher and excessive duties on articles similar to those to be protected, hath exceeded its just powers under the Constitution, which confer on it no authority to afford such protection, and hath violated the true meaning and intent of the constitution, which provides for equality in imposing the burdens of taxation upon the several states and portions of the confederacy.[112]

South Carolina is associated with equality and the Constitution, the Congress with particularity, oppression, and foreign threat. As was the case in the Bank Crisis and Teapot Dome, the aggrieved party sees itself as coolly, openly, and rationally opposing the insidious corruption creeping into American society.

> A disposition is manifested in every section of the country to arrest, by some means or other, the progress of the intolerable evil. This disposition having

> arisen from no sudden excitement, but from the free temperate discussion of the press, there is no reason to believe it can ever subside by any means short of the removal of the urgent abuse.[113]

If the Federal government used force against South Carolina, it would be but more evidence of the its repressive character.

> Unless the President is resolved to disregard all constitutional obligations, and to trample the laws of his country under his feet he has no authority whatever to use force against the States of South Carolina.[114]

South Carolina represented itself not as attacking the Union, but as attempting to rejuvenate it – as closer to the symbolic center of America than was the institutional center itself. It identified itself with rationality, law, and constitutionality against oppression, tyranny, and force. Those opposed to nullification, naturally, inverted this relationship between South Carolina and the democratic code. President Jackson, to take one example, argued that South Carolina was guilty of selfishly challenging the rule of law, accusing it of provoking violent rather than rational behavior.

> This solemn denunciation of the laws and authority of the United States, has been followed up by a series of acts, on the part of the authorities of the state, which manifest a determination to render inevitable a resort to those measures of self-defense which the paramount duty of the federal Government requires.[115]

> In fine she has set her own will and authority above the laws, has made herself arbiter in her own cause, and has passed at once over all intermediate steps to measures of avowed resistance, which, unless they be submitted to, can be enforced only by the sword.[116]

> The right of the people of a single State to absolve themselves at will and without the consent of the other states, from their most solemn obligations and hazard the liberties and happiness of the millions composing this union, cannot be acknowledged.[117]

The President's message is clear: the arbitrary will and coercive force characteristic of South Carolina endanger the consent, liberty, and the rule of law prevalent in the wider civil community. Violent action is therefore justified in order to protect the integrity of that civil community.

America's civil discourse in its contemporary form

Critical social science, whether issuing from the left or from the right, tends to argue that modernization strips individual and institutional actions of their ethical and moral referent, creating an anomic, chaotic, or merely instrumentally rational world. From this perspective, it might be objected that the examples of intense public valuation we have discussed thus far relate only to earlier, more "traditional" epochs in American history. It could be argued that in the course of this century, social evolution – rationalization, capitalism, secularization – has intensified, producing a tendency for discourse that is less excited and more mundane and "rational." In this final section of our article we present evidence for the contrary view: postwar American society continues to be permeated by the discourse we have described. We do not claim here that nothing has changed. Clearly, discourses at more specific, intermediate levels reflect the historical conditions and controversies in which they arise. In the twentieth century, for example, the discourse of states' rights has faded in importance while that of civil rights for individuals has grown. What we do claim is that there is a continuity in the deep structure from which these discourses are derived and to which they must appeal.

Unfortunately for social science, history never repeats itself exactly. We are thus unable to provide precise "controls" for our antihistoricist experiment by investigating crises that are exactly parallel to the ones we have analyzed above. Still, there are broad similarities between the issues involved in the following cases and the previous examples. The case of Richard Nixon's fall in the early 1970s demonstrates many affinities with the impeachment of Johnson one hundred years earlier. The Iran-Contra affair of the late 1980s demonstrates that the structures of civil discourse are as relevant to the understanding of today's executive scandals as they were during Teapot Dome. Indeed, we would maintain that the correspondence between more contemporary and earlier discussion is at times so remarkable that one could swap statements from earlier and later crises without altering the substantive thrust of either argument.

Yet, although the similarities are fundamental to one side of our argument, the differences from case to case are important to another. The postwar examples show yet again the astonishing malleability of the codes, which are applied contingently to a wide and scattered array of issues. Indeed, in the final example we discuss, we expand the scope of

our article to show how America's civil discourse is used to understand foreigners and foreign powers, not only domestic forces and events.

A modern president under attack: Richard Nixon and Watergate

The discourse involved in the push for the impeachment of President Nixon in 1974 is remarkably similar to that of the impeachment of President Johnson some hundred years before. Although the particular issues in hand (in the Watergate break-in and cover-up, the misuse of surveillance powers of the F.B.I., C.I.A., and the I.R.S., the President's failure to obey various subpoenas to hand over documents and tapes, and the secret bombing of Cambodia) contrast with those of Johnson's impeachment (the Tenure of Office Act, the Stanton Removal and various statements opposing Congress), the generalized understandings made by the impeachers were shaped by the logic of the same symbolic structure. As was the case with Johnson, Nixon's motivations were perceived by many in terms of the counter-democratic discourse. As deliberations by the Congressional committee on the impeachment of Nixon made clear, central to this perception was an image of the President as a selfish and fractious person who was interested in gaining wealth and power at the expense of the civil community.

> The evidence is overwhelming that Richard Nixon has used the Office of President to gain political advantage, to retaliate against those who disagreed with him, and to acquire personal wealth.[118]

> He created a moral vacuum in the Office of the Presidency and turned that great office away from the service of the people toward the service of his own narrow, selfish interests.[119]

True to the codes, this self-centered attitude was understood to have arisen from an irrational, unrealistic, slightly paranoid motivational structure. Because of these personality needs, it was argued, Nixon evaluated others, without reasonable cause, in terms of the counter-democratic rhetoric of social relationships.

> Once in the White House, Mr. Nixon turned on his critics with a vengeance, apparently not appreciating that others could strenuously disagree with him without being either subversive or revolutionary.[120]

Irrational, selfish, and narrow motives are connected to sectarian rather than cooperative and communal relations. They cannot form the basis for an inclusive, conflict-containing, civil society. Time and again,

Nixon was described as deceitful, calculating, suspicious, and secretive – unacceptable characteristics in a democracy. These perversities, it was believed, led him to resort to counter-democratic and illegal political practices. Nixon had covered up his dark deeds by making false excuses for himself. He had acted in a calculating rather than honorable manner to maximize his own advantage regardless of morality and legality.

> To defend both the bombing [of Cambodia] and the wire-tapping, he invoked the concept of national security.... The imperial presidency of Richard Nixon came to rely on this claim as a cloak for clandestine activity, and as an excuse for consciously and repeatedly deceiving the Congress and the people.[121]

> We have seen that the President authorized a series of illegal wire-taps for his own political advantage, and not only did he thereby violate the fundamental constitutional rights of the people of this country but he tried to cover up those illegal acts in the very same way that he tried to cover up Watergate. He lied to the prosecutors. He tried to stop investigations. He tried to buy silence, and he failed to report criminal conduct.[122]

These procedures and relationships were viewed by Nixon's accusers as a dangerous source of pollution, a disease that had to be stopped before it could infect the rest of the civil society, destroying the very tissues of social solidarity.

> Mr. Nixon's actions had attitudes and those of his subordinates have brought us to verge of collapse as a Nation of people who believe in its institutions and themselves. Our people have become cynical instead of skeptical. They are beginning to believe in greater numbers that one must look out only for himself and not worry about others.[123]

The President's motivations and relationships were seen as subversive of democracy. His administration had developed into an arbitrary, personalistic organization bent on concentrating power. The institutional aim was, as the *New York Times* argued, dictatorship, and an authoritarian coup d'etat.

> One coherent picture emerges from the evidence.... It is the picture of a White House entirely on its own, operating on the assumption that it was accountable to no higher authority than the wishes of and the steady accretion of power by the President. It is the picture of a Presidency growing steadily more sure that it was above and beyond the reaches of the law.[124]

Yet, despite the mounting tide of evidence against Nixon in the early summer of 1974, he still had significant support. Those who continued

to support him did not counter the discourse of repression with the picture of a flawless, pristine paragon of democratic morality; they tended to argue, rather, that in the messy world of political reality, Nixon's personal behavior and political achievements were not inconsistent with that discourse broadly conceived.

> The President's major contribution to international peace must be recognized to compensate for other matters, to a substantial degree.[125]
>
> As has been written to many representatives on the Judiciary Committee, President Nixon's lengthy list of accomplishments rules out impeachment. Let us be grateful we have such a fine leader, doing his utmost to establish world peace.[126]
>
> As in the case of the evidence relating to the Plumbers' operation they show a specific Presidential response to a specific and serious problem: namely, the public disclosure by leaks of highly sensitive information bearing upon the conduct of American foreign policy during that very turbulent period both domestically and internationally.[127]

These statements suggested that in a world characterized by realpolitik, it would be unwise to punish Nixon's peccadillos when, on balance, he had supported and advanced the cause of the good. Especially important in this equation were Nixon's foreign policy initiatives with the Soviets and Chinese, as well as his ending the Vietnam War, all of which were presented as having advanced the cause of "peace," a state of affairs analogous with inclusive social relationships. Related to this argument was another that focussed not on the impact of the President, but on the consequences of impeachment itself. These consequences, it is suggested, militate against a prolonged period of distracting, generalized discourse.

> Certain members of Congress and the Senate urge the President's removal from office despite the impact such a disastrous decision would have on America's political image and the economy.[128]
>
> We would do better to retain the President we in our judgement elected to office, for the balance of his term, and in the meantime place our energies and spend our time on such pressing matters as a real campaign reform, a sound financial policy to control inflation, energy and the environment, war and peace, honesty throughout Government, and the personal and economic rights and liberties of the individual citizen against private agglomerations of power in the monolithic state.[129]

The message is that, because of political realities, both mundane political and wider moral goals can be effectively attained only by avoiding impeachment.

The use of these arguments, however, did not preclude Nixon's supporters in Congress from also understanding events in a more generalized manner. They held the impeachment inquiry and its committee members strictly accountable in terms of the two antithetical moral discourses. They linked the lack of hard, irrefutable evidence of the commission to their concern that the inquiry measure up to the highest ethical standards. In principle, therefore, they were compelled to refuse to consider Nixon guilty of an impeachable offense until his accusers could produce a "smoking gun" proof of his direct, personal, and wilful involvement in an indictable crime.

> To impeach there must be direct Presidential involvement, and the evidence thus far has failed to produce it.[130]

> Now many wrongs have been committed, no question about it, but were those wrongs directed by the President? Is there direct evidence that said he had anything to do with it? Of course there is not.[131]

Nixon's supporters pointedly contrasted their hard line on the issue of proof with that of his detractors. They described these opponents in terms of the discourse of repression: Nixon's critics were willing to support impeachment on the basis of evidence that a rational and independent thinker would not accept. Indeed, the critics' motive was greed, their social relationships manipulative. They were the very paradigm of a counter-democratic group: a bloodthirsty and suggestible mob unable to sustain the dispassionate attitude upon which civility depends.

> I join in no political lynching where hard proof fails as to this President or any other President.[132]

> I know that the critics of the President want their pound of flesh. Certainly they have achieved that in all the convictions that have taken place. However, they now want the whole body, and it is self-evident that it is Mr. Nixon who must supply the carcass.[133]

> Yes, the cries of impeachment, impeachment, impeachment are getting louder.... For the past year allegation after allegation has been hurled at the President. Some of them have been stated so often many people have come to accept them as facts, without need of proof.[134]

This evaluation of the impeachers' motives and social relationships was accompanied by a negative evaluation of the institution involved in the impeachment process. They were described as performing in an arbitrary manner, treating Nixon as an enemy rather than as a fellow citizen, and as trying to maximize their own power rather than the

power of right. This disregard for the law endangered the democratic foundations of society; it could, indeed, create an antidemocratic revolution.

> [We are] each convinced of the serious threat to our country, caused by the bias and hate pumped out daily by the media.[135]
>
> The Supreme Court decision that President Nixon must turn over Watergate-related tapes ... can make any President virtually a figurehead whose actions can be overturned by any arbitrary high court order.... The Court has, in effect, ignored the Constitution, written its own law, and demanded it be considered the law of the land.[136]
>
> Five members of the committee have made public statements that Mr. Nixon should be impeached and they have not been disqualified from voting. Leaks detrimental to the President appear almost daily in the media.... When public hearings begin, I fully expect women to appear with their knitting, each a modern Madame Defarge, clicking their needles as they wait for Richard Nixon's head to roll.[137]

A modern scandal: The Iran-Contra affair

The Iran-Contra affair of the late-1980s provides evidence of the continuing importance of the cultural codes that we have identified as central in the social definition of scandal. As was the case with Teapot Dome, the recent incident involved the evaluation of transactions and activities undertaken by members of the executive branch without the knowledge or consent of Congress. In late 1986 information emerged that a small team in the Reagan administration, spearheaded by Lieutenant-Colonel Oliver North, had sold arms to Iran in return for which Iran was to use its influence to obtain the release of American hostages held by various Islamic groups in the Middle-East. As a further twist in the tale, the money raised from the sale was used to support a secret operation in Central America backing the anti-communist "Contra" guerrillas in Nicaragua. Once the action came to light, a process of generalization rapidly occurred in which the motivations, relationships, and institutions of North and his associates became the subject of intense public scrutiny.

The week-long session of the Joint Congressional Inquiry in which North was the key witness is a useful place to examine this cultural process, which centered around dramatically different interpretations by North and his detractors of the same empirical events. Of the greatest importance to those who denounced the affair were the social

relationships involved, which they described in terms of the counter-democratic code. The administration officials involved were perceived by their critics as an elite "secret team," operating clandestinely and furthering their own particularistic and illegal aims through a web of lies.

> Foreign policies were created and carried out by a tiny circle of persons, apparently without the involvement of even some of the highest officials of our government. The administration tried to do secretly what the Congress sought to prevent it from doing. The administration did secretly what it claimed to all the world it was not doing.[138]

> But I am impressed that policy was driven by a series of lies – lies to the Iranians, lies to the Central Intelligence Agency, lies to the Attorney General, lies to our friends and allies, lies to the Congress, and lies to the American people.[139]

> It has been chilling, and, in fact, frightening. I'm not talking just about your part in this, but the entire scenario – about government officials who plotted and conspired, who set up a straw man, a fall guy [North]. Officials who lied, misrepresented and deceived. Officials who planned to superimpose upon our government a layer outside of our government, shrouded in secrecy and only accountable to the conspirators.[140]

Such "conspirators" could not be expected to trust other institutions and persons in government; according to the semiotic foundations of common sense reasoning, they could treat them only as enemies, not as friends. This attitude was understood as antithetical to the democratic ideal.

> Your opening statement made the analogy to a baseball game. You said the playing field here was uneven and the Congress would declare itself the winner. [But we] are not engaged in a game of winners and losers. That approach, if I may say so, is self-serving and ultimately self-defeating. We all lost. The interests of the United States have been damaged by what happened.[141]

These kinds of relationships were taken not only to confound the possibility of open and free political institutions, but they were also perceived as leading to inevitably foolish and self-defeating policies.

> A great power cannot base its policy on an untruth without a loss of credibility. ...In the Middle-East, mutual trust with some friends was damaged, even shattered. The policy of arms for hostages sent a clear message to the States of the Persian Gulf, and that message was, that the United States is helping Iran in its war effort, and making an accommodation with the Iranian revolution, and Iran's neighbors should do the same. The policy provided the

> Soviets with an opportunity they have now grasped, with which we are struggling to deal. The policy achieved none of the goals it sought. The Ayatollah got his arms, more Americans are held hostage today than when this policy began, subversion of U.S. interests throughout the region by Iran continues. Moderates in Iran, if any there were, did not come forward.[142]

In dealing with attacks on his motives and the relationships in which he was involved, North used several strategies. At a mundane level he denied the illegality of his actions, pointing not only to various historical precedents, but also to the legal justification of the "Hostage Act," which had given the American executive vast autonomy over policy in recovering American hostages. North also drew upon aspects of the generalized codes to defend and interpret not only his own actions but those of Congress. First, he argued that while the methods he employed and the relationships he developed could be characterized within the discourse of repression, they were necessary means in order more effectively to promote the cause of the good. Second, North argued that his own motivations were, in fact, compatible with the discourse of liberty. Finally, North suggested that it was actually the policies of Congress that could best be construed in terms of the discourse of repression, not the administration's own.

In defending the secrecy of his operations, and his lies to Congress, North denied particularistic motivations and drew attention to his higher, more universal aims. He argued in strongly patriotic terms that secrecy and lies were necessary in a world threatened by antidemocratic Soviet power, that dealings with polluted terrorist parties were necessary in order to protect the purity of American civic life, and that his policies in Central America had the extension of democracy as their noble aim.

> If we could [find] a way to insulate with a bubble over these hearings that are being broadcast in Moscow, and talk about covert operations to the American people without it getting into the hands of our adversaries, I'm sure we would do that. But we haven't found the way to do it.[143]

> Much has been made of, "How callous could North be, to deal with the very people who killed his fellow Marines?" The fact is we were trying to keep more Marines in places like El Salvador from being killed.[144]

> I worked hard on the political military strategy for restoring and sustaining democracy in Central America, and in particular El Salvador. We sought to achieve the democratic outcome in Nicaragua that this administration still supports, which involved keeping the Contras together in both body and soul.[145]

As long as democratically motivated, rational individuals were involved, North argued, counter-democratic methods would be legitimate and safe.

> There are certainly times for patience and prudence, and there are certainly times when one has to cut through the tape. And I think the hope is that one can find that there are good and prudent men who are judicious in the application of their understanding of the law, and understanding of what was right. And I think we had that.[146]

With great success North argued that he was just such a man. Public discourse before the trial had portrayed North as a counter-democratic figure. It was argued, on the one hand, that he was a passive zombie blindly following the dictates of his superiors, and on the other that he was a Machiavellian maverick pursuing his own "gung-ho" policies. In the symbolic work of the Hearings, North managed to refute these characterizations, drawing attention to his dynamic patriotism and the autonomy of his White House role, while at the same time demonstrating a sense of his officially regulated position on the White House team.

> I did not engage in fantasy that I was President or Vice President or Cabinet member, or even Director of the National Security Council. I was simply a staff member with a demonstrated ability to get the job done. My authority to act always flowed, I believe, from my superiors. My military training inculcated in me a strong belief in the chain of command. And so far as I can recall, I always acted on major matters with specific approval, after informing my superiors of the facts, as I knew them, the risks, and the potential benefits. I readily admit that I was counted upon as a man who got the job done. ...There were times when my superiors, confronted with accomplishing goals or difficult tasks, would simply say, "Fix it, Ollie," or "Take care of it."[147]

Although he was a "patriot" who understood his own actions and motivations as informed by the discourse of liberty, North did not feel that the actions of some other Americans could be constituted in the same way. Notably, he asserted that he had been driven to his own actions by a weak and uncertain Congress, which had first decided to support, then to withdraw support from the "Contras." North described this Congressional action as arbitrary and irrational, as a betrayal of persons who were fighting for liberty and against repression in Central America.

> I suggest to you that it is the Congress which must accept at least some of the blame in the Nicaraguan freedom fighters matter. Plain and simple, the Congress is to blame because of the fickle, vacillating, unpredictable,

> on-again off-again policy toward the Nicaraguan Democratic Resistance – the so called Contras. I do not believe that the support of the Nicaraguan freedom fighters can be treated as the passage of a budget.... [They] are people – living, breathing, young men and women who have had to suffer a desperate struggle for liberty with sporadic and confusing support from the United States of America.[148]

North understood Congress to be repressive not only in its treatment of the Contras, but also in its investigation of himself and his associates. In denying that he would receive a fair hearing North drew attention to what he saw as the arbitrary use of power by Congress, and its deceit in making the executive branch into a scapegoat for its own foolish policies. Far from being the case that he had treated Congress without trust, it was members of the Congressional investigation who had treated him as an enemy, declaring him to be guilty and announcing that they would refuse to believe his testimony even before he had spoken. The actions of the Congressional Committee were threatening to pollute the universal, timeless rules of the American "game."

> You dissect that testimony to find inconsistencies and declare some to be truthful and others to be liars. You make the rulings as to what is proper and what is not proper. You put the testimony which you think is helpful to your goals up before the people and leave others out. It's sort of like a baseball game in which you are both the player and the umpire.[149]

> The Congress of the United States left soldiers in the field unsupported and vulnerable to their communist enemies. When the executive branch did everything possible within the law to prevent them from being wiped out by Moscow's surrogates in Havana and Managua, you then had this investigation to blame the problem on the executive branch. It does not make sense to me.[150]

> As a result of rumor and speculation and innuendo, I have been accused of almost every crime imaginable – wild rumours have abound.[151]

Modern foreign policy: Making sense of Gorbachev and glasnost

Earlier in this essay we demonstrated how the discourses of liberty and repression underlie debates in which U.S. Presidents and domestic threats to American civil society are evaluated. In our final section we show that these symbolic structures also underpin the typifications that actors deploy in evaluating foreign persons and threats.

Throughout the Cold War, public discourse on the Soviet Union and its leaders had rendered them paradigmatic of the repressive code. The

Soviet Union was characterized as a secretive state controlled by an unfathomable oligarchy of cadre, which was forever scheming and plotting in murky ways to extend its power both within the Soviet Union and without. This image remained unqualified until the death of Chernenko and the rise of Mikhail Gorbachev to the position of General Secretary in 1985. Soon after his assumption of power, many in America began to argue that both Gorbachev himself, and a reborn Soviet Union, could be understood in terms of the discourse of liberty, rather than that of repression. This typification gradually grew in strength until even hard-line anti-communists such as Ronald Reagan and George Bush were persuaded that Gorbachev was deserving of American support, a trustworthy person with whom one could negotiate.

Part of the reason for this transformation lay in what were perceived as Gorbachev's personal characteristics. In contrast to dour, frumpy and frequently ailing Kremlin apparatchiks such as Chernenko, Brezhnev, and Gromyko (who was described by the media as "Grim Grom" and by President Reagan as "Mr. Nyet"), Gorbachev was seen as out-going, honest, charismatic, young and healthy. Bush, for example, said he was impressed by Gorbachev's candor, constituting the Soviet leader in terms of the discourse of liberty.

> I asked him if he would take a sleeping pill? And he said: 'I've just been thinking about that.' 'You know,' Bush added, 'I can't imagine any of his predecessors being so open as that.'[152]

Jesse Jackson mentions Gorbachev's realism and rational behavior, in order to prevent him from being infected by comparison with a Nikita Krushchev, who lacked rational self-control.

> He'll not be beating shoes on tables like Khrushchev.... [He is] very well-versed academically and experientially.[153]

Even more important than Gorbachev's motives, however, was his effort to transform the Soviet's domestic and foreign policy. His reformist domestic policies of *glasnost* and *perestroika* were seen as implying a radical break with the earlier structure of Soviet institutions and relationships, shifts that would parallel the new perception of Soviet motives. These policies, it was increasingly believed, offered the prospect of an open society in which free discussion would replace censorship, where decentralization would lead to the evolution of a

rational and non-hierarchical society. In foreign policy, for example, Gorbachev's arms control initiatives were seen as belying the traditional image of the Soviets as aggressors hell-bent on world domination.

Supporters of Gorbachev's new discursive status argued that his pronouncements were more than mere rhetoric. They pointed to concrete evidence through which Gorbachev's Russia could be distinguished from the totalitarian Russia and asserted that he was involved in a righteous struggle to bring about the transformation from repression to freedom, and from madness and ideology to trust and realism. These shifts allow the restoration not only of criticism but of civil humanism as well.

> Gorbachev has gone much further than many expected in his pursuit of *glasnost*, or openness. It is not only in some decentralization in economic controls, the release of Andrei D. Sakharov from internal exile and the permission for emigration extended to certain dissidents. It is particularly noticeable in the press. For the first time since Josef Stalin came to power, one can now see significant criticism and public debate.[154]

> The Soviet Union is softening its ideology of global struggle into a vision of pragmatic humanism. It has replaced Stalin's paranoia with a spectacular call for mutual trust backed by a series of largely unilateral concessions, including withdrawal from Afghanistan and the promise to demobilize half a million troops.[155]

In order to account for those who did not share their typification of Gorbachev, his American supporters invoked the discourse of repression. One commentator, for example, identifies some of Gorbachev's detractors as powerful, self-interested elites, such as "the military-industrial complex, legions of professional cold-warriors and self-described national security intellectuals, certain Jewish organizations and an array of other special interests." He goes on to argue that, while these factions are unable to accept a realistic interpretation of the situation because it would damage their own particularistic interests, American opposition to Gorbachev can be understood more generally as an irrational pathology akin to what psychoanalysts term "projection."

> Any acknowledged improvement in the Soviet system threatens their political, economic and ideological well being. For many of them the necessity of eternal cold war against the Soviet Union is theological rather than analytical.... America seems to have developed a deep psychological need for an immutably ugly Soviet Union in order to minimize or obscure its own imperfections.[156]

Despite the growing power and influence of the pro-Gorbachev typification through 1987, many still believed that he should be considered,

and treated, in the manner appropriate to a counter-democratic person. The assault of these persons on what was increasingly becoming the dominant typification of Gorbachev took on several strands. They argued that there was a substantial continuity between Gorbachev's Russia and previous Soviet regimes. They pointed to continuing secrecy and repression and argued from this that the Soviet Union should continue to be treated by America in the skeptical manner appropriate for dealings with a counter-democratic power. They interpreted Gorbachev's thought as traditional, fanatical, and amoral Marxist-Leninist dogma, cunningly wrapped up in a devious and guileful disguise.

> If the Soviet Union will not trust its own citizens to travel freely to other countries, or to read foreign publications, or to know the truth about how much their government spends on weapons, or to express their skepticism about the party line and official policy, how then can the Soviet leaders expect outsiders, including Americans, to trust the Soviet Union?[157]

> The Gorbachev who wrote "Perestroika" is a classical Leninist – flexible, adaptable, skillful in the pursuit and use of power, absolutely committed to "the revolution," to socialism, to a one party state, and not at all disturbed about the high human cost of past Soviet policy.[158]

This gap between appearance and substance was a recurring leitmotif in diverse comments. Attention was drawn to Gorbachev's public relations skills. He was denounced as merely a "master of propaganda," a criminal trickster cynically manipulating the media in order to subvert democracy and further his own mysterious power over the American public. In this way it was argued that, like all previous Soviet leaders, he was "really" proposing an inscrutable, and counter-democratic, agenda.

> The Gorbachev regime, more worldly-wise and media wise, acts more skillfully to exploit network rivalry. Incentives are created to temper coverage in order to win favor. If these subtle pressures are not resisted, the Soviets will have succeeded in manipulating American television, and thus the American people.[159]

> ...his larger aim is to influence American opinion in ways that will make it harder for anyone who succeeds Reagan to impose unwanted choices on the Soviet Union. It will be fascinating to watch Gorbachev go about his work. He is very good. So keep your eyes open – and your hand on your wallet.[160]

In addition to discrediting Gorbachev's motivations, his detractors attempted to discredit those who argued that he was democratically minded. They gave tit-for-tat, asserting that belief in Gorbachev could only have come about from personal vanity or defective and emotive

thinking. Those who trusted him, therefore, could be understood in terms of the discourse of repression.

> It is very difficult to credit Reagan's somewhat mystical sense that a new era has dawned with Gorbachev. Instead his change of heart can be accounted for only in other, less rational, terms.... One explanation may lie in the effect that nearly eight years at the pinnacle of power have had on an elderly and not terribly well-educated mind. There is considerable evidence that Reagan's ego has expanded in the twilight of his presidency as he gropes for a place in history.[161]

> Gorbachev has fulfilled the Western yearning for some automatic nostrum promising relief from tension.[162]

Conclusions

We do not claim to provide in this article anything approaching a complete theory of the relationship between culture and behavior. An adequate account would have to involve a detailed consideration of the psychological, not merely the cultural environment of action, an account of socialization, motivation, and personality that is beyond the scope of our essay. Nor do we claim to provide here an exhaustive account of the interaction between culture and social structure. A full investigation of this linkage would involve the examination of such phenomena as ritualization, the relationship between differing social groups, their typifications and the semiotic system, and the role of power and resources in mobilizing and changing typifications according to political and economic interests.

Our aims have been more restricted. We limited ourselves to developing and illustrating a new approach to culture, one that avoids the pitfalls of reductionism which have characterized most recent theorizing. We argue that culture should be conceived as a system of symbolic codes which specify the good and the evil. Conceptualizing culture in this way allows it causal autonomy – by virtue of its internal semiologics – and also affords the possibility for generalizing from and between specific localities and historical contexts. Yet, at the same time, our formulation allows for individual action and social-structural factors to be included in the analytical frame. The codes, we have argued, inform action in two ways. Firstly, they are internalized, and hence provide the foundations for a strong moral imperative. Secondly, they constitute publicly available resources against which the actions of particular individual actors are typified and held morally accountable.

By acknowledging the importance of phenomenological processes in channeling symbolic inputs, our model shows that it is precisely these contingent processes that allow codes to make sense in specific situations for specific actors and their interests.

In addition to this claim about action, our model takes account of social structure. We have argued, in theoretical terms, that autonomous cultural codes may be specified to sub-systems and institutions. Their content, we have suggested, reflects and refracts upon the empirical dimensions in which institutions are embedded. Our studies, indeed, provide crucial empirical insights into the relationship between culture and social structure, and more specifically, into the relationship between civil society and the state in American society. They demonstrate that conflicts at the social-structural level need not necessarily be accompanied by divergent values, or "ideologies," at the ideational level. To the contrary, in the American context at least, conflicting parties within the civil society have drawn upon the same symbolic code to formulate their particular understandings and to advance their competing claims.

The very structured quality of this civil culture, and its impressive scope and breadth, help to underscore a paradoxical fact: differences of opinion between contending groups cannot be explained simply as the automatic product of divergent sub-cultures and value sets. In many cases, especially those which respond to new historical conditions, divergent cultural understandings are in part an emergent property of individual and group-level typifications from code to event. This is not to posit a radically individualist theory, but rather to suggest a more interactive conception of the link between cultural and social structures, on the one hand, and the actors, groups, and movements who have to improvise understandings always for "another first time," on the other. Because worthiness can be achieved only by association to the discourse of liberty or by active opposition to the discourse of repression, political legitimacy and political action in the "real world" are critically dependent upon the processes by which contingent events and persons are arrayed in relation to the "imagined" one. In light of these relations among culture, structure, and typification, we can credit the role of political tactics and strategies without falling into the instrumentalist reductions of "institutionalism," on the one hand, or elusive concepts like "structuration" or "habitus" on the other.

Although in this article our studies were drawn from spheres of life that

may be considered "political" in a narrow sense, we are confident that the discourses and processes we have discovered provide insights into other domains in which questions of citizenship, inclusion, and exclusion within civil society are at stake. Women and Afro-Americans, for example, were for a long time excluded from full citizenship (and to some extent still are) in part because of a negative coding. In these cases the discourse of motivations was mobilized to identify purported intellectual deficiencies. These deficiencies were variously attributed to a naturally emotive and fickle disposition and to a lack of the education necessary to become an informed and responsible member of the civil society.[163] Similarly, schizophrenics and the mentally ill, to take another example, have long been marginalized on the basis of alleged qualities such as lack of self-control, deficient moral sensibility, or inability to function autonomously, and the lack of a realistic and accurate world view. Since the 1960s their champions have asserted that this view is mistaken.[164] They argue that the mentally ill have a unique insight into the true condition of society. In general this counterattack has used the discourse of institutions and relationships to assault the psychiatric professions and their practices. Take as a final example, during the 1950s in the United States the persecution and marginalization of "communists" was legitimated through a discourse which drew upon the counter-democratic codes of relationships and institutions.

Our studies have established the remarkable durability and continuity of a single culture structure over time, which is able to reproduce itself discursively in various highly contingent contexts. On the basis of this discovery, it seems plausible to suggest that this culture structure must be considered a "necessary cause" in all political events that are subject to the scrutiny of American civil society. The wide-ranging nature of our survey, however, also has distinctive drawbacks, for only by developing a more elaborated case study would we be able to detail the shifts in typifications that allow culture to operate not only as a generalized input but also as an efficient cause. Even if we could show this to be the case, however, we would not wish to suggest that cultural forces are cause enough alone. We merely argue that to understand American politics, one must understand the culture of its civil society, and that the best way to understand that political culture is to understand its symbolic codes.

Notes

1. Seminal works in the tradition of value analysis include Parsons and Shils, "Values, Motives, and Systems of Action" in *Towards a General Theory of Action* (Cambridge: Harvard University Press, 1951), 47–243; Gabriel Almond and Sidney Verba, *The Civic Culture; Political Attitudes and Democracy in Five Nations* (Princeton, N.J.: Princeton University Press, 1963); Clyde Kluckhohn, "The Evolution of Contemporary American Values," *Daedalus* 87 (1958): 78–109; Floyd Allport, *Theories of Perception and the Concept of Structure* (New York: Wiley, 1955); and Milton Rokeach, *Beliefs, Attitudes and Values: A Theory of Organization and Change* (San Francisco: Josey Bass, 1968), and *The Nature of Human Values* (New York: Free Press, 1973).
2. See Alvin Gouldner, *The Coming Crisis of Western Sociology* (New York: Equinox, 1970); David Lockwood, "Social Integration and System Integration," 244–257 in Walter Hirsch and George Zollschan, editors, *Explorations in Social Change* (Boston: Houghton Mifflin, 1964); Dennis Wrong, "The Over-Socialized Conception of Man in Modern Sociology," *American Sociological Review* 26 (1961): 183–193; Clifford Geertz, "Ideology as a Cultural System" in *The Interpretation of Cultures* (New York: Basic Books, 1973).
3. Robert Wuthnow, *Meaning and Moral Order: Explorations in Cultural Analysis* (Berkeley and Los Angeles: University of California Press, 1987); Paul DiMaggio and Walter Powell, "The Iron Cage Revisited: Institutional Isomorphism and Collective Rationality in Organization Fields," *American Sociological Review* 48 (1983): 147–160; Pierre Bourdieu *Distinctions* (Cambridge, Mass.: Harvard University Press, 1984); Randall Collins "The Durkheimian Tradition in Conflict Sociology," 107–128 in Jeffrey Alexander, editor, *Durkheimian Sociology: Cultural Studies* (Berkeley: University of California Press, 1989).
4. Harold Garfinkel, *Studies in Ethnomethodology* (Englewood Cliffs, N.J.: Prentice-Hall, 1967); Erving Goffman, *Asylums* (Chicago: Aldine Publishing Company, 1970), *The Presentation of Self in Everyday Life* (Woodstock, New York: Overlook Press, 1973); Lucien Pye, *The Mandarin and the Cadre: China's Political Cultures* (Ann Arbor: University of Michigan, 1988).
5. Cf. Paul DiMaggio and Walter Powell, editors, *The New Institutionalism in Organizational Analysis* (Chicago: University of Chicago Press, 1991), and particularly the editors' introduction. In the lengthy introduction to this volume, DiMaggio and Powell argue for a convergence between their neoinstitutional approach to action/meaning and the approaches of ethnomethodology, Giddens, and Bourdieu. The point of agreement, they argue, is on the "practicality" of action, which they define as the emphasis on "affectively and evaluatively neutral ... aspects of routine behavior" (ibid., 17), instead of an approach to action/culture that emphasizes the "affectively 'hot' imagery of identification and internalization" (ibid., 15). This distinction, which the authors make via a critical misinterpretation of Talcott Parsons, conflates an emphasis on cognitive classification with affective-neutrality, a stance that presumably allows actors to assume the calculating, self-oriented attitude toward reality that makes action practical in Bourdieu's sense. The approach we develop here places cognitive classification squarely *within* a landscape of highly-charged emotional symbolization, suggesting that modern societies, despite rationalization, remain "hot" in Levi-Strauss's terms, i.e., they retain important elements of "myth."
6. E.g. *Distinctions* (Cambridge: Harvard University Press, 1984).

7. Bourdieu's refusal to develop a theoretical model that takes meaning seriously is a tragic loss for social science considering his unique ability at reconstructing macro-cultural forms. For example, in the third part of his *Outline of a Theory of Practice* (Cambridge: Cambridge University Press, 1977), Bourdieu so brilliantly reconstructs some of the semiotic and phenomenological dimensions of Kabyle society that he threatens to undercut his underlying materialist argument.
8. Michael Thompson, Richard Ellis, and Aaron Wildavsky, *Cultural Theory* (Boulder, Colorado: Westview Press, 1990).
9. Cf. Mary Douglas's "Cultural Bias" in Douglas, editor, *In the Active Voice* (London: Routledge and Keegan Paul, 1982).
10. Thompson et al., *Cultural Theory*, 1ff.
11. For example, Robert Wuthnow's *Meaning and Moral Order: Explorations in Cultural Analysis* (Berkeley and Los Angeles: University of California Press, 1987).
12. See for example, *Meaning and Moral Order*, 66–96.
13. Eric Rambo and Elaine Chan offer a telling critique of Wuthnow on this very point in their article "Text, Structure, and Action in Cultural Sociology" *Theory and Society* 19/5 (1990): 635–648.
14. See Anthony Giddens's *The Constitution of Societies* (London: Macmillan, 1984).
15. Ann Swidler, "Culture in Action: Symbols and Strategies," *American Sociological Review* 51 (1986): 273–286.
16. E.g. Jürgen Habermas, *Reason and the Rationalization of Society*, Vol. 1 of *The Theory of Communicative Action* (Boston: Beacon, 1984).
17. See Lucien Pye, *The Mandarin and the Cadre: China's Political Cultures* (Ann Arbor: University of Michigan Press, 1988); Samuel Huntington, *American Politics: The Promise of Disharmony* (Cambridge, Mass: Harvard University Press, 1981), and "The Goals of Political Development" in Myron Weiner and Samuel P. Huntington, editors, *Understanding Political Development* (Boston: Little Brown, 1987); and the contributors to Almond and Verba, editors, *The Civic Cultures Revisited* (Boston: Little Brown, 1980).
18. Robert Wuthnow, *Meaning and Moral Order.*
19. Garfinkel, *Studies in Ethnomethodology.*
20. Cf. Kenneth Thompson, *Beliefs and Ideology* (London: Tavistock, 1986).
21. E.g., William Sewell Jr., *Work and Revolution in France: The Language of Labor* (New York: Cambridge University Press, 1980); Lynn Hunt, *Politics, Culture, and Class in the French Revolution* (Berkeley and Los Angeles: University of California Press, 1984), and Hunt, editor, *The New Cultural History* (Berkeley: University of California Press, 1989); Keith Michael Baker, editor, *The French Revolution and the Creation of Modern Political Culture* (New York: Pergammon Press, 1984).
22. Cf. Paul Ricoeur, "The Model of a Text: Meaningful Action Considered as a Text," *Social Research* 38 (1971): 529–562; Wilhelm Dilthey, "The Construction of the Historical World in the Human Studies," in *Dilthey: Selected Writings* (New York and Cambridge: Cambridge University Press, 1976, 168–245.
23. Cf. Jeffrey C. Alexander, "Three Models of Culture and the Social System" in Alexander, editor, *Durkheimian Sociology: Cultural Studies* (Berkeley: University of California Press, 1989); Philip Smith, "Codes and Conflict: Towards a Theory of War as Ritual," *Theory and Society* 20/1 (1991): 103–138.
24. Cf. Suzanne Langer, *Philosophy in a New Key* (Cambridge, Mass.: Harvard University Press, 1951).
25. Cf. Ferdinand de Saussure, *Course on General Linguistics* (London: Duckworth 1983).

26. As will become clear in the reading of this article, we are not using the concept of structure in a strong or deterministic sense. Although we consider that actors inhabit a world where meaning is patterned, we have taken Garfinkel's structures to heart and see this cultural structure as the basis for creative action and interpretation rather than as a mere constraint. Indeed, it is the belief of the actors in the validity of the codes that makes them significant in patterning social life.
27. The term "culture structure" is taken from Rambo and Chan, "Text, Structure, and Action in Cultural Sociology."
28. See Victor Turner, *Dramas, Fields, and Metaphors* (Ithaca: Cornell University Press, 1974); Paul Ricoeur, *Time and Narrative*, Vol. 1. (Chicago: University of Chicago Press, 1984); J. Nicholas Entrikin, *The Betweenness of Place: Towards a Geography of Modernity* (Baltimore: Johns Hopkins University Press, 1991); Northrop Frye, *The Great Code: The Bible and Literature* (New York: Harcourt Brace Jovanovich, 1981); Robin Erica Wagner-Pacifici, *The Moro Morality Play: Terrorism as Social Drama* (Chicago: University of Chicago Press, 1986); David Apter, "Mao's Republic," *Social Research* 54 (1987): 691–729; Mikhail Bakhtin, *The Dialogic Imagination* (Austin: University of Texas Press, 1981); Henry Nash Smith, *Virgin Land: The American West as Symbol and Myth* (Cambridge, Mass.: Harvard University Press, 1950); Mircea Eliade, *Myth and Reality* (New York: Harper, 1963).
29. Claude Levi-Strauss, *The Savage Mind* (Chicago: University of Chicago Press, 1966); Roland Barthes, "Introduction to the Structural Analysis of Narratives" in Barthes, *Image/Music/Text* (London: Fontana, 1977).
30. Cf. Levi-Strauss, *The Savage Mind*, 35ff. Although we agree with Levi-Strauss's critics who argue that narratives cannot be reduced to binary codes, we claim nevertheless that they cannot be constructed without simple paradigmatic building blocks. Codes, in other words, are the raw material of culture and as such are a necessary, if not sufficient, element of narrativity. Our aim in this article is to examine political codes rather than to explore their narrative implications. In a number of works in progress, however, we are investigating the links between the codes we outline here and the narrative formulations constructed by members to understand their political environment.
31. Cf. Marshall Sahlins, *Culture and Practical Reason*. (Chicago: Chicago University Press, 1976).
32. Umberto Eco, "The Semantics of Metaphor," in *The Role of the Reader* (Bloomington: Indiana University Press, 1970). In her account of the transition to democracy in post-Franco Spain, Laura Edles has succeeded in translating Eco's literary device of semeiotic networks, or webs of meaning, into a sociological methodology for both differentiating and intertwining the binary sign sets of distinctive social groups. See "Political Culture and the Transition to Democracy in Spain" (Unpublished Ph.D dissertation, 1990), and "The Sacred and the Spanish Transition to Democracy," forthcoming in *Social Compass*.
33. Michel Foucault, *The Archaeology of Knowledge* (New York: Pantheon, 1972); Talcott Parsons and Edward Shils, *Towards a General Theory of Action*; Emile Durkheim *The Elementary Forms of Religious Life* (New York: Free Press, 1965 [1912]).
34. Mircea Eliade, *The Sacred and the Profane* (New York: Harper, 1957); Edward Shils, *Center and Periphery: Essays in Macrosociology* (Chicago: University of Chicago Press, 1975).
35. Cf. Richard Stivers, *Evil in Modern Myth and Ritual* (Atlanta: University of

Georgia Press, 1982); Viviana Zelizer, *Pricing the Priceless Child* (New York: Basic Books, 1985); Jeffrey Burton Russell, *The Prince of Darkness: Radical Evil and the Power of Good in History.* (Ithaca: Cornell University Press, 1988); Mary Douglas, *Purity and Danger* (London: Penguin, 1966); Roger Caillois, *Man and the Sacred* (New York: Free Press, 1959 [1939]).

36. Exceptions can of course be found. Thus, in his early work on criminal sanctions, Durkheim (*The Division of Labour in Society*, New York: Free Press, 1933 [1893]) refers implicitly to the importance of negative ideals, as he does in his later discussion of negative rites (*The Elementary Forms of Religious Life*, New York: Free Press, 1965 [1912]: 337–365). However, as Caillois pointed out in *Man and the Sacred* (New York: Free Press, 1959 [1939]) in his later work Durkheim systematically fails to distinguish among the sacred, the profane, and the routine. Weber for his part also acknowledges that "from what" persons need to be saved plays a vital role in salvation; still, his complex thinking of the effects of religion on economic action focusses primarily on ethical conceptions of responsible, desirable behavior. Parsons's pattern-variable scheme could be conceived of as coding both negative and positive ideals, yet Parsons stipulates that any particular institutional situation mandates one side of the divide over the other, thus neglecting the importance of the continuing tension in between.
37. Cf. Paul Ricoeur, *The Symbolism of Evil* (New York: Harper and Row, 1967).
38. See, Peter Stallybrass and Allan Whyte, *The Politics and Poetics of Transgression* (Ithaca: Cornell University Press, 1986).
39. Cf. Edmund Husserl, *Cartesian Meditations* (The Hague: Martinus Nijhoff, 1977 [1931]); Alfred Schutz, *The Phenomenology of the Social World* (Evanston: Northwestern University Press, 1967).
40. Harold Garfinkel, *Studies in Ethnomethodology*; cf. John Heritage "Explanations as Accounts: A Conversation Analytic Perspective," in Charles Antaki, editor, *Analyzing Everyday Explanatioin* (London: Sage, 1988), 127–144.
41. Of course not all signs and symbols are arbitrary. The co-founders of semiotics, Pierce (e.g. *Collected Works*, Cambridge, Mass.: Belknap Press, 1931) and Saussure both acknowledged that certain types of sign were motivated by concrete resemblance, proximity or causal and logical inter-relationships. Levi-Strauss's conception of metonomy and Frazer's pioneering studies of magic (*The Golden Bough*, New York: St. Martin's Press, 1976), to give but two examples, have also provided vital evidence of the importance of the study of motivated signs of students of semiologics. We argue, however, that in both social science and linguistics the most empirically rewarding and theoretically important advances in the study of symbolic systems have demonstrated the centrality of the arbitrary sign (or symbol) to human life. (See also n. 65, below).
42. Cf. Jeffrey C. Alexander, *Action and Its Environments* (Berkeley: University of California Press, 1988). In arguing that phenomenological and semiotic theories have a good deal in common we do not, of course, mean to suggest that the cultural and psychological systems of typification are precisely matched or homologous. Although we argue that members of civil society do indeed share a common cultural typification at the general level of language, we do not argue that they share a hegemonic typification that ties every dimension of "reality" to the same interpretation of an overarching code. If there is pattern integration is only to the extent to which there is a common symbolic frame in which specific conflicts over concrete events can be formulated.
43. Theda Skocpol, "Cultural Idioms and Political Ideologies in the Revolutionary

Reconstruction of State Power: A Rejoinder to Sewell," in *Journal of Modern History* 57 (1981). Cf. Wagner-Pacifici, *The Moro Morality Play*, and Alexander, editor, *Durkheimian Sociology*.

44. Edward Shils, "Center and Periphery," in *The Logic of Personal Knowledge* (London: Routledge & Kegan Paul, 1961), "Charisma, Order and Status," in *American Sociological Review* 30 (1965): 199–213; Shmuel Eisenstadt, "Introduction," in *Max Weber on Charisma and Institution Building* (Chicago: University of Chicago Press, 1968).
45. Michel Foucault, *Power/Knowledge* (New York: Pantheon, 1980).
46. Cf. Niklas Luhmann, *The Differentiation of Society* (New York: Columbia University Press, 1982).
47. An example of just such a process occurred at the end of the 1991 Gulf War. Attempts by the Bush administration to conduct politics in accordance with "rational" principles were subverted by the continuing pollution of Saddam Hussein.
48. In terms of Kane's compelling distinction, we are more concerned in this article with analytic autonomy than concrete autonomy. We believe, nonetheless, that our discussions of institutionalization and action provide the bases upon which future empirical work can establish the causal position of culture in a more concrete sense. Cf. Anne Kane's "Cultural Analysis in Historical Sociology: The Analytical and Concrete Forms of the Autonomy of Culture," *Sociological Theory* 9 (Spring, 1991).
49. Cf. Norbert Elias, *The Civilizing Process* (New York: Urizen Books, 1978); Sigmund Freud, *Civilization and Its Discontents* (New York: Norton, 1961 [1930]); Edmund Shils, "Primordial, Personal, Sacred, and Civil Ties," in *Center and Periphery*; Michael Walzer, *Obligations: Essays on Disobedience, War, and Citizenship* (Cambridge, Mass.: Harvard University Press, 1970).
50. See, John Keane, editor, *Democracy and Civil Society* (London: Verso, 1988), also *Civil Society and the State* (London: Verso, 1988).
51. Jeffrey Alexander, "Bringing Democracy Back In: Universalistic Solidarity and the Civil Sphere," in Charles Lemert, editor, *Intellectuals and Politics: Social Theory in a Changing World* (Beverly Hills: Sage, 1991).
52. Cf. Niklas Luhmann, *The Differentiation of Society*: 122–137; Lawrence Friedman, *Total Justice* (New York: Russell Sage Foundation, 1985); Alexis de Tocqueville, *Democracy in America* (New York: Modern Library, 1981); and references in notes 50 and 51, above.
53. Our argument that subsystems within the social structure possess binary codes will be familiar to readers of Luhmann (see, for example, *Ecological Communication*, Chicago: University of Chicago Press, 1989, 36–50). For Luhmann, binary codes are a functional necessity explicable in terms of the need of differentiated subsystems to process information concerning their environment. This theoretical position seemingly results in an over-determination of the content of codes by social structure. In our theory the question of meaning is central to understanding the nature of codes. We propose that the codes for any given subsystem create a complex discourse because they consist of extended chains of concepts instead of a single binary pair. Moreover, in that our codes are charged with the symbology of the sacred and the profane they respond to specifically cultural problems of interpretation as well as the systemic problems of channeling communication, information and output.
54. For an important exploration of France and Germany in these terms, see Rogers

Brubaker, *Citizenship and Nationhood in France and Germany* (Cambridge, Mass.: Harvard University Press, 1992).

55. For a discussion of civil actors see the works of Elias and Freud in note 49, above. For relationships, see John Locke, *Two Treatises of Civil Government* (Cambridge: Cambridge University Press, 1960); Jean Jacques Rousseau, *On the Social Contract* (Indianapolis: Hackett Publishing Co., 1983); for institutions, see the works by Luhmann and Tocqueville in note 52, above.
56. Readers familiar with cultural work in the area of gender will be familiar with many of these binary codings, and the application of the negative discourse to women – especially during the 19th century – as a means of securing their exclusion and subordination. We see nothing inherently gendered in the discourses, however, insofar as they are also applied to constitute marginal groups in which sexual identity is not an issue. That is to say, the same deep codes are used as a basis for discrimination by race, geographic location, class, religion and age.
57. Levi-Strauss, *The Savage Mind.*
58. Cf. Edward Shils, *Center and Periphery.*
59. Cf. Robert Bellah, *Habits of the Heart* (New York: Harper and Row, 1985); Samuel Huntington, *American Politics: The Promise of Disharmony* (Cambridge: Harvard University Press, 1981).
60. Louis Hartz, *The Liberal Tradition in America* (New York: Harcourt, Brace and Co., 1955); Gunnar Myrdal, *An American Dilemma* (New York: Harper and Brothers, 1944).
61. Cf. Bernard Bailyn, *The Ideological Origins of the American Revolution* (Cambridge, Mass.: Harvard University Press, 1967); J. Pocock, *The Machiavellian Moment* (Princeton: Princeton University Press, 1975); Louis Hartz, *The Liberal Tradition in America*; Sacvan Bercovitch, *The American Jeremiad* (Madison: University of Wisconsin Press, 1978).
62. Talcott Parsons and Neil Smelser, *Economy and Society* (New York: Free Press, 1956); Neil Smelser, *Social Change in the Industrial Revolution* (Chicago: University of Chicago Press, 1959), and *The Sociology of Economic Life* (Englewood Cliffs, N.J.: Prentice Hall, 1963).
63. Cf. Victor Turner, *Dramas, Fields and Metaphors.*
64. Cf. Jeffrey C. Alexander, "Three Models of Culture and the Social System," in Alexander, editor, *Durkheimian Sociology*; and Wagner-Pacifici, *The Moro Morality Play.*
65. Of course the codes we propose are not arbitrary in as far as each code element and its partner can be described from the point of view of logical philosophy as mutually exclusive opposing qualities. The codes are, however, arbitrary in two ways. Firstly, complex semantic codes enchain these binary pairs into larger structures in an entirely conventional manner – the code is the result of a cultural bricolage (cf. Levi-Strauss, *The Savage Mind*). American civil society, then, allocates qualities to sacred and profane codings on a different, but no more or less necessary, basis than communitarian or fascist civil societies. Secondly, the association between the code element and the extra-symbolic reality of the social world is entirely dependent upon contingent processes of association and interpretation undertaken by social actors. The indexical relation between the codes as "signs" and the world of "things" is thus as conventional as the link between Saussaure's "acoustic image" and "concept."
66. *Congressional Globe* (City of Washington: Blair and Rives), 42nd Congress, 2nd Session: 4110.
67. Ibid., 4120.

68. Ibid., 4111.
69. Ibid., 4111.
70. Ibid., 4111.
71. *Congressional Globe*, 42nd Congress, 2nd Session Appendix: 522.
72. Ibid., 523.
73. Ibid., 524.
74. Ibid., 523.
75. Ibid., 527.
76. Ibid., 530.
77. *New York Daily Tribune*, Editorial, 2/7/1868.
78. *New York Daily Tribune*, Editorial, 2/24/1868.
79. Mr. Mallory, *Congressional Globe*, 40th Congress, 2nd Session. Appendix: 227.
80. Mr. Driggs, ibid., 276.
81. Mr. Price, *Congressional Globe*, 40th Congress, Second Session: 1367.
82. *New York Times*, Editorial, 2/14/1868.
83. *New York Times*, Editorial, 2/24/1868.
84. *New York Times*, Editorial, 2/24/1868.
85. Garfinkel, *Studies in Ethnomethodology*.
86. *New York Times*, Editorial, 2/25/1868.
87. Mr. Humphrey, *Congressional Globe*, 40th Congress, 2nd Session. Appendix: 268.
88. Mr. Mungen, ibid., 211.
89. Mr. Humphrey, ibid., 269.
90. Report of speech by Mr. Clayton, *Register of Debates in Congress*, Vol. 8 [2] (Washington: Gales and Seaton).
91. Mr. Mitchell, ibid., 1946.
92. "Report of Minority Committee of Ways and Means," in *Register of Debates in Congress*, Vol. 8 [3]. Appendix: 148.
93. Mr. Mitchell, *Register of Debates in Congress*, Vol. 8 [2]: 1945.
94. President Jackson, "Message to Congress," in *Register of Debates in Congress*, Vol. 8 [3]. Appendix: 75.
95. Ibid., 79.
96. Mr. McDuffie, *Register of Debates in Congress*, Vol. 8 [2]: 1885–6.
97. Mr. Denney, ibid., 1945.
98. Mr. McDuffie, ibid., 1882.
99. Mr. McDuffie, ibid., 1887.
100. "Report of Committee of Ways and Means," in *Register of Debates in Congress*, vol. 8 [3]: 2120.
101. Resolution submitted by Clay to the Senate, in *Congressional Globe* 23rd Congress 1st Session, Vol. 1: 54.
102. Clay, ibid., 54.
103. Mr. Stanley, *Congressional Record* (Washington: Government Printing Office), Vol. 65 [2]: 1676.
104. Mr. Heflin, ibid., 1311.
105. Mr. McKellar, ibid., 1682.
106. Mr. Stanley, ibid., 1678.
107. President Coolidge, a speech of 2/12/1924, extracted in the editorial of the *Washington Post* 2/13/1924.
108. Mr. Heflin in *Congressional Record*, Vol. 65 [2]: 1312.
109. Doheny, Statement in *Washington Post*, 3/3/1924: 1.

110. Ibid., 2.
111. Ibid., 2.
112. "An Ordinance to Nullify Certain Acts of Congress of the United States," in *Register of Debates in Congress*, Vol. 9 [2], Appendix: 162.
113. "Address to the People of South Carolina by their Delegates in Convention," ibid., 163.
114. "Governor Haynes' Proclamation," ibid., 195.
115. "Message of President of the United States to the Senate and House," ibid., 147.
116. Jackson, ibid., 151.
117. Ibid., 149–150.
118. Messrs. Brooks et al., "Report on the Impeachment of Richard M. Nixon, President of the United States," in *Congressional Record*, Vol. 120 [22]: 29–293.
119. Mr. Rangel, ibid., 29302.
120. Mr. Conyers, ibid., 29295.
121. Ibid., 29295.
122. Ms. Holtzman, in *Debate on Articles of Impeachment* (Washington: U.S. Government Printing Office, 1974): 124.
123. Mr. Eilberg, ibid., 44.
124. *New York Times*, Editorial, 7/31/74.
125. *New York Times*, Letter, 8/1/74.
126. Letter, ibid., 7/31/74.
127. Mr. Hutchinson, in *Debate on Articles of Impeachment*: 340.
128. *New York Times*, Letter, 8/1/74.
129. Mr. Dennis, *Debate on Articles of Impeachment*: 43–44.
130. Mr. Latta, *Debate on Articles of Impeachment*: 116.
131. Mr. Sandman, ibid., 19.
132. Mr. Dennis, ibid., 43.
133. *New York Times*, Letter, 7/17/74.
134. Mr. Latta, *Debate on Articles of Impeachment*: 115.
135. *New York Times*, Letter, 7/31/74.
136. *New York Times*, Letter, 7/29/74.
137. *New York Times*, Letter, 7/2/74.
138. Chairman Hamilton, in *Taking the Stand: The Testimony of Lieutenant-Colonel Oliver C. North* (New York: Simon and Schuster, 1987), 742.
139. Ibid., 743.
140. Representative Stokes, ibid., 695.
141. Chairman Hamilton, ibid., 745.
142. Chairman Hamilton, ibid., 741.
143. North, ibid., 9.
144. North, ibid., 504.
145. North, ibid., 264.
146. North, ibid., 510.
147. North, ibid., 262–263.
148. North, ibid., 266.
149. North, ibid., 264.
150. North, ibid., 266.
151. North, ibid., 267.
152. George Bush, reported in *Los Angeles Times*, 12/12/87.
153. Jesse Jackson, reported in *Lost Angeles Times*, 12/12/87.
154. Fred Warner Neal, *Los Angeles Times*, 2/12/87.

155. Richard Barnet, *Los Angeles Times*, 12/19/87.
156. Stephen Cohen, *Los Angeles Times*, 6/7/87.
157. Robert Kaiser, *Washington Post*, 12/14/87.
158. Jeane Kirkpatrick, *Washington Post*, 12/14/87.
159. Daniel Schorr, *Washington Post*, 12/2/87.
160. David Broder, *Washington Post*, 12/12/87.
161. Daniel Pipes and Adam Garfinkle, *Los Angeles Times*, 6/3/88.
162. Henry Kissinger, *Los Angeles Times*, 12/18/88.
163. Cf. Jane Lewis, editor, *Before the Vote Was Won: Arguments for and Against Women's Suffrage* (New York: Routledge & Kegan Paul, 1987); George Frederickson, *The Black Image in the White Mind* (Middletown, Conn.: Wesleyan University Press, 1971). See also note 56, above.
164. E.g. R. D. Laing, *The Politics of Experience* (New York: Ballentine Books, 1967).