

Chapter 25

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Civil Society and the Public Sphere.

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The value of a public sphere rooted in civil society rests on three core claims: first, that there are matters of concern important to all citizens and to the organization of their lives together; second, that through dialog, debate and cultural creativity citizens might identify good approaches to these matters of public concern; and third, that states and other powerful organizations might be organized to serve the collective interests of ordinary people – the public – rather than state power as such, purely traditional values, or the personal interests of rulers and elites. These claims have become central to modern thinking about democracy and about politics, culture, and society more generally.

Theories of the public sphere developed alongside both the modern state with its powerful administrative apparatus and the modern capitalist economy with its equally powerful capacity to expand wealth but also inequalities, tendencies to crisis, and intensified exploitation of nature and people. The public sphere represented the possibility of subjecting each of these

new forces to greater collective choice and guidance. New media for communication have been important to this project, starting with print and literacy and extending through newspapers and broadcast media to the Internet and beyond.

This approach to public communication grew partly on the basis of active public debate in the realms of science (Ezrahi 1990), religion (Zaret 2000) and literature (Habermas 1962, Hohendahl 1982). Debates in these other spheres demonstrated that the public use of reason could be effective and schooled citizens in the practices of public communication. At the same time, this emerging notion of society treated the happiness and prosperity of ordinary people as a legitimate public concern – unlike Greek thought, in which such matters were treated as mere private necessity. Classical republican thought was influential, with its emphases on the moral obligation of citizens to provide public leadership and service, and on the importance of the public matters – *res publica* - that bound citizens to each other (Pocock 1975; Weintraub 1997).

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Thinking about public life was also transformed by the rise of what by the eighteenth century was called civil society. This meant society distinct from the state, organized ideally as a realm of liberty, with freedom of religion, association, business activity, conversation and the press. The promise of civil society was that social life could be self-organizing, even in complex, large-scale societies, and that it could thereby be more free than if left to government officials or to technical experts.

The idea of the public sphere was crucial to hopes for democracy. It connected civil society and the state through the principle that public understanding could inform the design and administration of state institutions to serve the interests of all citizens. Obviously these ideals are imperfectly realized, and some of these imperfections reflect tensions built into the very starting points of civil society thinking. As Hegel (1821) suggested, civil society reflects a struggle to

reconcile individual self-interest with the achievement of an ethical community. And while the ideal of the public sphere holds that all participants speak as equals, the reality is that inequality and domination constantly distort collective communication.

## 1. Five Visions of Civil Society

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The first and most basic notion of civil society comes from urban sociability. People interact, exchange goods or ideas, form relationships – and especially in cities, are sociable with strangers. Social life is not restricted to family and kin, or to neighbors, or to members of a single church. It reaches across the boundaries of different zones of private life to include those with whom there are no prior definitions of mutuality or dependency. A cousin you have not met is still family, but the person sitting next to you in the theater is very likely not. And during the early modern era there were more and more such public spaces where people mixed with each other – not just theaters but market places, coffee houses, streets and squares. Urban life was basic to the Renaissance – along with a renewed engagement with classical culture which itself celebrated urban life: the Greek polis or Rome itself. But early modern cities quickly surpassed their classical forebears in the extent to which they brought strangers together. The London of Shakespeare and Elizabeth I was a vital node in networks of culture, finance, and markets for goods and the movement of people.

Medieval cities had traditions of self-governance, notably through guilds of craftsmen and merchants. They organized social life with some autonomy from the feudal hierarchy. Likewise, though they were hierarchical and associated with the Church, medieval universities were generally urban sites of self-governance and sociability among strangers as they attracted

students and scholars from different regions. Perhaps most importantly, the idea of self-government by communication among approximate equals, with respect for expertise not just inherited rank, was basic to the Republican ideals of thinkers like Machiavelli (1513). John Locke (1690) extended this idea of society forged by lateral communication – initially mainly among elites – beyond its urban roots. But cities remained vital exemplars of the capacity for social self-organization. They drew ever-larger populations of strangers, people of diverse backgrounds and occupations, into interaction that required only a minimum of formal governance.

On a second account, the significance of markets shifted from physical spaces of direct interaction to larger-scale systems of exchange. This remained compatible, however, with the idea that freedom is maximized and the collective good achieved by relying as much as possible on individual choices, minimizing the role of government, of large-scale organizations, and of collective action. Adam Smith (1776) famously championed this view, though recent invocations of his name commonly offer caricatures of his theory. Markets, he held, made social self-organization possible not only by advancing exchange, reconciling supply and demand, and connecting those with different assets and needs, but also by leading individuals to serve the collective welfare – the wealth of nations – by producing to meet needs as efficiently as possible, and selling at prices set by the effort of each to buy cheap and sell dear. Markets thus produced a moral benefit by creating a collective good out of even self-interested individual action; in Bernard de Mandeville's (1714) phrase, markets made private vices into public virtues. For Smith, however, this only worked so long as all market actors were truly individuals, subject to the conditioning of market forces. Both joint-stock corporations and trade unions should be banned as constraints on trade that undermined the morality and psychological conditioning of

markets. Absent such distortions, markets offered the public benefits of both wealth and the circulation of goods. Moreover, for Smith markets demonstrated that civil society could be self-organizing and operate by its own implicit laws rather than state governance or intervention (though Smith recognized that states were crucial for a variety of purposes where markets performed poorly). However, although markets translated private choices in potential public benefits, they did not in themselves provide the mechanism for self-conscious public choices.

On a third account, civil society is a matter of collective choice, but not government. The collective good is best achieved by the direct action of ordinary people organized in groups and associations (Edwards 2009). Civil society, in this view, is a matter of churches, charities, voluntary associations, and self-help movements. It is an arena in which people can do things for themselves and meet the needs of their fellow citizens. Here, freedom is not limited to individual choices in relation to markets, but also realized in collective, voluntary efforts. Neighbors may form an association to provide mutual security – a neighborhood watch – or to manage collective resources such as park or recreation facilities. Residents of a town or a country may collect funds and volunteer labor for purposes that are public insofar as they aim to advance a broader good than the sum of their selfish interests – for example by providing food for the poor, or running a recycling program, or supporting a public radio station. They may organize a social movement to try to persuade their fellow citizens that it would be in the public interest to take better care of the environment, or reduce poverty, or end a war. Of course, other citizens may believe the public interest lies in oil drilling not recycling, in the incentives that come with inequality, or in waging war. In this view, the essence of freedom lies in the right of people to form such self-organized efforts, with a presumption that where these are not in harmony with each other they

will at least each be limited by respect for the others. What distinguishes civil society from the state in this view is pluralism and the absence of any master plan for progress.

A fourth view of civil society suggests that it is at best incomplete without a state to secure cohesion and provide a mechanism for concerted public action. While early theories of civil society generally emphasized its distinction from the state, most also saw the two as necessarily complementary and closely connected. The state gave society its form, even if civil society produced most of its internal web of relationships. The state offered laws that were enabling for civil society, providing a framework for the contracts central to market relationships and the judgments that balanced the agendas and interests of different actors in civil society – those who want more parks, for example, with those who want more housing or more job-creating industries. Some – notably Hegel – stressed the extent to which the state constituted society as an integrated whole, greater than the sum of its parts. This meant overcoming the ‘bifurcation’ between family-life, which he saw as guided by universal ethics but integrating only at the level of personal relations, and markets, which he recognized could be more general in their reach, but were based on particularistic self-interest. This distinction became basic to theories of social integration that contrasted the directly interpersonal relationships of family, community, and voluntary association to the impersonal and large-scale systems of market transactions. Without the state, on such a view, the market basis of civil society would always be disruptive to forms of social integration like the family, and would always be insulated from ethics by precisely the automatic, systemic character that Adam Smith celebrated as its invisible hand – good for generating wealth but not social integration or justice.

The fifth view of civil society focuses on culture. A key eighteenth-century pioneer was Montesquieu (1748) who emphasized not just laws but the ‘spirit’ that lay behind laws and

mediated among the material conditions in different societies, the interests of individuals, and the institutions they formed. Montesquieu's specific ideas about how this mediation works are today followed less than his more general argument that laws and other conscious measures to organize social relations depend on the culture in which they are situated (Alexander 2006). At about the same time, David Hume (1739-40) developed an influential argument that keeping promises depends not just on good intentions – say at the moment a contract is signed - and cannot be explained simply by reference to nature (since human nature is all too compatible with evading obligations). Rather, promises and contracts are honored because failure to honor them is subject to widespread disapproval based not just on instrumental interests but on cultural traditions and norms. Moreover, the expectation of disapproval (or conversely respect as someone who honors his obligations) is not just a matter of conscious calculation but internalized into habit. To say 'I promise' is thus a performative action that is only intelligible against a background of common culture that both recognizes what a promise means and provides for appropriate reinforcement – which in turn makes promise-keeping habitual most of the time and prudent when people think consciously about it. Culture is thus crucial to the capacity for agreements among individuals that is important to other conceptions of civil society. Culture also links the members of a society. This need not mean only a lowest common denominator of cultural uniformity; it may mean overlapping fields of cultural participation. Common religion may connect speakers of different languages (or vice versa). A shared business culture may connect people from different political cultures or with different musical tastes and so forth. Importantly, culture is not simply a matter of inheritance but of continued creativity, and processes of reproduction incorporate novelty, allow some practices to fade, and shift patterns of meaning – as languages add and lose words and adapt to new contexts.

Smith's account of the market was complemented, for Hume and for Edmund Burke, by the notion that there was another kind of invisible hand of historical trial and error that preserved useful customs and let others fade. More radical thinkers like Rousseau challenged this idea of cultural selection just as Marx would challenge Smith's account of markets. But each held that relations of power and property both kept practices in place that were not conducive to the public good, and drove cultural change in ways that served specific interests. Antonio Gramsci (1929-35) made the analysis of hegemonic culture basic to a theory of civil society. Society is held together not only by markets, formal agreements, and the power of the state but by common culture that underwrites consent. As Gramsci suggested, of course, hegemonic culture can also be contested. Thinking about nature as resources to be exploited may be dominant in a capitalist society but it is not impossible for Christians to contest this by expounding a view of nature as a gift of God demanding stewardship. The very organization of civil society is also shaped by culture. As Benedict Anderson (1983) has shown, we would be less likely to conceive of society as 'nation' absent representations in novels, in museums, and on maps. Charles Taylor (2004) calls attention to modern social imaginaries like voting – that depend on a cultural notion of what actions mean and what to expect of others - or the market as it is represented in the news and treated as a kind of collective reality. Similarly, the place and even reality of a business corporation depends on its cultural recognition, not just on laws or contracts.

## 2. The Importance of the Public Sphere.

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Some eighteenth and nineteenth century writers argued, contrary to Adam Smith and Edmund Burke, that the visible hand of the state was better suited to providing public benefits than either the invisible hand of the market or cultural tradition that changed only incrementally and mostly unconsciously. Jeremy Bentham (1789) founded utilitarianism on the notion that the greatest good of the greatest number depended on wise laws effectively administered. While some laws should provide for the vitality and liberty of civil society – for example by guaranteeing freedom of the press – others should put state administration to work in improving society. Bentham was a pioneer in both prison and educational reform. Over the ensuing centuries, states have been called on to build highways, run schools and health care systems, and generally advance the welfare of citizens. But there is recurrent public debate over what should be managed by states and what by markets or charities.

The public sphere is crucial to identifying the public good and to shaping both public and private strategies for pursuing it. This is not a matter of critical argumentation alone; it is also a matter of public culture that is shaped by creative and communicative processes as well as debate. Environmental discourse, for example, addresses the market choices of individuals, non-governmental organizations developing alternative energy sources, and government agencies – and it addresses each with mixtures of rational-critical debate, attempts to change culture through art, and demonstrations of solidarity and commitment. To engage such questions, individuals refer not only to their private interests but also to ideas about the public good.

The scope given to the public sphere is smallest in the market-centered idea of civil society. Choices are made by individuals and connect to each other through markets, which have their own logics like supply and demand. But though these are in principle individual decisions, they are nonetheless influenced by public communication – like advertising – and by the tastes

and customs of specific communities and social groups. Such social influences on decisions can extend to ideas of the public good, like buying environment-friendly products or avoiding pollution. Markets themselves operate on the basis of public institutions and public knowledge – for example publishing their financial results so that investors can make informed decisions, and course there are various ways in which the government may intervene to try to make markets perform for the public good: forming a central bank to insure financial stability, for example, or passing laws making bribery illegal.

The public sphere is also important where civil society is seen mainly in terms of the direct action of citizens - organized informally in communities or more formally in voluntary associations. Public communication shapes what civil society organizations form, from health clinics to Girl Scout troops, and what issues they address, from poverty to the environment. Not only do issues go in or out of fashion, the very forms and strategies of civil society organizations are matters of public knowledge, circulating in the media and first-hand reports, and offering a repertoire of models to each new organizing effort. Public discussion is also vital to evaluating the extent to which different civil society organizations – or social movements – do in fact serve the public good.

Urban sociability and public culture each evoke a public life that is not specifically political. Urban public spaces anchor face-to-face interaction, and promote serendipitous contact – and simple visibility - among people of diverse backgrounds. Many of Europe’s cities, especially older ones, were distinctive in their pedestrian character and their scale. Both suburbanization and larger-scale urban designs have changed the character of public interaction. Sennett (1977) argues that where eighteenth- and nineteenth-century urban life was vibrant and highly varied, 20<sup>th</sup> century development often reduced occasions for interaction across lines of difference. Citizens retreated into both privacy and the conformity of mass culture. This has negative implications for democracy. As Mumford (1938: 483) wrote, “One of the difficulties in the way of political association is that we have not provided it with the necessary physical organs of existence: we have failed to provide the necessary sites, the necessary buildings, the necessary halls, rooms, meeting places...” As directly interpersonal relations organize proportionately less of public life, mediations of various kinds become increasingly important (Calhoun 1988, Thompson 1995). The nineteenth and early-twentieth centuries were the heyday of great urban newspapers; since then, media that transcend locality have become increasingly important. First radio and then television fundamentally altered the public sphere. They contributed to a shift in what was publicly visible as well as in how public discourse was organized (Meyrowitz 1985). New media shared both information and emotionally powerful images widely. Critics charged broadcast media with debasing reason by substituting powerful images for sustained analysis, appealing to a lowest common denominator in audiences, blurring the lines between entertainment and critical discourse, and centralizing control over messages in the hands of a few corporations. At the same time, however, formations of public culture expanded dramatically, stretching across the boundaries of nation-states. With films, music, and new media, public

culture is increasingly global, though no version of it is universal. Much of it is centrally consumed as entertainment, but some also puts issues like human rights or humanitarian emergencies onto the public agenda.

The public sphere takes on its most specifically political import when civil society is seen as centrally related to the state. Whether the issue is waging war or financing health care or strengthening education, public discussion is the way in which ordinary citizens gain knowledge, form opinions, and express them – potentially influencing the state. Obviously some of these citizens have more knowledge than others; some have access to media platforms that give them greater influence. And some citizens grow quickly bored by political arguments and change their TV channel. Public discourse reflects the inequalities of civil society, but it also, at least potentially, compensates for them. Its very openness is an invitation to all citizens and a recognition that the opinions – and emotions - of citizens matter. As Hannah Arendt emphasized, politics includes not just petty struggles over power but public action that forms enduring institutions like the US Constitution. Affirming the classical republican tradition, she suggested that it was a strange trend that treated civil society first and foremost as a realm of freedom *from* politics rather than freedom *in* politics: “to understand by political freedom not a political phenomenon, but on the contrary, the more or less free range of non-political activities which a given body politic will permit and guarantee to those who constitute it” (1990: 30).

### 3. The Ideal of Publicness.

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Without a vital public sphere, civil society is not inherently democratic. Certainly civil society organizations are not always constituted in democratic ways. They are usually more accountable to those who pay for them and work in them than to the general public. Nor do civil society organizations always pursue the public good, even by their own potentially competing definitions. While some are philanthropic in the sense that they exist to provide benefits to those who are neither members nor backers, others focus on serving specific interests – those of business groups, for example, or those of neighborhoods that use private security services to maintain their exclusivity. Many, like private clubs, simply serve their members. Only some civil society organizations exist mainly to serve public purposes. These include social movements that campaign on broad agendas like equal rights for women; service organizations that provide benefits for strangers like soup kitchens or homeless shelters; political parties, charitable foundations, and public information services. Only some work primarily in public ways, however, making their internal operations transparent and open, and inviting strangers to join. Many organizations in civil society take on what they regard as public purposes but remain ‘in-groups’ of people knit together by personal relationships. Publics, by contrast, are forged in sociability and communication among strangers (Warner 2001).

The public sphere is public first and foremost because it is open to all, not only in the sense that all can see and hear but also that all can participate and have a voice. In any modern large-scale society, this means that the public sphere is a matter of communications and other connections among strangers as well as among those networked by old school ties, church membership, or community. One may talk about politics or issues like climate change inside the family, but this becomes a public conversation only when it is open to, and informed by, others. This may happen in face-to-face meetings but also by reading newspapers or websites, by

writing a blog or calling a talk-radio show. A protest march is part of public communication – it is an effort to make a statement and show that many people are behind it. So is a petition. But publicness is not just a matter of large numbers. It is a matter of openness. Writing an article in a small journal still counts: it is available to strangers and through them may inform further conversations.

Although openness is basic to the ideology and theory of the public sphere, various forms of exclusion are basic to actually-existing publics. Gender exclusion has been widespread – even in the ostensible golden age of the public sphere (Landes 1988; Ryan 1992). A state religion may exclude non-believers from public life, or a secular public sphere may limit the expression of religious views in public. Workers were largely excluded from the classical public sphere that Habermas analyzed (Calhoun 2010). Immigrants may be in a similar position today.

Those who are excluded, or who disagree with the dominant organization of the public sphere, often build their own media and networks of communication and with them a counter-public. Workers created a proletarian public sphere (Negt and Kluge 1972). The women's movement formed its own counter-public and this enabled it to contest the terms of the hegemonic public sphere (Fraser 1992). Counter-publics challenge the apparent neutrality of more mainstream publics and reveal that hegemonic public culture reflects power relations (Eley, 1992, but as Warner (2001) suggests, claiming unfair treatment in the public sphere is a strategy, and one even powerful groups deploy.

Not all public communication is about weighty matters of politics or institutions. To the frustration of some, there may be more debate over the Academy Awards than over public policy. Such opinions may not matter much for the fate of democracy, but an open space in which to express and contest opinions does. Any effort to police the boundary between opinions

that matter and those that don't potentially restricts the public sphere and political freedom. This is one reason why the US and other constitutions protect free speech and freedom of expression as such, and why limits on such freedoms – say to restrict public obscenity – are serious and consequential matters. Some have argued, for example, that because family matters are essentially private issues like spousal violence should not be on the public agenda. This view has changed for some publics but not all.

Not only must it always be possible for people to raise new issues or challenge dominant opinions, it must be possible for people to gain the information they need for informed discussion. This lies behind arguments for transparency in government and business dealings, and also conflicts over censorship of the Internet, like that by the Chinese government. Chinese civil society is more and more active in response; and this brings greater public communication as well as state efforts to limit it (Yang 2009). Some matters of national security or trade secrets might legitimately be kept out of the public view, but for the public sphere to work effectively on behalf of democracy and citizens' rights to shape their own societies, it is important that information be accessible. A government that does not make it easy for citizens to get access to data it collects is trying to limit democracy by limiting public communication. Of course, the public sphere is limited not just by official secrets but also by lazy citizens.

The ideal of publicness stresses active communication. In this sense it is at odds with reducing public opinion to the answers of separate individuals to questions on opinion polls (Splichal 2000). Charles Horton Cooley (1909) argued that this debased the notion of public opinion, which ought to be conceived as “no mere aggregate of individual opinions, but a genuine social product, a result of communication and reciprocal influence”.

The public sphere matters most for democracy to the extent that it is able to identify and constitute agreement about the public good and motivate people to seek it together. On Habermas's account, public opinion matters because it is achieved by reasoned, critical debate. But how to ensure that communication would be rational and critical is unclear. Hannah Arendt (1958) theorized 'public' in terms of creative action, the making of a world shared among citizens, and saw the founding of the United States as a crucial example. Habermas idealized eighteenth-century English parliamentarianism, newspapers, and coffee house conversation. He presented the public sphere as a realm of civil society in which private citizens could communicate openly about matters of public concern, transcending their particular statuses and addressing the state without becoming part of it. Such idealization commonly underwrites narratives of decline. In Habermas's classic *Structural Transformation of the Public Sphere*, for example, nineteenth and twentieth-century public discourse is analyzed in terms of the loss of rational-critical capacity that followed the expansion of scale and the rise of public relations management that incorporated the public into the realm of administered society. Schudson (1998) has accordingly cautioned against such golden age concepts, arguing that the ideal of the good citizen as an active participant in the public sphere has long been contrasted with the failings of actual citizens.

Walter Lippman (1922) famously argued that most of the time citizens failed to educate themselves in public debate, and the effusions of opinion called forth in times of excitement were not to be trusted. John Dewey (1927) defended the capacity for reason in large-scale communication, arguing that participating in public argument was itself educative. As Iris Marion Young (2000) argued, the inclusion of diverse people in public discourse is not only an entitlement of membership in a democratic polity but also a tool for improving the quality of that

discourse. Yet Young also calls attention to the extent to which reliance on sophisticated reasoning in public debates privileges the sophisticated. And democratic participation in the public sphere is not only a matter of rational-critical argumentation but of opportunities to participate in shaping the formation of public culture.

Debates and institutions are public in their substance insofar as they extend beyond the simple sum of private interests to the fabric of shared concerns and interdependent processes that enable citizens to live together and pursue common projects. The topic can be banal. Traffic regulations, for example, affect each of us in our private efforts to get from home to work or to a stadium for a sports event. Where we drive our cars is primarily a matter of our private interests. But both the building of roads and the establishment of rules – including which side of the road to drive on – are matters of public interest. We cannot accomplish our private goals without public investments and public decisions; moreover, roads literally connect us to each-other. In a democracy therefore, speed limits, fuel efficiency, and pollution controls are not merely technical decisions for transportation experts; they are matters of debate among citizens. The same goes for the infrastructure of communication in electronic media - or for that matter whether to continue a war or create a national health-care system.

In the nineteenth century, much political thought emphasized the fragility and limitations of the liberal democratic conception of the public. Tocqueville (1840, 1844), most famously, argued that the democratization of society tended to eliminate the *intermediary* public bodies that traditionally refined opinion and furnished individuals with a collective social identity outside the state. Engaged, politicized publics composed of distinct views and interests could be reshaped over time into mass publics—passive, conformist, and atomized before the state. Tocqueville’s fear of the unmediated state would resonate with generations of critics of mass

society. In a similar way, Arendt (1972: 232) suggested, also speaking of America, “since the country is too big for all of us to come together and determine our fate, we need a number of public spaces within it”.

This issue comes even more clearly into the forefront as one considers civil society and the public sphere on a transnational scale. The globalization of civil society has created both connections among distant people and issues that cannot be resolved readily in national public spheres. Much of this is a matter of market structures that are seldom subjected to collective choice. Flows of goods, information, and people often linked global cities as much to each-other as to their national hinterlands. More of public culture is transnational, and more voluntary organizations pursue transnational agendas. Yet national states retain most of the capacity to act on public concerns, and they remain crucial arenas in which public discourse can influence public power.

#### 4. Conclusion.

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A vibrant public sphere is the dimension of civil society most essential to democracy. It helps to constitute the *demos* itself – “the people” - as a collectivity able to guide its own future. The public sphere works by communication, combining cultural creativity, the selective appropriation of tradition, and reasoned debate to inform its members and potentially to influence states and other institutions. The public sphere is vibrant to the extent that engagement is lively, diverse, and innovative; its value is reduced when it is passive, or when it simply reacts

to government actions or failures, or when mutually-informing communication is sacrificed to the mere aggregation of private opinions.

Public communication does not simply flow in an undifferentiated fashion. Whether at a national or a transnational level, a public sphere is composed of multiple partially overlapping publics and counter-publics. These bring forward different conceptions of the public good and sometimes of the larger, inclusive public itself. They may be judged by their openness, creativity, or success in bringing reason to bear on public issues. The stakes lie in the double question of to what extent social life can be self-organizing, and to what extent the social self-organization can be achieved by free human action. The public sphere is vital to that possible freedom, and to its exercise in pursuit of public good.

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