EUROSPHERE WORKING PAPER SERIES

Online Working Paper No. 09, 2008

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Veit Bader

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ISSN 1890-5986

EUROSPHERE ONLINE WORKING PAPER SERIES
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Author(s): Veit Bader
Working Paper No.09
This version: April 2008
Webpage: http://www.eurosphere.uib.no/knowledgebase/workingpapers.htm

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Veit Bader
University of Amsterdam
V.M.Bader@uva.nl

ISSN 1890-5986 (online)

Eurospheres? Fragmented and Stratified or Integrated and Fair? A conceptual and pre-theoretical mapping exercise

Veit Bader

As we all know, the EU is a super-complex, 'compound' polity (Schmidt 2006, Bader 2007a), a 'regional union' (Bauböck 2007), a 'condominio' (Schmitter 2000), a 'multi-national polity' (Kraus 2006). All European research projects, including those addressing European public spheres are saddled up with many conceptual, theoretical, descriptive/explanatory and normative difficulties, which can neither be avoided nor consensually be settled. In such a situation some 'pre-theoretical' reflections and proposals may be useful (Bader 1989). They may help to increase clarity of reasonable dissensus in the definition and meaning of basic concepts, to map the various dimensions of European public spheres, the variety of actors and the various linkages and strategic interactions. Mapping the complexity of public spheres in Europe is a first, necessary step that helps to reduce this complexity in considered, controlled and consecutive steps, as is urgently required for any feasible research project. Such a mapping exercise may serve as a framework for rich comparative descriptions, for explanations, for social science-evaluations, and for explicitly normative (institutional and policy) proposals. The explicit intent of the mapping exercise presented in this working paper is, first, to achieve a higher degree of conceptual clarification which should not be misunderstood as achieving 'consensus'; second, to articulate some theoretical and empirical minima sociologica on fragmentation/integration and stratification/fairness of public spheres; and third, to present some normative reflections that may help to prevent the quasi-automatic transport to the EU of (idealized) normative standards of liberal and democratic legitimacy and the related normative concepts of publicity of 'national democracies' – the normative counterpart of methodological nationalism or state-centrism. This requires that we make political theory more up to date and fit to deal with the complexity of 'compound polities'.

More specifically, I hope to make plausible that two normative biases should be reflected and explicitly resisted. First, an often implicit normative bias: *the One dominates over the Many* – one 'integrated' or 'heavy' European Public Sphere (with Capital PS) versus the many 'light' European (and obviously the multitude of sub-European) public spheres.[1] This strand does not analyze fragmentation and looks for (hopes for and asks for) too much unity, integration and cohesion. It does not discuss the many trade-offs characteristic for 'simple' and for 'compound polities (Schmidt 2006; Lord/Magnette 2004,

[1] This criticism is shared by many contributors in the CONNEX Report Series Volume 2: 'A European Public Sphere' How much of it do we have and how much do we need? (2007

Bader 2007a; EUROPUB 2007 for EPS; Schmitt 2007:12). It also does not address the selectivity of 'a European Public Sphere'. It does not discuss whether, and if so which variety of 'One European Public Sphere' is possible and would be normatively desirable (Esmark 2007:331ff). The second, often implicit normative bias – *too much unqualified trust in '(individual) citizens' and their 'mobile minds and bodies'* – does not seriously enough take into account the many time-, information-, and qualification-constrains of democratic deliberation, participation, and decision-making. Empirically and normatively speaking we cannot and should not do without 'elites' and we urgently need a whole variety of 'counter-elites' of all sorts, particularly also inside citizens-movements and organizations in order to control professional and bureaucratic elites on all levels, especially in the EU (Eder 2000, Eder/Kantner 2000; Eder/Trenz 2003).

As indicated above, these two concerns are shared by many others. My approach, however, is fairly original in two regards, (i) institution-centred, multi-level analysis of public spheres and (ii) its explicit emphasis on sectoral/functional public spaces and arenas. The representation and presence of all relevant stake- and knowledge-holders in these arenas brings conflict and contestation to the spheres and issues where they matter most, in opposition to so-called 'Big' Politics and its recent revival in populist political 'movements' and parties.

In section I, I discuss *conceptual issues* regarding 'spheres', 'places/ localities', 'arenas'; 'levels'; 'fields' or 'social spaces': 'territorial/political' and/or 'social/functional'; and different kinds/types of 'publics'. In section II, I try to summarize some minimal theoretical *sociological/political science reflections* regarding (i) fragmentation and/or integration, (ii) stratification and/or fairness, and (iii) linkages and strategies. Compared with the attempt to clarify criteria, concepts and foci of EPS by Vreese/Schmitt (2007)[2] and others, my attempts may add up to a more detailed conceptual frame that can be used for descriptive, explanatory and normative purposes. Needless to say that this cannot be done here quasi in one stroke. In section III I give a rough sketch of my *minimalist normative considerations* on 'The One and the Many'.

I. Public 'spheres' or 'spaces, fields, networks, arenas' or 'fora/agoras, places' and Publics. Conceptual clarifications and working definitions

Not surprisingly, even the basic concepts of public-sphere research are not only contested, as all basic concepts are, but highly metaphorical and fuzzy. Let me start with some comments on '*spheres*' (or comparable notions meant to supplement or replace this notion) in which different kinds of '*publics*' then do different things.

I.1. Networks of Public Communication: public spheres, fields, networks, public spaces, arenas, forums, agoras, places/localities?

The title indicates a broad variety of terms, concepts or metaphors and we have to acknowledge frankly that there is not even a minimal consensus with

[2] "Further explication of the different modes of public spheres in Europe and conceptual and empirical clarifications of the notion of Europeanization are essential" (2007:8), indeed.

regard to their meanings and connotations. A broad range of criteria is used in the diverging definitions and distinctions. Here, I present a preliminary list of these – often implicit – criteria, followed by an attempt to give plausible working definitions. We find, and need, some fairly general distinction between '*publics*' as specific actors and '*public spheres*'. I start with the latter and use 'public spheres' as a catch-all phrase for 'fields, networks, public spaces, public arenas, forums, agoras, places'. Only later on I try to distinguish between these notions,

Public Spheres are *constituted*, most generally, by *communications*. The term communication is more appropriate than the often-used concept of 'interaction' because interactions require physical presence of communicators (in the sense of 'direct interactions'). Most generally, public spheres, then, are networks (or alternatively 'systems' or 'spheres'; see below) of communication. Communications can be understood very broadly, including *non-verbal* communications, or narrowly as *verbal* communications, more narrowly as '*opinions*' or even as a very specific and demanding type of communication: as '*deliberations*' or 'discourses'. So, clearly, we have to specify by asking: Which types of communication? I try to answer this question in the following steps:

First, these communications are not specified by 'media' and 'code'. Hence the 'public sphere' cannot be understood as a differentiated 'social system' in Luhmann's sense, either related to the political system (as in 1971:9, 27ff,) or as a 'medium' (1993:174).[3]

Second, 'public' communications are distinct from 'intimate', from 'secret', and from 'private' communications (all in the sense of communications that are made/declared to be intimate, secret, private, because none of these properties is inherent in the 'nature' of the communication or its 'content'). Normatively speaking (from a liberal-democratic position) the more *proper opposites* are not 'private' but 'intimate' and 'secrete' (Peters 2007:57; Luhmann 1993:170). The existence of 'publics' and claims to 'publicity' within private organizations indicate that the classic liberal public/private dichotomy hides lots of publics and tries to keep lots of political or public issues (e.g. structural power-asymmetries) 'private', i.e. off the public/political agenda (see also Fraser 2007, Salvatore 2007).

Third, traditional concepts of 'public' presuppose this narrow 'liberal' concept of public as 'not private' but still are ambiguous with regard to the scope of the public: it my be conceived broadly as 'social but not political' (e.g. as 'civil society') or more narrowly as 'political' but not reduced to 'the state' (as in 'political society', or it may coincide with territorial polities ('state').[4] These distinctions are traditionally indicated in terms of 'spheres' (of 'civil society', of 'political society', of the 'state') but this does not elucidate much because it only reproduces the ambiguities of 'civil society'. Manifold Criticisms of such 'public/private' distinctions make it necessary to conceive

[3] A medium that enables the political system 'zur Selbstbeobachtung und zur Ausbildung entsprechender Erwartungsstrukturen. Die öffentliche Meinung dient nicht der Herstellung von Aussenkontakten, sie dient der selbstreferentiellen Schliessung des politischen Systems, der Rückbeziehung von Politik auf Politik" (181f)

[4] For these distinctions see Rawls 1993 (and my criticism in Bader 2008), Casanova 1994 and others.

of the 'public/political' more broadly without loosing the core intent of this distinction:

Fourth, the appropriate core of public communications, in my view, are *problems of coordination and collective decision* (including non-decisions) in societies, fields/systems, institutions, organisations, associations, and communities, whether (declared) 'private' or 'public'.[5] Public communications in this sense refer to:

(i) *all stages of the 'policy cycle'*: what is the *problem/issue (including issue-cycles); alternative problem-solutions; decision; implementation; and control;*
(ii) *wherever these problems occur* (on all levels, in all fields, specialised 'spheres' or 'sub-systems'; organisations, institutions, encounters, etc.);
(iii) the aim of the relevant public communications (contested opinions, discourses etc.) is to *reach 'common' definitions of what is at stake (what is the problem) and how this problem should be solved*. Traditionally speaking: 'common good', 'common interest' or 'common affairs'.[6] Wanting to participate or actually participating (in all possible roles) in public communication presupposes this orientation. Otherwise 'one does not care' (and hence does not participate) or 'one does impose' the own preferences straight away if one has the power to do so (and is not in need of participating in public talk). This minimalist aim should be clearly distinguished from very demanding and highly implausible aims of 'reaching consensus' under more or less idealized conditions.

Fifth, The '*norms*' that should govern public communication are the general but minimalist *freedoms of political communication*. Public communications also should be constrained by minimalist *civic-democratic virtues* (such as self-discipline, civility, moderation, toleration, mutuality, reciprocity, a minimalist sense of justice and, maybe, more demanding 'deliberative virtues; see Bader 2007:180ff). 'Public institutions', 'public organizations', and 'public roles' are governed by more specific norms. The latter belong to the 'political' or 'legal' systems with specified media and codes or, in another language: they constitute a specific 'sphere' (Walzer 1983, Bauböck 2007). Another way of saying this is, that public spheres are not coordinated by 'hierarchy'. 'Publicity' is in a very specific sense *anarchic*. It is not 'herrschaftlich organisiert', it is in 'no one's hand', or it is 'out of control' (Habermas 1992). Yet this does not mean that it would be a terrain 'beyond power asymmetries' (Bader 1993).[7]

Sixth, public communications/spheres are not only anarchic (even if they take place inside organizations defined by hierarchy) but also, in a certain sense, *not 'closed' but more or less open*, characterized by different degrees of openness of access, containing more than one (individual or collective) actor. A certain minimal degree of empirical '*inclusiveness*' is a precondition of public spheres. From a democratic normative perspective, public spheres

[5] This approach has clear advantages compared with Haug's attempt to conceptualize 'publicness' as 'linkages' of 'private networks' (2008:9ff).

[6] "Probleme oder 'Konflikte' drängen zu einer 'Lösung'" (Luhmann 1993:179); see also Peters 2007, Fraser 2007:20.

[7] In opposition to all more or less emphatic 'deliberative democrats' in the tradition of Habermas (e.g. Eriksen, Fossum) I defend a minimalist and agonistic concept of democracy (see Bader 2007, chapter 6, versus demanding principles, virtues and 'fairness, truth, honesty'). See for the role of contestation about issues in the formation of European public spheres: Vreese/Schmitt 2007:5, Kohler-Koch/Larat 2007:2

should "be open to all with a stake in the outcome" (Fraser 2007:20) or, more modestly, to all relevant stake-holders because some public spheres (e.g. 'organisationsinterne Öffentlichkeit' but also social/functional public spheres) require minimal thresholds for participation and, hence, a certain degree of closure.

Finally, publicity and actual publics are composed of *active participants* ('speakers' broadly understood) and of *passive participants* ('listeners', addressees', 'Publikum')[8] but also should allow and empirically allows for more or less swift role change in this regard.

Finally, two more general remarks on the *ways and kinds of public communication* may be in order:

(i) *Bottom up and/or top down communication?* Whether we like it or not, democratic communication is a two-way process in which *organizations and elites* (in all public arenas) play a vital role. There are good theoretical reasons why this is so and why it should be the case even under 'ideal conditions' of *herrschaftsfreien Diskursen*: information, qualification, practical knowledge, expertise etc.[9] Actually, 'individual voice is noise' and individuals are grouped around issues and have to cooperate and organize around issues in order to surpass inevitable thresholds of selectivity.

(ii) *Types of 'communication'*. Public communication is, firstly, clearly not restricted to speaking/listening and writing/reading or to verbal communication (see above). It includes a huge variety of forms of non-violent collective action such as demonstrations, strikes etc. but also of violent collective action. It is important to note that for example the US Supreme Court's extensive interpretation of the freedoms of political communication protects even 'violence against property' and 'captive audience' under certain conditions. Secondly, communication, obviously, does not require direct interaction but includes all forms and kinds of indirect or 'mediated' (media of communication) interaction. Thirdly, public spheres and 'communication', obviously, does not require 'actual' spaces but can take and increasingly takes place in 'virtual spaces'.[10] Fourth, communication is not restricted to 'rational' or 'reasonable' communication but includes (and normatively speaking should include) sentiments, emotions, symbolic communications (pictures, cartoons, songs etc.). Fifth, a more tricky and contested question is whether communication in public spheres empirically is, or normatively speaking has to be 'integrated' or 'centred' or whether it is more or less de-centred and dis-integrated even from a democratic point of view (see below on integration and degrees of fragmentation and on the role of 'media of communication' in focusing, centring communications).

Public communications in 'spheres, realms, areas, fields, networks, public spaces, public arenas, forums, agoras' are *delineated by boundaries* that can be/are constructed by making use of *criteria* such as: territorial-political borders (public communications in polities on all levels), functionally differentiated sub-systems/fields, institutions, organizations and associations

[8] 'Audiences', however, need not be 'present' (versus the restrictions in Haug's 'arena'-model of public spheres).

[9] In addition, political communication is also a "two level process" (Schmitt 2007:12) with citizens/residents – elite communication "at level one (in one's first language) and elite - elite communication at level two (in whatever language works best)", for the EU but neglecting increasing language capabilities of 'citizens/residents'.

[10] See for the EU: Os/Jakowski (2007); Koopmans/Zimmermann (2007).

(membership), belonging to communities of practitioners, and actual presence in physical spaces/localities (≠legal/administrative borders); e.g. 'streets', 'public spaces', meeting halls etc; see Haug 2008:4ff for 'encounters' and 'assembly publics').

After these preliminary, general explications on *public communications/ spheres* I can approach the tricky question of terminological and substantive distinctions amongst these networks of public communication. Yet, before trying to make sense of the supply of concepts and to distinguish them properly, a short remark on *spatial metaphors* may be helpful. As all metaphors they enable us to see but also hide something from view and, hence, may be sometimes even highly misleading. Some of the notions use 'space' in the literal, geographical sense of 'locality': '*public places*' such as streets, meeting halls or buildings (original sense of arena, if used literally, not metaphorically (see also Schmitt 2007:17)) or meeting places (original sense of forum, agora if used literally) where real people meet in real time in direct interactions: direct public communications. Territorial (political/legal/ administrative) borders also are spatial in this sense but do not denote actual meeting localities but delimitate boundaries of (legal or more contested: legitimate) public communications in terms of 'membership' (non-members are excluded in principle as actors from participation in public communications). '*Public space(s)*' (as well as arena, fora, agora) is used ambiguously both as synonymous for 'public places' (literal meaning) or for non-spatially limited 'social spaces' or 'fields' or 'public spheres' (or 'realms', 'areas') that are bound by other, non-spatial criteria (metaphorical meaning).

The terminology of *networks*[11] *and systems* has the considerable advantage of not using spatial metaphors. 'Systems', however, may presuppose an unwanted, not critically scrutinized high degree of 'systematicity' that is a serious disadvantage for both empirical and normative research. This is the reason why I clearly prefer the neutral and open concept of *networks of public communication*.

Finally, some spatial metaphors carry more or less well-come connotations resulting from their original meanings that have to be reflected upon: '*agora*' and '*forum*' carries the image of talking/deliberating individual 'male citizens'; '*arena*' and *'(battle)fields*' go with *contest, agon, conflict, struggle*, and '*spheres*' is commonly associated with *harmony and consensus* that tends to make disagreement, negotiation cum deliberation, contest, agon, conflict, struggle invisible. If one wants to use the spherical metaphor, one has explicitly to avoid and reject these connotations because, obviously, freedoms of political communication in liberal-democratic constitutions guarantee non-verbal forms of communication like 'passions/emotions', non-verbal symbols and demonstrations, strikes, sit-ins and all other forms of collective action compatible with an extensive interpretation. These are all forms of public communication that take place within public spheres whether deliberative democrats like it or not.

[11] See also Habermas 1996:360 "a network", not an institution, an organization, a system. Esmark 2007:333f. Benhabib 2002.

I.2 Defining and distinguishing concepts

In addition to all that has been said above, one can try to distinguish 'spheres, fields, networks, public spaces, public arenas, forums, agoras, places' from each other by using a great variety of *other criteria* such as:

- (Degrees of) openness or closure regarding issues and/or actors (and relative numbers of issues and actors)
- Degrees of homogeneity or heterogeneity of actors
- Degrees of harmony, consensus or contestation/conflict
- Density of communication
- Formalized or informal communications
- Degrees of Fragmentation or Integration
- Degrees of stratification or fairness[12]

In my view, at least some spatial metaphors should only be used in and restricted to the *literal spatial meaning*. The best candidates in this regard are '*places*' and '*localities*'. My proposal is that we should use 'public places' only in this sense, not in any metaphorical meaning.

Public communication by way of *direct interaction* requires and takes place in public spaces. *Indirect public communication* requires media of communication allowing communication in the physical absence of speakers/listeners, even if speaking/listening are nearly synchronous (as in chat-boxes etc.). The *boundaries* of direct interaction are more or less clearly visible: those present in localities where communication takes place. The boundaries of indirect or mediated public communication are fuzzier but can be clarified by network-terminology and network-analysis: *actual (and potential) networks* of public communications – whether synchronic or diachronic – are constituted by *linkages amongst all actual (or potential) participants*. In principle, it does not matter whether these communications take place in 'real' or in 'virtual space'. This could easily be illustrated for issue-specific networks, for field-specific, institution-specific, organisation-specific networks of public communication on the world-wide-web in comparison with more traditional media such as press, radio, TV. In order to avoid spatial misunderstandings, my proposal would be to avoid the terminology of 'social spaces' defined as "areas of dense social interaction" that can be visualized by drawing lines between actors that symbolize interaction and communication. A cluster of high density of interaction can be identified as a social space" (Bauböck, Vienna 26 June 2007, p. 2) or of 'public spaces' (Sicakkan, Summary of the Vienna discussions, p.2). Degrees of density and intensity of networks of public communication don't require separate terms and if so 'spaces' would not be the most appropriate one. The same holds for drawing potential participants into actual networks and for the opening, continuation, dormancy, and closing down of networks. In my view, we do not need the terminology of social and public spaces. What would they describe that we cannot describe with less misleading terms? Furthermore, we are in urgent need to reduce the complexity of our terminological apparatus.

[12] Discussion whether 'spheres etc' are 'abstract or concrete', whether they are 'tangible/visible' or invisible presuppose outdated ontologies and epistemologies – at least from a critical realist position – and should be dropped: what cannot be made visible/perceptible at least in its 'workings' should be discarded.

I propose to use *societal fields instead of subsystems*. The main reasons for rejecting systems-theory concept in the tradition of Luhmann are the inbuilt overestimation of functional differentiation, particularly when it comes to institutions, organisations, roles and actions, on the one hand, and the underestimation of structural inequalities and of conflicts, on the other hand.[13] I also think that the concept of societal fields (Bourdieu, Bader/Benschop 1988) helps to avoid some of the misleading connotations of 'social spheres' (as proposed by Bauböck 2007 in the tradition of Michael Walzer) that assume too much 'shared values' or 'sets of social goods and norms' and underestimate contestation and the priority of practices (instead of values) highlighted by an actor-centred institutionalism.

'*Public sphere*' or *public spheres* can be used, for reasons of convenience, as a general term and shorthand for all networks of public communication. If one wants to avoid some of the unwelcome connotations of these widely used terms, the metaphorical use of spatial notions like 'arena, forum, and agora' might be an alternative. 'Agora' and 'Forum', then, serve to focus on the deliberative character of public communications among natural persons whereas 'arena' (like 'field') highlights the contestational character of communications between individuals and collective actors. Hence, public spheres can be described as *public arenas* if one wants to spell out the contestational character of communications among all kinds of actors but particularly of collective actors; as '*fora*' if one wants to indicate the deliberative (and often highly individualistic) character of communications.

I.3 Structural and institutional differentiation of public spheres in Europe

Public spheres can be differentiated along the following structural and institutional lines. This 'institution centred differentiation of public spheres' (Esmark 2007) characterizes my multi-layered, 'institutionally anchored' approach.

(1) 'Internal public spheres' or 'internal publicity' (in a specific sense): '*organisations-interne Öffentlichkeit*' versus more '*general publicity*'. This kind of publicity is internal to different kinds of 'associations' or 'organisations'. The boundaries of access and participation in public communications are defined by membership and non-members are either formally or de facto more or less strictly excluded.[14] In bigger organisations – whether private (corporations) or (semi-)public (universities, hospitals, executive departments), internal public communications are mediated by organisation-specific media of communication.

(2) *Group- or community-internal publicity*. This is a second, structurally different kind of 'internal' publicity constituted by public communications amongst 'communities' or 'groups of practitioners' of all sorts (e.g. linguistic, ethno-cultural, religious, gender but also socio-cultural,

[13] See Bader 2001:141-48; 2007:47f and Mayntz/Scharpf 2005 and Teubner 2002 for similar criticisms

[14] Luhmann 1971:12 thinks that "organisationsinterne Herstellung der Öffentlichkeit bestenfalls zur Herstellung peinlicher Situationen führt".

occupational, professional, recreational, sports) or amongst people that are united by and fighting for a 'common cause' (as in one-issue social or political movements). Here the boundaries of access and participation in public communications are informally defined by 'belonging' (by self-definition/identification as well as by being recognized by other practitioners as belonging to the 'group' or 'community'; see Bader 2003:135f for these distinctions between associations, organisations, groups, communities). Outsiders cannot formally be excluded from attempts to participate but can actually be ignored. Most *communities* and *movements* in this sense eventually create their own associations, organisations, institutions that allow more focused public communications but also more closure. And most also create their group/community or movement-specific and/or organisation-specific *arenas* (Haug 2008) and media of communication as focal points of these *specific publics*.

(3) *Territorial-political public spheres* are typically based on a specific combination of communal '*belonging*' (in the case of 'national public spheres': to an *ethno-religious nation* defined by common language, history and culture) and of formally defined *membership* (in the case of national public spheres: nationality as 'state-membership' (*citizenship and residency/denizenship*). Similar combinations of local, more or less aggressively 'parochial' and 'anti-national' *communities* and *city-zenship* are characteristic for *local/municipal public spheres*, for *regional* and for *national-minority public spheres*. Supra-state public spheres, on the other hand, presuppose much thinner and more 'cosmopolitan' belongings, if at all, and membership in supra-state polities.

'Public spheres' in this territorial-political sense – the most common understanding and use of the concept – are, compared with 'organisationsinterner' and with community or movement internal publicity, more open, less closed for non-members and 'outsiders' that do not feel to belong (identify, feel attached, committed) and are not perceived to belong. Hence they are often called 'open' public spheres/spaces, populated by 'general public(s)'. Yet this terminology is misleading because (i) openness and closure are always a matter of degree, and (ii) because it completely neglects the specific mechanisms of closure at work in these public spheres. Therefore it is more appropriate to call them 'less closed' instead of just 'open'. Obviously, boundaries and exclusions tend to get less restrictive if one moves from local, via national to supra-national public spheres such as 'the Eurosphere'.

For an analysis of the *different degrees of openness*, the following distinctions within territorial public spheres may be relevant: (i) institution-centred public spheres (parliaments, and much more so departments, courts (belonging to 'political/legal systems') and their internal publicity, specific media) are clearly more closed (e.g. access restricted to MP's and accredited journalists, limited publicity) than both public spaces (streets, places, meeting halls) as arenas of direct public communication and as the 'general' 'mediated' (local, provincial, national, supra-state) public spheres. (ii) Public spaces of direct interaction are, in principle, more open (access for all that are present) than 'mediated' public spheres (selectivity of 'speakers' is much stronger; media function as 'gatekeepers', see below).

(4) *Field-specific public spheres* or 'functional'/sectoral public arenas are distinguished from each other by differentiated practices;[15] e.g. of (sectorally highly differentiated) *material production* and of highly differentiated *service-provision* (such as education, health-care). All these fields are coordinated and regulated by (combinations of) *institutions*. The production of goods and the provision of services, e.g., by more or less densely regulated '*markets*', by '*work-organisations*' *(private hierarchy), networks, associations* of producers/providers and of consumers/clients, and by *public hierarchy*. The '*political/legal field*', e.g., by constitutions, legislative/executive/judicative institutions and many public organisations such as parliaments, departments, courts, political parties.

Some brief explanatory remarks may be in order:

(i) Field specific publicity also contains many *organisation-internal publicities* but is much more encompassing. Access is not defined in terms of membership in field-specific organisations but broadly in terms of all those 'stakeholders' that are directly involved in the respective practices (as producer/providers (both employers and workers) and as consumers/clients and their respective organisations) or more indirectly as relevantly affected stakeholders (such as municipalities/regions, environmentalists etc.).

(ii) The *boundaries* of field-specific public spheres are, on the one hand, *much more open than those of 'national' public spheres*. The prime mode of differentiation of fields or sub-systems is functional, not segmentary. Hence, fields are more 'global', don't care much about territorial/political boundaries, quite distinct from the recent state of the political system (prime mode of differentiation, given all talk about globalization and transnationalization, is still segmentary – several states 'side by side').[16] Still most other fields are also very much impacted by 'state'-boundaries and –regulations though some much less so (as natural sciences, compared with humanities or legal science; or the 'economy') than for example health-care and education. On the other hand, *field-specific public spheres are much more 'specific' and closed than 'national public spheres'*: the number of potential/actual practice- or issues-specific stakeholders is much more limited compared to territorial public spheres: only the relevant stakeholders, that is the relevant (private/semi-public/public) employers, workers and their respective umbrella organisations; the specific clients and their organisations; the relevant professional and expert-organisations (if any). The selectivity in terms of practical knowledge, qualification, and information is much stronger.

(iii) Public communications in fields, eventually, also are the breeding ground for their own (competing) *specific media* of communication.

(iv) Field-specific public spheres are not neatly separated from more general territorial-political public spheres. Their *borders are permeable and they are regularly crossed* if their problems/issues cannot be or are not effectively and legitimately solved internally (at least in the perception of

[15] See for difficulties and pragmatic solutions: Bader/Benschop 1988, chap. III, figures 4a – c.
[16] See for the importance for identities, loyalties, commitments: Bader 2007a:126-35)

some actors which then engage in border-crossing, dramatizing strategies if they command the relevant power-resources and strategies (see below)

(v) If so, field-specific organisations, movements and/or experts (as 'public intellectuals') regularly become (very) powerful actors in territorial-political public spheres.

In addition to, and in combination with these already institutionalized public spheres, we find *issue-specific networks of public communication*: old and, particularly, new issues in search of more appropriate public arenas and/or forcing existing arenas and institutions to co-operate in a new and more productive way. New issues – including the issue of urgent institutional reform! – are raised by new collective actors (most prominently social movements and SMO's) or by coalitions of old and new ones (see below I.5).[17]

Clearly, these are analytical distinctions. Public spheres do not have quasi-natural borders. Actual public spheres/arenas are intersecting or overlapping and we will have to discuss the possibilities and actual chances of border-shifting and -crossing, of linking and alignment of public spheres (see below).

I.4 Different kinds of publics

As we have seen already, actual publics are composed of *active participants* ('speakers' broadly understood) and of *passive participants* ('listeners', addressees', 'audiences', '*Publikum*') but publics should allow at least some role change sometimes. Publics 'inhabit' or 'occupy' public spheres and, vice versa, public spheres are created by publics. A public is, in a strict sense, not an actor. It lacks the capability to act that requires some minimal 'group-ness' and 'netness' (*soziale Organisiertheit*, Bader 1991: chap. 7) and spontaneous or informal leaders and, for continuous collective action also a certain degree of organization and leadership (from crowds to social movements, SMO's, movement entrepreneurs, and media; and the respective group- or movement-internal publicity). Still, public opinion *empirically* has some influence or 'political efficacy', particularly as 'published' opinion, but this impact is massively reinforced if backed by powerful actors. *Normatively*, a certain minimal degree of political efficacy is a conditio sine qua non of modern democracy (Fraser 2007).

Most distinctions of different kinds of publics refer to this power-dimension or the influence of publics in the political process in all its stages, either directly or indirectly:

- *general* versus *specific* publics (this distinction is practically identical with the distinction between territorial-political public spheres on the one hand, and sectoral/functional, issue-specific and 'internal public spheres' on the other.
- *unorganized* versus *organized* publics
- *weak* or *strong* publics (Young, Eriksen et al;) or – related but not identical – new versus institutionalized publics.

[17] See for the importance and the overlap of field-specific and issue-specific public spheres in the EU: Greenwood 2007.

The degree of political efficacy of different kinds of publics can best be explained by a detailed discussion of the respective *mix of power- and mobilization-resources* possessed by the different actors combined in different kinds of publics (see below II.2)

Before addressing these 'sociological' issues, let me combine, by way of a summary, my brief analysis of dimensions and levels of public spheres, of publics and actors.

I.5 Many 'Public Spheres', Many Publics and Actors, Many Levels

Table 1: Many, internally diverse, public spheres and publics in compound polities. Many, internally highly diverse European Public Spheres

Levels / Arenas	Local Public Spheres	Regional/provincial Public Spheres	Member-State ('national') Public Spheres	European Public Spheres (EU + CoE + OSCE)
Political/ territorial pluralism	neighbourhood, city councils, administrations, political parties, NGOs, media etc.	regional parliaments, administrations and jurisdictions; 'political' actors, media etc.	federal parliaments, administrations, jurisdictions; 'national' political actors	EUP, Council, Commission, ECJ, Committee of the Regions; CoE; OSCE; European 'political' actors and media
Social/ functional or sectoral pluralism	firm, hospital, school, university; corporate governance; orga-nized 'stakeholders' (labour, capital, pro-fessional organiza-tions; others); media	regional chambers of industry, sectoral (neo-) corporatist councils; organized 'stakeholders' and their media	federal neo-corporatist councils and the relevant stakeholders, media	Economic and Social Council; EU Committees; relevant stakeholders and their media etc.
Ascriptive minority pluralism	Local ethno/religious communities, councils, organisa-tions, media etc.	regional minority institutions, councils etc.	federal institutions of ethno/religious or national minorities	EU ethno/ religious institutions; OSCE declarations etc.
	Representation of territorially dispersed ascriptive minorities (such as immigrants, women, homosexuals, elderly) in different societal fields and at different levels; their organizations, leaders, communal media etc.			

This is a simplified figure of political, social, and minority *(institutional) pluralism* in the European multi-level polity, indicating the most relevant institutional arenas and relevant actors (it is the result of the operation of "institutional anchoring" of public spheres on the basis of "institutional polycentrism").[18] In this 'logic', the *existing institutions create their own public spheres and publics*:

1. Multi-level Polity (MLP) and *territorially bounded institutions ('state-structures'* in Vivian Schmidt's terminology), 'representation' and publics: from neighborhoods to Europe, particularly to the EU; and the related *territorial-political public spheres*. Besides the more or less open, general but nevertheless territorially bounded public spheres that are crowded by general but weak publics on all levels, these public spheres are also crowded by more specific and stronger but highly diverse publics: competing and interacting parliaments and MP's; competing and interacting departmental administrative elites (civil servants) and respective counter-elites; competing and cooperating judges, Ombudsmen (see Harlow/Rawlings 2006 for member-states and the EU). Moreover, these spaces are also *segmented* according to the institutional logic of the trias politica (roughly: *legislative* public space organized in and around parliaments (e.g. the EP); *executive* (e.g. the Commission and the Council) and different kinds of *administrative* public spaces (in and around different departments; e.g. the DG's and the committees) and also judicial public spaces (ECJ, ECHR). Clearly, these spaces differ in degrees of openness/closure, access, and publicity/transparency.
2. Multi-layered Governance (MLG): *social/functional* or *sectoral 'neo-corporatist'* institutions ('societal structures' or 'governance-structures) and the related public spheres. On all levels, these arenas are highly diverse, more or less open or closed; segmented, and crowded by fairly strong but stratified publics.[19]
3. *Minority* representation, institutions and publics (if any) in the cases of territorially concentrated, particularly '*national*' minorities (different degrees of institutional and political autonomy) and group-internal public spheres or in the cases of territorially non-concentrated (e.g. women, homosexuals, elderly, ethno-religious immigrant minorities and non-recognized linguistic minorities), their institutions and group-internal public spheres (Kraus 2006). European Public Spheres are also in this regard highly diverse and segmented.

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[18] See Esmark 2007:346ff "because political institutions do play a privileged role in terms of public sphere formation and development". I completely agree with Esmark's statement: "It does not follow that the institutional anchorage of public sphere activity in the political system of the EU (MLG) is simply stronger. But the institutional polycentrism of the EU makes it possible for different modes of transnational resonance to have several – and different – anchorage points as compared to more or less mono-centric systems" (348). See Greenwood 2007 for an excellent overview of relevant 'interest representation' at the EU level.

[19] Again I agree with Esmark's criticism of traditional public sphere theory "taking corporatism primarily to mean 'closed networks' and 'secret negotiations' as opposed to decision-making open to the scrutinizing gaze of the public eye" (351f) instead of recognizing "that this integral part of any modern political system is not necessarily antithetical to a general concept of the public sphere". See also for institutional anchorage within the EU through the Commission and the Council of Ministers, the EP 'rapporteurs'.

We might also discuss *which types* of (individual and collective) *actors* are characteristic for the different kinds of publics (and obviously also for *the different kinds of public spheres*. Here is a very rough and traditional sketch:

For *territorial-political public spaces*: individual citizens/residents as voters, speakers and as audience; more or less spontaneous or *organized citizens' initiatives, citizens' movements; public intellectuals* (usually backed by field-specific reputation and/or by institutional authority). Together they compose general but weak publics (characteristic disadvantages in terms of information, time, professional expertise and practical knowledge/experience). Territorial public spheres are also crowded by NGO's addressing these kinds of 'political issues', by *political parties* and party-leaders, their representatives in parliament (MPs); by *government* and *higher civil servants* from different administrations, by *judges*, by different kinds of *general political media* (together, these would constitute strong political publics)

For *sectoral/functional* public spaces: individuals as *workers* (broadly understood) and *consumers/clients*, their more or less spontaneous or organized movements and spokespersons (compared with weak political publics, they are better of in terms of information, practical knowledge and experience). In addition: *social movements* and SMO's as well as NGO's and respective *experts* (and their organizations) as 'knowledge stakeholders', and the respective sector-specific media, addressing these kinds of issues. These specific publics are comparatively 'strong'.[20]

As I have indicated earlier, existing arenas of representation and institutions create their respective public spheres and publics (this has traditionally been the focus of institutionalist approaches). At the same time and vice versa, old and particularly *new issues are in 'search of' new, more appropriate institutions and powerful actors are able to create new or to link existing public arena:*

4. Cross-cutting issues and publics: old and particularly *new issues in 'search of' new, more appropriate institutions* (this has traditionally been the focus of pragmatist democratic theory, Dewey in particularly) or *forcing existing institutions* (and the different levels!) *to co-operate in a new and productive way* because the usual administrative response of ad hoc inter-departmental committees or working groups more often than not block adequate problem solving because old departmental rivalries are reproduced. When it comes to *institutional reforms*, new issues and the actors and publics who are mainly interested in them, play the decisive role. Yet, we should not forget that institutional reform itself may become a crucially important issue (on all levels but recently at the EU level in

[20] Esmark rightly opposes the simplistic image of polity as 'inclusive' and 'policy' as 'exclusive': "the point is not that policy resonance is simply exclusive, but rather that it is based on another principle of inclusion. Whereas inclusion in polity issues is based on citizenship, inclusion in policy segments is based on the principle of affectedness known from both deliberative democracy and associative democracy" (2007:352). Policy resonance "does not spread through the large national media to the European populations but rather through specialist media and direct communications between political-administrative institutions and organized interests (including the 'less organized' NGO's and new social movements). However, such interactions may in fact constitute 'segmented publics' (Eriksen 2004) across national boundaries which contribute to the overall, internally differentiated, communicative network of the European public sphere."(353)

particular).[21] Unfortunately, this is not taken seriously but is downplayed or neglected by recent pragmatist critics of institutionalist approaches (such as Bruno Latour, Marres, Dijstelbloem) because of the quasi-anarchist anti-institutionalist sentiments they share with so many post-structuralists.

5. *Powerful actors, creating new or linking existing public arenas*. Obviously the chances of different kinds of actors (i) in 'internal public spaces', (ii) in sectoral/functional public spaces, and (iii) in territorial-political public spaces are more or less unequal (structured, amongst other things, by their objective power- and mobilization-resources, see II.2). This inequality also extends into their chances to put new issues on the agendas, to create new public spaces/arenas, or to link internal and functional/sectoral public spaces/arenas with more general, 'political' ones.

II Degrees of Fragmentation/Integration of public spheres and Degrees of Stratification of 'publics'. Some 'minima sociologica'

II.1 Fragmentation or Integration of public spheres

As we can expect theoretically, and as is well-analysed in many studies of public spheres and the media, 'the' national (here always taken as synonymous with member-states) public sphere is composed of different public spheres with their own characteristic actors, publics, and media and their own styles and logics of public communications. Obviously these spheres and communications are not neatly separated from but overlap, cross-cut and impact on each other. Theoretically we can expect different degrees of fragmentation/integration with regard to specific issues in specific situations or contexts, and this is what we have to analyse in empirical research. Prima facie, it seems plausible that the degree of fragmentation in a compound polity like the EU is much higher due to the much higher complexity of public spheres (an additional level and the multiplication of national public spheres by the sheer number of Member-States) and to the traditional, institutional, and linguistic barriers and mechanisms of self-reproduction of 'national' public spheres.[22]

Fragmentation of 'the national' public sphere is mainly a consequence of the following variables (following Peters 2007 with slight modifications):

1. a national public is not and cannot be a "directly present public" allowing smooth role-changes of all present people from speakers to listeners and vice versa (Peters 2007:284): *the national public sphere is differentiated in arenas or fora of different types*: informal encounters, debates of assembly-publics within voluntary associations or meetings versus communications via mass-media;

[21] This is captured with the distinction between 'normal issues' and 'constitutional issues' (Schmitt 2007:13) or the distinction between 'polity' (345 - 351) and 'policy' (Esmark 2007:351 -355).

[22] See Peters 2007, ch. 7 *Nationale und transnationale Öffentlichkeiten,* and ch. 8 *Segmentierte Europäisierung. Trends und Muster der Transnationalisierung von Öffentlichkeiten in Europa.* Compare with 76ff. and 136ff; See also Machill/Beiler/Fischer 2007; Medrano 2007

2. Within these arenas, participation is differentiated into *active speakers/authors* (journalists, representatives, public intellectuals, experts, advocates) that address – with the help of *mediators* such as organizers, editors, gatekeepers – a predominantly *receptive or passive public* of listeners, readers or viewers (Peters 2007:145-52);
3. *(Horizontal) differentiation* of 'the' public in *partial publics* along the following lines: (a) issue-publics; (b) political or 'ideological' 'camps' or streams /currents/ traditions (Peters 2007:136ff); and (c) field-specific publics.
4. *(Vertical) differentiation* of publics following from societal structures of inequality or *stratification* (see II.2)
5. *Linguistic differentiation* is a well-known phenomenon inside multi-nation-states but is clearly multiplied within Europe. *Potential* or actual European publics in all these regards are differentiated according to the *predominant language(s)* of public communications in all these arenas.

Differentiation of public spheres and publics along these lines leads to *fragmentation* if these lines of differentiation (and the respective boundaries) are not permeable at least to a certain degree:

1. If the different arenas are not integrated or connected by mechanisms of connection and translation, yet "a certain level of coupling between more or less Europeanized national public spheres may in fact be sufficient" (Esmark 2007:339).[23]
2. If differentiation of speakers and listeners is permanent (and structurally connected to inequalities/stratification) and role-change is impossible.
3. If circles of public communications are *abgeschottet* (structurally separated from each other) and circulation of ideas, arguments, interpretations, and opinions is absent, impossible, or does not take place because (a) issue publics do not have an interest or lack competence for other or overarching issues; or the general public is not interested or lacks competence for specific issues, or if no mechanisms of translation are available because mediators like public experts, public intellectuals, science-journalists are absent or unable to bridge the knowledge, qualification, and information gaps; (b) high degrees of polarisation in political or ideological 'camps' reduces or precludes public communication across boundaries of camps; (c) the 'general public' has no interest or lacks competence to communicate with field-specific publics (same reasons as sub a).
4. If different social strata, classes, elites are isolated from each other and unable or unwilling (due to closed elite- expert- or intellectual cultures) to communicate across class- or elite-cleavages.
5. If linguistic differentiations prevent public communication because the different publics are unwilling or unable (lack of one or two lingua francas and/or of adequate facilities of translation) to communicate across linguistic borders.

[23] Opposing the outdated notion of "integration" in earlier versions of EU research. See Bader 2007b on "loose couplings" instead of "hierarchical" ordering.

In this paper I cannot discuss contested statements on *general tendencies of increasing or decreasing fragmentation* along all these lines. Research is complex, conceptually and theoretically contested and the available empirical evidence is often bleak or shaky. I confine myself to some fairly basic hypotheses. *Overcoming sharp fragmentation and achieving a certain minimum of integration of 'one' public Eurosphere seems more difficult* compared with 'national' public spheres for the following reasons:

1. Overcoming the barriers of public communication in Europe that result from *linguistic differentiation* is much more difficult compared to multi-nation member-states. In this regard, the EU can better be compared with India but here the issue of a common lingua franca has been resolved by British colonialism. In general, and obviously, *communication among elites* in Europe is easier than amongst 'ordinary' people. The chances to overcome linguistic barriers, however, are much better for issue-specific and for field-specific publics compared with general territorial-political publics. Moreover, they are much better for institution-centred political-public communication than for an unspecified, general European public. Public communication across linguistic barriers in the EP, the Commission, the DGs (among higher European civil servants), the Committees, within and among judges of European and (national Constitutional) Courts, and Ombudsmen is comparatively more easy depending on translation services, linguistic skills and, particularly, a more or less shared 'professional' language, particularly because and if language is seen and used in a fairly detached, instrumental sense as a means of communication not saddled up with (much) 'identity'.[24]
2. Other *limits of transnationalisation*, particularly of *Europeanisation of national public spheres/publics* have to do with the following factors (see Peters 2007:289ff; see EUROPUB, CONNEX):
   (i) specific national biases in international news in national media with regard to agenda setting or selection of themes/issues (guided by structures of national relevance); unequal distribution of attention; typical national framings and interpretations of international news; stratification of media (quality newspapers are much more cosmopolitan and European than rainbow press and TV). There seem to be remarkable differences in the degree of internationalisation of national public spheres/publics (e.g. smaller countries and countries with more 'open' economies vs. bigger and more closed ones).
   (ii) Different degrees of import/export of cultural products, contributions, ideas (fairly low in France, fairly high in the Netherlands).
   (iii) Really transnational mass-media (genuinely international structure of production and distribution, truly international agenda and selection of editing boards, journalists) seem extremely rare or non-existent (Peters 2007:293; see however Gripsrod 2007 for the EBU and EuroNews in a comparative perspective (485ff).
   (iv) There are some kernels for the development of international partial issue publics (with their own organisations, media and channels of communication), e.g. on issues like sustainability or human rights, and of European issue-publics (see extensively: Greenwood 2007).
3. Both *unwillingness and inability* in general have to do with stereotyped and recently very much dramatized *national cultural differences* that have

[24] See v. Parijs 2007, de Swaan 2002, Krauss 2008.

a quite stubborn meaning for the delineation and distinction of national public spheres/publics. Commonly it is referred to collective historical memories, shared 'culture/civilization/*Bildung*', distinct national framings, structures of relevance, interpretations (and supposed differences in basic 'values'); particularly if these are linked to and reproduced by social practices and institutional structures (the *social-economic and cultural 'basis' of public spheres*), with institutions of schooling, education, and research; with journalistic and professional traditions, networks and cliques of cultural and intellectual producer; with national structures of interest articulation, -mediation- and aggregation in parties, interest-organisations and SMO's. All this is then seen as the basis of *national collective identities, loyalties and commitments*, backed by a thick theory of language acquisition and use. No European 'demos' then means no European public sphere and no European public (either in positions which explicitly reject European integration in all varieties or in positions which seek to 'democratize' the European Union but lament about the absence of one European Demos and One Eurosphere.

4. Discussions on the degree of integration or fragmentation of 'the' European public sphere compared with 'the' national public spheres should be *comparative and fair*,[25] instead of reproducing idealized (and often nostalgically romanticized) pictures of one integrated national public sphere and confronting this 'model' with the nightmarish muddle of a completely fragmented Eurosphere.[26] "Was es *nicht* gibt, auch nicht im Bereich der EU, sind transnationale Öffentlichkeiten, die im Hinblick auf eine gemeinsame Agenda, geteilte Relevanzstrukturen, übereinstimmende Deutungsmuster, geteiltes kulturelles Hintergrundwissen, kollektive Identität (zumindest im Sinne einer Zuordnung zu einem handelnden, verantwortlichen Kollektiv) vergleichbar wären mit nationalen Öffentlichkeiten (obwohl diese selbst ja schon … ein beschränktes Mass an Einheit in diesen verschiedenen Dimensionen aufweisen (Peters 2007:294).[27] [28]

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[25] See also Vreese/Schmitt 2007:5 "might be 'imperfect' compared to the (theoretical) benchmark", yet this normative benchmark is inappropriate even for 'national public spheres'.

[26] See also Vreese/Schmitt 2007:3f vs. the myth of "a 'public sphere heavy' notion of a single pan-European public sphere" in favour of "a 'public sphere light' notion of co-existing national public spheres"; with a short overview of "segmented transnational public spheres" (issue-specific communicative spaces largely dominated by political and economic elites (Eder 2000); "vertical (national actors addressing European actors and vice versa) and horizontal Europeanization" (national media and national actors covering issues and addressing issues/actors in other EU member states (Koopmans/Erbe 2003).

[27] See also the discussion in Bärenreuter et al. (2007). Peters' Euroscepticism does not seriously enough take into account 'transnational resonance' (Eder et al.). See also Esmark 2007:339ff for an overview of three positions: (i) already emerged, (ii) emerging, (iii) no or little evidence of transnational resonance; These differences are coupled with more or less restrictive demands regarding (a) the level of EU-issues reported; (ii) convergence/divergence between different media and different national settings (or synchronicity), (iii) European vs. national framing. Esmark, rightly, insists on *minimalism* in all three regards and on fair comparisons with actual (instead of idealized) national public spheres where quite often "no one seems to be bothered" by fragmentation (343). Common framing even may be at odds with a democratic concept of public spheres that requires the presence of different meaning structures, discourses or interpretive frames (see below section III).

[28] Setting aside or bracketing the 'one vs. many EPS' questions may be important because it allows us to shift the research question from the rather well-trodden and unfruitful question, whether there is or should be an EPS to "What are the material core issues that serve as

II.2 Stratification of publics

In general, one can distinguish *three main dimensions of the internal (vertical) stratification of public spheres/publics*: prominence (or visibility), authority (or reputation, or prestige), and influence (Peters 2007:70ff, 152ff).

(1) *Visibility* or the degree of *public attention* of participants increases their chances to address a larger public and to get attention for one's utterances. It may be related to competence but may also be a spill over effect of 'celebrity', or it may be linked to the organizations or movements the actor represents.[29]
(2) *Public authority* directly refers to this institutional or organizational backing: "being a member of prestigious institutions or being certified by them or being in prestigious formal roles" (153) – in positions of authority in organisations in politics, the economy, science etc (as scientist, university professor, politician, judge, captain of industry) – can improve one's public authority (authority-bonus; 73). *Reputation* directly refers to different forms of competence or credibility which are attributed to a person on the basis of former outstanding performances: "empirical knowledge and cognitive ability, abilities to moral understanding and judgment, or to evaluative judgment, impartiality, experience with certain problems and demonstrated abilities to analyse problems, to propose solutions, and so on". *Prestige of persons* extends this reputation far beyond the limits of actual former performances (Bader/Benschop 1989:141-54).
(3) Both visibility and authority/reputation/prestige increase chances of access to (influence on gate-keepers, get things 'published') and of getting attention in public spheres as well as *influence* in public communications. *Public influence* – the degree to which the ideas of speakers make a difference by becoming accepted and by changing convictions or perceptions – is clearly "a function of visibility and authority" (154) and is also determined by institutional locations and relevant social connections (158).

These inequalities and *asymmetries* in public communication-networks are connected with asymmetrical *Wissensvoraussetzungen* in the sense of *structural asymmetries in the distribution of knowledge* such as monopolies of information regarding specific issues and monopolies of specialist knowledge (specialist competence) that are routinely combined. Furthermore, they are embedded in general patterns of "social stratification and structures of political

reference points in alternative constructions of EPS?" Different from much of the EPS literature we would then not focus on the structure of communication in an EPS (media, parties, citizens' participation in communication across borders or at EU level), but how those features that make the EU polity deeply diverse are addressed in different visions of public spheres by different types of actors. The underlying idea is that different political responses to diversity in Europe will ultimately lead to differently constructed public spheres as an outcome. So the link between EPS and diversity that is suggested in the title of the Eurosphere-project could be the claim that what type of EPS will emerge depends on what responses to diversity are adopted by the different political actors at the various levels of the European polity.

[29] See also Luhmann's discussion of 'Aufmerksamkeitsregeln': 1971:16f.

power" (73) or *structural societal inequalities*.[30] Peters briefly discusses (i) 'economic, political and organisational resources', i.e. 'money', 'positions of political power' and of leading positions in all kinds of organizations (73f), and (ii) the 'societal distribution of knowledge' (unequal distribution of knowledge generally and of democratic control of expertise by lay publics in particular).[31] Here, the analysis of structural asymmetries in public communication could greatly profit, in my view, from a connection with a much more detailed analysis of the most important resources, their mobilization and use in strategies by various actors:[32]

Figure 5: The most important resources

direct:	**1 material resources**
	2 skills
	3 forms of cooperation
indirect:	**1 material wealth**
	2 knowledge and legitimacy
	3 information
	4 political decisions and legality
	5 physical violence
	6 money
	7 time
	8 positions of domination
	9 social networks or relations
	10 prestige
mobili-zation-resources	**1 habitus**
	2 collective identity
	3 utopias and articulated programs
	4 internal social networks
	5 organization and leadership

A frame like this allows to adequately describe and explain the internal and external power-resources different actors (and coalitions of actors) possess or can use, the potential action-repertoire and strategies and the eventual choice of collective action in all kinds of public spheres in order to

- get issues on the respective public agenda (or to block, obstruct this) and to increase public attention for issues and their perspectives, problem-definitions, proposed solutions;
- to link or align issues within the respective public arena (or to prevent this);
- to cross the borders from 'internal' to sectoral and/or more general political arenas (to align public arenas), traditionally speaking: to publicize and politicize issues or, more exactly: to get the issue on the agenda in other, less closed and specific public spheres, or to prevent this;
- to create or foreclose new public arenas.

[30] Luhmann's version of a criticism of the principle of equality (1971:33) sacrifices inequalities in favour of 'complexity' and 'differentiation'. Peters steers a sober middle-course between this 'Aufklärung der Aufklärung' and emphatic Habermasiana.

[31] See Bader 1997, 2003a; Novotny 2001.

[32] Bader/Benschop 1988, chap. IV; Bader 1989, chap. VIII; see for a very brief English summary: Power and Strategies. Towards a new frame of analysis. Public lecture, Lissabon Nov. 1996

It can also be used to discuss which specific resources are most important for these various aims and strategies, for which actors, in which arenas.

As indicated in the introduction the use of such a pre-theoretical mapping exercise, apart from conceptual clarifications and mapping the complexity of dimensions and types of public spheres, actors and the variety of linkages, consists in the fact that it enables a controlled and stepwise reduction of the huge complexity which is an absolute requirement for any focused research. The most appropriate way regarding empirical social science research is to pose specific descriptive how-questions and explanatory why-questions (Humphreys 1989) – reciprocally informing each other – that demarcate what we want to know and hence what we should inquire into. Because we cannot research all and everything, this in itself is a highly selective procedure (which units? Which relationships between which spheres and which actors? Which issues?) reinforced by time, personnel and financial constraints. Clearly this is not the place to go into any detail, let alone to sketch a Eurospheres research-program (see Bader 2008a, Sicakkan 2008). Researching linkages can be done in three different ways that are not mutually exclusive but still difficult to combine: (i) statistical *multi-variate analysis* without any causal hypotetheses (≠ causal explanations); (ii) a *theoretically guided explanatory strategy* that necessitates to spell out causal hypotheses based in (one or more middle-range) theories; (iii) a more *inductive and comparative explanatory strategy* in order to answers comparative why-questions such as: why this happened here and not there? Why then and not now? Why this collective actor but not others?

Section III "One integrated European public sphere"? Some sober normative remarks

Above I have sketched some theoretical reasons and empirical evidences that and why one 'integrated' or 'heavy' European public sphere does *not exist* and *cannot be expected*, not only because of the 'absence of one demos, one nation, one language' (the old-fashioned 'cultural' reasons so heavily over-estimated) but mainly because of *structural* reasons that make this idea fairly utopian even in – presumed – culturally homogeneous nation-states, the more so in the European Union: the high degree of fragmentation and segmentation of differentiated public spheres following their own institutional and strategic logics; the fairly high degrees of stratification of public spheres; the high selectivity of issues in terms of qualification, information, of time and attention, particularly in time for deliberation; the fact that issues are not quasi-naturally 'political', that there is no inbuilt hierarchy of importance of issues, that issues (and the interested actors) have to fight for public attention and the tough limits to attempts to 'publicize' and 'politicize' issues effectively, particularly in 'one integrated public sphere'. Here I sketch some sobering remarks from the perspective of a morally minimalist, complex, and empirically grounded political theory. Would "one integrated European public space", even if it would be feasible, and even if it would not be conceived in terms of 'one demos' or 'a democratic collective subject' but as "an integrated frame of communication" (Kraus 2004:42) really be desirable, and, if so, in which version?

Answers to this simple question, in my view, would presuppose answers to largely unresolved, not even properly addressed issues in political theory such as (i) the required *minimum of political unity and integration* of liberal-democratic, institutionally extremely pluralist polities (Bader 2001); (ii) how *political efficacy of public opinion* can be achieved in multi-level polities such as the EU under conditions in which even 'national parliaments', the traditional institutions meant to realize this aim, loose in power because of the *"shift of the centre of political gravity from the legislative to executive politics"* (Crum 2005) and because of the more *general shift from 'government to governance'* (Bader 2001b) where states or polities can no longer be conceived as top or centre of functionally and institutionally enormously differentiated societies; (iii) how to conceive *legitimacy* of compound polities without reducing legitimacy to a very narrow version of *democratic legitimacy*? Would even reformulated ideals of 'one democratic public' in 'one European public sphere' be conducive in realizing these aims?

Clearly this paper is not the place to address these issues properly, let alone to elaborate my own views on productive answers. Instead I sketch, in a brutally brief way, the direction in which I think we might find more convincing proposals.

First, it is obvious that there is no way back behind the EU (return of the 'sovereign' member states) and there is also no way back behind elaborated schemes of institutional pluralism for the EU. The EU will never be, nor should it become, just a new type of enlarged federal state, nor just an intergovernmental arrangement (for arguments against this 'too much unity'-position characteristic of most republican and deliberative democratic theorists, see Vink 2007).

Second, institutional pluralism in multi-level polities (MLP) and in multi-layered governance arrangements (MLG) also inevitably includes a plurality of overlapping, institutionally anchored territorial-political and societal public spheres in the EU. This *pluralism of public spheres* is an *advantage/asset* in many normative regards, not only a liability because it opens *a broad variety of, and the choice amongst more or less appropriate public arenas* where a broad variety of individual and collective actors can voice their concerns and proposals in a more informed, qualified and effective way without presupposing 'one common framing' or one predominant discourse. Also, instead of presupposing that one set of normative standards, such as *'inclusiveness' and 'equality' or 'parity'* would be appropriate for all public spheres, a pluralist view enable us to find a variety of *flexible indicators* that are more appropriate for different spheres taking their institutional and discursive specificities into account: some spheres can, and should be more '*inclusive*' whilst others may be more *selective* and include only those relevant stakeholders that surpass certain thresholds in terms of numbers, durability etc. The noble democratic principle of *equality* of all also allows for specification and degrees: rough equality amongst elites and counter-elites may, in some spheres, be more important than the – given the background conditions of deep, structural inequalities, but also inevitable inequalities due to differentiation and functional specification – unachievable and undifferentiated equality of all voices.

Third, *institutional pluralists* in political theory share two important agreements. In opposition to 'federalist' that want to promote state- or nation-building at the European level they are committed institutional pluralists defending the already achieved character of the EU as a new 'polity' also against the outdated attempts of intergovernmentalists. This also includes a shared commitment to the recognition and accommodation of ethno-religious and ethno-national diversity, including deep diversity both at the level of the member-states and within the EU. The most important and *productive disagreement amongst committed institutional pluralists* concerns the issue of the relative importance of promoting multilevel political community, citizenship and democracy – as is emphasized by theorists such as Bauböck, Kraus, and Sicakkan that might be called *liberal-republican pluralists* – versus promoting broader *societal* pluralism and deemphasizing political integration through political citizenship alone, as is emphasized by theorists such as Schmitter, Hirst, and myself that might be called *libertarian or associative democratic* pluralists.

Fourth, many political theorists have made productive proposals to respond to the many dilemmas and trade-offs posed by *political pluralism* of MLP, particularly the EU,[33] but the relationship between final political decision-making with overlapping territorial-political public spheres, the relevant publics and political efficacy of public opinion is clearly under-theorized and understudied. What we know for sure is that the 'replacement' of sub-EU public spheres in this regard is clearly a non-option. We have to look for strategies of productive complementarity that allow the mobilization and efficacy of general political publics at the appropriate levels where the respective issues are decided. And we have to acknowledge the enormous real difficulties in this regard on all levels, but particularly at the EU level. Happily, not all issues depend on 'final' political decision-making by legislative and executive governments (on all levels) because, in that case, we would be in deep trouble given the fact that all branches of government would be completely overburdened and could not deliver. Not all and everything depends on 'politics' or 'Big Politics'.

Fifth, the more urgent is the question whether we bring contestation and political conflict where it matters most: into 'policies' ('*politicize*' or '*re-politicize' policies*). The core of my own, moderately agonistic version of associative democracy, distinct from well-known neo-corporatist, so-called 'consensualist' policies (Lijphart and many others) lies exactly here: all relevantly affected stake-holders and, particularly, also adversarial knowledge-holders or counter-elites (Braithwaite/Drahos 2002) have to be included in order to fight illegitimate exclusion of relevant stakeholders and their representative organizations/leader and illegitimate 'scientistic', 'professionalist' and 'bureaucratist' experts masquerading behind the mantra's of 'objectivity', 'impartiality', 'modernity', 'secularism'. *Societal sectoral/ functional public spheres* and the respective, better qualified and informed *stronger publics* are a crucial precondition for the efficacy of public opinion under the changed conditions of recent societies and polities. It is time now to seriously consider and discuss the many proposals in this regard made by Schmitter 2000, Schmitter et al. (2007) and others.

[33] See Scharpf 1999, 2001, 2002, 2003; Benz 2001, Schmitter 2000, Heritiér 2005, Schmidt 2006; for multi-level citizenship see Bader 1999, 2007b, Bauböck 2007, Sicakkan 2007.

Finally, we have to reconsider *legitimacy-claims of compound polities in their relationship with actual legitimacy-beliefs and the intermediate role of public spheres and publics* in this regard. Compound polities actually do combine, and have to combine different, competing principles of legitimacy (see Lord/Magnette 2004, Héritier 2006). I distinguish between input-, throughput-, and output-legitimacy, and between liberal and democratic legitimacy (Bader 2007b). Democratic input-legitimacy in multi-level-polities (MLP) can be characterized as double legitimacy, combining direct and indirect electoral or republican representation (Héritier 2003:815) based on one citizen/resident one vote (in the EU: referenda and EP-elections), with executive representation of governments of sub-units (in the EU: Member States in the Council) based on equal or proportional number of votes for the respective sub-units. *Democratic input-legitimacy* in institutions of social/ functional or corporate representation also follows the latter principle. *Democratic through-put* legitimacy concerns the fairness and quality of deliberations and negotiations in the respective bodies and commissions on all levels. *Output-legitimacy* should, contrary to Scharpf (1999) not be called democratic. It concerns, firstly, the guarantee of rule of law and basic rights (liberal legitimacy, Weiler 1999) and, secondly, the effectiveness and efficiency in realizing aims (for the EU: peace, security, economic performance, sustainability etc.). It is common knowledge that *liberal* legitimacy often seriously conflicts with efficiency and effectiveness (e.g. in guaranteeing 'security') and with democracy, and that (particularly direct and exclusively 'political') democracy is unable to solve basic structural problems of *time-, information-, and qualification-constrains* that reduce actual problem-solving capacities of democratic deliberations and decisionmaking. Not only 'voters' (weak publics) but also MPs and governments (and also, increasingly, civil servants) lack adequate practical knowledge and information.

If one really takes serious that compound polities such as the EU have to combine competing principles of legitimacy we should critically rethink conceptions of 'democratic legitimacy' claiming primacy or lexical priority and engage in debates of how to balance competing legitimacy principles and claims both institutionally and politically, and relate this discussion to appropriate public arenas and the relevant publics. The problem is not discussed but completely neglected in most diagnoses of the famous 'democratic deficit' of the EU and the proposed therapies of one democratic demos and one integrated, heavy European public sphere, but also in many recent discussions in pluralist political theory, such as Nancy Fraser (2007).

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