

A CULTURAL SOCIOLOGY OF EVIL

In the course of the last two decades, there has emerged a new recognition of the independent structuring power of culture. Yet it turns out that this new disciplinary self-consciousness has not been any more successful in addressing evil than its reductionist predecessor. In thinking about culture—values and norms, codes and narratives, rituals and symbols—“negativity” has been set off to one side and treated as a residual category. While it has not been treated naturalistically, it has been presented merely as a deviation from cultural constructions of the good. Thus, in social scientific formulations of culture, a society’s “values” are studied primarily as orientations to the good, as efforts to embody ideals.¹ Social notions of evil, badness, and negativity are explored only as patterned deviations from normatively regulated conduct. If only this were the case! It seems to me that this cultural displacement of evil involves more moralizing wish fulfillment than empirical realism. Not only does it detract from our general understanding of evil but it makes the relation of evil to modernity much more difficult to comprehend. Thinking of evil as a residual category camouflages the destruction and cruelty that has accompanied enlightened efforts to institutionalize the good and the right. The definition of social evil and the systematic effort to combat it have everywhere accompanied the modern pursuit of reason and moral right. That is the central and most legitimate meaning of Michel Foucault’s lifework, despite its simplifications, one-sidedness, and undermining relativism. It is the salvageable, saving remnant of the postmodern critique of modernity.

Culture cannot be understood only as value and norm, which can be defined as conceptual glosses on social efforts to symbolize, narrate, code, and ritualize the good. Culturalizing evil is, in sociological terms, every bit as important as such

efforts to define and institutionalize the good. In semiotic terms, evil is the necessary cognitive contrast for "good."² In moral terms, exploring heinous evil is the only way to understand and experience the pure and the upright.³ In terms of narrative dynamics, only by creating antiheroes can we implot the dramatic tension between protagonist and antagonist that is transformed by *Bildung* or resolved by catharsis.⁴ In ritual terms, it is only the crystallization of evil, with all its stigmatizing and polluting potential, that makes rites of purification culturally necessary and sociologically possible.⁵ Religiously, the sacred is incomprehensible without the profane, the promise of salvation meaningless without the threat of damnation.⁶ What I am suggesting here, in other words, is that for every value there is an equal and opposite antivalue, for every norm an anti-norm. For every effort to institutionalize comforting and inspiring images of the socially good and right, there is an interlinked and equally determined effort to construct social evil in a horrendous, frightening, and equally realistic way. Drawing Durkheim back to Nietzsche, and writing under the impact of the trauma of early twentieth-century modernity, Bataille articulated this point in a typically pungent and literary way.

Evil seems to be understandable, but only to the extent to which Good is the key to it. If the luminous intensity of Good did not give the night of Evil its blackness, Evil would lose its appeal. This is a difficult point to understand. Something flinches in him who faces up to it. And yet we know that the strongest effects on the sense are caused by contrasts. . . . Without misfortune, bound to it as shade is to light, indifferences would correspond to happiness. Novels describe suffering, hardly ever satisfaction. The virtue of happiness is ultimately its rarity. Were it easily accessible it would be despised and associated with boredom. . . . Would truth be what it is if it did not assert itself generously against falsehood? (Bataille, 1990 [1957]: 14)⁷

Actors, institutions, and societies systematically crystallize and elaborate evil. They do so, ironically, in pursuit of the good. To these paradoxical and immensely depressing facts attention must be paid.

THE INTELLECTUAL ROOTS OF THE DISPLACEMENT OF EVIL

To appreciate the pervasiveness of this truncated conception of culture, it is important to recognize that, while deeply affecting contemporary social science, it is rooted in earlier forms of secular and religious thought.⁸ From the Greeks onward, moral philosophy has been oriented to justifying and sustaining the good and to elaborating the requirements of the just society. Plato associated his ideal forms with goodness. To be able to see these forms, he believed, was to be able to act in accordance with morality. In dramatizing Socrates' teachings in the *Re-*

public, Plato made use of the figure of Thrasymachus to articulate the evil forces that threatened ethical life. Rather than suggesting that Thrasymachus embodied bad values, Plato presented Thrasymachus as denying the existence of values as such: "In all states alike, 'right' has the same meaning, namely what is for the interest of the party established in power, and that is the strongest." Thrasymachus is an egoist who calculates every action with an eye not to values but to the interests of his own person. Plato makes a homology between self/collectivity, interest/value, and evil/good. In doing so, he establishes the following analogical relationship:

Self:collectivity::interest:value::evil: good
Self is to collectivity, as interest is to value, as evil is to good.

The commitment to values is the same as the commitment to collective beliefs; beliefs and values are the path to the good. Evil should be understood not as the product of bad or negatively oriented values but as the failure to connect to collective values. Evil comes from being self-interested.

In elaborating what came to be called the republican tradition in political theory, Aristotle followed this syllogism, equating a society organized around values with an ethical order: "The best way of life, for individuals severally, as well as for states collectively, is the life of goodness duly equipped with such a store of requisites as makes it possible to share in the activities of goodness" (Aristotle, 1962: 7. 1. 13).⁹ Republics contained virtuous citizens, who were defined as actors capable of orienting to values outside of themselves. As individuals become oriented to the self rather than the collectivity, republics are endangered; desensitized to values, citizens become hedonistic and materialistic. According to this stark and binary contrast between morality and egoism, value commitments in themselves contribute to the good; evil occurs not because there are commitments to bad values but because of a failure to orient to values per se. While it is well known that Hegel continued the Aristotelian contrast between what he called the system of needs and the world of ethical regulation, it is less widely appreciated that pragmatism endorsed the same dichotomy in its own way. For Dewey, to value is to value the good. Interpersonal communication is bound to produce altruistic normative orientation. Crass materialism and selfishness occur when social structures prevent communication.¹⁰

This philosophical equation of values with goodness and the lack of values with evil informs contemporary communitarianism, which might be described as a marriage between republican and pragmatic thought. Identifying contemporary social problems with egoism and valuelessness, communitarians ignore the possibility that communal values are defined by making pejorative contrasts with other values, with others' values, and, in fact, often with the values of "the other."¹¹ Empirically, I want to suggest that the issue is not values versus interests or having values as compared with not having them. There are always

"good" values and "bad." In sociological terms, good values can be crystallized only in relation to values that are feared or considered repugnant. This is not to recommend that values should be relativized in a moral sense, to suggest that they can or should be "transvalued" or inverted in Nietzschean terms. It is rather to insist that social thinkers recognize how the social construction of evil has been, and remains, empirically and symbolically necessary for the social construction of good.¹²

In the Enlightenment tradition, most forcefully articulated by Kant, concern about the parochial (we would today say communitarian) dangers of an Aristotelian "ethics" led to a more abstract and universalistic model of a "moral" as compared to a good society.¹³ Nonetheless, one finds in this Kantian tradition the same problem of equating value commitments in themselves with positivity in the normative sense.¹⁴ To be moral is to move from selfishness to the categorical imperative, from self-reference to a collective orientation resting on the ability to put yourself in the place of another. What has changed in Kantianism is, not the binary of value-versus-no-value, but the contents of the collective alternative; it has shifted from the ethical to the moral, from the particular and local to the universal and transcendent. The range of value culture has been expanded and generalized because more substantive and more metaphysical versions came to be seen as particularist, antimodern, and antidemocratic.

If communitarianism is the contemporary representation of the republican and pragmatic traditions, Habermas's "theory of communicative action" represents—for social theory at least—the most influential contemporary articulation of this Kantian approach. Underlying much of Habermas's empirical theory one can find a philosophical anthropology that reproduces the simplistic splitting of good and evil. Instrumental, materialistic, and exploitative "labor," for example, is contrasted with altruistic, cooperative, ideal-oriented "communication." These anthropological dichotomies in the early writings are linked in Habermas's later work with the sociological contrast between system and lifeworld, the former producing instrumental efficiency, domination, and materialism, the latter producing ideals and, therefore, making possible equality, community, and morality. According to Habermas's developmental theory, the capacity for communication and moral self-regulation is enhanced with modernity, which produces such distinctive values as autonomy, solidarity, rationality, and criticism. The possibility of connecting to such values, indeed of maintaining value commitments per se, is impeded by the systems-rationality of modern economic and political life, the materialism of which "colonizes" and undermines the culture-creating, solidarizing possibilities of the lifeworld.¹⁵ In arguing that it is recognition, not communication, that creates value commitments and mutual respect, Axel Honneth (1995) similarly ignores the possibility that pleasurable and cooperative interaction can be promoted by immoral and particularistic values that are destructive of ethical communities.¹⁶

This deracinated approach to culture-as-the-good can also be linked, in my

view, to the Western religious tradition of Judaism and Christianity. In order to achieve salvation, the believer must overcome the temptations of the earthly, the material, and the practical in order to establish transcendental relations with an otherworldly source of goodness. According to this dualistic consciousness, evil is presented as an alternative to the transcendental commitments that establish value. As Augustine put it, "evil is the absence of the good."¹⁷ The "original sin" that has marked humanity since the Fall was stimulated by the earthly appetites, by lust rather than idealism and value commitment. This sin can be redeemed only via a religious consciousness that connects human beings to higher values, either those of an ethical, law-governed community (Judaism) or the moral universalism of a church (Christianity). In this religious universe, in other words, evil is connected to nonculture, to passions and figures associated with the earth in contrast with the heavens. According to recent historical discussions (e.g., Macoby, 1992) in fact, devil symbolism first emerged as a kind of iconographic residual category. Radical Jewish sects created it as a *deus ex machina* to explain the downward spiral of Jewish society, allowing these negative developments to be attributed to forces outside the "authentic" Jewish cultural tradition. This nascent iconography of evil was energetically elaborated by early Christian sects who were similarly attracted to the possibility of attributing evil to forces outside their own cultural system. The Christian devil was a means of separating the "good religion" of Jesus from the evil (primarily Jewish) forces from which it had emerged.

THE DISPLACEMENT OF EVIL IN CONTEMPORARY SOCIAL SCIENCE

Given these philosophical and religious roots,¹⁸ it is hardly surprising that, as I have indicated earlier, contemporary social science has conceived culture as composed of values that establish highly esteemed general commitments and norms as establishing specific moral obligations to pursue the good. This is as true for social scientists, such as Bellah (1985) and Lasch (1978), who engage in cultural criticism as it is in more mainstream work. While issuing withering attacks on contemporary values as degenerate, narcissistic, and violent, such culture critics conceive these values as misguided formulations of the good—stupid, offensive, and pitiable but at the same time fundamentally revealing of how "the desirable" is formulated in the most debased modern societies.

On the basis of the identification of values with the good, mainstream social scientists and culture critics alike assume that a shared commitment to values is positive and beneficial to society. Functionalism is the most striking example of this tendency, and Talcott Parsons its classic representative. According to Parsons, value internalization leads not only to social equilibrium but to mutual respect, solidarity, and cooperation. If common values are not internalized, then the social system is not regulated by value, and social conflict, coercion, and

even violence are the probable results.¹⁹ In this sociological version of republicanism, Parsons follows the early- and middle-period Durkheim, who believed that shared values are essential to solidarity and social health. The lack of attachment to values marks the condition Durkheim defined as egoism, and it was by this standard that he defined social pathology. Durkheim emphasized education because he regarded it as the central means for attaching individuals to values. Since the simple attachment to culture is valued so highly, it is clear that neither Durkheim nor Parsons seriously considered the theoretical or empirical possibility that evil might be valued as energetically as the good.²⁰

Because sociological folklore has so often pitted the functionalist "equilibrium" theory against the more critical "conflict" theory, it is well to ask whether, in fact, Parsonian functionalism is the only guilty party here. Have the theoretical alternatives to functionalism provided a truly different approach to the problem of evil? Let us consider, as a case in point, how Marx conceptualized the depravity of capitalism. Rather than pointing to the social effects of bad values, Marx argued that capitalism destroyed their very possibility. As he put it so eloquently in the *Communist Manifesto*, "All that is holy is profaned, all that is solid melts into air." The structural pressures of capitalism create alienation and egoism; they necessitate an instrumental and strategic action orientation that suppresses values and destroys ideals. Because materialism destroys normativity, there is no possibility for shared understanding, solidarity, or community. Only after socialism removes the devastating forces of capitalist competition and greed does value commitment become possible and solidarity flourish.

The notion that it is not evil values but the absence of values that creates a bad society continues to inform the neo-Marxism of the early Frankfurt School. For Horkheimer and Adorno (e.g., 1972 [1947]), late capitalism eliminates authentic values. Culture exists only as an industry; it is a completely contingent set of expressive symbols, subject to continuous manipulation according to materialistic exigencies. While Habermas's later theory of discourse ethics avoids this kind of mechanism and reduction, it continues to be organized around the pragmatic notion that communicatively generated value commitment leads to mutual understanding, toleration, and solidarity.

The apotheosis of this "critical" approach to evil-as-the-absence-of-value—evil as the displacement of culture by power—is Zygmunt Bauman's explanation of the Holocaust in his highly praised book *Modernity and the Holocaust* (1989). He writes that Nazi genocide has largely been ignored by social theory, suggesting that it has troubling implications for any positive evaluation of modernity. Bauman is right about this, but for the wrong reasons. He attributes the social evil of the Holocaust not to motivated cultural action but to the efficiency of the Nazis' bureaucratic killing machine. There is no indication in his explanation that this genocide was also caused by valuations of evil, by general representations of the polluted other that were culturally fundamental to Germany and its folkish, romantic traditions, and more specifically by representa-

tions of the Jewish other that were endemic not just to German but to Christian society. Yet only if this possibility is seriously entertained can the Holocaust be seen as an intended action, as something that was desired rather than merely imposed, as an event that did indeed grow out of systematic tendencies in the culture of modernity. It seems important, both morally and empirically, to emphasize, along with Goldhagen (1996), that the Nazis and their German supporters wanted to kill Jews.²¹ They worked hard to establish Judaism as a symbol of evil, and in turn they annihilated Jews to purge themselves of this evil. The act of murdering millions of Jewish and non-Jewish people during the Holocaust must be seen as something valued, as something desired. It was an evil event motivated not by the absence of values—an absence created by the destructive colonization of lifeworld by economic and bureaucratic systems—but by the presence of heinous values. These polluted cultural representations were as integral as the positive idealizations on which it pretended exclusively to rest.

GIVING EVIL ITS DUE

We need to elaborate a model of social good and evil that is more complex, more sober, and more realistic than the naturalistic or idealistic models. Symbolically, evil is not a residual category, even if those who are categorized by it are marginalized socially. From the merely distasteful and sickening to the truly heinous, evil is deeply implicated in the symbolic formulation and institutional maintenance of the good.²² Because of this, the institutional and cultural vitality of evil must be continually sustained. The line dividing the sacred from profane must be drawn and redrawn time and time again; this demarcation must retain its vitality, or all is lost.²³ Evil is not only symbolized cognitively but experienced in a vivid and emotional way—as I am suggesting in virtually every chapter of this book. Through such phenomena as scandals, moral panics, public punishments, and wars, societies provide occasions to reexperience and recrystallize the enemies of the good.²⁴ Wrenching experiences of horror, revulsion, and fear create opportunities for purification that keep what Plato called "the memory of justice" alive. Only through such direct experiences—provided via interaction or symbolic communication—do members of society come to know evil and to fear it. The emotional-cum-moral catharsis that Aristotle described as the basis for tragic experience and knowledge is also at the core of such experiences of knowing and fearing evil. Such knowledge and fear triggers denunciation of evil in others and confession about evil intentions in oneself, and rituals of punishment and purification in collectivities. In turn, these renew the sacred, the moral, and the good.

Evil is produced, in other words, not simply to maintain domination and power, as Foucault and Marx would argue, but in order to maintain the possibility of making positive valuations. Evil must be coded, narrated, and embodied in every social sphere—in the intimate sphere of the family, in the world of science, in religion, in the economy, in government, in primary communities.

In each sphere, and in every national society considered as a totality, there are deeply elaborated narratives about how evil develops and where it is likely to appear, about epochal struggles that have taken place between evil and the good, and about how good can triumph over evil once again.

This perspective has profound implications for the way we look at both cultural and institutional processes in contemporary societies. In the various substantive essays in this book, I discuss the former in terms of "binary representations." I would like at this point to discuss the latter—the institutional processes of evil—in terms of "punishments."

PUNISHMENT: SOCIAL PROCESS AND INSTITUTIONS

If it is vital to understand the cultural dimension of society as organized around evil as much as around good, this by no means suggests that the problem of social evil can be understood simply in discursive terms. On the contrary, organizations, power, and face-to-face confrontations are critical in determining how and to whom binary representations of good and evil are applied. While these social processes and institutional forces do not invent the categories of evil and good—that they are not responsive purely to interest, power, and need has been one of my central points—they do have a strong influence on how they are understood. Most important, however, they determine what the "real" social effects of evil will be in time and space.

The social processes and institutional forces that specify and apply representations about the reality of evil can be termed "punishment." In the *Division of Labor in Society*, (1933), Durkheim first suggested that crime is "normal" and necessary because it is only punishment that allows society to separate normative behavior from that which is considered deviant. In my terms, I can suggest that punishment is the social medium through which the practices of actors, groups, and institutions are meaningfully and effectively related to the category of evil. It is through punishment that evil is naturalized. Punishment "essentializes" evil, making it appear to emerge from actual behaviors and identities rather than being culturally and socially imposed on them.²⁵

Punishment takes both routine and more spontaneous forms. The bureaucratic iterations of evil are called "crimes." In organizational terms, the situational references of criminal acts are precisely defined by civil and criminal law, whose relevance to particular situations is firmly decided by courts and police. Polluting contact with civil law brings monetary sanctions; stigmatization by contact with criminal law brings incarceration, radical social isolation, and sometimes even death.

The nonroutine iterations of evil are less widely understood and appreciated. They refer to processes of "stigmatization" rather than to crimes.²⁶ What Cohen first identified as moral panics represent fluid, rapidly formed crystallizations of evil in relation to unexpected events, actors, and institutions. Historical witch

trials and more contemporary anticommunist witch hunts, for example, are stimulated by the sudden experience of weakness in group boundaries. Panics over "crime waves," by contrast, develop in response to the chaotic and disorganizing entrance of new, formerly disreputable social actors into civil society.²⁷ Whatever their specific cause, and despite their evident irrationality, moral panics do have a clear effect, both in a cultural and a social sense. By focusing on new sources of evil, they draw an exaggerated line between social pollution and the good. This cultural clarification prepares the path for a purging organizational response, for trials of transgressors, for expulsion, and for incarceration.

Scandals represent a less ephemeral but still nonroutine form of social punishment. Scandals are public degradations of individuals and groups for behavior that is considered polluting to their status or office. In order to maintain the separation between good and evil, the behavior of an individual or group is "clarified" by symbolizing it as a movement from purity to danger. The religious background of Western civil society makes such declension typically appear as a "fall from grace," as a personal sin, a lapse created by individual corruption and the loss of individual responsibility. In the discourse of civil society, the greatest "sin" is the inability to attain and maintain one's autonomy and independence.²⁸ In terms of this discussion, scandal is created because civil society demands more or less continuous "revivifications" of social evil. These rituals of degradation range from the apparently trivial—the gossip sheets that, nonetheless, demand systematic sociological consideration—to the kinds of deeply serious, civil-religious events that create national convulsions: The Dreyfus Affair that threatened to undermine the Third Republic in France and the Watergate affair that toppled the Nixon regime in the United States represented efforts to crystallize and punish social evil on this systematic level. Once again, scandals, like moral panics, have not only cultural but fundamental institutional effects, repercussions that range from the removal of specific persons from status or office to deep and systematic changes in organizational structure and regime.

There is nothing fixed or determined about scandals and moral panics. Lines of cultural demarcation are necessary but not sufficient to their creation. Whether or not this or that individual or group comes to be punished is the outcome of struggles for cultural power, struggles that depend on shifting coalitions and the mobilization of resources of a material and not only ideal kind. This applies not only to the creation of panics and scandals but to their denouements. They are terminated by purification rituals reestablishing the sharp line between evil and good, a transition made possible by the act of punishment.

TRANSGRESSION AND THE AFFIRMATION OF EVIL AND GOOD

Once we understand the cultural and institutional "autonomy" of evil, we can see how the experience and practice of evil become, not simply frightening and

repulsive, but also desirable. The sociological creation of evil results not only in the avoidance of evil but also in the pursuit of it. Rather than a negative that directs people toward the good, in other words, social evil can be and often is sought as an end in itself. As Bataille (1990: 29, 21) observed, "evil is always the object of an ambiguous condemnation"; it is "not only the dream of the wicked" but "to some extent the dream of [the] Good."

Attraction to the idea and experience of evil motivates the widespread practice that Bataille called transgression and that Foucault, following Bataille, termed the "limit experience."²⁹

Sacred simultaneously has two contradictory meanings. . . . The taboo gives a negative definition of the sacred object and inspires us with awe. . . . Men are swayed by two simultaneous emotions: they are driven away by terror and drawn by an awed fascination. Taboo and transgression reflect these two contradictory urges. The taboo would forbid the transgression but the fascination compels it. . . . The sacred aspect of the taboo is what draws men towards it and transfigures the original interdiction. (Bataille, 1986 [1957]: 68)

In particular situations, evil comes to be positively evaluated, creating a kind of inverted liminality. Transgression takes place when actions, associations, and rhetoric—practices that would typically be defined and sanctioned as serious threats to the good—become objects of desire and sometimes even social legitimation. Bataille believed that transgression occurred mainly in the cultural imagination, that is, in literature, although he also wrote extensively about eroticism and was personally motivated by a desire to comprehend the dark social developments of the early and midcentury period—Nazism, war, and Stalinism.³⁰ Transgression, however, also takes a decidedly social-structural form. In criminal activity and popular culture, evil provides the basis of complex social institutions that provide highly sought-after social roles, careers, and personal identities. Without evoking the term, Jack Katz certainly was investigating transgression in his profound phenomenological reconstruction of the "badass syndrome," as was Richard Strivers in his earlier essay on the apocalyptic dimension of 1960s rock and roll concerts. The latter embodied the long-standing "noir" strain of popular culture that has transmogrified into the "bad rapper" phenomenon of today.³¹

It seems that every social thinker and artist who sets out to explore the attractions of this dark side, whether in the moral imagination or in social action and structure, risks being tarred by self-proclaimed representatives of social morality with a polluting brush. This tendency is fueled by the apparent fact that those who are personally attracted to transgressive practices are those who are most drawn to exploring them in art and social thought. The analysis set forth in this book suggests, however, that those who are seriously interested in maintaining moral standards should refrain from this kind of knee-jerk response. It confuses

causes with effects. Societies construct evil so that there can be punishment; for it is the construction of, and the response to, evil that defines and revivifies the good. One should not, then, confuse the aesthetic imagining of evil, the vicarious experiencing of evil, much less the intellectual exploration of evil with the actual practice of evil itself.

Modern and postmodern societies have always been beset by a socially righteous fundamentalism, both religious and secular. These moralists wish to purge the cultural imagination of references to eros and violence; they condemn frank discussions of transgressive desires and actions in schools and other public places; they seek to punish and sometimes even to incarcerate those who practice "victimless" crimes on the grounds that they violate the collective moral conscience. The irony is that, without the imagination and the social identification of evil, there would be no possibility for the attachment to the good that these moralists so vehemently uphold. Rather than undermining conventional morality, transgression underlines and vitalizes it. Bataille, whom James Miller pejoratively called the *philosophe maudit* of French intellectual life, never ceased to insist on this point. "Transgression has nothing to do with the primal liberty of animal life. It opens the door into what lies beyond the limits usually observed, but it maintains these limits just the same. Transgression is complementary to the profane [i.e., the mundane] world, exceeding its limits but not destroying it" (Bataille, 1986 [1957]: 67).

Amnesty International, winner of the Nobel Peace Prize, has been one of the world's most effective nongovernmental democratic organizations, exposing and mobilizing opposition against torture and other heinous practices of authoritarian and even democratic governments. It is all the more relevant to note, therefore, that at the heart of the internal and external discourse of this prototypically "do-gooder" organization one finds an obsessive concern with defining, exploring, and graphically presenting evil, the success of which efforts allows members and outsiders vicariously to experience evil's physical and emotional effects.³² In the Amnesty logo, good and evil are tensely intertwined. At the core is a candle, representing fervent attention, patience, and the sacrality of Amnesty's commitment to life. Surrounding the candle is barbed wire, indicating concentration camps and torture. This binary structure is iterated throughout the persuasive documents that Amnesty distributes to the public and also in the talk of Amnesty activists themselves. They revolve around narratives that portray, often in graphic and gothic detail, the terrible things that are done to innocent people and, in a tone of almost uncomprehending awe, the heroism of the prisoner to endure unspeakable suffering and remain in life and at the point of death a caring, dignified human being. Amnesty's attention to evil, to constructing the oppressor and graphically detailing its actions, in this way contributes to maintaining the ideals of moral justice and sacralizing the human spirit, not only in thought but in practice. It is in order to explain and illuminate such a paradox that a cultural sociology of evil must be born.

10. In relation to issues of cultural change and conflict, Weber's concept has been developed further by S. N. Eisenstadt (1982) and, most recently, Bernhard Giesen in *Intellectuals and the Nation* (1998). Claim-making groups correspond also to the concept of "movement intellectuals" developed, in a different context, by Ron Eyerman and Andrew Jamison in *Social Movements: A Cognitive Approach* (1991). Smelser (1974) illuminated the group basis for claim-making in his reformulation of Tocqueville's notion of "estate."

11. The foundation of speech act theory can be found in the pragmatically inspired interpretation and extension of Wittgenstein carried out by J. L. Austin in *How to Do Things with Words* (1962). In that now classic work, Austin developed the notion that speech is directed not only to symbolic understanding but to achieving what he called "illocutionary force," that is, to having a pragmatic effect on social interaction. The model achieved its most detailed elaboration in John Searle's *Speech Acts* (1969). In contemporary philosophy, it has been Jürgen Habermas who has demonstrated how speech act is relevant to social action and social structure, beginning with his *Theory of Communicative Action* (1984). For a culturally oriented application of this Habermasian perspective to social movements, see Maria Pia Lara, *Feminist Narratives in the Public Sphere* (1998).

12. He also speaks of a "representational process." Stuart Hall develops a similar notion, but he means by it something more specific than what I have in mind here, namely the articulation of discourses that have not been linked before the panic began.

13. For the contingency of this process of establishing the nature of the pain, the nature of the victim, and the appropriate response in the aftermath of the "trauma" created by the Vietnam War, see J. William Gibson (1994).

14. Maillot's representation of the difficulties of the Northern Ireland peace process combines these different aspects of the classifying process.

None of the "agents of violence" would agree on the reasons for the violence and on its nature. In fact, only the supporters of the IRA and, to a much less extent, part of the nationalist community, would agree that there was an actual "War" going on. For a substantial section of the Unionist community, the IRA is entirely to blame. "Our whole community, indeed our whole country, has been the victim of the IRA for over 30 years," said Ian Paisley Jr. . . . As all the other issues discussed in the run-up to the signing of the Good Friday Agreement, the question of victims proved highly emotional and controversial . . . one which enabled all participants to vent their frustration and their anger, and one that revealed the different approaches each side was to take. Indeed, the very term "victims" proved controversial, as participants disagreed on the people who constituted this group.

15. The notion of transparency, so necessary for creating a normative, or philosophical, theory of what Habermas has called his "discourse ethics," is debilitating for creating a sociological one.

16. Smelser described how state agencies and other agents of social control make efforts to "smother and channel" what I am calling the trauma process.

17. Insofar as such memorializations are not created, it reflects the fact the traumatic suffering has either not been persuasively narrated or has not been generalized beyond the immediately affected population. This is markedly the case, for example, with the 350-year enslavement of Africans in the United States. Eyerman (2001) demonstrates how this experience came to form the traumatic basis for black identity in the United States. However, despite the fact that white Americans initiated what has been called the "second Reconstruction" in the 1960s and 1970s, and despite the permeation among not only black but white American publics of fictional and factual media representations of slavery and postslavery trauma, white power centers in American society have not

dedicated themselves to creating museums to memorialize the slavery trauma. A recent letter to the editor in the *New York Times* points eloquently to this absence and to the lack of black-white solidarity it implies:

The worthy suggestion that the Tweed Courthouse in Lower Manhattan be used as a museum to memorialize New York City's slave history . . . evokes a broader question: Why is there no *national* museum dedicated to the history of slavery? One can only imagine the profound educational and emotional effect a major institution recounting this period of our history would have on *all* Americans. Perhaps President-elect George W. Bush, in striving to be a uniter of people, would consider promoting such a project in our capital? (December 16, 2000: *New York Times*, Section A page 18 Col. 4).

18. There are, in other words, not only empirical but also moral consequences of this theoretical disagreement about the nature of institutionalization. For example, the routinization of recent trauma processes—those concerned with the democratic transitions of the last decade—has produced a body of specialists who, far from being desiccated and instrumental, have worked to spread a new message of moral responsibility and inclusion. As this book goes to press, the *New York Times* has published the following report under the headline "For Nations Traumatized by the Past, New Remedies."

From temporary offices on Wall Street, a new international human rights group has plunged into work with 14 countries, helping them come to terms with the oppressions that mark their recent past. The International Center for Transitional Justice opened its doors on March 1, incubated by the Ford Foundation and led by Alex Boraine, an architect of South Africa's Truth and Reconciliation Commission. The South African commission was the first to hold public hearings where both victims and perpetrators told their stories of human rights abuses in the era of Apartheid. With a growing number of countries turning to truth commissions to heal the wounds of their past, many governments and human rights groups in Asia, South America, Africa and Europe are now asking for advice, information and technical assistance from those who have been through the process . . . The foundation . . . asked Mr. Boraine . . . to develop a proposal for a center that would conduct research in the field and help countries emerging from state sponsored terrorism or civil war. . . . "The day we got our funds, we were actually in Peru, and it has been a deluge ever since." (July 29, 2001: A5)

19. For one of the first and still best sociological statements, see Kuper (1981).

20. This insightful work, by one of the most important contemporary French sociologists, develops a strong case for the moral relevance of mediated global images of mass suffering but does not present a complex causal explanation for why and where such images might be compelling, and where not.

Chapter 4.

1. "The values which come to be constitutive of the structure of a societal system are, then, the conceptions of the desirable type of society held by the members of the society of reference and applied to the particular society of which they are members. . . . A value-pattern then defines a direction of choice, and consequent commitment to action" (Parsons, 1968: 136).

This approach was elaborated by Robin M. Williams, the most authoritative sociological interpreter of American values in the postwar period: "A value system is an organized set of preferential rules for making selections, resolving conflicts, and coping with needs for social and psychological defenses of the choices made or proposed. Values steer anticipatory and goal-oriented behavior; they also 'justify' or 'explain' past conduct" (Williams, 1971: 123–59, esp. p. 128).

While Parsons and Williams both represent a specific tradition within sociology—the

early and middle period of Durkheim and the later, structural-functional school—their equation of culture with the desirable is shared by every other school of sociological thought.

2. See the demonstration of this point in Marshall Sahlins's discussion of polluted food and clothing symbolism: "Le Pensée Bourgeoise," in *Culture and Practical Reason* (1976: 166–204).

3. A clear statement of this Durkheimian position is Caillois (1959 [1939]), in which Caillois criticizes Durkheim for not distinguishing clearly enough between the sacred, the profane, and the routine.

4. Two of the most compelling contemporary, neo-Aristotelian analyses of "evil-versus-good" in cultural narratives are Northrop Frye, *The Anatomy of Criticism* (1971 [1957]), and Vladimir Propp, *Morphology of the Folktale* (1969 [1928]). More recently, see Robin Wagner-Pacifici, *The Moro Morality Play: Terrorism as Social Drama* (1986).

5. In contemporary social science, the most influential analysis of ritual has been Victor Turner, *The Ritual Process* (Chicago: Aldine, 1969).

6. The sacred-profane refers to Durkheim's later "religious sociology," the promise of salvation to Weber's *Sociology of Religion* (1964 [1922]); see the introduction and chapter 1 herein.

7. See Bataille (1957 [1990], 142–5).

8. "It is inherent in our entire philosophic tradition that we cannot conceive of a 'radical evil,' and this is true both for Christian theology, which conceded even the devil himself a celestial origin, as well as for Kant. . . . Therefore we have nothing to fall back on in order to understand a phenomenon that nevertheless confronts us with its overpowering reality" (Arendt, 1951:459).

Richard Bernstein shares this view. "The larger question looming in the background is whether our philosophic tradition—especially the modern philosophic tradition—is rich and deep enough to enable us to comprehend what we are asserting when we judge something to be evil" (Bernstein, "Radical Evil: Kant at War with Himself," 2001: 56). After an exhaustive investigation of Kant's thinking, Bernstein's answer is no. It is a similar perception of this failure in the philosophic tradition that provides the focus for María Pía Lara's edited collection of essays *Rethinking Evil* (2001), as well as Susan Neiman's *Evil in Modern Thought: An Alternative History of Philosophy* (2002).

9. In his reconstruction of the republican theory of virtue, Quentin Skinner emphasizes the role of altruistic cultural commitments within it. See his book *The Foundations of Modern Political Thought* (1978).

10. This communicative-normative logic, which so strikingly adumbrates Habermas's later theory, is perhaps most clearly articulated in Dewey's *Democracy and Education* (1966 [1916]). Because pragmatism has supplied social science with its theoretical resources for conceptualizing agency and selfhood, this enthusiastic equation of valuation—the act of valuing—with goodness has undermined the ability of social scientists to understand how social creativity, agency, often contributes to evil. Cushman emphasizes the role that agency plays in the social creation of evil in his sociological investigation of Serbian genocide, which also contains a cogent theoretical criticism of the way the pragmatist tradition ignored the agentic capacity for evil.

Sociological theorists of agency have, like sociological theorists in general, displaced evil. This displacement has much to do with the unbridled political optimism of the progenitors of the pragmatic theories of action [who] simply ignored the idea that the pragmatic, reflexive self could engage in action that was ferocious, malicious, and cruel in its genesis or outcomes. Action and reflexivity was, for these thinkers and their later followers, always considered as progressive. This development was ironic, and perhaps even naive, since such theories developed in a world historical context in which it was rather

evident that agents used the infrastructure of modernity for nefarious rather than progressive ends. This belief in the optimistic and moral ends of agency is very clear [for example] in the work of Anthony Giddens, perhaps the most important contemporary theorist of agency. (Cushman, 1998: 6)

11. This dichotomy informs, for example, the work of the influential sociological critic Robert Bellah. His collaborative book, *Habits of the Heart*, is informed by the republican version of American communitarianism, decrying individualism as evil because it supposedly makes it impossible for Americans to connect to any value outside their selves.

Americans tend to think of the ultimate goals of a good life as matters of personal choice. . . . Freedom is perhaps the most resonant, deeply held American value. In some ways, it defines the good in both personal and political life. Yet freedom turns out to mean being left alone by others. . . . What it is that one might do with that freedom is much more difficult for Americans to define. . . . It becomes hard to forge bonds of attachment to, or cooperation with, other people, since such bonds would imply obligations that necessarily impinge on one's freedom. . . . The large hope that [one's] freedom might encompass an ability to share a vision of a good life or a good society with others, to debate that vision, and come to some sort of consensus, is precluded in part by the very definition of freedom. (Bellah, Madsen, Sullivan, Swidler, & Tipton, 1985: 22–4)

Charles Taylor's reply to Bellah is worth noting in this context. "The deeper moral vision, the genuine moral sources invoked in the aspiration to disengaged reason or expressive fulfillment tend to be overlooked," Taylor (1990: 511) writes, "and the less impressive motives—pride, self-satisfaction, liberation from demanding standards—brought to the fore."

A different version of this communitarian value/no value dichotomy can be found in the more philosophically rigorous position Michael Walzer sets out in *Spheres of Justice* (1984), which equates particular values with the values of a sphere or community, thus solving the issue of moral rightness through a kind of a priori pluralism. Zygmunt Bauman developed a particularly strong sociological critique of this position in *Postmodern Ethics*, calling it a naive response to "the cold and abstract territory of universal moral values" associated with modernity. This "'community first' vision of the world," Bauman writes, once "consigned to oblivion by the dominant thought which proudly described itself as 'marching with time,' scientific and progressive," is now so popular in the social sciences that "it comes quite close to being elevated to the canon and uncontested 'good sense' of human sciences" (1993: 42–3).

12. I think this is what Bataille was trying to get at when he called for "the rectification of the common view which inattentively sees Good in opposition to Evil. Though Good and Evil are complementary, there is no equivalence. We are right to distinguish between behavior which has a humane sense and behavior which has an odious sense. But the opposition between these forms of behavior is not that which theoretically opposes Good to Evil" (1990: 144).

13. For a sociological consideration of these standard philosophical divisions and an empirical response to them see Alexander (2000: 271–310).

14. In his *Lectures on the Philosophical Doctrine of Religion*, Kant wrote, "Thus evil in the world can be regarded as incompleteness in the development of the germ toward the good. Evil has no special germ; for it is mere negation and consists only in the limitation of the good. It is nothing beyond this, other than incompleteness in the development of the germ to the good out of uncultivatedness" (quoted in Bernstein, 2001: 84).

It is this Kantian inability to conceptualize what I have called here the *sui generis* autonomy of evil that leads Bernstein ultimately to conclude his investigation of Kant's notion of radical evil by suggesting that,

when we analyze what Kant means, the results are quite disappointing. . . . Radical evil seems to be little more than a way of designating the tendency of human beings to disobey the moral law, [that is] not to do what they ought to do. There is a disparity between Kant's rhetoric—his references to "wickedness," "perversity" "corruption"—and the content of what he is saying. . . . Kant's concept of an evil maxim is too limited and undifferentiated. The distinction between a good man and an evil man depends on whether or not he subordinates the "incentives of his sensuous nature" to the moral law as an incentive. (Bernstein, 2001: 84)

The phrase "incentives of his sensuous nature" refers to the egoistic self who is not able to make a connection to values, which themselves are conceived inevitably as representations of the good.

15. For the earlier writings, see, for example, Habermas, "Labor and Interaction: Remarks on Hegel's Jena *Philosophy of Mind*," in *Theory and Practice* (1973: 142–69). For the prototypical later renditions of this dichotomy, see his *Theory of Communicative Action* (1984). I believe that in his most recent writings, those that have tried to articulate the role of culture in the public sphere of "discourse ethics," Habermas has been determined to distance himself from this kind of binary thinking. In my view, he will not be able to do so until he jettisons his narrowly pragmatic approach to discourse as speech acts and incorporates discourse in a broader, more semiotic and hermeneutic sense.

16. For an expansion of this critique, see Alexander and Lara (1996).

17. Quoted in Richard Hecht, unpublished manuscript.

18. Foucault would seem to be the obvious, and in some ways all-important, exception to this argument, as I have indicated earlier. Foucault, and the postmodernist archeologists of modernity who followed him, found the production of evil, in the form of domination and pollution of the other, to be at the heart of modern thought and practice. Despite this understanding, Foucault did not interpretively reconstruct "evil values" in the manner I am calling for here. Instead he considered domination and pollution to be the product of "normal" procedures of scientific rational knowledge and the "normalizing" social control accompanying it. In other words, Foucault followed the mainstream tradition in considering evil to follow, as an unintended consequence, from the (however misguided) normatively inspired effort to institutionalize the good. In this regard, Foucault may have been influenced by the spirit of Bataille, but he did not follow the late-Durkheimian roots of his thinking.

19. This, of course, is the standard criticism of Parsons's "oversocialized conception of man," but it is connected here not with his functionalism but with a much more general inadequacy in understanding the nature of culture—a problem, I am suggesting, that Parsons shared not only with his antifunctionalist critics but with virtually the entire spectrum of social and political thinkers. For an argument that Parsons can be seen within the Republican tradition, see Alexander (2001).

20. See Niklas Luhmann, "Durkheim on Morality and the Division of Labor," in *The Differentiation of Society* (1982: 9–10).

According to Durkheim . . . we are not confronted with factually moral and factually immoral actions. . . . Instead, it has been conceptually decided in advance that, essentially, there is only morality and solidarity, but that under certain regrettable circumstances these can be cut short from their full realization. Durkheim . . . conceives negation as mere deprivation, and to that extent his theory remains Aristotelian. Despite all his understanding for corruption and incompleteness, he expresses an affirmative attitude toward society. (Luhmann, 1982: 9–10)

21. For an earlier historical discussion that also roots Nazism in strongly held "evil" values, see George L. Mosse's closely related and much earlier historical investigation, *The Crisis of German Ideology: Intellectual Origins of the Third Reich* (1964).

22. As this sentence suggests, the sociological perspective on evil presented here does not aim at making distinctions among different qualities of evil, as philosophers do, for example, when they distinguish between the banality of evil and radical evil. From a sociological point of view, the structures and processes, both institutional and symbolic, involved in establishing the range of different qualities of evil are the same. Each involves evoking and maintaining a sharp distinction between the pure and the impure.

23. As Ferrara writes, "the criterion for the radicality of radical evil ought perhaps to be internal to us, the moral community, rather than external, objective. Evil then is perhaps best conceived as a *horizon* that moves with us, rather than as something that stands over against us" (2001: 189).

24. For other empirical studies of such evil-representing events, their sociocultural causes, and their subsequent social impacts, see Jacobs (2000), Smith (1996, 1991), and Alexander (1987). For an overview of the phenomenon of moral panics, see Kenneth Thompson, *Moral Panics* (1998).

25. This is not to say that the attribution of evil to an action, and the subsequent punishment of the agent, is unjustified, either empirically or morally. What is suggested is that such attributions and punishments are arbitrary from the sociological point of view, that is, they do not grow "naturally" from the qualities of the actions themselves. The identification of evil and its punishment are as much determined by social and cultural processes—by context—as by the nature of the actions themselves, though the latter obviously plays an important role.

26. This conception derives from anthropological discussions of taboo, for example, Franz Steiner, *Taboo* (1956). In *Stigma* (1963), Erving Goffman has developed the most general and persuasive treatment of this phenomenon in contemporary social science.

27. See Stanley Cohen, *Folk Devils and Moral Panics: The Creation of the Mods and Rockers* (1972), and, more generally, Thompson (1998). For the notion of boundary danger, see Kai Erikson, *Wayward Puritans: A Study in the Sociology of Deviance* (1966).

28. Suggested to me by Steven J. Sherwood, personal communication.

29. The notion of the limit experience is the centerpiece of James Miller's fascinating but one-sided investigation into what he views as the amoral, antihumane life of Foucault, *The Passion of Michel Foucault* (1993: 29, 398 n. 49). Without disputing Miller's moral judgment of Foucault's sexual behavior later in his life, which by several accounts evidenced a lack of concern for spreading HIV, I do question Miller's effort to generalize this accusation to a theoretical and philosophical indictment of Foucault's concentration on evil rather than on the good. Miller takes the notion of the "limit experience" as indicating the moral, even the social endorsement of the antigood morality that transgression allows. This is not the perspective of Bataille, as I indicate in the following, nor should it necessarily be attributed to the theoretical perspective of Foucault, no matter what the nature of his own personal and idiosyncratic fascination with transgression was.

30. For discussions of Bataille's life and work, and the context of his time, see Michael Richardson, *Georges Bataille* (1994), and Carolyn Bailey Gill, ed., *Bataille: Writing the Sacred* (1995). The ambiguity and complexity of Bataille's thinking have made it difficult to incorporate his thinking into streams of thought other than French-inspired postmodernist literary theory. While drawing fruitfully from the "later" religious sociology of Durkheim and Mauss (see Bataille, 1990 [1957]: 208 n. 48), Bataille also tried, much less fruitfully in my view, to develop a kind of totalizing historical and existential philosophy that included not only an ontology and a metaphysics but also a Marxist-inspired political economy. Despite its genuine intellectual interest, the short-lived "College de France," which Bataille initiated with the third-generation Durkheimian Roger Caillois in the late 1930s, had a cultic and antinomian quality that aspired to the

status of the surrealist group of the World War I era. See Michèle Richman, "The Sacred Group: A Durkheimian Perspective on the College de Sociologie," in Gill (1995: 58-76).

31.

To be "bad" is to be mean in a precise sense of the term. Badasses manifest the transcendent superiority of their being, specifically by insisting on the dominance of their will, that "I mean it," when the "it" itself is, in a way obvious to all, immaterial. They engage in violence not necessarily sadistically or "for its own sake" but to back up their meaning without the limiting influence of utilitarian considerations or a concern for self-preservation. To make vivid sense of all the detailed ways of the badass, one must consider the essential project as transcending the modern moral injunction to adjust the public self sensitively to situationally contingent expectations. (Katz, *Seductions of Crime: Moral and Sensual Attractions of Doing Evil* [1988: 81])

See also Richard Stivers, *Evil in Modern Myth and Ritual* (1982).

32. I draw here from "Human Rights Language in Amnesty International" (n.d.), section 4, 24-5. I cannot locate the author of this very interesting manuscript, which, as far as I know, is as yet unpublished.

Chapter 5.

1. For the initial statement of this argument, see Alexander (1992). Our argument that subsystems within the social structure possess binary codes will be familiar to readers of Luhmann (e.g., 1989: 36-50). For Luhmann, binary codes are a functional necessity explicable in terms of the need of differentiated subsystems to process information concerning their environment. This theoretical position seemingly results in an over-determination of the content of codes by social structure. In our theory the question of meaning is central to understanding the nature of codes. We propose that the codes for any given subsystem create a complex discourse because they consist of extended chains of concepts instead of a single binary pair. Moreover, in that our codes are charged with the symbology of the sacred and the profane, they respond to specifically cultural problems of interpretation, as well as the systemic problems of channeling communication, information, and output.

2. Readers familiar with cultural work in the area of gender will be familiar with many of these binary codings, and the application of the negative discourse to women—especially during the nineteenth century—as a means of securing their exclusion and subordination. We see nothing inherently gendered in the discourses, however, insofar as they are also applied to constitute marginal groups in which sexual identity is not an issue. That is to say, the same deep codes are used as a basis for discrimination by race, geographic location, class, religion, and age.

3. Of course the codes we propose are not arbitrary, insofar as each code element and its partner can be described from the point of view of logical philosophy as mutually exclusive opposing qualities. The codes are, however, arbitrary in two ways. First, complex semantic codes enchain these binary pairs into larger structures in an entirely conventional manner—the code is the result of a cultural bricolage (see Lévi-Strauss, 1967). American civil society, then, allocates qualities to sacred and profane codings on a different, but no more or less necessary, basis from communitarian or fascist civil societies. Second, the association between the code element and the extrasymbolic reality of the social world is entirely dependent on contingent processes of association and interpretation undertaken by social actors. The indexical relation between the codes as "signs" and the world of "things" is thus as conventional as the link between Saussure's "acoustic image" and "concept."

4. *Congressional Globe*, 42nd Congress, 2nd session, 1872, 4110.

5. *Ibid.*, 4120.

6. *Ibid.*, 4111.

7. *Ibid.*, 4111.

8. *Ibid.*, 4111.

9. *Congressional Globe*, 42nd Congress, 2nd session, 1872, appendix, 18: 522.

10. *Ibid.*, 523.

11. *Ibid.*, 524.

12. *Ibid.*, 523.

13. *Ibid.*, 527.

14. *Ibid.*, 530.

15. Mr. Mallory, *Congressional Globe*, 40th Congress, 2nd session, 1868, appendix, 18: 227.

16. Mr. Driggs, *ibid.*, 276. Mr. Price, *Congressional Globe*, 40th Congress, 2nd session, 18: 1367. 1868.

17. See Garfinkel, *Studies in Ethnomethodology* (1967).

18. Mr. Humphrey, *Congressional Globe*, 40th Congress, 2nd session, 1868, appendix, 18: 268.

19. Mr. Mungen, *ibid.*, 211.

20. Mr. Humphrey, *ibid.*, 269.

21. Report of speech by Mr. Clayton, *Register of Debates in Congress*, vol. 8 [12]: n.p., n.d.

22. Mr. Mitchell, *ibid.*, 1946.

23. "Report of Minority Committee of Ways and Means," in *Register of Debates in Congress*, vol. 8 [3], appendix: 148. n.d.

24. Mr. Mitchell, *Register of Debates in Congress*, vol. 8 [2]: 1945.

25. President Jackson, "Message to Congress," in *Register of Debates in Congress*, vol. 8 [3], appendix: 75, n.d. 79. n.d.

26. Mr. McDuffie, *Register of Debates in Congress*, vol. 8 [2]: 1885-86. n.d.

27. Mr. Denney, *ibid.*, 1945. n.d.

28. Mr. McDuffie, *ibid.*, 1882. n.d.

29. Mr. McDuffie, *ibid.*, 1887. n.d.

30. "Report of Committee of Ways and Means," in *Register of Debates in Congress*, vol. 8 [3]: 2120. n.d.

31. Resolution submitted by Clay to the Senate, *Congressional Globe*, 23rd Congress, 1st session, vol. 1: 54. n.d.

32. Clay, *ibid.*, 54.

33. Mr. Stanley, *Congressional Record*, 1924, vol. 65 [2]: 1676.

34. Mr. Heflin, *ibid.*, 1311.

35. Mr. McKellar, *ibid.*, 1682.

36. Mr. Stanley, *ibid.*, 1678.

37. President Coolidge, a speech of February 12, 1924, extracted in *Washington Post* editorial, February 13, 1924.

38. Mr. Heflin in *Congressional Record*, vol. 65 [2]: 1312.

39. "An Ordinance to Nullify Certain Acts of Congress of the United States," in *Register of Debates in Congress*, 1832, vol. 9 [2], appendix 162.

40. "Address to the People of South Carolina by their Delegates in Convention," *ibid.*, 163.

41. "Governor Haynes' Proclamation," *ibid.*, 195.

42. "Message of President of the United States to the Senate and House," *ibid.*, 147, 151, 149-50.