

Re: Public

Robert Koch

Preamble

A republic is normally defined as a form of government without a monarch as head of state. This definition does not preclude the possibility of non-democratic republics, even if the notion of *res publica* suggests the idea of government as a “public thing”. Indeed it has been observed that many embryonic republics, such as the original American one, rather abhorred the idea of democracy – government of the people, by the people and for the people. This initial definition of a republic is in any case a negative one. A second definition states that a republic is essentially a mixed form of government, containing representatives of all layers of society. As Cicero noted, however, this situation more often than not is merely the result of mutual fear, with justice grounded on weakness rather than strength.

Yet another formulation states that a republic is government by rule of law. In contrast to “pure” forms of democracy, in which the sovereignty of the people means they are above the law, a republic subordinates all of its citizens, including its leaders, to the rule of law. Now, if we define a republic in this fashion, what does this imply for an understanding of the public and for all the public things of which a republic is composed? At first glance we seem to be defining a republic merely in terms of obedience, not a very exciting or progressive thought at all. Yet, as John Dewey once pointed out, it is only when laws are viewed as commands that they must be obeyed. Why not, as Dewey does, see laws as simply the attempt to predict what happens once something is set into action? Indeed, in this sense the rule of law is inseparable from the public as Dewey defines it: For Dewey, the public comes into being when people have to think about the indirect consequences of their actions. The further removed in space and time such consequences are, the larger

the potential public and the more difficult the task of gathering them together, of making public this public. For this reason, Dewey locates the public somewhere between the purely private, which he defines as involving the immediate and direct consequences of our actions, and the universal, where the consequences are so remote that they can hardly be said to be consequences at all.

The public is, then, the totality of arrangements made regarding the indirect consequences of collective acts. Yet this public is not yet, perhaps, a republic. What is specific to the nature of these arrangements that makes a public a republic? Once again we appeal to a philosopher, albeit of a very different cast. Kant, in discussing the problem of freedom, distinguishes between *autonomy* (which always involves legislating over another domain, like reason imposing its dictates on nature) and *heautonomy* (which involves legislating over one’s own domain, over oneself). To be autonomous is not yet to be free, for true freedom, for Kant, involves the ability to obey the laws one has formulated oneself.

A lot of sarcasm has been heaped on this allegedly “Prussian” way of regarding freedom, but if we keep Dewey’s observations on commands and obedience in mind, we see that this sarcasm is misguided. In fact, Kant’s distinction allows us to see that the goal of autonomy is *disentanglement*, whereas heautonomy cannot avoid entanglement, indeed is nothing but entanglement: of subjects and objects, of freedom and necessity, of theory and practice, and so on. There are also profound political consequences. Legislating over oneself is neither a logical absurdity nor slavish obedience but rather an act of *inclusion*: Whereas autonomy necessarily seeks to *exempt itself* from the laws it prescribes for others, heautonomy seeks to *multiply the means by which it is itself involved in the laws it prescribes*.

Let us use this notion of heautonomy as a touchstone in our examination of the public. Take the example of public discourses: What discourse, what tract or essay or pamphlet, has ever not wanted to establish a rule of law? Even, and especially, discourses that call attention to their chaotic or unsystematic or nomadic nature, those that loudly proclaim their aversion to rules, those that ironically seek to undermine their own authority – even these seek to identify and form their audience, the citizens of the ideal republic for which their own texts would be constitutive. At stake, however, is not this desire for civil order as such, but rather the extent to which a text allows itself to be implicated in the arrangements such an order demands. And this idea is not limited to discourse. A republic seeks to establish the rule of law in all of its forms, all the public things of which it is composed – its monuments, sculptures, schools, laws, parks, announcements, police raids, social assistance.

A republic can now be defined as an essential redoubling: The public constitutes itself in the public, entangles itself in its public expressions. The public is its own work, and all public things are in fact public works. We propose now to examine some of these ideas in more detail. We must, however, be aware of what exactly we have established. If we recall that a pure democracy means to put oneself above the law, then we find ourselves in the strange position of saying that *the constitution of a republic involves the rejection of both democracy and autonomy*. Instead of democracy we have rule of law, understood as the making of arrangements to deal with the indirect consequences of our acts. Instead of autonomy we have heautonomy, understood as the multiplication of the means for involving the public in its works.

Public Mediation

The question of the public is inseparable from that of the media. It is in the media – commonly understood as television, newspapers, radio, film, books, and the like – that the public is made public. From this point of view, the question then becomes that of the mechanisms of media representation, the means by which the media “construct” their audiences even as they construct the

world those audiences are perceiving. With respect to the specific question of the public, the bulk of the attention is focused on the issues, events and states of affairs that are brought into and form what is called the public sphere.

The critical formulation of the politics of this mediation is that the media (usually understood as mass media) systematically misrepresent or even distort their objects, leaving the public uninformed or misinformed. The antidote is a scrupulous and permanent sense of self-critique, so that (by ensuring standards of objectivity, cultivating codes of practices and exposing acts of manipulation) we are able to represent the truth of issues and events, thus providing ourselves with a basis for rational action. Who is supposed to do this differs, of course, with the infamous technocratic or mediocratic elites of Lippmann on the one side and the rational democratic public of Habermas on the other.

The popularity or plausibility of this view has faded, notwithstanding the recent self-lacerations of the American press in the wake of the missing weapons of mass destruction. Indeed, the fact that the truth about the missing weapons has been met with bland indifference instead of moral outrage should at least make clear that the media question is not adequately answered with categories of illusion and truth. Theoretically at least, the problem is clear: The modern view of the media misunderstands the nature of media as such. The media are not passive intermediaries who modestly step aside once their task of representation has been accomplished; instead, they are active mediators, forming and informing the objects they make public, generating a surplus of effects beyond that of making something public (did McLuhan really ever intend to say anything more than this?).

Yet once this is accepted, one must be wary of the supposed consequences. There are two very loud claimants to the throne of mediation. The one group claims that the medial character of things means that all public expression is subject to the inherent constraints of the medium in question, with language being the preferred mediator. It is thus said that nothing exists apart from language – discourse, if you will – and that there can only be linguistically mediated realities. But this only pushes the problem of mediation onto

another stage, with another actor, and does not elude the charge that here the reality of language, or whatever medium is preferred, is cheerfully and immediately accessible. In other words, one is in pursuit of a privileged autonomy, an exemption reserved for those who agree to recognize the uniqueness of the medium in question.

The second claimant is very noisy indeed. The postmodern answer to the problem of mediation, perhaps best exemplified in Baudrillard, claims that all our representations are simulacra, simulations of a reality that has never existed, a vertiginous circular swirl of signifiers signifying nothing. This stance is predictably suffused with an apocalyptic pathos deriving, in the last instance, from a mournful Marxist belief in the priority of use value over exchange value. However that may be, this theory also operates with a theoretical exemption: Baudrillard at least enjoys an unmediated and unfettered access to the grim reality of capital behind the dissimulated models.

Both claimants have in fact not taken the “medial turn” far enough. Their claims invariably amount to poor misreadings of Kant: One denies access to objects-in-themselves, all the while preserving for oneself the privilege of describing these strange entities simply by extrapolating from the given and projecting its characteristics into an anterior or exterior world. We must instead take mediation in the sense of negotiation, and negotiation in the sense of navigation. The process of active mediation always serves to *bring together sites separated in space and time*, something it accomplishes by generating a common space for these sites and, more significantly, by transforming the conditions of experiencing them.

Let us consider the first aspect. Much political discussion since Hegel has been aimed at the *problem of equivalence* that lies at the core of any notion of a common space. At stake in these discussions is a revolt against what is claimed to be the precondition for commonality as such – the rule of representation, the rule of the same. Such a rule necessarily involves a violence, a coercion, a yoking together of that which by nature is separate. The liberal version of this common space, civil society, is sometimes viewed as a greater evil than open authoritarian rule, since the neutrality it claims, like the idea of a free market or a level play-

ing field, covers up the brute fact of coercion on the part of a dominant site. The Marx-Hegelian equation of civil society with abstract commodity exchange motivates a deep distrust of the liberal resolution to this day.

Hegel’s own corporative solution to the problem of equivalence appealed to “natural” estates as a way of preserving differences; this solution is no longer valid, if indeed it ever was, though traces of it still linger in the educational systems of various countries. In its place various other notions have been put forward to counter the violence deemed to inhere in the liberal and representational machines, ranging from Heidegger’s forest clearings that “let beings be” to Lyotard’s harsh, conflictual differends to Deleuze’s nomadic romp of multiplicities. Whereas Heidegger’s notion allows for the rather mysterious gathering of differences, most others stress dispersion, and indeed manifest an almost pathological hostility to the possibility of a common project. The keyword for the majority of these projects is incommensurability.

But this standpoint also suffers from a reliance on the very principle it seeks to oppose. It assumes that, from the beginning and without any mediation whatsoever, irreconcilable or incommensurable differences in kind really “exist”; once this is granted, any appearance in a common space can only be perceived as a form of coercion. But if incommensurable differences are themselves mediated, if they appear as differences only in and through their being mediated, under the auspices of something else, then they are already appearances in a common space. Who is to judge the terrible coercion already at work in the public appearance of this allegedly irreducible difference?

Talk of coercion is, in fact, as idle as talk of letting beings be. The question of the commonality of public space can only be addressed by considering the transformations enacted by the processes of mediation, of negotiation and navigation. If we grant that a common space has first to be constituted, if it is in fact the real work of public works, then at stake are not the illusions or truth ascribed to anterior or exterior objects-in-themselves but rather the very experience of this common space. Media seek neither to dissolve illusion to get at the truth nor to assert blithely that everything is an illusion; they seek instead to *transform the appear-*

ance of public things into the experience of the public as such, to bind the processes of mediation to the ability to experience public things in a common space. Again, McLuhan hinted at this aspect of media when he spoke of media as involving primarily the sensorium or ground and not the content or message.

This is where we can make a link to the political question of the public. How is the public made public? Most critical analyses of specific media productions operate with fairly simplified linguistic categories of denotation and connotation. The denotation (what a television program, a book, a film is “about”) demands very little time and energy on the part of the critic and, indeed, is often explicitly self-deconstructed in the production itself. What counts for such analyses is rather the connotation, the (invariably ideological) codes at work in the denotation. Thus *The X-Files* is a program “about” two FBI agents investigating strange and inexplicable cases (denotation), but for media critics it is really “about” the paranoid state of America in the 1990s, or the nature of television itself, or whatever (connotation).

The difficulty with this stance goes beyond the objection that connotation is invariably vague and subjective. Once again we find the exemption invariably claimed by this form of criticism: the insistence that *connotation is accessible through other means* (theory), and that it is permissible to abandon denotation altogether. Yet if we are to take media seriously, as active mediators and not passive intermediaries, then connotation must remain immanent to denotation. For us, the public can only be accessed through its denotation. If we do this, then we see that the difficulty of forming a public is not that of a problematic access to the real: *It is rather a problem in the real itself*. It is not that common spaces do violence to irreducible differences, rather that they are ill-conceived, preventing the emergence of a public even as they create a phantom public, to use Lippmann’s phrase.

Let us test our thesis by looking at one place where one might expect the public to be found: public opinion. Generally speaking, public opinion has evoked two kinds of negative responses. The one shares the traits of the theories already mentioned: It points to the fact that public opinion is manufactured, constructed, at best nothing but a

statistical average, like the figures depicting the state of the economy. The other negative response draws on a long philosophical tradition of distrusting opinion as such on the grounds that it is essentially the expression of private interests. Indeed, much of what goes by the name of political philosophy sees its proper task as identifying (and decrying) the ways in which private interests usurp properly public demands.

As we have seen, the former response is groundless: One cannot dismiss public opinion simply on the basis of its “artificial” character, which would be to deny the medial character of public things. The second, however, contains two core ideas of great merit. The first is that public opinion is the expression of *false concerns*. Here we must not be tempted to see in this phrase an opposition to true concerns that we would be in a position to identify; instead, false concerns are those that seek to *exclude* the public from its own work, posing problems for which there can be no public resolution. What makes false concerns so destructive to the constitution of a common space is that they are essentially *polemical*, as Hegel long ago recognized. Here is where we see that the entire discourse of irreducible differences and their sad fate at the hands of a medium of equivalence misses the point: If differences are irreducible, it is because they fail to incorporate the rule of law and remain autonomous, enclosed in their specific medium. This is why it is no use appealing to “serious” newspapers or journals to counter the nefarious effects of public opinion. For these are as irreducible, as exclusive, as autonomous as, say, the radio talk-shows in the United States so dominated by extremist conservatives.

Public Constitution

How, then, is the public to be constituted? We are necessarily confronted with a given public, an empirical public, a public initially apprehended as a bewildering diversity in and across a vast array of media. The constitution of the public must therefore occur within these given things. The republic is a redoubling of the public, a constitution of the public in the public. One the one hand, then, the public is given as both as the empirical expression of past acts, past arrangements; on the other, it functions as a sign, a model constructed in order



photo © National Archives and Records Administration-Southeast Region, Records of the Tennessee Valley Authority (TVA) ■ The Pickwick Dam powerhouse in Tennessee contains four generators with a capacity of 144,000 kilowatts.



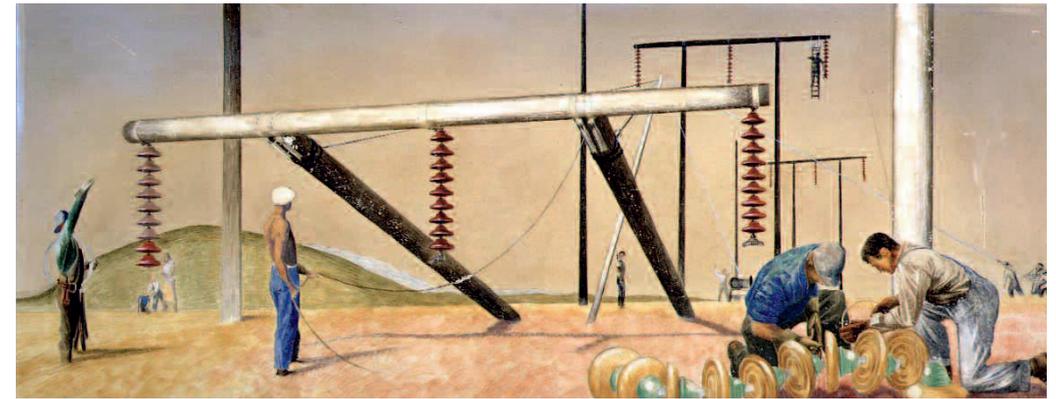
photo © Franklin D. Roosevelt Presidential Library ■ TVA Transmission Line, completed in 1936. This tall tower is a part of the Tennessee Valley Authority (TVA) high tension transmission line linking Norris Dam with Wilson Dam at Muscle Shoal, AL.

to be able to gauge the future consequences of our present acts. The public embodies in this way a double instability, for it is at once the expression of a civil order that it first makes possible and of a disorder stemming from a future that is constantly impinging on it. This instability is the reason why the notion of constitution should be carefully separated from that of construction, which implies a linear causality and the institution of autonomy.

What does this constitution involve? Let us take two admittedly very different examples. For a few weeks in the summer of 1997 there seemed to be an agreement, even among the most cynical of observers, that a new public had crystallized in Britain, had found its voice and gathered around the public thing that was the death of Diana, Princess of Wales, demanding not only a change in attitude from the royal family but also, maybe, from the society at large. There was talk of “something happening” down there on the streets. It is probably safe to say that since then the cynics have regained the upper hand: Subsequent discussions make no mention of any new public but focus on the media exploitation and manipulation of the event.

But what is the source of this cynicism? Let us propose a thesis. If the public that gathered at Diana’s death failed to take on substantial form, it was because it was not capable of *making itself into a subject*. Now, as the notion of a subject has been so thoroughly discredited and deconstructed as to be all but unusable, it is necessary to make what we mean here more precise. The public must be constituted in the empirically given just as the subject must be born within the welter of sense impressions in the mind. It is not enough to say the public is a task, that it must be constituted: the public must itself be capable of constitution, of belief and creation, of memory and reflection. The merit of this notion of the public as subject *affirms more than can be inferred from the given*. The public thing that was the death of Diana failed at this act of affirmation. The bouquets of flowers soon withered, the mourning failed to become a living ritual and the seeds were sown for a flourishing cynicism.

Another example. In the 1930s, as part of President Franklin D. Roosevelt’s New Deal, the United



David Stone Martin, *Electrification*, c. 1935, tempera, 33 x 85 cm, photo © General Services Administration, Washington D.C.

States federal government enacted a series of measures that brought into being the Tennessee Valley Authority, a government agency whose mandate was a combination of regional planning, land conservation, rural electrification and communitarian philosophy worthy of the proudest socialist countries. Within a few short years the Authority had developed the Valley, halving the electricity rates for consumers and providing farmers with the means for self-subsistence.

Here too a public came into being; but here the public thing that emerged was capable, for a time at least, of instituting itself quite literally as public works: power stations, hydroelectric dams, transmission lines and electricity networks, but also posters, works of art, theater productions, commentaries, documentaries, newsletters, folk songs and more. From the medial point of view, one cannot and need not distinguish between these public things: The washing machine powered by the hydroelectric dam is neither less nor more important than a report on the TVA in *The Nation*. All of

these public things testify to the affirmation and creation of what Lewis Mumford called an *insurgent self* against the backdrop of the given.

Naturally, this public self or subject will not remain uncontested: Perhaps the Tennessee Valley Authority was simply an example of federal meddling, just another intrusive public utility. And it is clear in any case that a public once constituted runs the danger of viewing itself as forever bound to the conditions that produced it and will continually seek to recover or recreate these conditions. Perhaps it will see itself as *les lieux de mémoire*, as defenders of a *Verfassung*, as heroic bearers of an historic mission, or as expressions of a profound ethnicity. The advantages of Dewey’s notion of the public might then lie in his bias toward the future as that element of the public that constantly realigns public concerns. If there is a coercion in the notion of a common space, it is perhaps here, in the concerted effort to take account of the consequences of our actions that is involved in any public constitution.