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Inclusion and exclusion: Theories and findings. From exclusion from the community to including exclusion

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I. Scope of the question

It is certainly one of the more counterintuitive central findings of the Trier research group that alienism and poverty are not per se synonymous with exclusion. Rather, the varying modes in which strangers and poor people partake in society are best described by complex combinations of affiliation and non-affiliation, of participation and exclusion. It makes a difference whether poverty becomes topical in the context of salvation or in the context of misery, whether society's reaction finds its structural precipitate in religious practices or state welfare. Who is a stranger can only be decided in light of who is not a stranger, who is poor in light of who is not poor. Historical research shows that poverty has been defined via influence, property, participation in power or in culture, or via neediness. Alienism can be defined via heritage, affiliation, ethnicity, religion, nationality, language, culture, or future. Both concepts can have a positive or negative connotation as in the dignified / undignified poor or the self-imposed poverty of the hermit; the stranger may be assigned privileges or he may be stripped of all rights. These empirical determinations are complemented by analytical ones: alienism as relation or generalized alienism.

The phenomena that can be described via a new analytics of inclusion and exclusion are just as varied as the ways in which affiliation and non-affiliation and their structural and semantic significance are combined in these examples. The current debate is informed by many different observations. To summarize them, the following headings could be used: precarization, inside-outside difference, segregation and demarcation. We have a general ›precarization‹ of living conditions that has taken a hold on essentially the whole population since the 1990s; we have the opportunities and risks of a plural regime of inclusion – Parsons speaks of a pluralization of access in modern society; further, the increasing inclusion of greater circles of people in higher education, the consequence of which is a simultaneously including and excluding mode of operation of the education system in the sense of an »exclu de l'intérieur« – as Bourdieu and his colleagues put it; we have ethnic segregation, an increasing ghettoization

especially of American suburbs; moreover, we find the complementary phenomenon of »gated communities«; in France we have the problem of the »sans-papiers«; we see the problem of political inclusion in national welfare systems in light of migration and structural development on a global scale; furthermore, we witness societal sub-regimes such as clientilism, the mafia, or social enclaves such as the Favelas.[1]

Finally, questions of demarcation are in focus, be it between normality and abnormality or concerning the boundaries of the social as such. In the last respect the de-socialization of nature or the demarcation of the realms of humans, machines and animals are investigated.[2]

1 This article is a revised and extended version of the 2006 essay: Bohn, Cornelia: Inklusion und Exklusion: Theorien und Befunde. In: Bohn, Cornelia: Inklusion, Exklusion und die Person. Konstanz 2006, pp. 7–29. Cf. the exemplary studies by Castel, Robert: De l'indigence à l'exclusion: la désaffiliation. In: Donzelot, Jacques (ed.): Face à l'exclusion. Le modèle français. Paris 1991, pp. 137–169; Donzelot, Jacques: De l'exclusion comme état à la vulnerabilité comme processus. In: Affichard, Joëlle / De Foucauld, Jean Baptiste (eds.): Justice sociale et inégalités. Paris 1992, pp. 135–148; Parsons, Talcott: Full Citizenship for the Negro American? In: Idem: Sociological Theory and Modern Society (1965). New York 1976, pp. 422–465; Bourdieu, Pierre / Champagne, Patrick: Les exclus de l'intérieur. In: Bourdieu, Pierre / Accardo, Alain (eds.): La misère du monde. Paris 1993, pp. 597–603; Wacquant, Loïc, J. D.: De l'Amérique comme utopie à l'envers. In: Ibid., pp. 169–179; Dubet, François: L'exclusion scolaire: quelles solutions? In: Paugam, Serge (ed.): L'Exclusion. L'État des savoirs. Paris 1996, pp. 497–507; Bourdieu, Pierre: Symbiose fatale: ghetto / prison. In: Actes de la recherche en sciences sociales 39 (2001) (L'exception Américaine), pp. 31–53; Litz, Stefan A.: Die Zitadellengesellschaft: Soziale Exklusion durch Privatisierung und Befestigung urbaner Lebenswelten. In: Berliner Journal für Soziologie 10 (2000), pp. 535–554; Caldeira, Teresa P. R.: City of walls. Crime, Segregation and Citizenship in Sao Paolo. Berkeley 2000; Fassin, Didier / Morice, Alain: Les épreuves de l'irregularité: les sans-papiers, entre déni d'existence et reconquête d'un statut. In: Schnapper, Dominique (ed.): Exclusion au cœur de la cité. Paris 2001, pp. 261–311; Bommes, Michael / Halfmann, Jost (eds.): Migrationen in nationalen Wohlfahrtsstaaten. Theoretische und vergleichende Untersuchungen (Schriften des Instituts für Migrationsforschung und interkulturelle Studien). Osnabrück 1998; Luhmann, Niklas: Inklusion und Exklusion. In: Luhmann, Niklas: Soziologische Aufklärung. Vol. 6. Die Soziologie und der Mensch. Opladen 1995, pp. 237–265; cf. the contributions in: Bohn, Cornelia / Hahn, Alois (eds.): Prozesse von Inklusion und Exklusion: Identität und Ausgrenzung (Annali di Sociologia / Soziologisches Jahrbuch, vol. 2). Trient 2006.

2 The reader be reminded of the still frequently consulted essay by Luckmann, Thomas: On the Boundaries of the Social World. In: Natanson, Maurice (ed.): Phenomenology and Social Reality: Essays in Memory of Alfred Schütz. Den Haag 1970, pp. 73–100. It is described in this text how in some societies yams are addressees of communication and in some they are not; also cf. Sheehan, James J. / Sosna, Morton (eds.): The Boundaries of Humanity. Humans, Animals, Machines. Berkeley 1991, or Teubner, Gunther: Rights of Non-humans? Electronic Agents and Animals as New Actors in Politics and Law. In: Journal of Law & Society 33 (2006), pp. 497–521.

Thus, societal integration, all-embracing solidarity and inclusion into social relations of recognition or access in any of its multiple forms to relevant communicative orders are at stake now. Which of these is in focus is a matter of the theoretical categories employed and the presuppositions made about structures and modes of operation in present society. Analyses of these constellations are prone to a scandalizing tone or the form of ideology criticism. Such approaches usually do not even attempt to describe the relations in their present form, but rather hold fast to one of their past forms in order to canonize it as a normative frame of reference. If such types of analysis are to be avoided, one is to look to social scientific research for an adequate analytics that manages to go beyond current problems. Hence, my question is: What are the theoretical possibilities to analyze phenomena of inclusion and exclusion to be found in the social sciences? More specifically: How is inclusion and exclusion constructed as a problem for social scientific analysis?

Let it be noted: Here, the problem of inclusion and exclusion shall be dealt with as a problem for a theory of society. This includes organizations and interactions as objects of investigation. The analytics of inclusion and exclusion touches upon a problem that resides on the interface between the social system and the person. Hence, the ways in which individuals partake socially as persons are in question. In its focus on current problems, the new paradigm is concerned with law, economy and welfare as regulatory mechanisms. From a systems-theoretical perspective, this would involve questioning the universal effectiveness of the symbolically generalized media or codes of certain subsystems. Can realms of society be found where these are invalid or not in effect? This brings much more into focus than merely law, economy and welfare. From the view of the individual, the problem lies in the fit of personal careers of inclusion and societal process structures. From a diachronic perspective – and thus beyond current events, change in conditions for affiliation and, hence, non-affiliation is in question. Put in more abstract terms, the concern is whether social systems deem persons as relevant for participation or not, whether the latter are regarded as individuals or groups, whether they are adressable, whether they desire such access to communication or whether they are excluded temporarily

or permanently, intentionally or unintentionally. Thus, we can distinguish between explicit or inadvertent exclusions that are regarded as selections of social systems and self-exclusions that are regarded as selections of persons. However, historical instances of inclusion and exclusion always result from combinations of selections by self and others.

II. Self-descriptions and scientific analysis: surnuméraires, ghetto poor, vulnerabilité and precarization

The sociological description of the social is merely one among many. To distinguish between the various formats of description, Schütz proposed the distinction of first and second order constructions. Luhmann chooses the opposite perspective and speaks of an autological relationship between sociology and its object of analysis. Hence, we are dealing with a self-inclusive relationship of sociology to its subject-matter and a circular relation between both levels of description.[3] However, everyday concepts and historically varying semantics serve a practical function in certain historical constellations and social situations – providing, for instance, adequate responses in interaction with certain persons or manners of enforcing political platforms. In contrast, sociological analytics are motivated by a scientific cognitive interest. Thus, sociological interpretations of societal processes also pay heed to inner-theoretical plausibility and situate themselves within a history of a problem structure. A number of problematizing concepts that describe the aforementioned diverse phenomena of inclusion and exclusion have emerged simultaneously in everyday communication, the public sphere and the social sciences. Most likely there has been a circulation of these categories among the different contexts of use.

Castel originated the category of the »superfluous« (les surnuméraires). It signifies at least latently a certain disembarkment from the Marxian category of the sub-proletariat as reserve army.[4] Instead it is closely tied to the category of the »superfluous normal« (Donzelot), which suggests that risks of exclusion are by no means limited to minorities (the mentally ill, the physically disabled, criminals or the socially maladjusted). Exactly for

3 Schütz, Alfred: On the Methodology of the Social Sciences. In: Schütz, Alfred: Collected Papers. Vol. 1. The Hague 1962, pp. 207–259; Luhmann, Niklas: Die Gesellschaft der Gesellschaft. Vol. 2. Frankfurt a. M. 1997, p. 1128 and passim.

4 Cf. the chapter »Progressive Produktion einer relativen Überbevölkerung oder industrielle Reservearmee«. In: Marx, Karl: Das Kapital. Zur Kritik der politischen Ökonomie [1867/1890]. Vol. 1. Berlin 1974, pp. 657–670.

that reason, the present juncture is not primarily a problem for welfare politics. This seems plausible insofar as welfare politics during the period of its primary formation may be referred to as an institutional provision against exclusion.[5]

In the public and scientific debate in America, these positions are occupied by the concepts ›ghetto‹ and ›underclass‹, the latter of which Wilson recently proposed to replace with ›ghetto poor‹. Such categories of problematization denote structural effects that lead to segregation, differentiation of social space, and urban inequality; i. e. excluded parts of the population are spatially separated from the rest. This brings about extra-territorial constellations of social space that follow their own laws and structures.[6] Such considerations went on to focus more and more on aspects of racial segregation as, clearly, accumulating conditions of crisis and segregation predominantly affect members of ethnic minorities. Wacquant describes how the social structure in the ghettos is becoming increasingly homogeneous and security, living space, health care, education, and jurisdiction increasingly unavailable.[7] From the perspective of a theory of society one

5 Cf. Castel, Robert: Les Marginaux dans l'histoire. In: Paugam, Serge (ed.): L'Exclusion. L'État des savoirs. Paris 1996, pp. 32–42; Braun, Hans: Der Wohlfahrtsstaat als Medium der Inklusion und Exklusion. In: Bohn, Cornelia / Hahn, Alois (eds.): Prozesse von Inklusion und Exklusion: Identität und Ausgrenzung (Annali di Sociologia / Soziologisches Jahrbuch, vol. 2). Trient 2006; Donzelot, Jacques: L'invention du social. Essai sur le déclin des passions politiques. Paris 1994; Luhmann, Niklas: Politische Theorie im Wohlfahrtsstaat. München 1981.

6 Myrdal, Gunnar: Challenge to Affluence. New York 1962, p. 10, has argued before that victims and the generation following them accept their deprived situation and finally begin to produce their own values, norms and behavioral patterns in conflict with those of the rest of the population. For the concepts ›underclass‹ and ›ghetto poor‹, cf. Gans, Herbert J.: From ›underclass‹ to ›undercaste‹: Some observations about the future of the post-industrial society and it's major victims. In: International Journal of Urban and Religional Research 56 (1993), pp. 327–335; Wilson, William J.: The Truly Disadvantaged: The Inner City, the Underclass, and Public Policy. Chicago 1987; Gans, Herbert J.: Studying Inner-City Social Dislocations: The Challenge of Public Agenda Research. In: American Sociological Review 56 (1991), pp. 1–14; Gans, Herbert J.: When Work Disappears. The World of the New Urban Poor. New York 1996.

7 In 1950 more than half of all adults living in Southside Central carried a job and the ghetto had an employment rate hardly below the entire city's average. In 1980 nearly three fourths of all adults were unemployed. 85 % of all students now came from black or Latino families. As Wacquant puts it: »Toutfois c'est la politique urbaine d'abandon concerté de ces quartiers par l'État américain depuis les années 60 qui rend le mieux compte du caractère cumulatif et

may speak of an exclusion from the symbolic reach of law and from the instutionalized medium of power as well as of an inaddressability by communications within the health system. Now, the effective exercise of citizenship and access to audience roles seems to be in question as opposed to the movement in the sixties of the twentieth century that aimed to include all of the American population into citizenship – the context of Parsons article »Full Citizenship for the Negro American?«.[8] However, such exclusion in the form of segregation can also be seen as a consequence of an increasing inclusion of ethnic minorities. Likewise, the Brazilian Favelas that emerged in massive numbers between 1930 and 1940 constitute a phenomenon that can be explained by the inclusion into an urban labor market under conditions of a lacking urban infrastructure, rather than by exclusion.[9]

With the publication of »Sécretaire d'Etat à l'Action sociale« by René Lenoir, the term »les exclus« emerged in France as yet another category of problematization that circulated in both the public sphere and the social sciences.[10] It triggered a huge flow of research and political measures such as the political program of ›insertion‹ and on occasion also led to calls for a more moderate use of the term.

auto-entretenu du processus de dislocation sociale incriminé«; cf. WACQUANT, De l'Amérique comme utopie à l'envers (see fn. 1), p. 271; cf. also WACQUANT, Loïc J. D. / WILSON, William Julius: The Cost of Racial and Class Exclusion in the Inner City. In: The Annals of the American Academy of Political and Social Science 501 (1989), pp. 8–28; WACQUANT, Loïc, J. D.: Logiken urbaner Polarisierung. Der Blick ›von unten‹. In: Berliner Journal für Soziologie 11 (2001), pp. 479–489.

8 PARSONS, Full Citizenship (see fn. 1); PARSONS, Talcott: Introduction: Why ›Freedom Now‹, Not Yesterday? In: PARSONS, Talcott / CLARK, Keneth B. (eds.): The Negro American. Cambridge 1966, pp. XIX–XXIX.

9 Cf. for instance PINO, Julio C.: Labor in the Favelas of Rio de Janero. In: Latin American Perspectives 25 (1998), pp. 18–40; CALDEIRA, City of walls (see fn. 1).

10 LENOIR, René: Les exclus: Un Français sur dix. Paris 1974; also cf. KRONAUER, Martin / NEEF, Reiner: ›Exclusion‹ und ›soziale Ausgrenzung‹: Neue soziale Spaltung in Frankreich und Deutschland. In: Deutsch-Französisches Institut (ed.): Frankreich-Jahrbuch 1996. Opladen 1997, pp. 35–58.

III. Exclusion from the community (Gemeinschaft), exclusion-confinement, conferment of a special status

Castel's plea for a more restricted use of the »category of exclusion« is directed against applications that put the term on the same level as phenomena of degradation and social deprivation. For these, he holds the terms »desaffiliés«, »vulnerabilité« and »precarization« to be more adequate.[11] According to Castel, exclusion is »neither arbitrary nor coincidental«. Rather, it involves an order of proclaimed reasons and thus can be described as »a form of negative discrimination that is constituted according to strict rules«. This restricted use of the term »exclusion« is based on the work of Foucault and leads to a typology. In it, exclusion is understood as a) exclusion from the community (banishment, bans, elimination); b) exclusion-confinement (ghettos, leprosoriums, asylums); c) conferment of a special status (Jews in France on the eve of the French revolution, the situation of natives during the colonial period, various forms of census suffrage and the denial of women's suffrage). To me, Castels useful and historically erudite typology seems fit for an integration into a theory of inclusion and exclusion – however, it does not constitute one on its own. Foremost, it forgoes the insights of anti-essentialism and distinction theory, positing that we can only observe something by distinguishing it from something else. This means we can only come to systematic conclusions on the various historical constellations of exclusion from specific formats of sociality – subsystems, organizations, interactions, urban areas, political and religious communities – if we also investigate their respective modes of inclusion.

In the following, I would like to delineate three traditional lines of research that in one way or the other contribute to a theory of inclusion and exclusion in order to assess the extent to which they may be used as theoretical groundwork for an historically comparative research into inclusion and exclusion that is also theoretically adequate for the current situation. Not empirical detail is of interest here, but rather the general type of theory the studies at hand adhere to. Thereby, theory in its own right is granted a space where domains of reflexion already opened may be used as a point of departure.

11 Cf. CASTEL, Robert: Fallstricke des Exklusionsbegriffs. In: Mittelweg 36 (2000), pp. 11–25; also SOULET, Marc-Henry: L'exclusion: usage et mésusage d'un concept. In: Schweizerische Zeitschrift für Soziologie 24 (1998), pp. 431–458.

IV. Theories of inclusion and exclusion and their domains: social closure, deviance and differentiation of society

Any instance of differentiation and demarcation entails forms of inclusion and exclusion. Beyond that, the theories illustrated here have more circumscribed domains in the sense of Tarski.[12] If we look to those theoretical problems that extend into an analytics of inclusion and exclusion, we find theoretical aspects of social inequality, of deviance, and of differentiation. An exemplary theoretical focus on social inequality within such an analytics can be found in Weber's theory of social closure and its advancement by American neo-Weberianism as well as in the social theory of Bourdieu. Foucault's work on demarcation follows a deviance-theoretical line of argumentation. Finally, an articulation within a theory of differentiation can be found in the systems-theoretical framework of inclusion and exclusion, which takes on notions by Parsons and has been put forward by Luhmann. Meanwhile, if one were to ask which theories are superseded or replaced by an analytics of inclusion and exclusion, the answer would be theories of assimilation and of integration. Hence, I claim continuity in the first case, supersession in the second case.

1. Social closure and inequality

Weber's ›Theory of Social Closure‹ is based on his distinction between »open and closed social relations«. His focus was foremost on a type of collective action which pursues a consolidation of privileges vis-à-vis others. Classic examples include associations, guilds, professions, universities and titles of qualification, land use, nationality, religious affiliation etc. While Weber's analysis of internal closure is formulated from an inside perspective of associations, guilds etc., newer theories in his tradition take on the idea of »collective counteraction«. Social closure is now presented as a result of strategies which serve the purpose of monopolizing social opportunities, privileges, and ressources. Internal closure is answered with an alliance of the excluded. The theory of social closure is analytically complemented with the presupposition of an asymmetry of power between the excluding and the excluded. Citizenship, academic titles, professional opportunities, privileges, access, membership, and affiliations are now at stake in a competitive struggle. From this theoretical perspective, inclusion and exclusion may be seen as resulting from various types of

12 Tarski, Alfred: Einführung in die mathematische Logik. Göttingen 1966, passim.

strategies of action that manifest themselves in struggles for closure.[13] While this approach holds the consolidation of privileges via membership and exclusion of others to be the main objective of the struggle, an opposite dynamic is discussed particularly in Weber's sociology of religion. His treatise on Judaism describes a form of self-exclusion where non-affiliation is conceived as exclusiveness.[14]

To me, these descriptions seem to analyze exceptional cases of inclusion and exclusion laden with conflict and power issues. Hence, they cannot be generalized in the sense of a general theory. It is obvious – and a notion largely shared in the literature – that the phenomena of inclusion and exclusion on the verge of the 21st century can no longer be described as struggles for participatory rights or as consequences of the denial of such rights as was the case in former societies up until the Human Rights Movement in the 20th century. Incidentally, this insight is in accord with the notion held in literature that the modern order of inclusion and exclusion renders a ›no‹ increasingly invisible. Instead, what is in question is, firstly, the realization of the postulate of the functionally differentiated society according to which every member of society is granted access to all functions and, secondly, the paradox outcomes of such a program of general inclusion. The problem lies not with the struggles for access and inclusion, but rather with the results of former struggles better described as struggles for opening than for closure – and especially with the devaluation of such outcomes through generalized access.

These phenomena can be analyzed by means of the social theory of Bourdieu. Affiliation and exclusion as aspects of a theory of social inequality take on a modified form in Bourdieu's theorems of classification and distinction, which predominantly investigate the symbolic dimensions of social inequality.[15] Constantly at stake are access to positions, one's

13 Cf. Weber, Max: Wirtschaft und Gesellschaft. Grundriß der verstehenden Soziologie. Tübingen 1985 [1922]; exemplary for the neo-Weberians: Murphy, Raymond: Social Closure. The Theory of Monopolization and Exclusion. Oxford 1988, and follow-up studies, for instance Mackert, Jürgen: Kampf um Zugehörigkeit. Opladen 1999. An attempt to incorporate Weberian aspects into Luhmannian theory can be found in Schwinn, Thomas: Inklusion und soziale Ungleichheit. In: Berliner Journal für Soziologie 10 (2000), pp. 471–483; also cf. the compendium of recent considerations on research of social inequality by Idem (ed.): Differenzierung und soziale Ungleichheit. Frankfurt a.M. 2004.

14 Cf. Weber, Max: Gesammelte Aufsätze zur Religionssoziologie. Vols. 1 and 2. Tübingen 1988 [1920/1921]; also cf. Nietzsche, Friedrich: Zur Genealogie der Moral (1887). In: Idem: Sämtliche Werke. Kritische Studienausgabe. Vol. 5. Ed. by Giorgio Colli / Mazzino Montanari. München 1988.

place in the social space, and placement in the field of power, which in the end is decisive for power of definition and, with it, recognition throughout society. While struggles for recognition in premodern societies centered around the *enjeux* of honor – as documented by the earlier studies on Kabylia, the stakes are multiplied and differentiated in modernity: they are money and property, academic titles, scientific reputation, and the legitimate means to acquire all of these. The legitimate principle of legitimation is also constantly at stake. According to my reading of the theory, exclusion thus means: exclusion from societal relations of recognition. Thus, it can be predicated at least for premodern Christian Europe that not the poor or the needy were subject to exclusion, but rather the infamous in the sense of the dishonorable – as can be shown ex negativo. This is a finding in line with the notions of Luhmann and Foucault.[16] For the present situation, the theory of Bourdieu bears the potential of a theory of inclusion and exclusion that can examine modes of access to and elimination from the logics of recognition specific to a certain field. Moves that produce no effects in the game are the moves of the excluded. They are, as a matter of fact, no longer players in the game. Conversely, the attainment of a relevant position in the field – as examined in the case of impressionism entering the field of arts – may be described as inclusion.[17] However, the studies concerning the present development have a twofold focus: firstly, the effects of increasing risks of exclusion on the realm of inclusion; secondly, the devaluation and infinitely refinable calibration of the logics of recognition specific to a field as a result of increasing inclusion such as

15 Cf. Bourdieu, Pierre: Leçon sur la leçon. Sozialer Raum und ›Klassen‹. Frankfurt a.M. 1985; following Bourdieu: Weiss, Anja [et al.] (eds.): Klasse und Klassifikation. Die symbolische Dimension sozialer Ungleichheit. Opladen 2001.

16 Cf. Bourdieu, Pierre: Entwurf einer Theorie der Praxis. Auf der ethnologischen Grundlage der kabylischen Gesellschaft. Frankfurt a.M. 1976 [orig. Esquisse d'une théorie de la pratique, précédé de trois études d'ethnologie kabyle. Genf 1972]; Foucault, Michel: La Vie des hommes infâme. Cahiers du Chemin 29. Paris 1977; Luhmann, Die Gesellschaft der Gesellschaft (see fn. 3), p. 624 refers to this finding without analyzing it; historical evidence for Jews, heretics, »public children«, Sarazenes and lepers can be found in Ulysse, Robert: Les Signes d'infamie au Moyen Age. Paris 1891; also cf. Coleman, Janet: Scholastic Treatments of Maintaining One's Fama (Reputation/Good Name) and the Correction of Private ›Passions‹ for the Public Good and Public Legitimacy. In: Cultural and Social History 2 (2005), pp. 23–48

17 Bourdieu, Pierre: Les règles de l'art. Genèse et structure du champ littéraire. Paris 1992.

in the case of academic titles. Hence, we have here an analysis of consequences of inclusion that adopts a perspective of a theory of social inequality.[18]

2. Deviance and including exclusion

Foucault's analyses are often posthumously consulted and critically elaborated by research on inclusion and exlusion which follows an historical perspective. One of his first studies examines a typical pattern of exclusion: the exclusion of madness by reason. These analyses have a particular emphasis on the historical variation of discourses and dispositifs of exclusion that encompass their own institutional consequences. While premodern practices of inclusion and exclusion conceive of an exterior of society or a realm beyond, the typical modern pattern of inclusion and exclusion – that is my reading of the deviance-theoretical paradigm – consists in asylums and closed institutions. Exclusion is now no longer a matter of distancing through avoidance (as in the lepresoriums), but a controlled fashion of distancing through supervision (asylums, prisons).[19] Thus, this new form of exclusion is at the same time an inclusion to which I would like to refer as ›including exclusion‹.

In my view, this carries an insight which applies to more than merely phenomena of deviance and may thus be generalized to serve as an analytics of inclusion and exclusion. However, its current discourse-theoretical version lacks the dimension of a theory of society. Remarkably, exclusion in its form of alleged deviance drawing upon semantics of guilt, difference, and abnormality is a phenomenon that can be observed as the most widespread form of exclusion even from a far-reaching historical perspective.[20]

The »carceral system«, as the modern form of the deviance-theoretical inclusion / exclusion paradigm is called by Foucault, »ne rejette pas l'inassimilable dans un enfer confus, il n'a pas de dehors. Il reprend d'un côté ce qu'il semble exclure de l'autre. Il économise tout, y compris ce qu'il sanctionne. Il ne consent pas à perdre même ce qu'il a tenu à disqualifier.«[21]

18 Bourdieu / Accardo (eds.): La misère du monde (see fn. 1).

19 Foucault, Michel: Histoire de la folie à l'âge classique. Paris 1961; Foucault, Michel: Surveiller et punir. La naissance de la prison. Paris 1975.

20 Cf., for instance, Douglas, Mary: Witchcraft and Leprosy: Two Strategies of Exclusion. In: Man. New Series 26 (1991), pp. 723–736.; Foucault, Michel: Les Anormaux, Cours au Collège de France, 1974–1975. Paris 1999. [Engl.: Foucault, Michel: Abnormal: Lectures at the Collège de France, 1974–1975. New York 2003].

21 Foucault, Surveiller (see fn. 19), p. 352.

The including exclusion – Foucault calls it the craft of delinquency – turns out to be too simple and ineffective »if major violations organize themselves on a national or international level«. Examples include international drug traffic, arms traffic, or organized crime in general, as much as internationally organized terror, the mafia etc. They form subregimes which, in spite of residing outside of politics, the economy and law continue to carry a reference to them.[22] However, Foucault is forced to conceive of transnationality as ultimate boundary for including exclusion since the nation state is the topmost format of order in his analyses – ergo a theoretical option for organization and not society. In contrast, the systems-theoretical concept of world society makes a case for exclusion inevitably taking on the form of including exclusion. If society is henceforth only conceivable as one and isolated social spaces no longer exist, sociality can no longer occur in an exterior. Hence, any exclusion in world society is, in fact, always an including exclusion.

3. Inclusion / exclusion as a structure of societal differentiation

Evidently, Foucault's work and the systems-theoretical approach have the analysis of historically varying patterns of inclusion and exclusion in common. Luhmann, as well, conceives of regimes of inclusion and exclusion as historically varying and strictly relates them to the societal mode of differentiation. Putting it simply, one could sum up the corresponding theory of Luhmann as follows: contrary to Parsons all too linear conception of socio-cultural evolution as increase in »adaptive upgrading«, »differentiation«, »inclusion« and »value generalization«,[23] Luhmann posits a nondirectional relation between differentiation and the variable inclusion / exclusion. Thus, modes of differentiation are »rules for repeating differences of inclusion and exclusion within society, but at the same time they are forms which presuppose that one takes part in differentiation and its rules of inclusion without being also excluded from the such«.[24] If inclusion / exclusion is a difference internal to society, inclusions *and* exclusions occur within society. Surely, exclusion still refers to an »exterior« in segmentary societies (killing, banishment, breaking off of contact). As an operation, however, it does occur within society. In stratified societies, inclusion / exclusion has already become a difference internal to society insofar exclusion from a stratum, a territorium, a congregation, a household meant inclusion into another social sphere, at worst harborages such as monasteries, workhouses, dishonorable professions, or other designated positions. Thus, exclusion does not mean exclusion from society, even in its late medieval and early modern form of an explicit politics of exclusion. Rather, it is a regulatory installation within society which in some cases confers a special status.

In functionally differentiated society, the problem of inclusion and exclusion takes on an entirely different form. The organizing principle in stratified societies relies on inclusion or exclusion of individuals. In contrast, regard for individuals becomes precisely problematic in functionally differentiated society. Stratified societies are based on inclusion. Membership in society is constituted through membership in a caste or an estate of a particular stratum that is closed via inclusion / exclusion. One can only be a member of no more than one subsystem. Individuality follows from social inclusion insofar as it is obtained through conferment of a social status. Inclusion is based on heritage and household membership. This applies to slaves and servants as well. The social position specifies inclusion and, consequently, the individual form of life. However, as this classic pattern of inclusion dissolves, contingent sequences in form of individual careers begin to inhabit the interface of individual and society. Henceforth, the pluralized or multiple forms of inclusion into the subsystems of society tend to correlate. Yet, they are neither integrated nor convertible into one another.

Patterns of inclusion and exclusion induce and maintain order in societies that are primarily structured hierarchically through strata – this is also a possible reading of Weber's analysis on the consolidation of privileges. In contrast, access to all subsystems is in principle open to anybody in modern society with its primarily functional mode of differentiation. Consequently, its self-description presumes an inclusion of the whole population in all societal subsystems. In contrast to hierarchically organized subsystems, functional subsystems see neither motive nor legitimacy for exclusion.[25] In modernity, motives for exclusion lie at the level of

22 Cf. Foucault, Surveiller (see fn. 19), p. 357 (my translation) and passim; an articulation of the aspect of societal sub-regimes in American ghettos with Foucault's work on the prison can be found in Wacquant, Symbiose fatale (see fn. 1).

23 Parsons, Talcott: The System of Modern Societies. Englewood Cliffs N. J. 1971, p. 26.

24 Luhmann, Gesellschaft der Gesellschaft (see fn. 3), p. 622 (my translation).

25 Cf. Luhmann, Inklusion und Exklusion (see fn. 1); Luhmann: Gesellschaft der Gesellschaft (see fn. 3), esp. chapter four and passim.

organizations and, situationally, also at the level of interactions. While inclusion is the standard scenario on a societal level and general inclusion logically inherent to the self-description of functional differentiation, organizations conversely have exclusion as the standard scenario and legitimately so. With the all-inclusive order of modernity comes a severe change in the self-understanding of individuals. The new form of individualization is recognized as exclusion individuality.[26] Since a conditioning of individuality is no longer warranted nor suggested by the social structure, individual biographies now amount to risky career-oriented options of persons in light of scarce and highly structured offers of inclusion by function systems.

It is my thesis that the type of theory best suited to analyze a particular case as an instance of all possible cases from an historical as well as synchronous perspective would be a paradigm within a theory of differentiation taking on deviance-theoretical elements.

4. Syntheses and revisions

I can now specify my remark that problem structures from research on social inequality and deviance extend into the analytics of inclusion and exclusion, yet do not comprise it: the concept of inclusion / exclusion is of concern to research on social inequality with regard to issues of inclusion. However, these issues do not exhaust this line of research as inclusion and exclusion allow for equality as well as inequality. Inclusion is an open principle informing solely about varying conditions of access, membership, and adressability in different historic and cultural contexts. However, contemporary research on social inequality examines the infinitely refinable calibrations in defining successful appropriations as a result of such access – for instance in the sense of equal rights – and their social evaluation. Research on social inequality thus complements research on inclusion in some respect, yet leaves out many other aspects of inclusion and exclusion. The paradigm of deviance, on the other hand, adds to issues of exclusion within the concept of inclusion /

26 Cf. Luhmann, Niklas: Individuum, Individualität, Individualismus. In: Luhmann, Niklas: Gesellschaftsstruktur und Semantik. Studien zur Wissenssoziologie der modernen Gesellschaft. Vol. 3. Frankfurt a.M. 1989, pp. 149–258; Luhmann, Niklas: The Individuality of the Individual: Historical Meanings and Contemporary Problems. In: Heller, Thomas C. / Sosna, Morton / Wellbery, David E. (eds.): Reconstructing Individualism. Stanford, Calif. 1986, pp. 313–329; Bohn, Cornelia: Individuen und Personen. In: Bohn, Cornelia: Inklusion, Exklusion und die Person. Konstanz 2006, pp. 49–71.

exclusion. Again, however, they are not identical, as deviance is only one of many occasions for, or consequences of, exclusion, among them scarcity, regional disparities or such related to labor market policies, religious and cultural differences, biographical ups and downs, self-exclusions however motivated, and cumulations of all of the above.

It is not difficult to find the paradigm of deviance on the descriptive level in the theory of Luhmann. For premodernity, one need only think of heresy, infamy (dishonorability), or excommunication as modes of exclusion. For modernity, the recurrent descriptions of illegitimate access to power and money as the »flip side« of differentiation come to mind as in the case of patronage, clientelism, or corruption. Foucault's analyses of modernity only broach the issue of the boundaries of statehood. In contrast, a theory of society is capable of capturing the fact that couplings of media and codes such as law, money, and power face clear limitations. Hence, deviance may also be understood as a form of communication which deviates from normal structural requirements of society. For, even if money which was extorted as protection money enters the economic circulation as payment – thus momentarily including the payer in communication, this procedure bypasses the structural coupling of law and economy by breaking conventions of property and contract. How can it be established whether legally invested capital was illegally produced? A similar argument can be made for terrorism as a global event, which in my view is a combination of self-exclusion and including exclusion. Naturally, in this case the including operation is neither an economic, legal nor political one, but one of the mass media instead.

Hence, inclusion / exclusion itself is a distinction internal to society that may be conceived as a structure of societal differentiation – just like center / periphery or globalization / regionalization. This opens the possibility of a comparative approach from an historical and synchronous perspective followed by a systematization, abstraction and re-specification of the findings. Thereby, heterogeneous phenomena may be analyzed, such as the complex regime of inclusion in the ancient city-states among citizens of the polis, Metics and cosmopolitans, the inclusion of foreign rulers into the cultural context of Egypt during its Greek-Roman period,[27] the Jews during the Middle Ages of Europe, who were included into the urban area yet excluded from all political and religious affairs;[28] the lecturer

27 Cf. Pfeiffer, Stefan: Entstehung und Entwicklung einer multikulturellen Gesellschaft im griechisch-römischen Ägypten. In: Jahrbuch der historischen Forschung in der Bundesrepublik Deutschland 2004, pp. 15–25.

28 Cf. Cluse, Christoph: Jewish community and civic commune in the high Middle Ages in this volume.

in England during the 19th century, who embodied popularization as a pattern of inclusion into science; finally the roles of professionals and audience roles in the modern regime of inclusion and exclusion. Furthermore, it allows the distinction between forms of inclusion and exclusion that work towards the respective social structure as part of its normal profile and those that do not blend in with the respective society's self-description. Auditing the inventory of patterns of inclusion and exclusion, one cannot help but notice that the legitimate and codified practices of inclusion and exclusion are substantially more elaborated on the side of exclusion in hierarchically structured societies while functional differentiation comes with a disproportionately intricate regulation of practices of inclusion. Stratified societies in Europe exhibit excommunication, bans, infamy and dishonorability, damnation, dehumanization through labeling or stigmatizing, formation of ghettos, formation of lower-ranking ethnic classes, lack of rights, politics of settlement, nostrification or waiving of nostrification, privileging or disprivileging conferment of a status, corporations, protection by the king (Königsschutz), hospitality, positions with direct access to the monarch (Immediatstellungen), denial of the status as person, expulsion of strangers, galley-slavery, death penalty, banishment from the city or country, outlawry, deportation, and many others. On the other hand, functionally differentiated society exhibits an abundance of institutionalized and systematized regulations of inclusion, for instance general legal capacity, general compulsory schooling, general inclusion into citizenship and welfare, membership in organizations, the professional and audience roles in function systems in general, property and income, as well as entry into a religious organization. These inductive findings are substantiated by systematic considerations. Stratified societies presuppose inclusion since people are included through membership in one and only one stratum at the outset. Thus, exclusion must be legitimized and systematized. Conversely, functionally differentiated societies presuppose exclusion: The exclusion individual, though socially generated, is no longer socially present as a whole. Hence, inclusion throughout society is regulated via social construction of persons, their addressing on occasion, and through institutionalized professional and audience roles.[29]

29 Stichweh, Rudolf: Inklusion und Exklusion. Studien zur Gesellschaftstheorie. Bielefeld 2005, esp. pp. 95 ff. and passim, can show that the principle of general inclusion is realized in varying structural manners in the different function systems. While in the systems of economy, religion, politics and health professional roles are complemented by audience roles (consumers, believers, citizens, patients), science resorts to indirect inclusion via education and ubiquitous popular communication.

If inclusion and exclusion may be conceived as a structure of differentiation in an historical type of society, this is not without consequence for the theory of differentiation itself. If conditions for inclusion specify the form of the social order and the excluded embody the opposite eventuality, exclusions carry a constitutive reference to this order. After the above presentation of historical and empirical examples, however, this present version of a rudimentarily developed analytics of inclusion and exclusion within a theory of differentiation still requires some modification and specification. I shall name merely a few points.

Firstly, the question of the primacy of a mode of differentiation is of interest in light of historical practices of inclusion and exclusion. Patterns of inclusion and exclusion not only vary historically, regionally, and among subsystems such as strata, function systems, organizations, and interactions. Plural patterns of inclusion and exclusion can be observed within these formats, as well. Thus, stratified societies exhibit abundant modes of exclusion for which membership in strata is of no relevance. The distinction domestic / foreign is in many societies compatible with numerous different levels of order such as kingdoms, urban areas, families, households, or congregations. This leads to highly dissimilar, even contrary patterns of inclusion and exclusion.

A similar statement can be made for functional differentiation. The reader be reminded, for instance, of the descriptions of practices of inclusion and exclusion within urban areas at the outset of this article. Moreover, if one considers the contingency of formats such as interaction, organization, and society, it becomes apparent that patterns of inclusion and exclusion generate structures of an autonomous logic which may even operate opposedly on various levels of order. Consequently, this means we may find strictly factual aspects relevant to inclusion and exclusion within stratification and, vice versa, regional or cultural aspects of said relevance within functional differentiation. Thus, it becomes obvious that various forms of differentiation may coexist and mix within practices of inclusion and exclusion. From this follows, furthermore, that inclusion and exclusion are not a mere application or example of the primary form of differentiation, but can often even put it into question.

Secondly, the relationship between social structure and semantics for concrete regimes of inclusion and exclusion in a given society is in need of specification. As can be shown for the late Middle Ages in Europe, the

Christian conception of the hereafter in form of *salvation / damnation* as pattern of inclusion / exclusion is paramount throughout society. However, it is not a derivative of stratification, it even undermines it subversively. Presently, a similar question could be raised in light of suicide bombings and islamic terror, which support a conflictive substructure in the field of world politics with their religious semantics. Semantics can buttress and legitimize regimes of inclusion as in the case of the semantics of human rights and equality enforcing the modern imperative of universal inclusion. However, they may also challenge and contradict the established structure, modify it, or exist alongside it as counterstructure. My argument pertains to two aspects: a. the yet to be clarified relation between discourses / semantics and practices; and b. the structures, sub-regimes and symbolics within realms of exclusion that are overlooked by Luhmann as well as by Foucault.

Thirdly, if there are such things as realms of exclusion – be it in the form of institutions of including exclusion or in the form of segmentation of social space, they too will exhibit symbolism to be examined by sociological research. Goffman's analyses on including exclusion may serve as a starting point for an articulation with state-of-the-art theory. In showing that any form of surveillance or internment will lead to a form of »underlife«, these analyses not only go beyond Foucault, who examines discourses yet disregards practices.[30] They also go beyond Luhmann and his thesis that symbols are absent from realms of exclusion insofar as they are capable of showing that the latter also produce complex rules and regulations as well as symbols.[31] Their respective relation to the fields of inclusion is an empirical question.

The finding of multiply entwined patterns of inclusion and exclusion (including exclusion, combinations of membership and non-membership) presupposes – as shown – that these are differences internal to society. Beyond that, and this is my *fourth* point, it suggests conceiving of this distinction not as a binary opposition, but rather as a continuum with both ends merging indistinguishably. The semantics of Hellenes and Barbarians, according to which Hellenes cannot be Barbarians and vice versa, still followed a binary opposition that was committed to a hierarchical cosmological architecture as warranty for order – notwithstanding the ancient practice, of course.[32] The example of the Jews shows that strangers can become locals and

30 Goffman, Erving: Asylums: Essays on the social situation of mental patients and other inmates. Chicago 1961, pp. 157–281; for an explicit critique of Foucault's ideal of surveillance from a historical perspective, cf. Perrot, Michelle (ed.): L'impossible prison: recherche sur le système pénitentiaire au XIX^{e} siècle. Paris 1980.

31 Cf. Luhmann, Gesellschaft der Gesellschaft (see fn. 3), p. 332 f.

locals can become strangers. The same argument can be made for nationstates and the semantics of the domestic and foreign stranger in the 19th century up to the contemporary generalized alienism casting aside the distinction locals / strangers altogether. Furthermore, the deviance-theoretical distinction normality / abnormality is not a binary opposition of fixed entities, either. Rather, normality must constantly be wrest anew from abnormality just as something formerly abnormal can become a normality and vice versa. For the fields or function systems of politics, economy, religion, art, the threshold at which something barred from the system is perceived as normal on the inside is blurred: uncertainties of expectations in the legal system in light of habitual practices of overlooking; networks that help truths gain validity and power gain stability; lastly, income sources independent of the market which pose problems of economic incalculability. An extreme example for such a continuum of inclusion and exclusion can be found in Agamben's analysis of the modern political field. Here, the exception becomes the rule and increasingly amounts to politics altogether, and »thus exclusion and inclusion [...] law and fact fall into a zone of irreducible indistinguishability«.[33]

Fifthly and finally, practices of inclusion and exclusion often are scaled and limited on a temporal as well as factual dimension. Usually, they form a combination of inclusion and exclusion – for instance, the status of the stranger was a combination of affiliation and non-affiliation. Taking into account religious semantics as societal structures – and this seems advisable especially in the case of societies oriented towards a hereafter, this would also apply to »irreversible« forms of exclusion such as death;[34] even galley-slavery is temporary. Inclusion and exclusion are usually limited in factual and temporal regard and seldom irreversible.

Translated by Martin Petzke

32 Luhmann, Niklas: Jenseits von Barbarei. In: Luhmann, Niklas: Gesellschaftsstruktur und Semantik. Studien zur Wissenssoziologie der modernen Gesellschaft. Vol. 4. Frankfurt a.M. 1995, pp. 138–151 refers to these »conceptual dispositions of the old world« (ibid., p. 139, my translation) with attention to Koselleck's asymmetric antonyms and Dumont's hierachic oppositions (englobement du contraire). Pfeiffer, Entstehung (see fn. 27) can show that the practice of inclusion within society deviated from these hierarchic semantics resting on irreconcilable oppositions.

33 Agamben, Giorgio: Homo sacer. Die Souveränität der Macht und das nackte Leben. Frankfurt a.M. 2002, p. 19; also cf. Agamben, Giorgio:. Homo sacer 2.1. Ausnahmezustand. Frankfurt a.M. 2004 (my translation).

34 With regard to including / excluding burial practices cf. Iogna-Prat, Dominique: Ordonner et exclure. Cluny et la société chrétienne face à l'hérésie, au judaisme et à l'islam 1000–1150. Paris 2000.

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in Europe and the Mediterranean World
from Classical Antiquity to the Present Day

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