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1. Health as a “Symbolic Media”

The idea of “generalized symbolic media” of Talcott Parsons made a breakthrough in the social systems theory. Unfortunately, the awareness of it is not a widely shared sense among social scientists.

The idea mainly concerns with theorization in social change and not just in social integration. Parsons’ notorious and stereotyped image” of the theorist of the assertion of “integration by common-value” may be altered if one realize his introduction of the idea of the generalized media in the social evolution theory.

In the theory of social evolution, Parsons talks about “potentiality” and “flexibility” for the social change. In the discourse, Parsons’ idea of “generalized symbolic media” as a new tool for analyzing social transformation reveals a great efficiency. In this context, the “symbolic media” are meant to be devices for the generalization of mutual anticipation and expectation among actors, create mutual trust in a long run, yet reserve deeply flexible responses toward each other, and through the feedback (reflexive) mechanism, provide a pool of massive potentiality for flexible correspondence with or regulation of changing situations and create innovations in social world.

In this sense, in combination with the conception of “generalized symbolic media,” one can analyze the transformation of society or social change in terms of these newly introduced ideas of evolutionary potentiality for innovations.

I have argued in a separate paper on the idea in relation with social change through Parsons’ assertion of “value—pressure,” from the vector of value—orientation of cybernetic hierarchy. In the present paper I will develop another discourse on the same issue but from the opposite side of the cybernetic hierarchy, namely from the “conditional element” side. “Health” is a subject stemmed from human body, behavioral organism, thus the side of conditional element in Parsonian paradigm of human action.

“Health” is a “generalized symbolic medium” focused in the social system according to Parsons. More precisely, it is a bridging media between organic condition and socio—cultural system.

The idea was basically inspired by the case of “money” as a generalized media of

exchange among people. Among the four generalized symbolic media, money is “anchored” in a sector of economy, but circulating among all the four systems. Other media in the social system level are; “power” anchored in polity, “influence” in societal community, and “value—commitment” in fiduciary (latent pattern maintenance, cultural) sector.

In this context, generalised symbolic media” is meant to be a stabilizing yet flexible (keeping “freedom of choice”) mechanism to cope with uncertain situations, especially those of the social situation. Parsons suggests that “health” may be another “medium” to bridge “between the organic and the phenomena of culture or action” (Parsons, 1979, p.22) by interchanging this medium of “health.”

However, health as a symbolic medium is positioned at the level of behavioural organism, different from the level of social system as a whole. The medium of “health” comes up from the level of behavioural organism, in other words, from the body, and is input to the social system as a whole. Then, the social system as a whole take this input to articulate it with social system intervened by the four symbolic media.

Once the medium of “health” is input, then above-mentioned four media on the social level come to the fore to create a new social institution to cope with the input. This is a transformation process of creating new social institutions by the input from the body, conditional element for the social system. In the process there occurs the selection, elimination, and innovation processes through intervention of these four symbolic media.

Figure 1. shows this whole process of the transformation. There are two different vectors of the transformation namely from the telic system side and from the conditional elements side (among those, in the context of this paper, body is the most important) toward the social system. Sociologists call the transformation the “institutionalisation” in social system level.

Fig.1 is made from an article which he contributed to the volume entitled *Structural Sociology*, edited by Inno Rossi, which appeared in 1982, but was written in 1979, the year of his death.

In this article Parsons mentions many thinkers such as Claude Levi-Strauss, Noam Chomsky, Roman Jakobson and physiologists such as James Dewey Watson, the descrier of the double helix structure of DNA, and so on.

In the article Parsons’ centers his theorizing in the “articulation”(using Parsons’ own term) between deep structure and surface structure or latent structure and patent structure. In latent structure there are two elements derived from different theoretical

sources. One, “constitutive symbolism” comes from Durkheimian tradition; the other, the Telic System, from Weberian sociology of religion. Other elements he takes from physiology, such as an argument on genotype, DNA as information, code and program. To indicate the transformational process from the deeper, latent structure to the surface, patent structure, sociologists term it a process of institutionalization, as Parsons put it.

At the same time, however, another process may be traced in the opposite direction or vector; that is, from the surface, patent toward the deep, latent structure. This is the transcendental orientation of charisma, religion in general, or the Utopian consciousness. Furthermore, in these processes of double direction, there are some agencies which intervene. These are, according to Parsons, the “generalized symbolic media”. In other words, these constitute the “mediating agency” which intervene in the process of this transformation (institutionalization) to create, select, combine and innovate.

Along the vector from telic to social, the issue is “value-pressure,” while for the vector from conditional elements (body) to social, one of the issues will be “health.”

As the case of “money” as the medium, both “poor” and “rich” are measurable by the same medium of money, health is a measurement not just for a positive, good condition, but also can be negative, bad condition of human body, such as illness. In other words, the idea is to make it talkable or make it become aware of illness through the medium of “health.” In contemporary context, there has been spreading so many epidemic diseases such as HIV, SARS, and so on. Because of the situation, we are forced to be in the position to talk about “health” transforming and utilizing this notion to cope with the situation. By “interchanging” (Parsons) health as a medium between body and social system, and transforming the notion in the process, one can be talkable on new types of these illnesses.

It seems to me to be the case that Parsons always starts with a sense of “uncertainty” on almost every level from physical body to value system. If I may use Bryan Turner’s terminology, Parsons starts with the sense of “vulnerability of body” in his perception of this “uncertainty” including the level of conditional element, physical body. Then Parsons moves to the arguments on the bridging process between physical to social and cultural levels using the medium of the “health.” The process of transformation, according to Parsons, always involves innovation and creation, in short, involves social change. Institutionalization process is a social change as social evolution for Parsons. In these processes, it also concerns that opposite vector from social system side to telic or physical body side. Institutions once established, again if I could use B.

Turner's term, they can be "precarious" to human body. In this sense, all the institutions have aspects of "precariousness." Coping with HIV epidemic, for instance, existing institutions appear to be having terribly shortcomings and the process of creating new institutions for the epidemic we can simultaneously create new problems. Here we need a feedback system from social system level to conditional level to improve the situation.

If I may continue to try to connect Parsons' basic framework to Turner's ideas on sociology of body and human rights as a contemporary or frontier arguments, one of the considerable points is the issue of universalism or, what ever you name it, some elements which transcend relativism. Parsons' achievement on this issue was termed "paradigm of human condition," and he clearly was talking about the human condition in general or universal human condition, conditioned basically by "vulnerability" (Turner), or "uncertainty" (Parsons) of body.

As I mentioned, once "health" as medium in-put to social system, it becomes an issue of social system. My main focus following will be this process within the social system especially on the issue of sociology of law.

2. What is Law for a Society? Positioning Law in a Society as a Whole in Parsonian Sociology of Law

My next step is to combine previous arguments with the discussions in sociology of law with specific attention to an exploration of Parsonian sociology of law.

Sociologists always talk about norms, which regulate social interaction among persons. Then what is the fundamental difference between norms in general and law? Corroboration or endorsement (enforcement) of laws by power may suggest the difference. However, the line that separates these two is not always so clear and sometimes ambiguous. One can even say these two comprise a continuum, and the idea of the continuum or continuity is what sociology of law is all about.

In an interestingly titled article, "Law as an Intellectual Stepchild" (1977), Parsons criticized four different types of absolutism in a society, discussing the issue of positioning law within a society as a whole according to his scheme of AGIL (or LIGA—in reverse clockwise order)—dimensions or phases. The four sectors of the society as a whole are, respectively, the [A] economy, [G] polity, [I] societal community, and [L] fiduciary system.

These four absolutisms are, according to Parsons, often connected with the tendency of "de-differentiation," namely the "single-factor theory."

From the standpoint of "moral absolutism", seen from the dimension of [L], the fiduciary system, the phase of value-commitment, law, (sanctions by law), appears to be

a too “technically” reasoned arrangement, and thus look like the “intellectual stepchild.” This is not exactly Parsons own standpoint but he directs his criticism to R. Bellah’s stance. However, Bellah’s stance does not totally run against Parsons’ standpoint as a sociologist who considers broader norms not confined to law taking place among people’s daily interactions. At the same time, he criticized this “moral absolutism” as exaggeration against the actual effect of law in embodying people’s value concern in their daily life.

Parsons criticized four types of absolutism each having an intimate connection with the LIGA sectors of society, namely “moral absolutism,” “law absolutism,” “polity absolutism,” and the “economy absolutism,” and argued that law is “anchored” primarily in the dimension of [I], the societal community, (the phase of solidarity), but should have cooperation and interpenetration with the other three phases. The focal point, he states, is avoiding the four Absolutisms and maintaining the balance among the four phases. But one of the points of dissatisfaction with Parsons’s paper is that he suddenly ends his argument on this negative suggestion, and leaves any positive further theorizing to the reader.

Although it may be too difficult to theorize further on this, one may suggest a few issues related to his arguments. Parsons left the characteristics of law seen from the other three dimensions unnamed, except the “Law as an Intellectual Stepchild”, the Bellah’s stance. The naming contains irony because sanction should be exercised through genuine “value-commitment” and not by coercive enforcement by power, namely by law. In this sense, law looks like the “stepchild.” In this vein, for [A] economy absolutism, law should essentially remain as a night watchman in the night watchman state. However, law actually goes beyond the function of the night watchman. There are excess parts beyond that. Therefore seen from the perspective of the absolutism, law may be termed a “Sceptophilic Night Watchman”, I will call. While for [G] polity absolutism, law should essentially be an empowered sovereign ruler yet actually law that is not empowered to that extent and too casually exercised, can be termed “Law as a Frail Sovereign”. Like “King Lear” who has to negotiate with his own daughters in asking them to treat him decently, law tends to have to be in the process of negotiating when exercising its power. For the [L] dimension, from the standpoint of “law absolutism,” while law should be rigidly formalized system, but actually law goes beyond the function such as “interpretation,” and there are excess parts in societal community, so it can be termed a “Law as a Route to Solidarity and Reasonable Social Change.”

So what? In the *Social System* published in 1951, Parsons put his arguments on

social control by norms through social interaction in terms of the sanction-reward type of theoretical framework. But we know that after this period Parsons developed the new idea of interchanging the generalized symbolic media between the four sectors, and that this idea makes the theory much more flexible while avoiding the starkness.

We can, I think, combine this idea with the conceptualization of the “Law as a Route to Solidarity and Reasonable Social Change” considering the interchanging “symbolic media” with the other three sectors or phases.

It seems to me that the “trans-status quo mental movement” or “transcendental orientation,” is deeply embedded in Parsons’ theory construction. Keeping this in mind, we can summarize Parsonian sociology of law in the following way:

- (1) The primary focus of law should be “anchored” in the “societal community” (the “I” sector).
- (2) However, at the same time, there should be a deep interchange processes in terms of the “generalized symbolic media,” with other sectors of society, namely, polity, economy and value (culture).
- (3) Fundamentally, law is not only a device for an adaptation to status quo, for restitution, but also for the route to social change. Just as Parsons put it in “Mental illness and Modern Society,” coping with mental illness, deviance or charisma, norms have double meanings and functioning that lead to revolutionary (creative) social change, and, at the same time, serve as a defense of social order.

Moreover we can apply these arguments to contemporary settings in the age of globalization. As current conspicuous phenomenon on world, globalization is usually referred to as the worldwide spread of the uniform economic system called market economy. In this context, we are again living in the age in which “economy Absolutism” is overwhelming.

In other words, we are facing the problem of deconstructing “economy Absolutism” in quite a new stage, that of de-regulation, the neo-liberalism and a much more thoroughly market-oriented society.

Under the circumstances, it seems to me that the point lies in the real process of globalization. In this process, things globalized are actually not confined to the economic. Cultural phenomena are also globalized as R. Robertson puts it. There are many globalized cultural images, figures and events. The most interesting events taking place at the same time are, however, a sort of revival or revitalization of indigenous cultures or counter- (re) invention of traditional, or folk cultures in various local areas around

the world. A really new quality of these phenomena lies in their intertwinement with the “global arena”(R. Robertson). The revival of these local cultures is a sort of reaction against globalization within the framework of its worldwide process. In short, culture matters, even in this new stage of market-oriented society.

Law has to cope with this newly revised “glocalised” (globalised + localised) culture in the advanced market-oriented society. In this situation, “Law as a Route to Solidarity and Social Change” anchored in societal community, should have the cooperation of the sectors-phases of culture (L) and polity (G), interchanging the symbolic media of “value-commitment” (L) and “power” (G), and should react to the overwhelming hypertrophy of economy sector (A).

“Health” as a symbolic medium comes through the route of “A” sectors, adaptation area to environment such as behavioral organism. Yet once it enters into the social system, it becomes an issue mainly concerns with the other three sectors of society namely polity, societal community and fiduciary (cultural) system. The focus here should be centered on the cooperation between polity (power), societal community (law), and culture (value-commitment).

In the process we need to activate the scotophilia of the night watch man, the frailness of the sovereign-state, and especially the support of value-commitment as complementary to law’s “intellectual stepchild-ness,” to warmly embrace the “stepchild.”

For instance, to activate the frailness of law, one can interchange the medium of “power,” sometimes in-put it into the sector of polity to balance the frailness and sometimes reduce the power to keep the frailness. To activate the law as a route to solidarity, one can in-put “value-commitment” to balance the stepchild-ness, or sometimes reduce “value-commitment” to keep the formality of law.

From the issue of “health” to the human rights to take shape, there should be many steps. In these steps, symbolic media of power, influence, and value-commitment are the intervening elements in the process of the taking concrete shape.

In researching the steps and processes, Parsonian sociology of law may provide a theoretical map for exploration of the field.

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