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MEDIA TECHNOLOGY AND COUNTERPUBLIC SPHERES: SOME COMMENTS ON THE CRITIQUE OF HABERMAS

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ABSTRACT

MEDIA TECHNOLOGY AND COUNTERPUBLIC SPHERES: SOME COMMENTS ON THE CRITIQUE OF HABERMAS

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This essay develops and expands upon Habermas' critique of systematically distorted communication, though in ways that break with some of Habermas' own philosophical assumptions about the nature of rationality and the preconditions for political action. I intend to trace the transposition of the concrete concern for systematic distortions of communication in a media-saturated public sphere by Habermas' formalist theory of communicative rationality, which ultimately brings him back to the same Liberalism his earlier work seeks to critique, or at least avoid. Drawing from the poststructuralist philosophy of communication of Baudrillard and his followers, I attempt to reconstruct something like a critique of systematically distorted communication without falling into the political fatalism sometimes associated with the poststructuralist paradigm. By replacing Habermas' Kantian universalism with a type of moral particularism, I try to formulate a conception of 'counterpublics' with the critical capacity to resist the imposition of cultural orthodoxy through media technology

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In his early work *The Structural Transformation of the Public Sphere*, Habermas takes seriously the claim that advanced media technology has a negative effect on functional human communication. In this respect he is consistent with traditional Critical Theory which, following Weber, undertakes a critique of technological rationalization. However, in Habermas' mature theory, this concern is eclipsed, on the one hand, by an ideal theory of communication which says relatively little about non-ideal institutions that "systematically distort" communication, and on the other hand, by an increasing focus on properly "political" institutions and the formal structure of law, exemplified by his later work *Between Facts and Norms*.

This essay develops and expands upon Habermas' critique of systematically distorted communication, though in ways that break with some of Habermas' own philosophical assumptions about the nature of rationality and the preconditions for political action. I intend to trace the transposition of the concrete concern for systematic distortions of communication in a media-saturated public sphere by Habermas' formalist theory of communicative rationality, which ultimately brings him back to the same Liberalism his earlier work seeks to critique, or at least avoid. Drawing from the poststructuralist philosophy of communication of Baudrillard and his followers, I attempt to reconstruct something like a critique of systematically distorted communication without falling into the political fatalism sometimes associated with the poststructuralist paradigm.[1] By replacing Habermas' Kantian universalism with a type of moral particularism, I try to formulate a conception of 'counterpublics' with the critical capacity to resist the imposition of cultural orthodoxy through media technology, the process Habermas calls the "colonization of the lifeworld". I make this argument using concrete

examples drawn from recent work that investigates the role of marginalized groups in relation to the so-called "public" sphere.

My argument is located within the extensive discussion generated by the relatively recent translation of *The Structural Transformation of the Public Sphere* into English, which has produced many useful and important criticisms. However, partly as a result of the later translation of one of Habermas' earlier works, some of these criticisms do not adequately take account of the way Habermas subsequently developed, abandoned, or replaced the themes presented there. My contribution then, will be to try to distinguish these mistaken criticisms from the vital ones, those that remain unresolved or overlooked in the mature theory. In other words, I will attempt to evaluate Habermas' conception of the public sphere and the challenge presented to it by systematic distortions of communication, not in isolation or from an external standpoint, but internally, in light of the rest of his philosophical work. My conclusion, nonetheless, shares similarities with other critics of Habermas, who hold that a reconceptualization of the public sphere is necessary in light of the historical failure of the bourgeois public sphere.

1. Habermas and Historicity: The Kantian Imperative of Obedience

In *The Structural Transformation of the Public Sphere*, Habermas traces the conceptual history of the idea of 'publicity' and the 'public sphere' as well as the material history of institutions which purported to embody these concepts. It describes the rise of the bourgeois public sphere from its origins in literary circles and prepolitical social institutions. Corresponding to the development of these speech communities, Habermas describes the development of the communication technologies that facilitated them. The

rise of mercantilism and "permanent trade fairs" necessitated a permanent source of precise and reliable information about distant events, so that "the great trade cities became at the same time centers for the traffic in news."[2] However, these information centers were not yet public. The availability of such information was limited to "insiders" and neither the merchant class nor the feudal aristocracy had an interest in making it widely available. Yet, as capitalism superseded feudalism as the dominant mode of production, the economic realm became a public concern. At this point the bourgeois public sphere became fully functional, assuming the role of mediator between private "civil society" and the State. Further, this new public sphere marked the historical appearance of a new kind of collective power based not upon reputation or heredity, *but upon appeals to reason alone.* Newspapers and other forms of print media were the archetypal media forms that corresponded to this development.

As is well documented, the bourgeois class eventually transformed its social power into political power, either through gradual reforms as in the "model" case of England, or in a revolutionary way as was typified by the French revolution. With the bourgeoisie in power, the public sphere fragmented into classes, and a common interest no longer united them. Here, says Habermas, is the point at which the bourgeois public sphere can properly be called ideological.[3] The presentation of a common "public opinion" concealed the fragmentation of civil society into opposing classes. Yet, the legitimacy of the bourgeoisie's political power still depended upon a foundation of publicity: "The public sphere of civil society stood or fell with the principle of universal access. A public sphere from which groups would be *eo ipso* excluded was less than merely incomplete; it was not a public sphere at all."[4] From this point on, 'publicity'

must be actively produced by the ruling forces. New communication technologies facilitated this production of publicity, bringing about what Habermas calls a "refeudalization of the public sphere" where the means of mass communication are accessible only to a privileged few. The rest of the "public," excluded from accessing these communication technologies, is reoriented toward consumption, both literal consumption of goods and consumption of information which is unidirectionally provided from the top down.

With no legitimate public sphere to mediate between the state and civil society, the two collapse into each other, so that in welfare-state capitalism, "certain functions in the sphere of commerce and social labor are taken over by political authorities [and] conversely political functions are taken over by social powers."[5] The "intimate sphere" of the bourgeois family is no longer strictly private. That is to say, among other things, that the family is no longer the primary agent of social integration. The family is no longer considered as a self-sufficient unit, rather its members are considered as individual consumers. As one might imagine, this disappearance of the private "intimate" sphere of the family, corresponding to the re-feudalization of the public sphere, has extensive political consequences. Habermas links the rise of technocracy - the liquidation of moral reasoning from politics, and its replacement by strategic reasoning toward the achievement of uncritically accepted goals- to this development. Since this is the manner in which individuals have been trained to make decisions, political parties must now treat citizens as consumers, as potential votes which they must "cash in" on.[6] This is the age of the "culture industry" proper.[7]

Unlike his predecessors however, Habermas gives explicit suggestions as to how a critical public sphere can be reconstructed. He suggests that not just state institutions and governments, but all "societal power centers" satisfy the conditions of publicity in the following way:

> Their inner structure must first be organized in accord with the principle of publicity and must institutionally permit an intra-party or intra-association democracy – to allow for unhampered communication and public rational-critical debate. In addition, by making the internal affairs of the parties and special interest associations public, the linkage between the intraorganizational public sphere and the public sphere of the entire public must be assured. Finally, the activities of the organizations themselves – their pressure on the state apparatus and their use of power against one another, as well as the manifold relations of dependency and of economic intertwining – need a far reaching publicity. This would include, for instance, requiring that the organizations provide the public with information concerning the source and deployment of their financial means.[8]

In using the term "societal power centers," Habermas means to hold so-called "private" enterprises such as corporations, global economic institutions like the World Trade Organization and the World Bank, NGOs, and similar institutions accountable for the vast power they exert upon properly "political" bodies. Certainly, the mass media are among these societal power centers. Appropriately then, Habermas gives some suggestions as to how liberal basic rights can be transformed to assure that the media acts in accordance with the principle of publicity. If the original intent of constitutional rights to free speech and free assembly was to promote and protect a healthy public sphere, then in the age of mass communication, says Habermas, these rights must be extended to include media access.[9]

In addition to these formal suggestions, Habermas makes a brief but important comment on the preconditions for a functional public sphere. Drawing from H.P. Bahrdt's theory of urbanization, Habermas points out that a functional public sphere is dependent upon the existence of a functional private sphere. "Without a protective and

supportive private sphere" says Bahrdt, "the individual is sucked into the public realm which, however, becomes denatured by this very process."[10] The result, Bahrdt says, is that the public is transformed into a "mass". The implication here is that *some* distinction between public and private realms is necessary to avoid "massification" and thus depoliticization. Yet, as feminist critics of the public/private distinction have rightly pointed out, this particular requirement of a "protective and supportive" private sphere is suspect at best. Historically, it has meant that male "public" life presupposes the subjugation of women in the "private" realm of the family. Susan Okin, among others, has shown how this sort of subjugation is deeply ingrained in traditional Liberal theory, such that privacy becomes interchangeable with *domesticity*.[11] I will, following Okin, call this the Liberal distinction between public and private realms.

Is Habermas implicitly adopting this problematic model? For what it's worth, Bahrdt's comments refer specifically to the creation of public and private *space* in urban settings. He is not specifically equating 'privacy' with 'family' or 'domesticity' although this doesn't mean he could not still be supporting and concealing the subjugation of women in a more complicated way. He does however speak of a "reciprocity of the public and private spheres" against the hierarchical image suggested by the traditional (and traditionally oppressive) dichotomy. Whether or not Bahrdt subscribes to this dichotomy, I think it is a mistake to assume that Habermas uncritically accepts it. Unfortunately, Habermas is not very helpful in interpreting Bahrdt's statement and thus distancing himself from the misogynist Liberal variety of the public/private distinction. To make this point requires a more subtle analysis of Habermas' idea of the 'private.'

Habermas inherits his notion of the private from two quite different sources. On the one hand, Habermas employs the public/private distinction in line with Kant's peculiar use of those terms, given most clearly in Kant's brief article on Enlightenment.[12] Here Kant explains that one acts as a private person when one fulfills one's official duties within societal institutions. Thus, politicians, clergy, educators, and the like utilize their *private* reason in their official capacities. Considered as free persons however (as the moral law commands) individuals must also be free to make use of their *public* reason, criticizing dogmatic religious beliefs, oppressive legislation, and the like. In other words, one must be able to reason freely, but one cannot exercise this free reasoning to influence the general structure of society. The political principle that corresponds to this dichotomy of public and private reason thus amounts to "argue as much as you will and about what you will; only obey!"[13] Despite Kant's well known misogyny, this notion of privacy seems to be precisely the opposite of traditional Liberal privacy. If anything, one could object that in Kant's picture, women are excluded from the *private* realm, in view of the (formal or informal) exclusion of women from holding more or less "official" roles within the state or the economy.

On the other hand, Habermas' use of 'private' is (Hegelian) Marxist in its origin. 'Private' in this sense refers primarily to private property, i.e. the economic realm. The idea of civil society as a mediator between the state and the private realm clearly employs this Hegelian-Marxist sense. Whether or not Marx's conception of private property conceals the oppression of women is a complicated question that I will not pretend to answer here. However, Marx certainly does not share the Liberal presupposition that justice ought only apply to the public realm, and that the private realm should be outside

its jurisdiction. In fact, given that Marx thought that it was precisely the institutional role of the proletariat, the equation of labor with private property, that equipped it to radically transform the structure of capitalist society, he in some sense attributes a privileged role to the private sphere. Neither of Habermas' two inherited senses of the private then, seems problematic *in the same way* that the Liberal notion of the private sphere has proved to be.

I am trying here to defend Habermas' conception of the public sphere from critics who have claimed that he inherits Liberalism's dubious framework of public and private spheres.[14] I think that Habermas' admittedly ambiguous comments in *The Structural Transformation of the Public Sphere*, viewed in light of his dual inheritance of the concept of privacy from Kantian and Marxist roots renders this claim unconvincing. In fact, if Habermas were more explicit about his normative assumptions in this early work, I think he would have claimed, with feminists like Okin, that *justice* in the public sphere is impossible without justice in the private sphere, though one must be cautious in attributing such language to a work that seemed to deliberately avoid it.[15] However, in defending Habermas against this criticism, one unearths a deeper problem, a problem that arises in, but is not specific to this early work. Rather, it underlies Habermas' theoretical project as a whole. This problem is the tension between Habermas' neo-Kantian and neo-Marxist foundations. As I will show, Habermas tries to navigate between a Kantian moral universalism and a Marxist historicism. This delicate and sometimes awkward balancing act leads to serious difficulties in trying to attribute historical agency to a formalist conception of collective will-formation. This problem is exemplified, but not exhausted by Habermas' ambiguous notion of the public (and private) sphere. At any rate,

Habermas subsequently supplements the language of public and private with the technical framework of 'system' and 'lifeworld'. Here one can see more precisely the difficulty I have in mind.

Habermas begins to appropriate and develop the system/lifeworld framework in *Legitimation Crisis.* Here he claims that social evolution can be understood from two distinct perspectives. One can understand the development of social systems according to their intrinsic, instrumental logic. Thus capitalism develops according to the logic of the commodity form, and, with "organized" or "state" capitalism, according to Weber's logic of bureaucratization. However, this deterministic model of social evolution must be complemented by an understanding of society as being directed by collective human volition. The perspective of the lifeworld allows Habermas to account for collective will formation as a steering mechanism. Though the term is gleaned from Husserl's phenomenology, Habermas uses it as a foundation upon which to reconstruct practical reason according to "fundamental norms of rational speech" which are universal and ahistorical, a project which ultimately results in the theory of communicative action.[16] Far from being just methodological guides however, Habermas suggests that these phenomena interact with each other in history. The lifeworld can, by way of communicative action, act as a "steering mechanism" for social systems (as the shared lifeworld of the bourgeoisie came to transform society by generalizing its own interests). The public sphere is the historical/institutional vehicle by way of which this steering function can occur. Conversely, social systems, with their instrumental logic, can "colonize" the lifeworld, and eclipse the possibility of effective communication. In other words, colonization of the lifeworld creates "systematic distortion of communication,"

typified by the mass media. The colonization of the lifeworld and the resulting systematically distorted communication thus specify in greater detail what Habermas describes in *The Structural Transformation of the Public Sphere* as the refeudalization of the public sphere.

Here is where the problem arises. Habermas' theoretical reconstruction of Kant's practical reason in the theory of communicative action is meant to map onto his sociological concept of the lifeworld. That is, the lifeworld is the realm of human activity in which communicative action is possible. The lifeworld, in turn, is historicized (made capable of historical agency) through the historically-defined public sphere. This trajectory from abstract formalism to concrete historicism is a precise inversion of the trajectory of Habermas' career, but it suffices to show how his theory of communicative action (and the theory of deliberative democracy derived from it) falls just short of being historically efficacious, i.e. political. With the historical dissolution of the public sphere and the colonization of the lifeworld by system imperatives, the capacity for collective will-formation, though still theoretically sound as a revision of Kant's practical reason, is practically impotent as a steering mechanism. It has no historical location and, moreover, it is unclear how consensual norms previously generated in the public sphere can be reintroduced into the system. In other words, Habermas may have developed a moral theory upon grounds firmer than Kant's own, but this moral theory does not translate *ipso facto* into a political theory. Habermas falls into the same historical inefficacy represented by Kant's imperative of obedience. Individuals (or collectives for Habermas) are free to make full use of their reason, but the imperative of obedience does not leave room for utilizing this reason for the purpose of effecting historical-institutional change.

In the absence of a functional public sphere, communicative action no longer has a clear theoretical path to historical agency, thus the colonization of the lifeworld seems irreversible. Indeed, it is feasible that systematic distortions of communication of the scale one witnesses today may corrupt even what Habermas takes to be the most fundamental levels of communication, the norms or validity claims presupposed by functioning speech. If this were true, Habermas' formalist theory of communication alone would be blind to it, as all ideal theories (intentionally) are to actually existing departures from the norm. What is needed instead is a *non-ideal* theory of post-bourgeois publicity that can account for the way historical changes transform the very structure of communication, and can further construct appropriate strategies for resisting such colonizing effects. Before proceeding in this direction however, let us look at an actual example which illustrates the practical difficulties resulting from Habermas' theoretical model.

Consider the manifesto of the *Media Carta* movement, a contemporary movement for media democracy which clearly echoes Habermas' practical suggestions for media reform in *The Structural Transformation of the Public Sphere*. In it, Kalle Lasn and other media activists claim that "without a media democracy – meaningful public access to the most powerful forms of communication – we cannot raise healthy children, create good public policy or hold elections that matter. We lose the power to shape our own consciousness, or our own future."[17] The brief statement continues by outlining short term and long term goals toward the implementation of a media democracy:

> As a start, we demand the right to buy radio and television airtime under the same rules and conditions as advertising agencies. We ask our media regulators to set aside two minutes of every broadcast hour for citizen-produced messages...What we ultimately seek is a new human right for our information age, one that empowers freedom of speech with the right to access the media. This new human right is: The Right to Communicate. We hereby launch a movement to

> enshrine The Right to Communicate in the constitutions of all free nations, and in the Universal Declaration of Human Rights.[18]

The problem with this movement, and its (loosely) Habermasian foundation is that it begs the question in a certain way. If one is to assume that such radical institutional publicity will not come about by way of the goodwill of the media and other societal power centers themselves (which seems reasonable given the background assumptions of Habermas and the *Media Carta* activists) then public action on a massive scale must pressure them to do so. But a healthy public sphere capable of such steering functions is precisely the goal of such action. In other words, a functioning public sphere is both the goal and the prerequisite of such a movement. This is not merely a case of trying to reform or strengthen a weak or "sickly" public sphere. It is rather a situation of trying to create something out of nothing, to replace the treatment of public information as private property with real democratic control. According to Habermas, such structural transformation can only be enacted through a functioning public sphere, which the commodification of information eclipses. This problem is clearest for a movement whose goal is media access. How does such a movement make itself known to the average individual whose primary source of information is television and other mainstream media? How can it gain support among those it claims to speak for? The most straightforward answer is: media access. Again, this is precisely the goal of the movement itself. Importantly, the claim is *not* that movements like these lack sufficient power in the face of media hegemony, or that they are inefficacious for some other practical reason. This empirical claim could be easily refuted by pointing to, among other things, successful grassroots movements for social reform. Rather this *theoretical* aporia

arises as a result of conceiving the public sphere on a Kantian model which, again, does not provide a theoretical space for historical agency.

This difficulty, this seeming paradox of public action as a means to achieve the end of publicity, remains unresolved in Habermas' work. Indeed, one can identify in the development of Habermas' work a trend toward increasing formalism and abstraction, away from the concrete historical problems illustrated in *The Structural Transformation of the Public Sphere*.[19] Thirty years after the original publication of this work, Habermas writes in *Between Facts and Norms*:

> The constitution of this [public] sphere through basic rights provides some indicators for its social structure. Freedom of assembly and freedom of association, when linked with freedom of speech, define the scope for various types of associations and societies: for voluntary associations that intervene in the formation of public opinion, push topics of general interest, and act as advocates for neglected issues and underrepresented groups; for groups that are difficult to organize or that pursue cultural, religious, or humanitarian aims; and for ethical communities, religious denominations, and so on. Freedom of the press, radio, and television, as well as the right to engage in these areas, safeguards the media infrastructure of public communication.[20]

Here, save the brief admission of "the right to engage in these areas" which remains unexplained, Habermas writes as if traditional constitutional protections were sufficient to secure the existence of a functional public sphere, a claim he explicitly denied in *The Structural Transformation of the Public Sphere*. Further, he writes as if the "associations and societies" he has in mind already meet the radical conditions of publicity he demanded of them three decades earlier. If one were an alien with no knowledge of Western and World history save these two books, one might guess that in these thirty years, privatized and "feudalized" media technologies underwent some radical transformation in the interest of publicity. For those of us who live in this world, this is clearly false. If anything, the mass media has become *more* concentrated, *more* invasive, and generally *less public* in the sense of providing opportunities for meaningful

participation. This reality is just not reflected in Habermas' brief return to the concept of the public sphere and its systematic distortion by mass media.

In addition to this constitutional Liberalism, Habermas' remarks about the private sphere seem to fall into precisely the problematic Liberal paradigm I have defended his earlier work against. Of the private realm, he says:

> The constitutional protection of "privacy" promotes the integrity of private life spheres: rights of personality, freedom of belief and of conscience, freedom of movement, the privacy of letters, mail, and telecommunications, the inviolability of one's residence, and the protection of families circumscribe an untouchable zone of personal integrity and independent judgment.[21]

Obviously, this is neither the Kantian, nor the Marxist conception of 'private' as I have described them. In fact, it is precisely the bourgeois conception of privacy that he attributes to the patriarchal bourgeois family. One is tempted here to wonder whether Habermas did not in fact subscribe to the problematic Liberal distinction of public and private all along. However, I think this conclusion is too hasty. Rather, I think the more precise criticism is that Habermas failed to live up to the radical program set out in *The Structural Transformation of the Public Sphere*, where he seemed to suggest that a reconceptualization of the public sphere along democratic egalitarian lines requires a similar reconceptualization of a *postbourgeois* private sphere.

This is similar to, but distinct from the criticism that Habermas idealizes the bourgeois public sphere, thus ignoring parallel publics, such as the well-developed and woman-friendly culture of the salons, the Plebian public sphere arising out of the development of trade unions, and the like.[22] I think that Habermas was more or less aware that the bourgeois public sphere was exclusionary, and in competition with other public discourses. However, Habermas' myopic focus on the bourgeois public sphere should not be read as an implicit endorsement of such a form of publicity. Rather, and

one must consider Habermas' Marxist roots here, it is an unfortunate historical fact that the bourgeois public enacted a revolutionary transformation of society, whereas these other spheres did not, or at least not to the same degree. So, one should read Habermas' detailed description of the bourgeois public sphere as being carried out in the service of a less explicit normative goal: the creation of an *analogously revolutionary* postbourgeois public sphere. Habermas' failure then is not intrinsic to *The Structural Transformation of the Public Sphere*, but lies rather in not carrying out the radical program he outlines there.

In this last point, I am in agreement with, among others, Nancy Fraser, who conceives of postbourgeois publicity on the model of *subaltern counterpublics*.[23] This conception has its own problems, which I will try to make explicit. First, however, I will develop and defend my own version of 'counterpublic' spheres, informed also by poststructuralist Marxism, but differing in important ways from Fraser's account (as my criticisms of Habermas also differ slightly from hers).

2. A Non-Ideal Account of Systematically Distorted Communication

Developing a model of postbourgeois publicity requires taking seriously the challenges to public discourse presented by the mass media. Habermas' early work begins to systematize such challenges, but subsequently loses its grasp of concrete social institutions. A good place to begin comparing this theory to its poststructuralist counterparts is in the work of Jean Baudrillard, as much for its similarities as for its differences.

Like Habermas, the early Baudrillard saw himself continuing in the Marxist tradition. He tried to extend the analysis of the commodity form to account for *symbolic*

commodities produced by the mass media, and to understand their role in the general structure of the capitalist economy. Thus in his early work, *For a Critique of the Political Economy of the Sign*, Baudrillard applies the Marxist concepts of class analysis, ideology critique and commodity fetishism in order to develop a critique of consumption oriented capitalism analogous to Marx's critique of production oriented capitalism.[24] Yet Baudrillard soon finds Marxism inadequate to the task of conceptualizing a society that revolves around the circulation of *meanings* as opposed to products. Even with tangible, commodities, use value becomes irrelevant, eclipsed by the symbolism attached to the product which is exchanged (think of brand identities and the connotations of certain brands with certain lifestyles, desires, etc.). Accordingly, in *The Mirror of Production*, Baudrillard undertakes a critique of Marxism and develops the notion of *symbolic exchange*, which is meant to replace Marx's formal foundational analysis of the commodity.[25] With symbolic exchange, the dialectic of use value and exchange value is rejected. The idea that commodities have an underlying qualitative use value that is separable from their assigned quantitative value for the purposes of exchange does not apply to the circulation of meanings. The 'message' is subsumed in its exchange. There is no remainder. Thus Baudrillard breaks with the dialectical tradition appropriated from Hegel by Marx and developed by critical theorists like Adorno and Habermas, positing in its place a transparent one-dimensional structure of social communication. On this model, communication is located squarely within the 'system' (in Habermas' technical sense) and cannot be understood as an external standpoint from which one can direct and critique systemic imperatives. The very preconditions for dialectical critique (including

the ability to produce and institutionalize consensual norms) are 'colonized' and 'systematically distorted'.

This largely pessimistic theory of a one-dimensional society (closer in spirit to Adorno or Marcuse than to Habermas) nonetheless shares a virtually identical premise with Habermas, identifiable in Baudrillard's later work "The Ecstasy of Communication." Here Baudrillard's explication of the one dimensional structure of communication mirrors Habermas' description of the disappearance of the public sphere. He describes how "advertising in its new dimension invades everything, as public space...disappears."[26] Correspondingly, he notes that "this loss of public space occurs contemporaneously with the loss of private space."[27] The private thus becomes *obscene* in the same sense that pornography is obscene, as an offering up of the most intimate acts for public consumption. This leads Baudrillard to posit a "pornography of information and communication," that is, a superficial, one dimensional reality typified by the informational flux of the media.[28] Elsewhere, Baudrillard comes to call this one-dimensionality "hyperreality" and the informational flux which is constitutive of it "the code".[29] In "hyperreality" it is no longer possible to separate appearance from reality, the media "code" from the "reality" it purports to reflect. So, while the mutual collapse of the public and private spheres provokes Habermas to pursue an analysis of systematically distorted communication and to locate a lifeworld with the critical capacity to resist it, Baudrillard claims that the distinction between representations and an underlying truth or reality which can be "distorted" collapses along with the separation of the public and private. Baudrillard dubs this historical development "the terrorism of the code".

As one might imagine, the prospects for critical resistance to domination in the form of public discourse are bleak on this view. Indeed, one can ask if it even allows for such a resistance at all. Unlike Habermas, whose thoughts on mass media must largely be reconstructed from his comments on the public sphere, Baudrillard's thoughts on the feasibility of a public sphere must be reconstructed from his comments on the mass media. In his two main essays on the media, Baudrillard provides two distinct answers to the question of whether resistance to or "steering" of social forces is still feasible. Under scrutiny, these two essays reveal the consequences of Baudrillard's break with the Marxist dialectic.

In "Requiem for the Media" (appearing in *For a Critique of the Political Economy of the Sign*) Baudrillard claims that the media is characterized by non-communication.[30] If one views communication on the model of exchange, then communication requires the possibility of response. Yet, media "communication" is unidirectional. It is "speech without response," and the only revolutionary strategy in this regard is to restore the possibility of response. However, "such a simple possibility presupposes an upheaval in the entire existing structure of the media," so much so that the revolutionary product of such an upheaval would be unrecognizable in relation to its present form. [31] For Baudrillard, even in cases where the media appears to be subversive - that is, where one might assume that the media is actually functioning as 'media' in the literal sense of vehicles through which public opinion can be expressed and influence decision-making - it is actually enforcing and protecting the hegemony of the larger socio-political order. To this end, Baudrillard examines the role of the media in the events of May '68 in France.[32] On the surface, many applauded the media's explicit support of

student actions and their role in circulating the struggle beyond the confines of the Sorbonne. The administration even criticized the media for its support of revolutionary causes. Yet, Baudrillard says of this period:

> The media have never discharged their responsibilities with more efficiency...indeed, in their function of *habitual* social control, they were right on top of the action. This is because, beneath the disarray of their routine content, they preserved their form; and this form, regardless of the context, is what inexorably connects them with the system of power. By broadcasting the events in the *abstract universality* of public opinion, they imposed a sudden and inordinate development on the movement of events; and through this forced and anticipated extension, they deprived the original movement of its own rhythm and of its own meaning. In a word: they short-circuited it.[33]

As is apparent here, Baudrillard views the mass media as *fundamentally* undialectical. Yet a more general dialectic is still assumed. The appropriate strategy in relation to the media is to "smash the code" by way of responses that are structurally external to its form. Baudrillard characterizes this as an *anti-media struggle* and praises the diffusion of graffiti during the events of May as typical of such a struggle. Baudrillard can (and does) still concede that a *real* struggle still exists which can be distorted and misrepresented by the media. Further, a dialectical response, external to the oppressive logic of the system is still conceived as a possibility: an *anti media* struggle, with the goal of destroying the media as such and constructing in its place authentic forms of communication and exchange. From Baudrillard's claim that the "abstract universality" of bourgeois publicity actually serves to reinforce the structure of domination characteristic of the media, one can conclude that Baudrillard would not suggest reconstructing a postbourgeois public sphere on similar grounds. Yet in terms of substantive remarks to this end, Baudrillard himself is not helpful. His fragile optimism here is quickly eclipsed by a deeper pessimism.

In his later essay, "The Masses: The Implosion of the Social in the Media," Baudrillard rejects even this more general dialectic. He no longer views "the forced silence of the masses" as "a sign of passivity and of alienation," but rather as "an original response in the form of a challenge," neither optimistic nor pessimistic, but "ironic and antagonistic."[34] The expansion of the form of the media, the dissemination of "the code" as the all-encompassing social logic engenders a one-dimensional "hyperreality" from which the only escape is death.[35] There is no longer any external position from which an antimedia struggle could be waged. Baudrillard thus reinterprets the silence of the masses as an ironic strategy, a submersion of oneself in the "ecstasy of communication" and, ultimately, a popular rejection of the principles of the Enlightenment: free-will, autonomy, alienation, and the general moral progression of humanity via an increasing availability of information. Baudrillard terms this silent, passive refusal of will *object-resistance*, in opposition to *subject resistance*, or active, collective will formation. In other words, the substantive basis now for a (lack of) critical response to media power appears to be mutual disinterest, collective roguishness, or the like.

What leads Baudrillard to such fatalism? Mark Poster claims that it was in part frustration at the failure of the radical struggles of the 60's and 70's.[36] It is also somewhat understandable in light of the exponential growth and consolidation of the media in recent years. Yet, though one may not want to accept Baudrillard's fatalist conclusions, the motivation for such conclusions is telling. Even in his late work, Baudrillard never truly gives up the "Enlightenment" concept of publicity and the public sphere. "The media in general" Baudrillard says, "only exist on the basis of a disappearance, the disappearance from public space...Thus we can be reassured: they cannot destroy it."[37]

Further, the satisfaction of immersion in hyperreality is that in so doing, "the people have become *public*."[38] Still, this sense of publicity is peculiar because it is publicity *for its own sake*. There is no assumption that such publicity could effectively guide political decision making, move beyond the realm of necessity, or otherwise improve the quality of human existence in the world. Publicity is not conceived as a means, but rather as an end in itself. One might call this a reification of the idea of the public sphere, provided there were some "real" phenomena to contrast with mere representation.

Still, Baudrillard's analysis clarifies several important points. Whatever one makes of Baudrillard's peculiar concept of object resistance, it must be considered that functional resistance to media domination may take forms other than discursive will formation or collective action. It is conceivable that the media structure could be "short-circuited" in much the same way that Baudrillard claims it short circuited the struggles in May of '68. Whether silence achieves this effect or not is a separate question, one which seems irrelevant given that empirically the masses are anything but silent (most people do not absorb the evening news "ironically" but rather consider it a legitimate basis for forming opinions about issues and events). Yet this (rather absurd) conclusion highlights an important difference between Baudrillard and Habermas. Baudrillard takes seriously the reconceptualization of a non-Liberal private sphere, complete with private strategies of resistance. Instead of focusing on the *production* of media texts, and asking to what extent this production reflects the production of legitimate publicity, Baudrillard focuses on the *reception* of media products, and the ways in which their harmful effects can be neutralized. To my mind, this is consistent with Habermas' original project of locating and theorizing modes of resistance to the colonizing effects of system imperatives,

perhaps even more so than some of Habermas' own later work. In Habermasian terms then, Baudrillard's genealogy of the colonization of the lifeworld by the intrusive logic of mass media "communication" can be understood as an example of systematically distorted communication. Yet it necessarily falls short of a *critique* of the phenomena, since he traces the corruption of communication to the point where it "colonizes" even the preconditions for critique that Habermas takes for granted. Restating this same point in *my own* terms, Baudrillard does provide "a *non-ideal* theory of post-bourgeois publicity that can account for the way historical changes transform the very structure of communication," but not one that "can further construct appropriate strategies for resisting such colonizing effects."[39] To satisfy this latter condition, one must look to those who developed Baudrillard's project in ways that retain the possibility of critical resistance.

Michel de Certeau, a friend and colleague of Baudrillard, takes on the task of analyzing the reception of media products in a more promising way. In *The Practice of Everyday Life*, de Certeau traces the idea of a passive readership to the Enlightenment-era belief that society could be transformed from the top down through the dissemination of information; that "an elite's products could, if they were sufficiently widespread, remodel a whole nation."[40] The claim that media products are violently imposed upon a passive and unsuspecting public is a remnant of this naïve sort of epistemology. De Certeau asserts, in opposition to this view, that "one cannot maintain the division separating the readable text (a book, image, etc.) from the act of reading."[41] He rethinks consumption by identifying strategies of "making do" (*bricolage*), conceived as *active* resistance to forms of disciplinary power (especially media products). In other words, de Certeau's analysis

reveals the possibility of subverting "the code". Though the few examples he provides, strategies of coping with gender oppression found in traditional women's magazines for example, are relatively unimpressive, they inspire hope simply in virtue of being *private* communicative strategies that are nonetheless politicized (understood as capable of historical agency). That is, his examples are less important than his theoretical framework. Unlike Baudrillard, de Certeau separates the reader/text from the institutional structure of production, revealing a private space where agency, and thus resistance is still conceivable. And unlike Habermas, whose (partial) appropriation of Kantian publicity leads to historical inefficacy, de Certeau's concept of "singular" agency (even if it is reactive rather than proactive) lends itself to (historical) political agency without the conceptual barriers present in the Kantian framework. Thus de Certeau succeeds where Baudrillard and Habermas fail. He takes seriously Baudrillard's criticism that the colonization of the lifeworld has reached even to the fundamental communicative bases that make effective social criticism possible, but he responds to this dilemma by developing an alternative method of theorizing (and thus recognizing) critical trends within a media-saturated reality, reintroducing a sort of dialectic which I will call 'particularist' as opposed to universalist. "Reading," de Certeau says, "is thus situated at the point where *social* stratification (class relationships) and *poetic* operations (the practitioner's constructions of a text) intersect."[42] The former "seek to make the reader conform to the 'information' distributed by an elite," whereas the latter "disseminate [information] in the networks of private life."[43] Struggles for hegemonic control over media content correspond to the framework of social relations. De Certeau on the other

hand, imagines a private "politics of reading" which resists the imposition of "cultural orthodoxy" through media forms.

This dichotomy of social stratification and poetic operations bears a striking similarity to Habermas' system/lifeworld distinction. Yet, unlike Habermas, de Certeau's account of poetic operations is wholly historical. It is a counterhistory, in Foucault's sense, to the rationalist vision of history as the symbiotic progression of knowledge and emancipation. In this regard, it bears a certain continuity with the version of critical theory initiated by Horkheimer and Adorno and developed by Habermas, while avoiding Habermas' failure to integrate communicative reason as a steering mechanism for instrumentalist systems of domination understood historically. De Certeau's account differs however, in at least one important respect. The historicity of forms of resistance is bought by the sacrifice (if it is indeed the kind of thing which could be possessed and then sacrificed) of any pretension to universality. For Habermas, and arguably for the Frankfurt school in general, universality is essential to developing a dialectical critique of capitalist society, as well as for understanding the institutionalization of such a critique through something like a public sphere. This is why, as the reader will see, Habermas goes to such great lengths to reestablish a universal morality via a rethinking of Kant upon intersubjective grounds. In contrast, de Certeau endeavors to develop a "science of singularity," a "local critique" which, again following Foucault, eschews claims to universality as instances of domination that obfuscate conflicts and exclude subversive knowledge claims.[44] In light of complaints by critical theorists (Habermas included) that this rejection of universality is hasty and renders incoherent the very possibility of dialectical critique, I must now investigate whether this particularist dialectic is coherent,

and whether it can provide the basis for a concrete political program. I will argue that it can and moreover, that it is precisely in this particularist fashion that movements for social change are best understood. First, however, I must return to Habermas one last time, to show how he appropriates not only Kant's ahistorical notion of publicity, but also his universalist moral theory

3. Dialectical Particularism and Moral Justification

I have argued in the previous sections that Habermas' theory of communicative action is not practicable as a political strategy due to its inheritance of Kant's problematic notion of public reason, which cannot adequately account for historical agency. Better known is Habermas' neo-Kantian moral theory, which reconstructs Kant's categorical imperative on the basis of *intersubjectivity*. Moral norms are valid, for Habermas, insofar as they "could meet with the agreement of all those concerned in their capacity as participants in a practical discourse."[45] In order to specify how such an agreement could come about, to "operationalize" it in Habermas' language, practical principles of argumentation are required. A discourse aimed at producing consensus and thus valid moral norms must meet at least four conditions:

1. Nobody who could make a relevant contribution may be excluded.
2. All participants are granted an equal opportunity to make contributions
3. The participants must mean what they say.
4. Communication must be freed from external and internal coercion so that the "yes" or "no" stances that participants adopt on criticizable validity claims are motivated solely by the rational force of the better reasons.[46]

Habermas points out that these are *not in themselves moral principles*. Rather, they are merely pragmatic rules that must be followed for the sake of justifying truly moral principles. Further, as we can immediately see from the fourth condition, the principles of argumentation are *ideal*. If we take Foucault's insights seriously, then any actually existing discourse (in Habermas' sense) involves relations of power, and so a coercion-free discussion of this sort is unrealistic. However, Habermas does not suggest that his conception of discourse ethics is practicable as a political theory in itself. Further, even if we imagined that such an agreement could occur in practice, it still falls short of a properly *political* theory, where politics is conceived on the Arendtian model of *action*. "There is no direct route," Habermas says, "from discursively achieved consensus to action."[47] And later, "these constitutive rules...of argumentation...have the epistemic force of enabling conditions for the justification of statements but do not have any *immediate* practical effects in motivating actions and interactions outside of discourse."[48]

Rather, the discourse ethic is meant as a *regulative principle* guiding political will-formation in a public sphere. As opposed to liberal political theories that base political will-formation on the individual interests of each citizen, Habermas uses his discourse ethic as an ideal to guide a process of political deliberation that is intersubjective. An active civil society which is separate from both the state and the economy is responsible for the production of "will-formation concerning issues and problems affecting society as a whole."[49] This "communicatively generated power" is then "transformed into administratively utilizable power" by way of institutionalization through elections, lobbying, and so on. Ideally, these three spheres, the state, the economy, and civil society, would come to rest in reflective equilibrium. Habermas calls

this his theory of "deliberative democracy". Under this conception of politics, political programs are subject to moral constraints. In other words, the whole framework rests upon communicative reason as a moral foundation, and its efficacy relies upon a functional public sphere. As Habermas admits here, his moral theory can only be politicized by being institutionalized in a functional public sphere, a public sphere which, as Habermas notes in *The Structural Transformation of the Public Sphere*, is now nonexistent. One can see then that Habermas' later project of developing a theory of discursive democracy also falls short of being a properly political theory, again as a result of his Kantian inheritance.

Beyond this rejection of Kant's specific variety of moral universalism however, there is still the more general question of whether dialectical resistance to forms of domination must be founded upon universal moral maxims. This is a far more difficult question, one I will answer negatively and give a necessarily limited defense of by defending Foucault's notion of local critique and its appropriation by Certeau. In this manner, I hope to show how Certeau's particularist dialectic is best suited to understanding movements for social change, and therefore best suited as a conceptual underpinning for a revitalized theory of counterpublics.

In opposition to Habermas, Foucault theorizes politics on the model of warfare. In a series of lectures given at the College de France in early 1976, Foucault traces the genealogy of the concept of class struggle back to the discourse of "race war" beginning in the 17th century. This discourse, running roughly parallel to, but effectively concealed by the discourse of Enlightenment, marks the first instance of what Foucault calls a "counter history". The discourse of race struggle invokes "a history that is the complete

antithesis of the history of sovereignty, as constituted up until that time."[50] In opposition to the dominant references to this historical period, which most often refer to moral pronouncements like *The Universal Declaration of the Rights of Man* and so on, Foucault's discourse of race war "speaks of legitimate rights solely in order to declare war on laws."[51] This discourse understands society in binary terms similar, as we will see, to Carl Schmitt's conception of politics as the determination of one's friends and enemies. It is important to note however, that Foucault's reference to "race war" should not, according to him, be equated with racism. The term 'race' in this context refers, at different times, to the position of conquered peoples in relation to their conqueror, to the displaced aristocracy in opposition to both the monarchy and the Third Estate, and so on. Racism properly understood as the division of one 'race' in the above sense, into a "subrace" and "superrace" based upon an appeal to supposed biological factors, does not appear, according to Foucault, until the twentieth century.[52] The historical phenomenon of racism does have its roots in the discourse of race war (Foucault calls it an "inversion" or "reversal" of the discourse) though Foucault reminds us that racism is "no more than a particular and localized episode in the great discourse of race war".[53] This transition will be examined in greater detail below. For now, the important point is that, with the discourse of race struggle, "history...becomes a knowledge of struggles that is deployed and that functions within a field of struggles; there is now a link between the political fight and historical knowledge."[54]

For Foucault then, politics is "the continuation of war by other means," an inversion of Clausewitz's aphorism.[55] Conflicting groups invoke *particular* knowledges - of history, morality, and so on - only insofar as these knowledges further their political

aims. They are, at the risk of repetition, merely weapons in a struggle for power. There is, for Foucault, no way to escape this framework of power relations in order to achieve a privileged conception of truth, be it moral or historical. Under this conception of politics, morality falls under the jurisdiction of a political program. That is to say, ethical principles only extend their validity as far as the pre-constituted group.

At first glance, there appears to be an immediate similarity between Foucault's position and the political theory of Carl Schmitt. Indeed, Habermas implies such a similarity by labeling Foucault as a "young conservative".[56] Schmitt infamously suggests that politics consists of the determination of one's friends and enemies. In this context, 'enemy' is meant not in an ambiguous philosophical or metaphorical sense, but rather in the "existential" sense of actually risking the *negation* of one's own life in order to negate, i.e. physically kill one's enemies. This decisive act cannot be reduced to concerns of morality. In other words, "the political enemy need not be morally evil."[57] Schmitt goes even further than Foucault in rejecting moral universalism, claiming that it not only excludes divergent voices, but actually constitutes those voices as the ultimate enemy. Humanism in particular, with its global claims of universalism, is most dangerous in that, insofar as it is truly political in Schmitt's sense, its enemies become enemies of humanity and thus subject to exclusion from the very principles which humanism claims to be promoting. For Schmitt then, appeals to universalism, moral or otherwise, are really just concealed attempts by one group to dominate another. Foucault's discussion of the discourse of race war might be read as an instantiation of this sort of domination.

A more careful reading however, will notice important differences between the two views. Most importantly, Foucault's distinction between race war and racism can

partially explain the ease with which Schmitt's theoretical framework adapted to the racist political program of the Nazi party. In a final lecture in which Foucault examines the rise of Nazism, he claims that racism "is primarily a way of introducing a break into the domain of life that is under power's control: the break between what must live and what must die."[58] By considering politics as war in the most literal sense of a power to choose "what must live" (friends) and "what must die" (enemies), Schmitt's notion of political power becomes what Foucault would call "biopower," power over life. As such, it is easy to see how the Schmittian notion of politics adapts easily, perhaps even contributes to the biological racism of the Nazis. So, although Schmitt's rejection of moral universalism may be politically suspect, Foucault seems to have the theoretical resources to condemn, or at least explain its susceptibility to fascism. This suggests that Foucault's rejection of humanism is not similarly politically suspect.

Foucault's reading of Schmitt differs from attempts to explain Schmitt's affinities with Nazism as resulting from an extensive focus on the determination of one's enemy, where this conception of the enemy then determines the notion of friend. Chantal Mouffe criticizes this widely held interpretation of Schmitt, saying "contrary to several tendentious interpretations, [Schmitt] never posited that this belonging to a people could be envisaged only in racial terms. On the contrary, he insisted on the multiplicity of ways in which the homogeneity constitutive of a demos could be manifested."[59] Later on, however, she claims that "Schmitt believes...unity can exist only on the mode of identity."[60] So, though Mouffe thinks Schmitt's notion of friend is not limited to *racial* identity, it is limited to identity in a more general way. Yet, even this defense remains within the set of criticisms limited to inquiry regarding the *constitution* of friends and

enemies. Foucault however, allows us to see how the friend/enemy distinction itself is vulnerable to racism as a form of biopower, regardless of how the categories of friend and enemy are constituted. The point here, is that the former sorts of critiques are in some sense moral critiques. In order to condemn Schmitt's "Nazi turn," one must make some moral judgment about how enemies (or friends) are determined. One has to say, 'it is wrong to determine one's enemies along the lines of race.' Foucault refrains from making this universal moral assertion by explaining racism in historical terms, as a form of power which, in its exercise, engenders forms of resistance. This is a historical, rather than a moral claim. This further gives some idea of why the Nazi example is a useful one in the context of this discussion. As the paradigmatic case of moral evil, a theory of the political that distances itself from universal morality must still have an explanation for such atrocities, and cannot merely ignore them. Elsewhere, Foucault explains his amoral methodology in a straightforward way: "My point is not that everything is bad, but that everything is dangerous, which is not exactly the same as bad...I think that the ethico-political choice we have to make every day is to determine which is the main danger."[61]

This limited defense of Foucault's notion of politics suffices to describe what I call 'particularism.' Particularism is not pure relativism. It allows that ethical principles (or to use Habermas' language, 'consensual norms') may exist and may even be binding within certain communities. Yet, it does not require that these principles extend beyond the particular community in which they exist. Furthermore, it allows that different groups may utilize different and even incommensurable moral foundations for determining which colonizing effects of the system present "the main danger." Whereas Foucault uses this particularist method to trace the development of counterhistories in medical, penal,

and other institutions, de Certeau makes use of it in the present to try to locate forms of resistance to a powerful media culture. His attempt to identify "poetic operations" in their diverse rationalities and incommensurable strategies for resisting the logic of "social stratification" can appropriately be described as "dialectical particularism." An account of this sort provides a historicized moral foundation for a conception of counterpublic spheres more capable of undertaking a (decentered and multifaceted) critique of systematically distorted communication. Thus particularism entails both a descriptive and a normative (in a peculiar sense) component. Descriptively, particularism rejects the claim that transformative political action must be channeled through an all-encompassing universal public sphere, preferring to recognize and analyze an irreducibly plurality of counterpublic spheres. Normatively, particularism rejects the claim that these counterpublic spheres must justify their shared norms according to a larger moral universe based upon universal principles embedded in a transcendental account of language, personhood, or otherwise grounded. Despite my foray into Foucault's genealogy of morals, I have focused more upon the former, descriptive claim, and less upon the latter, normative claim, thus avoiding difficult problems like the problem of 'tolerating the intolerant' that nonetheless must be engaged by a fuller account.

4. Counterpublic Spheres and the Politics of Resistance

This is my own argument, not Fraser's. However, it overlaps significantly with her conception of *subaltern counterpublics*. In fact, in her construction of these "parallel discursive arenas where members of subordinated social groups invent and circulate counterdiscourses to formulate oppositional interpretations of their identities, interests,

and needs,"[62] I think Fraser presupposes something like the picture I have presented, though explicitly, she develops the concept of a subaltern counterpublic using the work of Gayatri Spivak and Rita Felski.[63] Neither of these sources however, gives a complete enough account of the theoretical justifications for replacing "the" generalized public sphere with a multiplicity of counterpublics. Further, neither fully addresses the important concern for retaining a conception of publicity that is capable of *structural transformation* of the general social order, and not merely peripheral strategies of resisting or coping with the oppressive colonizing effects of systematic distortions of communication. Admittedly, I have not presented a convincing argument myself for this last point, nor can I give such a complete argument here. I do however think that the account I have presented retains this possibility. After noting a few more points of dissention with Fraser, I will give some tentative remarks as to why I believe this to be true.

Fraser also points out the bourgeois public sphere's ironic use of a universalist principle of publicity as a mechanism of exclusion, however, she claims that "in and of itself this irony does not fatally compromise the discourse of [universal] publicity."[64] I mean to suggest that, when one properly considers the colonizing effects of media technology and the resulting mutual collapse of the public and private spheres, this discourse *is* fatally compromised. If this is correct, then critical theorists must develop new, non-pernicious concepts of 'public' and 'private' which do not rely on similar pretensions to universal scope. I think the account I have developed using de Certeau and his predecessors is a useful step in this direction. In spite of the criticism that poststructuralist theories are unnecessarily opaque and out of touch with social reality, I

think that this account more or less accurately describes the reality of oppositional discourses today, especially in the United States. I will return to this point shortly.

First, let me stress another important difference between my own conception of counterpublics and Fraser's. Fraser suggests that "in stratified societies, subaltern counterpublics have a dual character. On the one hand, they function as spaces of withdrawal and regroupment; on the other hand, they also function as bases and training grounds for agitational activities directed toward wider publics."[65] While I agree with the first part of this statement, the second alleged function of counterpublics seems to remain within the generalized discourse of "the" public sphere Fraser wishes to critique. In other words, it presupposes that there actually is some unified public sphere which necessarily mediates the "agitational activities" of counterpublics. Recall here Baudrillard's criticism of the media in relation to the events in Paris in May of '68. Here the media, despite a superficial sympathy with the "agitational activities" of the students and workers, actually served to neutralize and dispatch the transformational potential of the movement. Similar contemporary examples, though perhaps less dramatic, are not hard to come by.[66]

My point here is that conceiving of counterpublics as mere "training grounds" for actual historical agency through "the" public sphere leaves the discourse of bourgeois publicity intact, merely replacing individual agents with social collectives. Rather, a richer conception of counterpublics is necessary, one that sees how collectives can "steer", influence, and transform the social structure without mediation through wider publics. This elicits the image of a more or less unified social structure, affected (or attacked if one prefers) from different directions by a multiplicity of "standpoints," "subject-positions," or "lifeworlds". In my picture, counterpublics are not training

grounds for external conflicts, but actual points of conflict in themselves. This does not preclude the possibility of overlap amongst these different cells. Counterpublics may inform and transform each other, and even form coalitions to affect the system in more effective ways. However my model does not require this or any sort of assimilationist view of discourse. Moreover, it avoids the self-referentiality of a public movement to reconstruct publicity.

With the exception of my worry about the "dual character" proviso, I think my view is consistent with Fraser's understanding of feminist counterpublics, though again, I would suggest that feminism's social and political victories are the result of direct agency upon the system of patriarchy, not mediation through some external public. Examples to support my conception of counterpublics can be found also in the response and resistance of Black Americans to systematic distortions of communication in the form of racial stereotypes.

Examples of this sort are useful, first of all, because systematic distortions of communication are a reality for Black Americans that is far from abstract. Since the birth of contemporary visual mediums (television, film, but also radio) Black Americans have been consistently misrepresented in ways that condone and contribute to the violent continuation of racism. Black men have been portrayed as 'Sambos,' docile, ignorant beings incapable of autonomy. Black women have been portrayed as 'Welfare Queens,' reproducing for the sole purpose of financial gain. These images have changed with history and technology, but the underlying racist commitment to misrepresentation remains.[67] Importantly, attempts by Black Americans to integrate the media "public", i.e. to change it internally, have been met with minute concessions at best (for example, the

mainstream popularity of varieties of rap that exacerbate conflicts in the Black community, and the continued obscurity of more politically progressive rap). In some cases, unfortunately, these oppressive stereotypes can be internalized and become self-fulfilling prophesies. In most cases however, these misrepresentations engender active forms of resistance, embodied in alternative spheres of discourse that attempt to challenge the dominant images of Black Americans *externally*. Where *the* alleged public sphere fails Black Americans, a *counterpublic* arises to accommodate this failure.

This Black Public Sphere arises not out of universal features of communication, nor out of a collective will formation based upon these features. Rather its violent birth is contingent upon historical forces of oppression. It arises as reaction, resistance, defense, and it arises in the absence of a unified Black Public Opinion.[68] Yet, this lack of consensus does not preclude resistance to solidified forms of oppression or even substantive actions against them. In "Critical Memory and the Black Public Sphere," Houston A. Baker Jr. analyzes the reception of commercials aimed at Black audiences.[69] He develops a conception of "reading through the commercial" which "is a form of rational and emotional resistance by marginal groups."[70] Consistent with de Certeau's account of a politics of reading, Baker applauds the ways in which what appears to be "passively consumed" may actually be "psychologically and affectively appropriated as merely a base/bass line for wildly fanciful counterpublic performances."[71] Again, Baker's examples amount to "insurgent forms of black walking" gleaned from MTV, and the vacuous description of "acting up," but this should not be held against the theory. In fact, it should be taken as evidence of its accuracy. It is simply a fact about society today (in the wake of a rising neo-conservativism) that resistance is sparse, and conformity is

represented as the ultimate value. One should therefore be wary of theories which too quickly allocate contemporary social movements with transformative, revolutionary powers. There is a wishful tendency toward this sort of designation with every student movement, every anti-war movement, every town meeting. Especially among those who consider themselves importantly influenced by the Marxist tradition, there is always the temptation to crown each movement with the metaphysical universalism of the proletariat. Indulging these tempting fantasies is utopian in a bad way. Still, my account of counterpublics retains the possibility of structural transformation while remaining realistic, and thus at times also realistically pitiful in what it can offer in terms of contemporary examples. In this sense, my claim that contemporary counterpublics can radically transform the social structure is more speculative than empirical. More convincing examples I hope will be given by future history.

5. Concluding Remarks

To reiterate then, I have tried to identify some problems with Habermas' conception of the public sphere in light of a more complete account of the effects of the colonization of the lifeworld by mass media. Faithful, in my view, to the project of developing a critique of systematically distorted communication, I have suggested somewhat major revisions to Habermas' theoretical framework, up to and including revisions to its moral foundation. If my argument is incomplete, it is certainly in this last regard. The introduction of dialectical particularism as an alternative moral foundation for an account of post-bourgeois public spheres is tentative at best, and barely scratches the surface of the theoretical difficulties that would need to be worked out to facilitate a

wholesale or partial replacement of Habermas' structure of moral justification. Still, I hope that the descriptive account I have provided, drawing from both a close reading of Habermas and his critics, and an empirical analysis of contemporary social movements, has shown that some such rethinking of his normative foundations is necessary if one wishes to retain a conception of historical political action. To this end, the idea of a unified, all-encompassing public sphere must be abandoned, replaced (and not merely complemented) by an irreducible multiplicity of counterpublic spheres.

Notes

[1] By 'postructuralism,' I have in mind not only the works of those (mostly French) philosophers of language who undertook a critique of Saussure's structuralist philosophy of language, most notably Derrida; but also those political thinkers, like Foucault, who developed and applied the insights of poststructuralist philosophy of language to analyze the workings of power. The postructuralist philosophers I work with most explicitly in this paper, Baudrillard and Certeau, fall somewhere in between these two poles, operating, appropriately enough for theorists of mass media, at the intersection of language and power.

[2] Habermas, Jurgen. *The Structural Transformation of the Public Sphere.* Trans. Thomas Burger. Cambridge: MIT Press, 1989. p. 16.

[3] Ibid, 88.

[4] Ibid, 85.

[5] Ibid, 231.

[6] Ibid, 201-215.

[7] See Adorno's essay 'The Culture Industry: Enlightenment as Mass Deception' pp 94-136 in Horkheimer and Adorno. *The Dialectic of Enlightenment.* Trans. Edmund Jephcott. Stanford: Stanford University Press, 2002; and also Adorno. *The Culture Industry.* London: Routledge, 2001.

[8] *The Structural Transformation of the Public Sphere*, 209.

[9] Ibid, 226-7.

[10] Qtd. in *The Structural Transformation of the Public Sphere,* 158.

[11] Okin, Susan Moller. *Justice, Gender, and the Family.* Basic Books, 1989.

[12] Kant, Immanuel. 'What Is Enlightenment?" pp. 17-22 in *Practical Philosophy: The Cambridge Edition of the Works of Immanuel Kant.* Ed. Mary J. Gregor. Cambridge: Cambridge University Press, 1996.

[13] Ibid, 22.

[14] See especially Seyla Benhabib "Models of public Space: Hannah Arendt, the Liberal Tradition, and Jurgen Habermas" pp. 73-99 in *Habermas and the Public Sphere.* Ed. Craig Calhoun. Cambridge, MIT Press, 1992.

[15] One of the main criticisms of the book after its original publication in German was that it conflated descriptive and normative analysis.
[16] Habermas, Jurgen. *Legitimation Crisis*. Trans. Thomas McCarthy. Boston: Beacon Press, 1975. p.120.
[17] *Adbusters: Journal of the Mental Environment*. No.51. Jan/Feb 2004.
[18] Ibid.
[19] Recall that I have identified this trajectory and presented it in its inverted form above. p. 9-10.
[20] Habermas, Jurgen. *Between Facts and Norms*. Trans. William Rehg. Cambridge, MIT Press, 1996. p.368.
[21] Ibid.
[22] For an account of this criticism in relation to gender exclusion, see Joan Landes, *Women and the Public Sphere in the Age of the French Revolution*. Ithaca: Cornell University Press, 1988. For the conception of a Plebian public sphere see Mikhail Bakhtin's *The Dialogic Imagination*. Austin, Tx: University of Texas Press, 1981.
[23] See Fraser's "Rethinking the Public Sphere: A Contribution to the Critique of Actually Existing Democracy." pp.109-42 in *Habermas and the Public Sphere*.
[24] *For a Critique of the Political Economy of the Sign*. Trans. Charles Levin. St. Louis: Telos press, 1981.
[25] *The Mirror of Production*. Trans. Mark Poster. St. Louis: Telos Press, 1975.
[26] "The Ecstasy of Communication." pp.145-154 in *The Anti-Aesthetic: Essays on Postmodern Culture*. Ed. Hal Foster. New York: New Press, 1998. p. 149.
[27] Ibid, 150.
[28] Ibid, 151.
[29] See especially Baudrillard's *Simulcra and Simulation*. Ann Arbor, MI: University of Michigan Press, 1995.
[30] *For a Critique of the Political Economy of the Sign*. p. 169.
[31] Ibid, 170
[32] In May and June of 1968 in Paris and elsewhere in France, a general strike prompted by Renault and other automobile workers corresponded to student uprisings at the Sorbonne and other Universities in Paris. The students and workers set up barricades and occupied the universities and factories, eventually causing the Gaullist government to flee to England, solidify military reinforcements and "re-take" the city.
[33] Ibid, 173. Original emphasis.
[34] "The Masses: The Implosion of the Social in the Media." pp. 207-19 in *Jean Baudrillard: Selected Writings*. Ed. Mark Poster. Stanford: Stanford University Press, 1988. p. 208.
[35] This is the central point of Baudrillard's *Symbolic Exchange and Death*. Trans. Mike Gane London: Sage Publications, 1993.
[36] See Poster's introduction to *Selected Writings*.
[37] "The Masses," p.209.
[38] Ibid, 212. Original Emphasis.
[39] See above, p. 10-11.
[40] Certeau, Michel de. *The Practice of Everyday Life*. Vol. 1. Trans. Steven Rendall. Berkeley: University of California Press, 1984. p. 166.
[41] Ibid, 170.
[42] Ibid, 172. Original Emphasis.
[43] Ibid.
[44] Ibid, Preface to the English Translation, ix.
[45] Habermas, Jurgen. "A Genealogical Analysis of the Cognitive Content of Morality." pp. 3-46 in *The Inclusion of the Other: Studies in Political Theory*. Eds. Ciaran Cronin and Pablo De Greiff. Cambridge: MIT Press, 1999. 34.
[46] Ibid, 44.
[47] Ibid, 35.
[48] Ibid, 45. Original emphasis.
[49] Habermas, Jurgen. "Three Normative Models of Democracy." 239-52. in *The Inclusion of the Other*. p. 249.
[50] Foucault, Michel. *"Society Must Be Defended": Lectures at the College de France 1975-76*. Eds. Mauro Bertani and Alessandro Fontana. Trans. David Macey. New York: Picador, 2003. p. 69.
[51] Ibid, 73.
[52] Ibid, 61.

[53] Ibid, 65.
[54] Ibid, 171.
[55] Ibid, 15.
[56] Habermas, Jurgen. "Modernity versus Postmodernity," *New German Critique* 22. Winter 1981.
[57] Schmitt, Carl. *The Concept of the Political*. Trans. George Schwab. Chicago: University of Chicago Press, 1996. p. 27.
[58] *Society Must Be Defended*, p. 254.
[59] Mouffe, Chantal. *The Democratic Paradox*. London: Verso, 2000. p. 40.
[60] Ibid, 50.
[61] "On the Genealogy of Ethics: An Overview of Work in Progress." 340-72 in *The Foucault Reader*. Ed. Paul Rabinow. New York: Pantheon Books, 1984. p. 343.
[62] "Rethinking the Public Sphere," p. 123.
[63] Specifically, Fraser draws from Spivak's essay "Can the Subaltern Speak" pp. 271-313 in *Marxism and the Interpretation of Culture*. Eds. Cary Nelson and Lawrence Grossberg. Chicago: University of Illinois Press, 1988. and from Felski's *Beyond Feminist Aesthetics*. Cambridge: Harvard University Press, 1989.
[64] "Rethinking the Public Sphere," p. 115.
[65] Ibid, 124.
[66] One example that comes to mind is the media coverage of the 1999 protests of the World Trade Organization's meeting in Seattle. The media coverage of these events was applauded as a way of publicizing the vastly differing but equally underrepresented voices criticizing the WTO's agenda, but in reality the media effectively represented the movement as extremist and out of touch with the "average American." Though this movement was also thwarted by the events of September 11th, and its agenda somewhat altered by the necessity to resist the hastily pursued violent responses by the U.S., one wonders to what extent the movement was also "short-circuited" by the media's coverage of it.
[67] These stereotypes are actually rather tame in comparison to the more pernicious stereotypes forced upon Black Americans throughout history. Particularly horrific is the stereotype of Black men as rapists, which was taken to legitimize the brutal lynchings in the pre- (and post) civil rights era. For an illuminating discussion of this particular stereotype, see Tommy Lott's 'Frederick Douglass and the Myth of the Black Rapist' p. 313-38 in *Frederick Douglass: A Critical Reader*. Eds. Bill Lawson and Frank M. Kirkland. Malden, MA: Blackwell Publishers, 1999.
[68] Recent critics have pointed out that the idealistic program of developing a unified Black Public Opinion mistakenly overlooks significant differences among the Black population, and is unjustifiably nostalgic about past racial consensus which, upon closer investigation, probably never existed. See for example Toni Morrison's introduction to *Race-ing Justice, Engender-ing Power: Essays on Anita Hill, Clarence Thomas, and the Construction of Social Reality*. New York: Pantheon Books, 1992.
[69] Baker Jr., Houston A. "Critical Memory and the Black Public Sphere." pp. 7-37 in *The Black Public Sphere: A Public Culture Book*. Ed. The Black Public Sphere Collective. Chicago: University of Chicago Press, 1995.
[70] Ibid, 15.
[71] Ibid.

Works Consulted

Adbusters: Journal of the Mental Environment. No.51. Jan/Feb 2004.

Adorno, Theodor. 'The Culture Industry: Enlightenment as Mass Deception' pp. 94-136 in Horkheimer and Adorno. *The Dialectic of Enlightenment.* Trans. Edmund Jephcott. Stanford: Stanford University Press, 2002

---------- *The Culture Industry.* London: Routledge, 2001.

Baker Jr., Houston A. "Critical Memory and the Black Public Sphere." pp. 7-37 in *The Black Public Sphere: A Public Culture Book.* Ed. The Black Public Sphere Collective. Chicago: University of Chicago Press, 1995.

Bakhtin, Mikhail. *The Dialogic Imagination.* Austin, Tx: University of Texas Press, 1981.

Baudrillard, Jean. "The Ecstasy of Communication." pp.145-154 in *The Anti-Aesthetic: Essays on Postmodern Culture.* Ed. Hal Foster. New York: New Press, 1998.

---------- *Simulcra and Simulation.* Ann Arbor, MI: University of Michigan Press, 1995.

---------- 'The Masses: The Implosion of the Social in the Media' pp. 207-19 in *Jean Baudrillard: Selected Writings.* Ed. Mark Poster. Stanford: Stanford University Press, 1988.

---------- *For a Critique of the Political Economy of the Sign.* Trans. Charles Levin. St. Louis: Telos Press, 1981.

---------- *The Mirror of Production.* Trans. Mark Poster. St. Louis: Telos Press, 1975.

Benhabib, Seyla. 'Models of Public Space: Hannah Arendt, the Liberal Tradition, and Jurgen Habermas' pp. 73-99 in *Habermas and the Public Sphere.* Ed. Craig Calhoun. Cambridge, MIT Press, 1992.

Certeau, Michel de. *The Capture of Speech and Other Political Writings.* Ed. Luce Giard. Trans. Tom Conley. Minneapolis: University of Minnesota Press, 1997.

---------- *The Practice of Everyday Life.* Vol. 1. Trans. Steven Rendall. Berkeley: University of California Press, 1984.

Felski, Rita. *Beyond Feminist Aesthetics.* Cambridge: Harvard University Press, 1989.

Foucault, Michel. *"Society Must Be Defended": Lectures at the College de France 1975-76.* Eds. Mauro Bertani and Alessandro Fontana. Trans. David Macey. New York: Picador, 2003.

---------- 'On the Genealogy of Ethics: An Overview of Work in Progress' pp. 340-72 in *The Foucault Reader.* Ed. Paul Rabinow. New York: Pantheon Books, 1984.

Fraser, Nancy. 'Rethinking the Public Sphere: A Contribution to the Critique of Actually Existing Democracy' pp.109-42 in *Habermas and the Public Sphere.*

--------- *Unruly Practices: Power, Discourse and Gender in Contemporary Social Theory.* Minneapolis: University of Minnesota Press, 1989.

Habermas, Jurgen. 'A Genealogical Analysis of the Cognitive Content of Morality' pp. 3-46 in *The Inclusion of the Other: Studies in Political Theory*. Eds. Ciaran Cronin and Pablo De Greiff. Cambridge: MIT Press, 1999.

---------- 'Three Normative Models of Democracy' 239-52. in *The Inclusion of the Other*.

---------- *Between Facts and Norms*. Trans. William Rehg. Cambridge, MIT Press, 1996

---------- *The Structural Transformation of the Public Sphere*. Trans. Thomas Burger. Cambridge: MIT Press, 1989.

---------- 'Modernity versus Postmodernity' *New German Critique* 22. Winter 1981.

---------- *Legitimation Crisis*. Trans. Thomas McCarthy. Boston: Beacon Press, 1975.

Hallin, Daniel C. 'The American News Media: A Critical Theory Perspective.' pp. 121-46 in *Critical Theory and Public Life*. Ed. John Forester. Cambridge: MIT Press, 1985.

Kant, Immanuel. 'What Is Enlightenment?" pp. 17-22 in *Practical Philosophy: The Cambridge Edition of the Works of Immanuel Kant*. Ed. Mary J. Gregor. Cambridge: Cambridge University Press, 1996.

Kellner, Douglass. *Television and the Crisis of Democracy*. Boulder, CO: Westview Press, 1990.

Landes, Joan. *Women and the Public Sphere in the Age of the French Revolution*. Ithaca: Cornell University Press, 1988.

Lott, Tommy. 'Frederick Douglass and the Myth of the Black Rapist' p. 313-38 in *Frederick Douglass: A Critical Reader*. Eds. Bill Lawson and Frank M. Kirkland. Malden, MA: Blackwell Publishers, 1999.

Morrison, Toni. *Race-ing Justice, Engender-ing Power: Essays on Anita Hill, Clarence Thomas, and the Construction of Social Reality*. New York: Pantheon Books, 1992.

Mouffe, Chantal. *The Democratic Paradox*. London: Verso, 2000.

Okin, Susan Moller. *Justice, Gender, and the Family*. Basic Books, 1989.

Schmitt, Carl. *The Concept of the Political*. Trans. George Schwab. Chicago: University of Chicago Press, 1996.

Spivak, Gayatri. 'Can the Subaltern Speak' pp. 271-313 in *Marxism and the Interpretation of Culture*. Eds. Cary Nelson and Lawrence Grossberg. Chicago: University of Illinois Press, 1988.