Race, Media, and the Crisis of Civil Society

From Watts to Rodney King

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Race, media, and multiple publics

On May 28, 1997, John Sengstakke died at the age of eighty-four. For six decades Sengstakke had been owner and editor of the *Chicago Defender*, the most important and most famous of all African-American newspapers. Sengstakke's death was a noticeable event in the world of American journalism; Brent Staples wrote a 1400-word obituary in the *New York Times*, calling Sengstakke the "Charles Foster Kane of the black press." But Sengstakke's death was only the beginning of the story. Northern Trust Co., acting as executor of Sengstakke's estate, put the *Defender* up for sale in December 1997, in order to pay for a four-million-dollar estate tax bill. Contacting both African-American and white investors, the bank would only commit to seeking "fair value for the shareholders." A crisis ensued within the black journalism community, with most insisting that the paper remain in African-American hands. In a front-page editorial, the *Chicago Defender* wrote that there were no plans to sell the paper, that the Sengstakke family was committed to maintaining the *Defender*, and that the reports about its sale were an "outright fabrication." Several months later the family removed Northern Trust from its financial control of the estate, ending worries that the paper could fall into white hands.

Why did it matter that the *Chicago Defender* remain in African-American control? This question, I think, goes to the heart of current debates about civil society and the public sphere, particularly those which have emphasized that civil society consists of multiple, frequently non-rational, and often contestatory public spheres, which are oriented just as often to cultural issues as to political ones. This understanding of the public sphere differs substantially from how it was introduced nearly forty years ago by Habermas. For Habermas the public sphere represented the space of private people come together as a public, who claimed the space of public discourse from State regulation, and demanded that the State engage them in debate

about matters of political legitimacy and common concern. The result of this development of the bourgeois public sphere, which took place during the seventeenth and eighteenth centuries, was that the principle of open public discussion came to replace that of parliamentary secrecy. Envisioning the public sphere primarily as a political space that could help challenge, engage, and regulate public authorities, Habermas emphasized face-to-face communication, rational-critical discourse, and a single public arena.

If it was only that Habermas had neglected to consider the non-bourgeois, non-dominant, and more identity-oriented public spheres, the argument for multiple publics would not present such a fundamental challenge, because recognition of these other publics would simply provide a more detailed picture of a more differentiated civil society. But the challenge of multiple publics is more fundamental than this, because it suggests that civil society has a fractured quality which is not being overcome by some trend toward an integrated public sphere.[1] Habermas admitted as much in a 1989 conference, writing that "a different picture emerges if *from the beginning* one admits the coexistence of competing public spheres and takes account of the dynamics of those processes of communication that are excluded from the dominant public sphere."[2]

If ever a case can be made for the existence of separate public spheres *from the beginning*, African-American history provides it. Separate public spaces and communicative institutions formed among Northern free blacks in the 1700s: prominent examples included the African Union Society of Newport, Rhode Island (1780), the Free African Society of Philadelphia (1787), the African Methodist Episcopal Church, the African Methodist Episcopal Zion Church, the Bethel Charity School, and the African Free School Number 2. From these separate spaces of public communication came the black press, which was established in 1827. At least forty different black newspapers were published before the Civil War, and the establishment of a national black press was generally agreed upon as the second most pressing issue among African-American leaders.

The history of the African-American public sphere and the black press is neither an isolated nor an exceptional case; numerous historical studies point to the existence of non-bourgeois, non-male, and otherwise non-official publics. As early as the eighteenth century, there were plebian publics, women's publics, and an entire set of public spheres which were organized more around "festive communication" than rational discourse.[3] During the women's suffrage movement of the nineteenth century, there developed national, regional and local women's papers simultaneously articulating the principles of women's rights and the vision of a new kind of media organization.[4] The working class press at the turn of the century

consisted of hundreds of newspapers in dozens of languages.[5] What these alternative publics and alternative media point to, according to historians such as Geoff Eley, is the fact that Habermas's account of the rise of the bourgeois public sphere "is an extremely idealized abstraction from the political cultures that actually took shape at the end of the eighteenth and the start of the nineteenth century."[6] Real civil societies have always contained plural and partial publics.

The historical need for a strong black press was three-fold: (1) to provide a forum for debate and self-improvement; (2) to monitor the mainstream press; and (3) to increase black visibility in white civil society. As Chapter 2 will show, African-Americans could not count on the mainstream press of the time to publicize black voices or to represent black issues in a non-patronizing manner. Most of the Northern papers were against slavery and in favor of emancipation, but their positions were crafted through stories which favored the voices of white politicians over black abolitionists. Even in dealings with their white abolitionist allies, black leaders often found their voices excluded and marginalized, highlighting yet again the need for a separate black public sphere. The white abolitionist press, while receiving most of its early subscription support from African-Americans, eventually decreased its coverage of black news items in favor of reports about the activities of white abolitionists; in fact, William Lloyd Garrison actively discouraged the establishment of early black papers such as *Colored American* and *North Star*.[7] By establishing an independent black press, African-Americans were able to secure a space of self-representation: not only to craft common identities and solidarities, but also to develop arguments which might effectively engage white civil society.

It is because there are overlapping and competing publics in civil society, that the news media take on a special significance. Tocqueville recognized this in his description of nineteenth-century American civil society, arguing that the number of newspapers was closely tied to the number of associations and, by implication, that they were not, in fact, oriented to a single public sphere.[8] The multiplication of news publics continues today, with forty percent of the total newspaper circulation in America being that of papers with circulation of less than 100,000.[9] The rise of cable television and the introduction of new communication technologies have brought in new forces which have contributed to the pluralization of media publics – by narrowing and sharpening their focus – which divides the news public into increasingly smaller and specialized market segments. If anything, the figures on market segmentation actually undercount the significance of "small" media. Almost every voluntary association publishes its own newsletter, and an increasing proportion of them now maintain their own

websites. These smaller media spaces, which Habermas ignored entirely in his mass culture critique, provide sites in which new experiences are invented and crafted, in which new meanings get discussed and popularized, in which new forms of political engagement are tried out; in other words, they are potential sources of social change, simultaneously increasing the likelihood of inter-public engagement and intra-public autonomy.

News media and the public sphere

While news media and the public sphere have always been intricately intertwined, it is important to maintain an analytical distinction between them. The concept of the public sphere refers to a particular type of practice which takes place in civil society: the practice of open discussion about matters of common public concern. These discussions can take place in public spaces such as meeting halls and universities, in the private spaces of someone's home, or in the "virtual" spaces of print, television, or the Internet. What turns a discussion into a public sphere is the fact that it is composed of private citizens, engaged in free public debate about matters of common concern, and free of worries about state censorship or coercion. The news media, on the other hand, consist of any space in which information of some public interest is circulated to some portion of the public.[10] Like public spheres, news media can circulate in private, public, or virtual spaces, and they involve matters of common concern. But whereas public spheres are oriented primarily toward the circulation of discussion, news media deal in the circulation of information, broadly construed. Certainly the information being disseminated includes public sphere discussions; but it includes other things as well.

There are clearly many instances in which news media operate as something other than a public sphere. While public spheres must contain actual dialogue between specific individuals, news media can include other forms of communication as well. For example, news media often produce selective reports about actual dialogues. This is the case with television soundbites, in which the public is deprived of the full sequence of events which preceded the reported statement. Journalists frequently write stories in which they contact a number of sources independently, and then juxtapose the comments of these sources into virtual dialogues that never actually took place. Many news stories are never intended as dialogues, but instead appear as declarative descriptions or reports of an event. None of these examples of news can properly be thought of as public sphere discussions.

Nevertheless, there are many instances in which news media *do* operate as public spheres. In the pages of the newspaper and on the digital images

of television, real individuals engage in description, discussion, and commentary about important public matters. In press conferences, for example, politicians as well as representatives of voluntary associations make statements, challenge public statements which have been made by others, and respond to questions. These represent examples of public spheres organized for the benefit of the media. In other instances, news media organize public spheres of their own, usually consisting of a media personality, a few politicians, some representatives from voluntary associations, and other private citizens. Television programs like ABC's *Nightline* and CNN's *Larry King Live* do this on a daily basis. Their topics change nightly, and are typically shaped by what is currently of public concern. For example, during the 1992 civil uprisings in Los Angeles, Ted Koppel organized one episode of *Nightline* as a discussion with gang members in Los Angeles; another episode was filmed on location at the First African Methodist Episcopal Church, as a discussion with black politicians, community leaders, and citizens. In these instances, the news media provided a forum for private individuals to discuss matters of common concern, and broadcast these discussions to between ten and twenty million viewers.

Without doubt these news media form imperfect public spheres, because they tend to provide only partial access, which is organized in structurally-predictable ways.[11] But this criticism should not be overstated. Empirically, *all* public spheres provide limited access, and as such all public spheres are imperfect. But the news media are *in principle* open to anyone. News editors are continuously trying to expand the space of media participation, through letters to the editor, man-on-the-street interviews, and the like.[12] The introduction of phone-in segments to television and radio news programs represents a further attempt at expanding participatory access.[13] Even talk shows can be seen as a method of expanding participation in media spaces of deliberation, despite the fact that they do not look anything like the processes of rational consensus formation idealized by Habermas.[14] Try as they might, politicians are unable to maintain anything approaching total control of media publicity.[15] The reason for this is that journalistic routines are known well enough so that citizens, associations, and leaders of social movements can package their activities in ways which will be more likely to be seen as news. The same is true of the increasingly numerous bands of roving videographers, ensuring that the news will be sufficiently open and porous so as to constitute a public sphere in which many can aspire to participate.[16]

In addition to creating public spaces for discussing matters of common concern, news media shape other publics in significant ways. News media provide a common stock of information and culture, which private citizens

rely on in their everyday conversations with others. The possibility of con-
versation requires a common stock of knowledge among participants, and
the news media are the best candidates for providing it.[17] As I mentioned
in the introduction, sixty-eight percent of the American public watches at
least one television news program in a typical day, for an average duration
of fifty-eight minutes.[18] Fifty-four percent of adults read a newspaper every
day, and eighty-eight percent read the paper at least once a week.[19] By creat-
ing an open-ended space where ideas can be expressed and received by a
potentially limitless and universal audience of present and non-present
others, modern communication media have actually expanded the public
sphere.

For many citizens, then, there is a strong empirical connection between
news media and public sphere discussions. Habermas himself recognized
the importance of this connection when discussing the historical genesis of
the bourgeois public sphere, noting how articles written in eighteenth-
century periodicals were made an integral part of discussions taking place
in coffee houses and other public spaces.[20] Today, there is general agreement
that media information is one of the most important tools people use when
talking about matters of common concern.[21] The research establishing this
relationship has pointed to the ways in which media texts provide a flow of
cultural material from producers to audiences, who in turn use the media
texts to construct a meaningful world and to maintain a common cultural
framework through which intersubjectivity becomes possible. Mass media
do not produce a one-way flow from text to putatively passive audience but,
rather, a "two-step flow" where individuals incorporate media texts into
their existing social networks and social environment.[22] And while they
may not be successful in telling people what to think, the news media have
been remarkably successful in shaping what people think about and what
they talk about.[23] More often than not, then, news media find their way into
the discussions between citizens about matters of common concern.

Given the strong presence of news media in contemporary civil society,
associations and communities are faced with a dilemma: namely, that they
must try to strike a balance between protecting their cultural autonomy and
engaging other publics in discussion and deliberation. In order to protect
cultural autonomy, they need to develop smaller, more local spaces of dis-
cussion over which they have a lot of control. This suggests that smaller,
more targeted news media, such as the African-American press, have an
important role to play in the creation of a more open and inclusive civil
society. On the other hand, in order to influence public opinion and public
policy, associations need to participate in large public spheres over which
they have little or no control. For this, they need to establish strategies for

gaining publicity in larger news media such as *ABC News*, the *Los Angeles Times*, or the *New York Times*. In other words, a civil society consisting of multiple publics requires a media system consisting of multiple media. Without smaller media over which they have a high degree of control, associations become too dependent on the preferences and practical routines of mainstream journalists. Without access to larger media, they lose the ability to influence the larger public agenda.

Media access and participatory inequality

It is not difficult to understand why access to mainstream news media is an important issue. Large media offer a powerful forum for changing public opinion, by defining what issues people are most likely to talk about. Access to these kinds of media is crucial if an association hopes to garner widespread publicity, and to have even the chance of influencing public opinion. Through processes of agenda-setting and priming, the issues and stories reported in the mainstream news media are the ones that people tend to think about and to talk about. In societies obsessed by opinion polling, the mainstream media agenda also shapes the polling agenda, the results of which, when reported back to the public, reinforces even further the stories and the topics appearing in the news.[24] These agenda-setting effects tend to be even stronger for new issues that have not been widely discussed.[25] For associations who desire to influence public policy and public opinion, and particularly for small associations trying to bring new issues into debate in the majority public sphere, these agenda-setting effects make the appeal of mainstream media exposure virtually irresistible.

Gaining publicity in large news media is also a good way for associations to gain access to the sites of political power and public policy formation. More than any other type of public space, the large media organizations have replaced political parties as the best link between politicians and the people. In a typical day more than one million people will read the *New York Times*, *Los Angeles Times*, and *USA Today*. Somewhere between ten and twenty million viewers nightly will watch *ABC News*, *CBS News*, or *NBC News*.[26] These news organizations, recognizing their political power, have responded by devoting somewhere between one-fifth and one-half of their available news space to political news.[27] This has resulted in a cycle of mutual need, whereby politicians and journalists pay closer and closer attention to one another. Skill in dealing with the media has become a crucial talent for politicians, who actively try to win the favor of important political journalists: by being accessible, by supplying scores of press releases, and by staging newsworthy events during news-gathering times of

the day and week.[28] To the extent that an association can get its issues onto *ABC News* or into the *New York Times*, it is more likely to get those issues onto the agenda of congressional debate.

The problem is that access to the dominant media is stratified. Indeed, the stratification of access is inherent to the very process of news work, because the everyday practical routines of journalists tend to favor dominant over subordinate groups. This stratification of access operates on many different levels. For example, because events are more likely to be newsworthy if they occur during the working day of the journalist, non-professional and resource-poor associations begin from a position of temporal disadvantage. Since their members must work in full-time jobs, these associations are typically forced to meet at night and on weekends, placing them outside the journalist's working day and temporally more distant from the news production process.[29] More generally, journalists tend to see events as newsworthy when those events can be fit into regularly-used news codes (called "slugs" in the newsroom), or when they can fit the event into an ongoing story. Public relations agents are adept at knowing how to frame their events appropriately, and are more likely to gain media access for their associations. Associations which do not have public relations resources are at an obvious disadvantage here. Finally, a journalist's status is often parasitic upon the status of his or her sources.[30] Ambitious journalists therefore have a career motivation to cultivate high-status sources. Factors such as these continue to make it difficult for minority associations to gain access to the majority media.

Another problem associated with the goal of equal access to mainstream news media is that the very thing being sought after, access, is porous and ever-changing. News work is not shaped by the desire to include the greatest number of voices or the most compelling argument; rather, journalists are motivated by the desire to tell the best story.[31] This means that news media (and, as a consequence, public spheres) are shaped more by narrative than by the dictates of "rational-critical discourse." News workers understand events by placing them into stories, composed of actors and events, and having a beginning, middle, and end. Indeed, the narrative style allows news workers to do much of the work of producing the news in the very act of discovering it. Events are perceived as newsworthy when they are recognized as plot elements in a story. They become legitimate and newsworthy through stories told to editors and news directors. They are written and/or enacted according to their received and narrative genre elements, such as romance, tragedy, comedy, and irony.

The narrative contingency of media access is not always a bad thing for marginalized groups, of course. When events get transformed into particular types of stories, they can open up media possibilities to individuals and

groups who usually have a very difficult time gaining publicity. As Chapter 5 will show, this type of expansion of mainstream media access occurred during the initial days after the 1992 uprisings in Los Angeles. After the return of not-guilty verdicts in the trial of the police officers charged in the videotaped beating of Rodney King, the initial reaction in the majority news media was one of disbelief and shock about the verdict, combined with anger and criticism of "racist Simi Valley jurors." As long as the media focus remained on the Simi Valley jurors, it remained open to the voices of individuals who almost never got to speak for themselves in the dominant public sphere; gang members, residents of inner-city Los Angeles, and community activists were all granted voice on ABC's evening news program, *Nightline*, and described by host Ted Koppel as "eloquent," "impressive," and "passionate." Needless to say, this voice came in a very specific and delimited context, and it was not going to increase their likelihood of gaining access to *ABC News* in the future. The mainstream media access of these individuals was tied directly to the Rodney King story, and it would disappear as soon as the story ended.

While access to mainstream news media is certainly a necessary precondition for associations desiring publicity, it is by no means a sufficient one, and its importance should not be overstated. As legal scholar Monroe Price has argued, access doctrines only provide the "surface architecture of free speech that combines the trappings of government non-interference with the illusion that narratives – the stories of the good life – are fairly distributed among its tellers."[32] The problem is that media access does not guarantee a more pluralistic collection of media narratives which reflect historically-excluded groups. The public narratives which circulate in the dominant public spheres tend to reserve the heroic character positions for the dominant groups in a society, creating public environments which favor those dominant groups at the expense of minorities.

Out of a desire to create "active consent," dominant groups establish public spheres in which they include the subordinate groups, but do so under discursive rules which favor the dominant group. Historically, the establishment of "rational, critical discourse" and "objectivity" as the organizing tropes of the bourgeois public sphere and the mainstream news media was accomplished through a binarism intended to delegitimize excluded groups. These exclusions were created through discourse which criticized the "undisciplined" and "mob-like" activity of the working class, the "natural" sexuality and desire of women, and the "natural" passivity and indolence of non-whites.[33] In other words, as Alexander has demonstrated so convincingly, the discourse of civil society has developed through a semiotic binary in which criteria of inclusion were intertwined with criteria of exclusion, and where the ideal of civic virtue required an anti-ideal

of civic vice.[34] As a form of social closure, this binary discourse advantages dominant groups by being formally open yet informally closed; while in principle anyone can enter a dominant public sphere, "insiders" and "outsiders" are defined and identified by the tacit categories of the binary code, the practical mastery of which is unequally distributed among the participants.[35] Thus, while the bourgeois public sphere was organized according to the open and democratic principles of rationality and publicity, it was at the same time – as Nancy Fraser has argued so convincingly – "the arena, the training ground, and eventually the power base of a stratum of bourgeois men who were coming to see themselves as a 'universal class' and preparing to assert their fitness to govern."[36] In short, problems of cultural hegemony are inherent to dominant public spheres, regardless of how formally open they may be.

The counter-hegemonic function of multiple publics

Exclusion, inequality, and symbolic disadvantage are not things that can be eradicated from the public sphere. They are, as Alexander rightly notes, anti-civil intrusions which form an important part of any empirical civil society.[37] For this reason, subordinate groups need to develop what Fraser has called "subaltern counterpublics" in order to "invent and circulate counterdiscourses to formulate oppositional interpretations of their identities, interests, and needs."[38] Put simply, the publicity strategies of marginalized groups cannot concentrate solely on mainstream media and dominant publics, but must also include active participation in, and cultivation of alternative public spheres. These alternative publics offer a place for counteracting the effects of hegemony, by constructing alternative narratives which contain different heroes and different plots.

Historically, minority groups have turned to alternative publics and alternative media as a way to compensate for their exclusion from the dominant publics. In these alternative communicative spaces, groups are able to discover common interests, to develop arguments which could more effectively engage white civil society, and to provide deliberative spaces which could nurture the development of new public leaders. Motivations to participate in these alternative publics were not only reinforced by the experiences of exclusion, but also by the hope that new arguments and new rhetoric would be able to capture mainstream public attention and shift public opinion. In this hope, minority groups were no different than any other voluntary associations; after all, as Tocqueville observed, all associations "entertain hopes of drawing the majority over to their side, and then controlling the supreme power in its name."[39]

As Chapter 2 will document, the early history of the black press was shaped precisely by the experience of exclusion and the hope of future engagement. As the fight for inclusion intensified throughout the twentieth century, the black press thrived. Chicago and New York both had black newspapers with circulations exceeding 100,000 during the first half of the century; nationally, the total weekly circulation in the black press was in excess of 2,000,000 by 1945, and new black newspapers were appearing at the rate of three a month.[40] It was quite clear, as Thurgood Marshall claimed in 1954, that the African-American press was an indispensable part of the early civil rights movement, because of the way that it allowed for debate about matters of racial concern to circulate among black elites as well as ordinary black citizens.

But what of the argument that in a fully integrated society the African-American press would be unnecessary? After all, the African-American press was never intended to substitute for participation in the majority media. Rather, it was designed to encourage continuous discussion about matters of common concern, to develop arguments for later engagement in the majority public spheres, and to correct the prejudices and misrepresentations which resulted from engagement in those other public spheres. The point was to continue discussion and conversation, and to keep open the possibility of expanding the conversation to include new participants and new venues. This, after all, is the ultimate value of civil society, regardless of how many different publics compose it: to keep a conversation going, to open up ongoing conversations to new narratives and new points of difference, and to expand the substantive content of social solidarity. It is not necessary that participants reach an agreement about all matters of common concern. In a multicultural society, this may in fact be impossible. What is essential is that they continue the discussion. As Benhabib has argued:

when we shift the burden of the moral test in communicative ethics from consensus to the idea of an ongoing moral conversation, we begin to ask not what all would or could agree to as a result of practical discourses to be morally permissible or impermissible, but what would be allowed and perhaps even necessary from the standpoint of continuing and sustaining the practice of the moral conversation among us. The emphasis is now less on *rational agreement*, but more on sustaining those normative practices and moral relationships within which reasoned agreement *as a way of life* can flourish and continue.[41]

The point is that if civil society is to be a space organized around the ideal of "universalistic solidarity," as Alexander suggests, then it requires a communicative geography which can open up ongoing conversations to new

narratives and to new points of difference.[42] Because of the problems of cultural hegemony and unequal access, this is most likely to happen if there is a differentiated and diverse set of communication media – both large and small, universalistic and particularistic.

It is not a new argument, of course, to claim that both large and small publics have their place. But it is important not to conflate small publics and direct, face-to-face interaction. Certainly, direct interaction in small public spheres of physical co-presence has been important in the past for forming common identities and solidarities. But today, the power of this kind of solidarity increases in direct relation to its latency. In other words, the power of something like the black press is not tied directly to the number of people who read it. Rather, its potential power resides in the fact that people know it is there, available to be read should the need be perceived. Indeed, during periods of racial crisis, such as the Watts and Rodney King uprisings, sales of black newspapers surged, as African-Americans sought out the "black perspective," compared it with the stories they were reading in newspapers like the *New York Times*, and then proceeded to have conversations. Such a thing would be far less likely to occur if a paper like the *Chicago Defender* was owned by Rupert Murdoch or some other magnate of the mainstream media. And it was this recognition that led to the sense of crisis which surrounded John Sengstakke's death. As the publisher of the *Michigan Citizen* commented, "these papers . . . have to remain in the hands of someone within the same ethnicity, because we've seen from history that if we're not around to record our stories, they will either be manipulated or ignored."[43]