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Transnationalizing the Public Sphere

by Nancy Fraser

“The notion of a transnational public sphere is indispensable to critical theory in the current postnational constellation.”

It is commonplace nowadays to speak of “transnational public spheres,” “diasporic public spheres,” “Islamic public spheres,” and even an emerging “global public sphere.” And such talk has a clear point; a growing body of media studies are documenting the existence of discursive arenas that overflow the bounds of both nations and states. Numerous scholars in cultural studies are ingeniously mapping the contours of such arenas and the flows of images and signs in and through them. Nevertheless, this idea raises a problem. The concept of the public sphere was developed not simply to understand communication flows but also to contribute to a critical theory of democracy. In that theory, a public sphere is conceived as a space for the communicative generation of public opinion. Insofar as the process is inclusive and fair, publicity is supposed to discredit views that cannot withstand critical scrutiny and to assure the legitimacy of those that do. Thus, it matters who participates and on what terms.

In addition, a public sphere is conceived as a vehicle for marshaling public opinion as a political force. Mobilizing the considered sense of civil society, publicity is supposed to hold officials accountable and to assure that the actions of the state express the will of the citizenry. Thus, a public sphere should correlate with a sovereign power. Together, these two ideas—the *nonnative legitimacy* and *political efficacy* of public opinion—are essential to the concept of the public sphere in critical theory. Without them, the concept loses its critical force and its political point.

Yet these two features are not easily associated with the discursive arenas that we today call “transnational public spheres.” It is difficult to associate the notion of legitimate public opinion with communicative arenas in which

the interlocutors are not fellow members of a political community with equal rights to participate in political life. And it is hard to associate the notion of efficacious communicative power with discursive spaces that do *not* correlate with sovereign states. Thus, it is by no means clear what it means today to speak of “transnational

If states do not fully control their own territories, then how can their citizenries’ public opinion be politically effective?

public spheres.” From the perspective of critical theory, at least, the phrase sounds a bit like an oxymoron. Nevertheless, we should not rush to jettison the notion of a transnational public sphere. Such a notion is indispensable, I think, to those who aim to reconstruct critical theory in the current “postnational constellation.” But it will not be sufficient merely to refer to such public spheres in a relatively casual common-sense way, as if we already knew what they were. Rather, it will be necessary to return to square one, to problematize public-sphere theory—and ultimately to reconstruct its conceptions of the normative legitimacy and political efficacy of communicative power.

The trick will be to walk a narrow line between two equally unsatisfactory approaches. On the one hand, one should avoid an empiricist approach that simply adapts the theory to the existing realities, as that approach risks sacrificing its normative force. On the other hand, one should also avoid an externalist approach that invokes ideal theory to condemn social reality, as that approach risks forfeiting critical traction. The alternative, rather, is a critical theoretical approach that seeks to locate normative standards

and emancipatory political possibilities precisely within the historically unfolding constellation.

Let me begin by recalling some analytic features of public-sphere theory, drawn from the locus classicus of all discussions, Jürgen Habermas’ *Structural Transformation of the Public Sphere*. In this early work, Habermas’ inquiry proceeded simultaneously on two levels, one empirical and historical, the other ideological-critical and normative. On both levels, the public sphere was conceptualized as coextensive with a bounded political community and a sovereign territorial state, often a nation-state. *Structural Transformation* correlated the public sphere with a modern state apparatus that exercised sovereign power over a bounded territory. Thus, Habermas assumed that public opinion was addressed to a Westphalian state that was capable in principle of regulating its inhabitants’ affairs and solving their problems.

Some readers found the Habermas critique insufficiently radical. In the discussion that followed the work’s belated translation into English, the objections tended to divide into two distinct streams. One stream interrogated the *legitimacy* of public opinion along lines beyond those pursued by Habermas. Focused on relations within civil society, exponents of what I shall call “the legitimacy critique” contended that *Structural Transformation* obscured the existence of systemic obstacles that deprive some who are nominally members of the public of the capacity to participate on a par with others, as full partners in public debate. Highlighting class inequalities and status hierarchies in civil society, these critics analyzed their effects on those included in principle, but excluded or marginalized in practice: propertyless workers; women; the poor; ethno-racial, religious, and national minorities. Thus, this critique questioned the legitimacy of

what passes for public opinion in democratic theory and in social reality.

A second stream of criticism radicalized Habermas' problematization of the *efficacy* of public opinion. Focused on relations between civil society and the state, proponents of "the efficacy critique" maintained that *Structural Transformation* failed to register the full range of systemic obstacles that deprive discursively generated public opinion of political muscle. Not convinced that these had been adequately captured by Habermas' account of the "refeudalization" of the public sphere, these critics sought to theorize the structural forces that block the flow of communicative power from civil society to the state. Highlighting the respective roles of private economic power and entrenched bureaucratic interests, their critique served to deepen doubt about the efficacy of public opinion as a political force in capitalist societies.

My own earlier effort to "rethink the public sphere" was no exception. In an article originally published in 1991, I directed criticisms of both types against what I called, following Habermas, "the liberal model of the bourgeois public sphere." In its legitimacy aspect, my critique focused on the effects on public opinion of inequality *within* civil society. Rebutting the liberal view that it was possible for interlocutors in a public sphere to bracket status and class differentials and to deliberate "as if" they were peers, I argued that social equality is a necessary condition for political democracy. Under real-world conditions of massive inequality, I reckoned, the only way to reduce disparities in political voice was through social movement contestation that challenged some basic features of bourgeois publicity. Complicating the standard liberal picture of a single comprehensive public sphere, I claimed that the proliferation of subaltern counterpublics could enhance the participation of subordinate strata in stratified societies.

Exposing, too, the bourgeois masculinist bias in standard liberal views of what counts as a public concern, I endorsed efforts by movements, such as feminism, to redraw the boundaries between public and private.

My article also propounded an efficacy critique, which interrogated the capacity of public opinion to achieve political force. Identifying forces that block the translation of communicative power into administrative power, I questioned the standard liberal view that a functioning public sphere always requires a sharp separation between civil society and the state. Distinguishing the "weak publics" of civil society—which generate public opinion but not binding laws—from the "strong publics" within the state (whose deliberations issue in sovereign decisions), I sought to envision institutional arrangements that could enhance the latter's accountability to the former. Aiming, too, to open space for imagining radical-democratic alternatives, I questioned the apparent foreclosure by Habermas of hybrid forms, such as "quasi-strong" decision-making publics in civil society.

Today, even powerful states share responsibility for many key governance functions with international institutions, intergovernmental networks, and nongovernmental organizations. This is the case not only for relatively new



functions, such as environmental regulation, but also for classical ones, such as defense, policing, and the administration of civil and criminal law—witness the International Atomic Energy Agency, the International Criminal Court, and the World Intellectual Property Organization. Certainly, these institutions are dominated by hegemonic states, as was the interstate system before them. But the mode in which hegemony is exercised today is evidently new. Far from invoking the model of exclusive, undivided state sovereignty, hegemony increasingly operates through a *model of disaggregated sovereignty*.

If states do not fully control their own territories, if they lack the sole and undivided capacity to wage war, secure order, and administer law, then how can their citizenry's public opinion be politically effective? Even granting, for the sake of argument, that national publicity is fairly generated and satisfies criteria of legitimacy; even granting, too, that it influences the will of parliament and the state administration; how, under conditions of disaggregated sovereignty, can it be *implemented*? How, in sum, can public opinion be *efficacious* as a critical force?

The assumption that a public coincides with a national citizenry, resident on a national territory, which formulates its common interest as the general will of a bounded political community

—this assumption, too, is counterfactual. For one thing, the equation of citizenship, nationality, and territorial residence is belied by such phenomena as migrations, diasporas, dual- and triple-citizenship arrangements, indigenous community membership, and patterns of multiple residency. Every state now has non-citizens on its territory; most are multicultural and/or multinational; and every nationality is territorially dispersed. Equally confounding, however, is the fact that public spheres today are not coextensive with political membership. Often the interlocutors are neither co-nationals nor fellow citizens. The opinion they generate, therefore, represents neither the common interest nor the general will of any *demos*. Far from institutionalizing debate among citizens who share a common status as political equals, publicity appears in the eyes of many observers to empower transnational elites, who possess the material and symbolic prerequisites for global networking.

Here, too, the difficulty is not just empirical but also conceptual and political. If the interlocutors do not constitute a *demos*, how can their collective opinion be translated into binding laws and administrative policies? If, moreover, they are not fellow citizens, putatively equal in participation rights, status, and voice, then how can the opinion they generate be considered legitimate? How, in sum, can the *critical* criteria of *efficacy* and *legitimacy* be meaningfully applied to transnational public opinion in our contemporary world?

The assumption that a principal *topos* of public-sphere discussion is the proper regulation by a territorial state of a national economy, too, is belied by present conditions. We need only mention outsourcing, transnational corporations, and offshore business registry to appreciate that territorially based national production is now largely notional. Thanks, moreover, to the



dismantling of the Bretton Woods capital controls and the emergence of 24/7 global electronic financial markets, state control over national currency is presently quite limited. Finally, as those who protest policies of the World Trade Organization, the International Monetary Fund, the North American Free Trade Agreement, and the World Bank have insisted, the ground rules governing trade, production, and finance are set transnationally, by agencies more accountable to global capital than to any public. In these conditions, the presupposition of a national economy is counterfactual.

As before, moreover, the effect is to imperil the critical function of public spheres. If states cannot in principle steer economies in line with the articulated general interest of their populations, how can national public opinion be an effective force? Then, too, if economic governance is in the hands of agencies that are not locatable in one recognizable space, how can it be made accountable to public opinion? Moreover, if those agencies are invalidating national labor and environmental laws in the name of free trade, if they are prohibiting domestic social spending in the name of structural adjustment, if they are institutionalizing neoliberal governance rules that would once and for all remove major matters of public concern from any possibility of political regulation, if in sum they are systematically reversing the democratic project, using markets to tame politics instead of politics to tame markets, then how can citizen public opinion have any impact? Lastly, if the world capitalist system operates to the massive detriment of the global poor, how can what passes for transnational public opinion be remotely legitimate, when those affected by current policies cannot possibly debate their merits as peers? In general, then, how can public opinion concerning the economy be either *legitimate* or *efficacious* in a post-imperial world?



Consider, as well, the assumption that public opinion is conveyed through a national communications infrastructure, centered on print and broadcasting. This assumption implies that communicative processes, however decentered, are sufficiently coherent and politically focused to coalesce in “public opinion.” But it, too, is rendered counterfactual by current conditions. Recall the profusion of niche media, some sub-national, some transnational, which do not in any case function as national media, focused on subjecting the exercise of state power to the test of publicity. Granted, one can also note the parallel emergence of global media, but these market-driven, corporately owned outlets are scarcely focused on checking transnational power. In addition, many countries have privatized government-operated media, with decidedly mixed results: on the one hand, the prospect of a more independent press and TV and more inclusive populist programming; on the other hand, the further spread of market logic, advertisers’ power, and dubious amalgams like talk radio and “infotainment.” Finally, we should mention instantaneous electronic, broadband, and satellite communications technologies, which permit direct transnational communication, bypassing state controls. Together, all

these developments signal the denationalization of communicative infrastructure.

The effects here, too, pose threats to the critical functioning of public spheres. Granted, we see some new opportunities for critical public opinion formation. But these go along with the disaggre-

The “who” of communication, previously theorized as a national citizenry, is often now a collection of dispersed interlocutors who do not constitute a demos.

gation and complexification of communicative flows. Given a field divided between corporate global media, restricted niche media, and decentered Internet networks, how could critical public opinion possibly be generated on a large scale and mobilized as a political force? Given, too, the absence of even the sort of formal equality associated with common citizenship, how could those who comprise transnational media audiences deliberate together as peers? How, once again, can public opinion be normatively *legitimate* or politically *efficacious* under current conditions?



Consider, too, the presupposition of a single national language, which was supposed to constitute the linguistic medium of public-sphere communication. As a result of population mixing, national languages do not map onto states. The problem is not simply that official state languages were consolidated at the expense of local and regional dialects, although they were. It is also that existing states are *de facto* multilingual, while language groups are territorially dispersed, and many more speakers are multilingual. Meanwhile, English has become the *lingua franca* of global business, mass entertainment, and academia. Yet language remains a political faultline: threatening to explode countries like Belgium, if no longer Canada, while complicating efforts to democratize countries like South Africa and to erect transnational formations like the European Union.

The assumption that a public sphere rests on a national vernacular literature, which supplies the shared social imaginary needed to underpin solidarity, too, is today counterfactual. Consider the increased salience of cultural hybridity and hybridization, including the rise of “world literature.” Consider the rise of global mass entertainment, whether straightforwardly American or merely stylistically informed by American entertainment. Consider, finally, the spectacular rise of visual culture, or, better, of the enhanced salience of the visual *within* culture, and the relative decline of print and the literary. In all these cases, it is difficult to recognize the sort of (national) literary cultural formation seen by Habermas as underpinning the subjective stance of public-sphere interlocutors. On the contrary, insofar as public spheres require the cultural support of shared social imaginaries, rooted in national literary cultures, it is hard to see them functioning effectively today.

In general, then, public spheres are increasingly transnational or postnational with respect

to each of the constitutive elements of public opinion. The “who” of communication, previously theorized as a national citizenry, is often now a collection of dispersed interlocutors, who do not constitute a *demos*. The “what” of communication, previously theorized as a national interest rooted in a national economy, now stretches across vast reaches of the globe, in a transnational community of risk, which is not, however, reflected in concomitantly expansive solidarities and identities. The “where” of communication, once theorized as the national territory, now increasingly occupies deterritorialized cyberspace. The “how” of communication, once theorized as national print media, now encompasses a vast translanguistic nexus of disjoint and overlapping visual cultures. Finally, the “to whom” or addressee of communication, once theorized as a sovereign territorial state which should be made answerable to public opinion, is now an amorphous mix of public and private transnational powers that is neither easily identifiable nor rendered accountable.

These developments raise the question of whether and how public spheres today could conceivably perform the democratic political functions with which they have been associated historically. Could public spheres today conceivably generate *legitimate* public opinion, in the strong sense of considered understandings of the general interest, filtered through fair and inclusive argumentation, open to everyone potentially affected? And if so, how? Likewise, could public spheres today conceivably render public opinion sufficiently *efficacious* to constrain the various powers that determine the conditions of the interlocutors’ lives? And if so, how? What sorts of changes (institutional, economic, cultural, and communicative) would be required even to imagine a genuinely *critical* and democratizing



role for transnational public spheres under current conditions? Where are the sovereign powers that public opinion today should constrain? Which publics are relevant to which powers? Who are the relevant members of a given public? In what language(s) and through what media should they communicate? And via what communicative infrastructure?

These questions well exceed the scope of the present inquiry and I shall not pretend to try to answer them here. I want to conclude, rather, by suggesting a conceptual strategy that can clarify the issues and point the way to possible resolutions.

My proposal centers on the two features that together constituted the *critical* force of the concept of the public sphere: namely, the normative *legitimacy* and political *efficacy* of public opinion. As I see it, these ideas are intrinsic, indispensable elements of *any* conception of publicity that purports to be critical, regardless of the socio-historical conditions in which it obtains. The present constellation is no exception. Unless we can envision conditions under which current flows of transnational publicity could conceivably become legitimate and efficacious, the concept loses its critical edge and its political point. Thus, the only way to salvage the critical function of

publicity today is to rethink legitimacy and efficacy. The task is to detach those two ideas from the premises that previously underpinned them and to reconstruct them for a present world.

Consider, first, the question of *legitimacy*. In public-sphere theory, public opinion is considered legitimate if and only if all who are potentially

How can public opinion concerning the economy be either legitimate or efficacious in a post-imperial world?

affected are able to participate as peers in deliberations concerning the organization of their common affairs. In effect, then, the theory holds that the legitimacy of public opinion is a function of two analytically distinct characteristics of the communicative process, namely, the extent of its *inclusiveness* and the degree to which it realizes *participatory parity*. In the first case, which I shall call the inclusiveness condition, discussion must in principle be open to all with a stake in the outcome. In the second, which I shall call the parity condition, all interlocutors must, in principle, enjoy roughly equal chances to state their views, place issues on the agenda, question the tacit and explicit assumptions of others, switch levels as needed, and generally receive a fair hearing. Whereas the inclusiveness condition concerns the question of *who* is authorized to participate in public discussions, the parity condition concerns the question of *how*, in the sense of on what terms, the interlocutors engage one another.

In the past, however, these two legitimacy conditions of public opinion were not always clearly distinguished. Both the inclusiveness

condition and the parity condition were yoked together under the ideal of *shared citizenship in a bounded community*. Public-sphere theorists implicitly assumed that citizenship set the legitimate bounds of inclusion, effectively equating those affected with the members of an established polity. Tacitly, too, theorists appealed to citizenship in order to give flesh to the idea of parity of participation in public deliberations, effectively associating communicative parity with the shared status of political equality in a territorial state. Thus, citizenship supplied the model for both the “who” and the “how” of legitimate public opinion.

The effect, however, was to truncate discussions of legitimacy. Taking for granted the modern territorial state as the appropriate unit, and its citizens as the pertinent subjects, that frame foregrounded the question of *how* precisely those citizens should relate to one another in the public sphere. The argument focused, in other words, on what should count as a relation of participatory parity among the members of a bounded political community. Today, however, the question of the “who” can no longer be swept under the carpet. The idea that citizenship can serve as a proxy for affectedness is no longer plausible. Under current conditions, one’s conditions of living do not depend wholly on the internal constitution of the political community of which one is a citizen. Although the latter remains undeniably relevant, its effects are mediated by other structures, both extra- and nonterritorial, whose impact is at least as significant.

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