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Transnationalizing the Public Sphere

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It is commonplace nowadays to speak of "transnational public spheres." In academic milieux, we increasingly hear references to "diasporic public spheres," "regional public spheres," and even an emerging "global public sphere." And such talk has a clear point. A growing body of media-studies literature is documenting the existence of discursive arenas that overflow the bounds of both nations and states. And numerous scholars in cultural studies are ingeniously mapping the contours of such arenas and the flows of images and signs in and through them. Thus, the idea of a "transnational public sphere" is intuitively plausible, as it seems to have real purchase on social reality.

Nevertheless, this idea raises a theoretical problem. The concept of the public sphere was developed not simply to understand empirical communication flows but to contribute a normative political theory of democracy. In that theory, a public sphere is conceived as a space for the communicative generation of public opinion, in ways that are supposed to assure (at least some degree of) moral-political validity. Thus, it matters who participates and on what terms. In addition, a public sphere is supposed to be a vehicle for mobilizing public opinion as a political force. It should empower the citizenry vis-à-vis private powers and permit it to exercise influence over the state. Thus, a public-sphere is supposed to correlate with a sovereign power, to which its communications are ultimately addressed. Together, these two ideas—the validity of public opinion and citizen empowerment vis-à-vis the state—are essential to the concept of the public sphere in democratic 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 valid public opinion with communicative arenas in which the interlocutors do not constitute a political citizenry. And it is hard to associate the notion of communicative power with discursive spaces that do correlate with sovereign states. Thus, it is by no means clear what it means today to speak of "transnational public spheres." From the perspective of democratic 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 of us who aim to reconstruct democratic theory in the current "postnational constellation." But it will not be sufficient merely to refer to such public spheres in a relatively casual commonsense 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 validity and 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 sacrifices normative force. On the other hand, one should also avoid an excessively externalist approach that invokes ideal theory to condemn social reality, as that approach sacrifices critical traction. The alternative, rather, is a critical-theoretical approach that seeks to locate normative standards and emancipatory political possibilities precisely within the unfolding present constellation.

This project confronts a major difficulty, however. From its inception, public sphere theory has always been implicitly Westphalian and/or nationalist; it has always tacitly assumed a Westphalian and/or national frame. The same is (largely) true for various critiques/reconstructions of public sphere theory from the perspectives of gender, race, and class. Only very recently have the national-Westphalian underpinnings of public sphere theory been problematized. The increased salience of transnational phenomena associated with "globalization," "postcoloniality," "multiculturalism," etc. have made it possible—and necessary—to rethink public sphere theory in a transnational frame. These developments

force us to face the hard question: is the concept of the public sphere so thoroughly national-Westphalian in its deep conceptual structure as to be unsalvageable as a critical tool for theorizing the present? Or can the concept be reconstructed within a transnational frame? In the latter case, the task would not simply be to conceptualize transnational public spheres as actually existing institutions. It would rather be to reformulate *the critical theory of the public sphere* in a way that can illuminate the emancipatory possibilities of the present "postnational constellation."

In this lecture I want to begin to lay out the parameters for such a discussion. I shall be mapping the terrain and posing the questions rather than offering definitive answers. But I start with the assumption that public-sphere theory is in principle an important critical-conceptual resource that should be reconstructed rather than jettisoned, if possible. And my discussion will proceed in three parts. First, I shall sketch the contours of traditional public sphere theory in a way that highlights its implicit national-Westphalian presuppositions; and I shall suggest that those presuppositions have persisted in the major feminist and anti-racist critiques and appropriations of the theory. Second, I shall identify several distinct facets of transnationality that problematize both traditional public sphere theory and its feminist and anti-racist countertheorizations. Finally, I shall propose some strategies whereby public sphere theorists might begin to respond to these challenges.

My overall aim is to repoliticize public-sphere theory, which is currently in danger of being depoliticized. This, we shall see, requires rethinking the problem of scale.

I. Traditional Public-Sphere Theory and Its Critical Countertheorization: Thematizing the Implicit National-Westphalian Frame

Let me begin by recalling some analytic features of public-sphere theory, drawn from the locus classicus of all discussions, Jürgen Habermas's *Structural Transformation of the Public Sphere*. Habermas's inquiry proceeded simultaneously on two levels: 1) the empirical-historical-institutional level and 2) the ideological-critical/ideal-normative level. On both levels, the public sphere was conceptualized as coextensive with a sovereign territorial (nation-)state. Tacitly, at least, Habermas's account of the public sphere rested on at least six institutional presuppositions, all of which were implicitly Westphalian:

- 1) Habermas tacitly associated the public sphere with a Westphalian-national state apparatus that exercised sovereign power over a bounded territory and its inhabitants
- 2) Habermas tacitly associated the public sphere with a Westphalian-national economy that was territorially based, legally constituted, and subject in principle to state regulation
- 3) Habermas tacitly associated the public sphere with a Westphalian-national citizenry that was resident on the Westphalian-national territory and possessed a set of (Westphalian-national) general interests, which in turn were largely constituted through and focused on the Westphalian-national economy
- 4) Habermas tacitly associated the public sphere with a national language, which constituted the medium of public-sphere communication
- 5) Habermas tacitly associated the public sphere with a Westphalian-national literature, which constituted the medium for the formation and reproduction of a (Westphalian-national) subjective orientation to a (Westphalian-national) imagined community and hence of a Westphalian-national identity
- 6) Habermas tacitly associated the public sphere with a Westphalian-national infrastructure of communication: a Westphalian-national press and later Westphalian-national broadcast media which reports the Westphalian-national news

These institutional elements are related in public sphere theory in a specific ideal/ideological way, oriented to a specific political project. The point is to generate through (Westphalian-national) processes of public communication (conducted in the Westphalian-national language and through the Westphalian-national press) a body of (Westphalian-national) public opinion. This opinion should reflect the

communicatively generated (Westphalian-national) general interest of the (Westphalian-national) citizenry concerning the management and ordering of the common conditions of their (Westphalian-national) life, especially the (national) economy. The further point is to empower the body of (Westphalian-national) public opinion so generated vis-à-vis private powers and the national state, to hold the (Westphalian) state accountable to the (Westphalian-national) citizenry, and to "rationalize" (Westphalian) state domination. So understood, the (national) public sphere is a vital institutional component of (Westphalian-national) democracy.

Empirically, then, public sphere theory highlights historic processes, however incomplete, of democratization of the Westphalian-national state. Normatively, it represents a contribution to Westphalian-national democratic theory. On both levels it serves as a benchmark for identifying, and critiquing, the democratic deficits of actually existing Westphalian states. Are all nationals really full members of the public? Can all participate on equal terms? Does private ownership of the Westphalian-national media distort Westphalian-national processes of opinion formation? Does Westphalian-national public opinion attain sufficient effective communicative power to tame private power? Can it succeed in influencing the Westphalian-national state to a degree sufficient to rationalize domination?

Insofar as it invited us to explore such questions, classical public sphere theory constituted a critical theory of a specific political project: the project of modern Westphalian-national state democratization. The critique of this theory has focused largely on securing the full inclusion of those nationals who were excluded or marginalized within that frame: propertyless workers, women, racial minorities, and the poor.

My own earlier effort to "rethink the public sphere" represents a case in point. In an article originally published in 1991, I offered four criticisms of what I called, following Habermas, "the liberal model of the bourgeois public sphere." First, I argued, contra that model, that it was not in fact possible for interlocutors in a public sphere to bracket status differentials and to deliberate "as if" they were social equals, when they were not; and so I concluded that societal equality is a necessary condition for political democracy. Second, I argued, contra the bourgeois model, that a single comprehensive public sphere is not always preferable to a nexus of multiple publics; and I showed that in stratified societies, the proliferation of subaltern counterpublics could be a step toward greater democracy. Third, I rebutted the bourgeois-liberal view that discourse in public spheres should be restricted to deliberation about the common good, and that the appearance of "private interests" and "private issues" is always undesirable. Fourth and finally, I contested the bourgeois view that a functioning democratic public sphere always necessarily requires a sharp separation between civil society and the state. In each case, I demonstrated that the bourgeois model illegitimately truncated the scope of democracy. And I argued instead for a postbourgeois model.

This critique still seems right as far as it went. But I now believe that it did not go far enough. Focused largely on overcoming disparities of participation in Westphalian-national public spheres, my critique represented a radicalization of the Westphalian-national-democratic project. Aiming to overcome the limitations of the bourgeois-liberal model, I sought to ensure full access and real parity of participation to those whom that model excluded or marginalized: women, minorities, and the poor. But I failed to challenge the six Westphalian-national presuppositions of the classical theory of the public sphere.

II. The Postnational Constellation: Problematizing the National Frame

Today, however, every one of public sphere theory's six national presuppositions is problematic, if not simply patently counterfactual. Let me revisit them one by one, beginning with:

1) Westphalian-national state sovereignty

Several developments are problematizing public sphere theory's presupposition of the sovereign, territorially defined Westphalian-national state, which was supposed to constitute the addressee of

public-sphere communication. No longer unified in a single institutional locus, sovereignty is being disaggregated, broken up into several distinct functions and assigned to several distinct agencies, which function at several distinct levels, some global, some regional, some local and subnational. Military and security functions are being disaggregated, relocated, and rescaled as a result of "humanitarian interventions," "peacekeeping operations," the war on terrorism," and a host of multilateral security arrangements. Likewise, criminal law and policing functions are being disaggregated, reaggregated and rescaled, sometimes upward, as in the case of international war crimes tribunals, the International Criminal Court, "universal jurisdiction," and Interpol; but sometimes downward, as in the case of tribal courts and the privatization of prisons. Meanwhile, responsibility for contract law is being rescaled as a result of the emergence of a private transnational regime for resolving business disputes (a revival of the *lex mercatoria*). Economic steering functions are being rescaled upward to regional trading blocs, such as the European Union, NAFTA, and Mercosur, and to formal and informal transnational bodies, such as the World Bank, and the IMF, and the World Economic Forum; but also downward, to municipal and provincial agencies, increasingly responsible for fostering development, regulating wages and taxes, and providing social welfare.

In general, then, we are seeing the emergence of a new multi-leveled structure of sovereignty, a complex edifice in which the country is but one level among others. The result is that states today do not enjoy undivided sovereignty over clearly demarcated territories and bodies of citizens. If public sphere communication is by definition addressed primarily to states, it cannot today serve the function of rationalizing sovereign domination, as the latter is often exercised elsewhere, by non-state actors and trans-state institutions.

2) Westphalian-national economy

Several developments are also problematizing public sphere theory's presupposition of a Westphalian-national economy, which was supposed to constitute the principal object of public-sphere concern, and the principal focus for generating a Westphalian-national general interest. We need only mention outsourcing, transnational corporations, and offshore business registry to appreciate the extent to which Westphalian-national based production is becoming a fiction. Likewise, we need only mention global financial markets, the Euro, and the collapse of the Argentine currency to appreciate the extent to which national currency controls are ephemeral. In these conditions, the very idea of a national economy is suspect, let alone one steered by a Westphalian-national state. If public sphere communication is largely concerned with Westphalian-state management of a Westphalian-national economy, it cannot today serve the function of generating general interest, rationalizing domination, democratizing economic steering, and using "politics to tame markets," as the processes that govern economic relations escape the Westphalian-national frame.

3) Westphalian-national citizenry

Several developments are also problematizing public sphere theory's presupposition of a Westphalian-national citizenry, which was supposed to constitute the subject of public-sphere communication. The enhanced salience of such phenomena as migrations, diasporas, dual citizenship arrangements, indigenous community membership, and patterns of multiple residency has made a mockery of the presupposition of a national citizenry, exclusive, sharply demarcated, and resident on a national territory. Every state now has noncitizens on its territory and every nationality is territorially dispersed. Most states are de facto multicultural and/or multinational, even when they persist in denying it. Thus, nationality and citizenship do not coincide. If the subjects of public-sphere communication are fellow nationals and fellow citizens, then such communication can no longer serve its classic function of mobilizing those who constitute a "community of fate" to assert democratic control over the powers that determine the basic conditions of their lives. Not only do such powers reside elsewhere, but those affected by them do not constitute a political community.

4) National language

Several developments are also problematizing public sphere theory's presupposition of a single national language, which was supposed to constitute the linguistic medium of public-sphere communication. As a result of the population mixing just noted, 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 been consolidated as the lingua franca of global business and mass entertainment, not to mention academia. Yet language remains a political fault line, 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 EU. The upshot is that insofar as Westphalian-national-based public-spheres are monolingual, they fail to constitute an inclusive communications community of the whole citizenry. At the same time, however, insofar as public spheres correspond to linguistic communities, they are geographically dispersed and do not correspond to any citizenry. In either case, it is difficult to see how public spheres can serve the function of generating a democratic counterpower vis-à-vis a state.

5) Westphalian-national literature

These developments also problematize public sphere theory's presupposition of a national literature, which was supposed to constitute a medium for the formation of a solidary national identity. Consider the increased salience of cultural hybridity and hybridization, including the rise of "world literature." Consider also the rise of global mass entertainment, whether straightforwardly American or merely American-like or American-izing. 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, the literary, etc. In all these ways, it is difficult to accord conceptual primacy to the sort of (national) literary cultural formation seen by Habermas (and by Benedict Anderson) as underpinning the subjective stance of public-sphere interlocutors. On the contrary, insofar as public spheres require the cultural support of a national identity, rooted in national literary culture, it is hard to see them functioning effectively today absent such solidary bases.

6) Westphalian-national infrastructure of communication

Related developments also problematize public sphere theory's presupposition of a Westphalian-national communicative infrastructure, which was supposed to support a set of communicative processes that, however decentered, were sufficiently coherent and politically focused to coalesce in "public opinion." Here we need only consider the profusion of niche media, which may be simultaneously subnational and transnational, but which do not in any case function as Westphalian-national media, focused on checking Westphalian-national state power. We should also note the vastly increased concentration of media ownership, by transnational corporations, which despite their tremendous reach, are by no means focused on checking transnational power. In addition, many countries have privatized government operated media outlets, 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 information technologies, which permit direct transnational communication, bypassing Westphalian-state controls. Together, all these developments signal the denationalization of communicative infrastructure. The effects include some new opportunities for critical-public opinion formation, to be sure. But these are accompanied by the disaggregation and complexification of communicative flows. The overall effect is to undermine both the generation of critical public opinion on a large-scale and also its mobilization as effective communicative power.

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 Westphalian-national citizenry, is now a collection of dispersed subjects of communication. The what of communication, previously theorized as a Westphalian-national interest rooted in a Westphalian-national economy, now stretches across vast reaches of the globe, in a transnational community of fate and of risk, which is not however reflected in concomitantly expansive solidarities and identities. The where of communication, once theorized as the Westphalian-national territory, is now deterritorialized cyberspace. The how of communication, once theorized as Westphalian-national print media, now encompasses a vast translanguistic nexus of disjoint and overlapping visual cultures. Finally, the addressee of communication,

once theorized as Westphalian state power to be made answerable to public opinion, is now an amorphous mix of public and private transnational powers (suggestively named "the nebuleuse" by Robert Cox), that is neither easily identifiable nor rendered accountable.

III. Rethinking the Public Sphere—Yet Again

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. For example, could public spheres today conceivably generate public opinion in the strong sense of considered understandings of the general interest that has been filtered through fair, inclusive and critical argumentation, open to everyone affected? And could public spheres today conceivably bring such public opinion to bear to constrain sovereign powers or their functional equivalents? What sorts of changes (institutional, economic, cultural, and communicative) would be required even to imagine a genuinely democratic (or 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?

Answering these questions requires us to identify the critical disjunctures or mismatches of scale that threaten to undermine public sphere theory today—and to figure out how to overcome them. Let me mention just two.

1) One key disjuncture is the mismatch of scale between Westphalian states, on the one hand, and transnational private powers, on the other. Overcoming this mismatch requires institutionalizing new transnational public powers that can constrain transnational private power and be made subject to transnational democratic control.

2) A second key disjuncture is the mismatch of scale between Westphalian-state-based citizenship, post-Westphalian communities of fate or risk (some of which are global), national and transnational (but subglobal) publics, and subglobal solidarities. Overcoming this mismatch requires institutionalizing elements of transnational/quasi-global citizenship; generating concomitantly broad solidarities that cross divisions of language, ethnicity, religion, and nationality; and constructing broadly inclusive public spheres in which common interests can be created and/or discovered through open democratic communication. Put differently, it requires realigning relations among at least for distinct kinds of community, which do not map onto one another today:

- 1) the imagined community, or nation
- 2) the political (or civic) community, or citizenry
- 3) the communications community, or public
- 4) the community of fate, or the set of stakeholders affected by various developments
(included here is "community of risk")

The picture I envision encompasses multiple publics, corresponding to the picture of multilevel structure of sovereignty I sketched earlier. Here the multiplicity is not horizontal, as in my earlier effort to rethink the public sphere, which assumed an array of publics and counterpublics. Rather the multiplicity envisioned here is vertical.

In general, then, I am stressing the need for institutional renovation. This focus contrasts with two other emphases that often dominate discussions of globalization. One is a consumerist response (found not only in unabashed neoliberals like Tom Friedman but also in relatively critical thinkers like Ulrich Beck). This approach envisions the mobilization of transnational consumer movements to curbs transnational corporate power through boycotts. It targets communicative power directly on corporations, effectively bypassing the state. Thus, it inadvertently cedes the political terrain instead of seeking to remake it.

A second common emphasis puts its hopes rather in transnational social movements. Certainly, such movements do represent an important response to the mismatches of scale I have identified here; they stretch several of the constituent elements of public communication, including the who, what, where, how, and to whom. But they do not and cannot provide the whole solution. The problem is not only some of them are reactionary. Nor is it that even the progressive ones are neither fully democratic, nor inclusive, nor accountable. More profoundly, transnational movements, like publics, are counterpowers. Their efficacy requires the existence of institutionalized sovereign powers that can be constrained to act in the general interest. Failing major institutional renovation, neither transnational social movements nor transnational public spheres can assume the emancipatory democratizing functions that are the whole point of public-sphere theory.

In general, then, there is no substitute for major institutional renovation. If public-sphere theory is to become relevant to the current postnational constellation, it is not enough for cultural-studies and media-studies scholars to map existing communications flows. Rather, critical social and political theorists will need to rethink the theory's basic premises, both institutional and normative. Only then will the theory recover its point and its promise as a concept that can contribute to emancipation.