

Protest Actions, Image Events, and the Civil Rights Movement in Birmingham

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Creating a public outcry in order to get news coverage is strategic. This author questions why social movements rise or decline and have various impacts on social policy outcomes. The level of analysis is the U.S. political system. The unit of analysis is protest event analysis. Theoretical orientation draws on Nancy Fraser's, Rethinking the Public Sphere: A Contribution to the Critique of Actually Existing Democracy. Using her distinction between "weak publics" and "strong publics" as discursive fields of social movements, this author argues that groups develop discursive repertoires that are based on media interests. Discourse analysis of protest actions in the U.S. Civil Rights Movement in Birmingham, Alabama in 1963 shows how issues ascended from weak publics and entered into strong publics with the power to legislate. Protest actions provided a public outcry that facilitated rational-critical discourse.

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The Civil Rights Movement in Birmingham, Alabama provides an excellent example of an ascending social movement. Diane McWhorter in her book, *Carry Me Home*, said, “Birmingham had become the do-or-die test for the civil rights movement, what King had pronounced “the most segregated city in America” (McWhorter 21). By examining the Civil Rights Movement in Birmingham in 1963, I explicate how “the force of public opinion is strengthened when a body representing it is empowered to translate such “opinion” into authoritative decisions” (Fraser 134 135). In other words, social movements rise or decline and have various impacts on social policy outcomes in the United States political system.

Prior to 1963 events, the civil rights movement had remained a weak public. Images of police dogs attacking protestors, fire hoses drenching protestors, children marching in the streets reached a world-wide audience through the media and this may have influenced President Kennedy to encourage legislative changes. It is important to point out that conventional usage of Jurgen Habermas’ liberal public sphere and the characteristics of this ideal notion facilitating rational critical discourse does not comport to image events, and I surmise that Habermas would not value the importance of image events meeting a Kantian moral idea. My aim is to state the pitfalls and potential of using image events to create an ascending social movement for successful social change.

Theoretical Background

The Southern Christian Leadership Conference leaders and their supporters organized protest events in 1963 that followed a process that went from a “weak public” to a “strong public” through discursive repertoires which have theoretical orientation drawing on Nancy Fraser's, *Rethinking the Public Sphere: A Contribution to the Critique of Actually Existing Democracy*. In order to understand this conversion, I contrast how Fraser views civil society and the state as an institution with how Habermas views that the public sphere is the state in *The Structural Transformation of the Public Sphere*.

Fraser disagrees with Habermas on the role of civil society and the state on how decision making takes place. She says, “The public sphere, in short, is not the state; it is rather the informally mobilized body of nongovernmental discursive opinion that can serve as a counterweight to the state” (Fraser 134). If we look at parliamentary sovereignty in Fraser’s terms, she believes a sovereign parliament functions as a public sphere *within* the state. “Moreover, sovereign parliaments are what I shall call *strong publics*, publics whose discourse encompasses both opinion formation and decision making” (Fraser 134). She sees the line separating civil society and the state as blurred which promotes what she calls, “*weak publics*, publics whose deliberative practice consists exclusively in opinion formation and does not also encompass decision making” (Fraser 134). Nancy Fraser's also says that Habermas's work is most useful in that it distinguishes between the apparatuses of the state on the one hand and public arenas of citizen discourse and association on the other. “Not only does Habermas idealize the bourgeois public sphere, he also fails to examine other nonliberal, nonbourgeois, competing public spheres” (Fraser 116).

This is the realm of where the Southern Christian Leadership Conference leaders and their supporters organized protest events in 1963. The force of public opinion was strengthened

when the parliamentary strong public, President John F. Kennedy and the Congress, felt empowered to translate such “opinion” from weak publics into authoritative decisions.

Background on Birmingham

Authors, Frances Fox Piven and Richard A. Cloward, wrote *Poor people's Movements* that studied the Birmingham “mass black mobilization.” They said that SCLS leaders turned to Birmingham after what many called a defeat in Albany, Georgia. These authors and Diane McWhorter’s historical accounts of the Birmingham civil rights movement in 1963 are primary sources for my research. McWhorter said, “Before taking on Birmingham, SCLC would have to figure out what had gone wrong in Albany” (McWhorter 307). Piven and Cloward acknowledged that too. But they also explained why movement actors selected Birmingham. “From the perspective of SCLS leaders Birmingham was an ideal locale to draw the battle lines with the Kennedy Administration, for Birmingham was easily among the least racially advanced of major southern cities” (Piven and Cloward 241). The Commissioner of Public Safety, Eugene “Bull” Connor and the city administration closed public parks and the city had bombings of black churches. “For just these reasons the SCLC leadership believed that a campaign in Birmingham would provoke and expose southern racism and extremism as no other campaign had” (Piven and Cloward 241).

Piven and Cloward described the planning that SCLC did for Project “C” (Confrontation). Lunch counter sit-ins, selective boycotts, and other small-scale demonstrations began on Tuesdays, April 2, 1963. Project “C” was made up of “hundreds of volunteer cadres schooling masses of people in the philosophy and tactics of nonviolent offensives. Targets for sit-ins, demonstrations, and selective boycotts were picked from among the city’s businesses. McWhorter said that the only store to challenge the sit-ins was Newberry’s. (McWhorter 324)

Another strategic move by SCLS was to invite the Rev. Martin Luther King to Birmingham. From Atlanta, Martin Luther King, according to Diane McWhorter, watched trials of Fred Lee Shuttlesworth. He and King founded the Southern Christian Leadership Conference (SCLS). “Shuttlesworth’s appalling courage had earned him the nickname ‘the wild man from Birmingham.’ He had been bombed, whipped with chains, and subjected to a Chinese water-torture dribble of legal harassments. His response had been: ‘we mean to kill segregation or be killed by it.’ By finally persuading--goaded--the Movement to take on Birmingham, Shuttlesworth had brought King to the crossroads of his career and of the long, rough passage of their people” (McWhorter 21 22). McWhorter points out that the SCLS’ Birmingham Project was encouraged by Fred Lee Shuttlesworth as a “premeditated campaign” led by Shuttlesworth who complained of inaction for those seeking equal rights in Birmingham.

In order to get a perspective of the weak public, I reviewed Frances Piven, Richard Cloward, and Diane McWhorter’s accounts of protest events that occurred between April 2, 1963 and June 11, 1963 when President Kennedy made a televised address to the nation. Beginning on April 2nd, the police, anticipating an injunction, made peaceful arrests of demonstrators. By Friday, thirty-five had been jailed. On Saturday forty-five more were arrested during a silent march on City Hall. The expected injunction was issued on Wednesday, April 10, and fifty volunteers were designated to demonstrate on Friday in defiance of it.

According to McWhorter, on April 10, Martin Luther King went before the mass meeting at St. James AME Church and announced, “We are not here to do something for you, but to do something with you” (McWhorter 341). The press and the Movement activists wanted Martin Luther King to be involved. “The failure of Project C to find a newsworthy crisis virtually compelled it.” She said, “His planned surrender to the Birmingham authorities, two days hence, would finally bring the Movement’s messiah to his Golgotha. “I can’t think of a better day than Good Friday for a move for Freedom,” he said” (McWhorter 341).

All were arrested, including King, who was placed in solitary confinement. According to Piven and Cloward, “SCLC leaders decided ‘that one historic phone call deserved another’ and so on Sunday Coretta King telephoned the president (David Lewis, 1970, 186). The call was returned that evening by the attorney general who gave assurances that her husband was safe. By Monday bail money began to arrive and the White House was deluged with mail and telegrams protesting the events in Birmingham” (Piven and Cloward 241 242). King wrote his “Letter from a Birmingham Jail” addressed to southern clergymen that were his critics. “King had placed the black struggle into the archetypal American drama of religious persecution.” (McWhorter 355). McWhorter said it wasn’t published in full for nearly two months. After being incarcerated for 10 days, on April 20th, King and Abernathy posted \$300 cash bond and left jail.

According to McWhorter, on Thursday, May 2nd, radio deejays from WENN radio station gave signals to children who stayed home from school that day to march. Students were asked to meet at Sixteenth Street Church. She said, “three battalions of marchers made it out of the “colored section” and down to the main shopping district” (McWhorter 367).

Piven and Cloward said, “959 of some 6,000 children...ranging in age from six to sixteen, were arrested as they marched, singing wave upon wave from Sixteenth Street Baptist Church into town.... The next day police restraint, such as it was, broke. As 1,000 demonstrators were preparing to march, the police sealed off the exits of the church where they were assembling, with the result that only half got out, there to meet unleashed police dogs, flailing nightsticks, and jet-streams from high-pressure water hoses. Only a handful reached the intended target, City Hall. With television cameras everywhere, the hoped-for crisis was finally in the making. (Piven and Cloward 242)

On Friday, May 3rd, “Fifteen hundred kids were absent from School” (McWhorter 368). McWhorter said, “King told the reporters that the demonstrations were going to get more intense until they got “promise and action” from the city” (McWhorter 368). Teenagers went down Fifth Avenue North and marched to “White Birmingham,” Seventeenth Street. “The entire black district around Sixteenth Street Baptist was blockaded with police lines and squad cars and fire trucks.” (McWhorter 369). Bull Connor, pressured Fire Battalion Chief John Swindle to use the fire hoses to threaten the crowd, according to McWhorter. “Police Captain Glenn Evans yelled through a bullhorn at the demonstrators and the adult spectators wagging them, ‘Disperse, or you’re gonna get wet.’ The children resumed their march” (McWhorter 370). McWhorter described how the fireman began with low pressure spraying but then switched to high pressure which knocked the children down and injured some. She mentions some marchers backed off. “The mass of 1,000 to 1,500 onlookers booed the police” (McWhorter 371).

According to Piven and Cloward, on Saturday, May 4th Assistant Attorney General Burke Marshall arrived in Birmingham where more than 2,000 people had been imprisoned. The black community was still organizing non-violent demonstrations, but on Tuesday morning, “high-pressure water hoses broke legs, and caved in rib cages. By afternoon, while masses of demonstrators were scattered throughout the business district praying and singing before the deserted stores, younger participants began to throw rocks and bottles. The black community was exhausting its capacity for nonviolent discipline. As rioting spread, business leaders called for a trust to which SCLC agreed” (Piven and Cloward 242 243).

“To avert it the attorney general called local officials to declare that the federal government had reached the limits of its tolerance, and to threaten decisive action if a settlement was not made. On May 10 an agreement was reached that provided for the desegregation of lunch counters, rest rooms, and drinking fountains, for less racist hiring and promotion practices in local business, and for the immediate release of 3,000 imprisoned demonstrators” (Piven and Cloward 243).

These authors describe the watershed moment where images of police dogs attacking protestors, fire hoses drenching protestors, children marching in the streets reached a world-wide audience through the media and this controversy influenced President Kennedy to encourage legislative changes.

Unable to temporize any longer, the president ordered in federal troops and brought Governor Wallace into line by threatening to federalize the Alabama National Guard. In public statements he praised the courage and restraint of the movement and gave assurance that the federal government would stand behind the terms of the agreement negotiated with Birmingham’s white officials. (A few days later the Birmingham Board of Education expelled 1,100 students for their role in the demonstrations, although the federal courts later reinstated them.) With these events, protests burst forth across the country: “During the week of May 18, the Department of Justice noted forty-three major and minor demonstrations, ten of them in northern cities” (Franklin, 631).(Piven and Cloward 243)

This background on the Birmingham case ends with the culmination of authoritative decisions by governing bodies as a result of public outcries. “Popular Intellectuals must select which frame is receptive to the public in order to create the ascendant momentum leading to a public outcry. After an outcry, the interlocutors must call for reparative treatment recommendations which include a statement of repentance. The charismatic Popular Intellectual ought to create a sense of crisis in the public and bring the movement to a watershed event that leads to the consequences of moral repair” (Gunderson 3). I define a public outcry as a public protest act that activists can coordinate either as instrumental or expressive demonstrations in order to reach goal attainment for the Movement.

The force of public opinion was strengthened when the parliamentary strong public, to use Fraser’s term, Attorney General Burke Marshall, Governor Wallace, President John F. Kennedy, and the institutions they represented felt empowered to translate such “opinion” from weak publics into authoritative decisions.

Image Events

I argue that groups develop discursive repertoires that become image events involving the positioning of symbolic elements. I argue that John Delicath and Kevin Michael Deluca's definition of "image events" provides the structure needed to evaluate the manipulation behind the Children's March in Birmingham. Compositional analysis of the positioning of the symbolic elements by the Southern Christian Leadership Conference leaders and their supporters can be looked at as a process. SCLC can be looked at as a subaltern public facing a number of obstacles in terms of their access to the media and the control of their image.

The problem for movement leaders who want their discourse to be aired to the masses is the filter that narrows the range of news which acts as a threshold. "Messages from and about dissidents and weak, unorganized individuals and groups, domestic and foreign, are at an initial disadvantage in sourcing costs and credibility, and they often do not comport with the ideology or interests of the gatekeepers and other powerful parties that influence the filtering process" (Herman and Chomsky 1988). These authors argue that meeting the test of utility to elite interests is a requirement.

The weak public, the SCLC and their supporters, relied on large scale communications to matter. Todd Gitlin, in his book, *The Whole World is Watching* said,

In the late twentieth century, political movements feel called upon to rely on large-scale communications in order to *matter*, to say who they are and what they intend to publics they want to sway; but in the process they become "newsworthy" only by submitting to the implicit rules of newsmaking, by conforming to journalistic notions (themselves embedded in history) of what a "story" is, what an "event" is, what a "protest" is. The processed image then tends to *become* "the movement" for wider publics and institutions who have few alternative sources of information, or none at all, about it, that image has its impact on public policy, and when the movement is being opposed is in large part a set of mass-mediated images. (Gitlin 3)

I believe that media coverage is a checks and balance system where editors and reporters gauge how significant the public outcry is for social change. I see the process as similar to the way Fraser argues that women of various classes and ethnicities constructed "access routes" to public political life, despite their exclusion from the "official" public sphere. (Fraser 116)

Delicath and Deluca's views dovetail with Fraser's, "Habermas would likely point to image events as further evidence of the disintegration or refeudalization of the public sphere – a return to the spectacle of the Middle Ages. We would disagree. While image events of the radical ecological groups are often spectacular, they are not the displays of the rules, but rather, the rhetoric of subaltern counter public (Fraser, 1992, p 123) who have been excluded from the forums of the public sphere by the rules of reason and the protocols of decorum" (Delicath and Deluca 318).

If we rely on the weak and strong public's theory then we can see a path for social movement actors who create spectacles to sway public opinion as a rational process. Delicath

and Deluca said, “while today’s televisual public sphere is not the liberal public sphere of which Habermassian dream, wherein a reasonable public through deliberative discussion achieves rational public opinion, neither is it simply the medieval public sphere of representative publicity that they fear, a set where rules stage their status in the form of spectacles before the ruled” (Delicath and Deluca 318). In their article, Delicath and Deluca stress the importance of pictures and words, “And while the civil rights movement of the 50s and 60s was catalyzed by powerful pictures *and* eloquent words, radical ecology groups rely extensively on image events to argue against environmental destruction and in favor of alternative ecological features” (Delicath and Deluca 318). But how did these powerful pictures and strong words impact public opinion in the United States.

Backlash as pitfalls of Using Image Events in Protests

This protest analysis reveals the pitfalls or unintended consequences of public resentment and backlash from the public as a result of the perception of the movement conflicting with the public sphere’s ability to function legally and morally. Sam Tanenhaus, wrote in the New York Times, “Like abolitionism a century and a half ago, the civil rights movement in the 1960s and ideological conservatism in the 2000s each subsumed the most intense political, economic and cultural passions of the day” (Tanenhaus 3). He compares how the two emerged in the 1950s using religious arguments that became political action. Tanenhaus believes that the “Parties and movements have a history of uneasy friendships.” He believes that the Democratic Party was divided in the 1960s when civil rights protest loosed a white “backlash.” Tanenhaus’ article explains what I call a love-hate-relationship between movement activists and political Parties that he believes have lasted a half century. Tanenhaus mentions Rev. Martin Luther King as an example of a leader who used arguments in religious terms. In the Obama vs. Clinton Primary, Tanenhaus saw “backlash” from white blue-collar workers that reminded him of the 1960s civil rights movement.

Perhaps McWhorter said it best, DIRECT ACTION was a frontier of fragile alliances. The Movement’s natural white allies had cold shoulders” (McWhorter 324). The pitfalls of creating controversy as a weak public is that public opinion inside the movement and outside the movement can become “backlash.” Not only did the white community have cold shoulders, the black community had trouble organizing nonviolent protest actions under Martin Luther King’s perceived leadership. “The fallacy of building a movement around the personality of King was clear in the fallout from his jailing. Once he was removed from the action (and the press’s assassination watch suspended) fear had returned to the locals” (McWhorter 355). McWhorter said there was criticism that King did not stay until the end “his traveling circus departed early and left a community stranded with false hope and huge legal fees” (McWhorter 325). As a remedy to this solidarity problem, McWhorter said, “In fact, religion was what the activist Miles College professor Jonathan McPherson would call ‘the magnet that attracted people to the Movement and the cement that held it together.’” (McWhorter 327). Therefore religious beliefs impacted the blacks enough to create an ascending social movement for successful social change. This became a challenge for white supremacy that may be viewed as backlash. But what was the strong public’s response to the weak public of the civil rights movement?

Potential of Using Image Events in Protests

Using her distinction between "weak publics" and "strong publics" as discursive fields of social movements, this protest analysis reveals the potential of presentational symbolism to change public opinion into legislative action. One of the best examples of an image event was Associated Press photographer, Bill Hudson's famous photo of the black boy, Walter Gadsden, and the dog, Leo, that had been taken across the street from the church. "If our history texts listed *Uncle Tom's Cabin* among the Four Major Causes of the Civil War, so had the photograph of the police dog lunging at the black boy been a factor in the Emancipation Proclamation of the twentieth century. President John F. Kennedy went on national TV not long after the photograph was published (it had made him "sick," he said) and announced that he was sending to Congress a remedy for "the event of Birmingham": the first serious civil rights legislation since Reconstruction—ultimately the Civil Rights Act of 1964 – which would end legalized racism in America" (McWhorter 25). McWhorter describes in detail how the leaders of the civil rights movement recognized the importance of media coverage of presentational symbolism to change public opinion into legislative action.

According to McWhorter, one of the Movement leaders, Wyatt Walker, planned demonstrations to coincide with television news and she said, "The white newsman could be counted on to inflate the Movement troop count" (McWhorter 330). She recounts that Walker was so happy about the press coverage that, "Walker jumped up yelling, "We've got a movement. We've got a movement. We had some police brutality. They brought out the dogs" (McWhorter 331).

McWhorter claims throughout her book that the Movement, under the direction of Shuttlesworth, was interested in creating dramatic events that would spark spontaneous protests and media coverage. "The white powers would have to make a 'mistake' like jailing Shuttlesworth, which had sparked the spring department store boycott, in order to mobilize a 'spontaneous' protest. Otherwise, a situation would have to be created to stir up the community" (McWhorter 315).

However some leaders of the Movement were against this strategy, "Jim Bevel (SCLS) said, 'You guys are running a scam movement. In a movement you don't deal with the press. You act like there is no press. Otherwise you end up staging it. A movement is when people actually do out of conviction.'" (McWhorter 355). He believed in using children to gain sympathy for their cause. "Bevel sought out what he called the student "influence leaders," and the most efficient access to them was through a hitherto untapped movement resource—the black disc jockey" (McWhorter 359). Media coverage of police dogs, fire hoses, and children marchers dominated the evening television news. The images made in into numerous papers through the newswire. Charles Moore photographed a series of photos that ended up being published in *Life* which included a series of two dogs ripping Henry Lee Shambry's clothes. Using children as presentational symbolism to change public opinion into legislative action was successful for the movement because white photographers liked to photograph racial episodes. McWhorter wrote that "the children had provided the biblical multitudes" (McWhorter 375).

Delicath and Deluca recognize the importance of image events in the process of opinion formation, "To the extent that image events communicate fragments of argument in the form of highly charged visuals they are possibly quite effective in shaping public discourse and affecting

public debate” Delicath and Deluca 326). I argue that this is true as long as the movement’s discursive repertoires include two essential ingredients that Delicath and Deluca prescribe: “powerful pictures *and* eloquent words.”

This protest analysis also reveals presentational symbolism that “broadened the scope of participation in the public sphere to include subaltern counterpublics” (Delicath and Deluca 324). Leaders of SCLC made a decision to wear overalls. McWhorter described a meeting at St. James Baptist of approximately 200 people where leaders of the movement traded in their dark conservative suits for overalls. “Among ambitious blacks, the epithet ‘bib overall wearer’ connoted not simply poverty but a subservient mentality...tonight they embraced those ‘churchpeople,’ symbolically promising to toil with the fields until segregation was broken” (McWhorter 327 328). Martin Luther King wore the overalls saying, “I will wear them as long as I am in Birmingham and until we are free” (McWhorter 328). And he wore his Liberty overalls at press conferences and so did most of the SCLC leaders.

The symbolism of overalls in my opinion conveys to a working class audience that SCLC members were hardworking and industrious. The counterpublics that SCLC reached out to were the blacks who attended church and understood the epithet and wanted to overcome this subservient persona.

Analysis

The Southern Christian Leadership Conference leaders and their supporters organized protest events in 1963 to get a response from the parliamentary strong public. I argue that President John F. Kennedy and the Congress felt obligated to translate such “opinion” from weak publics into authoritative decisions as a result of the image events and the protest acts. On June 11, 1963, President John F. Kennedy told the nation that he would submit to Congress legislation prohibiting segregation in all privately owned facilities: hotels, restaurants, theaters, retail stores, and the like. “We are confronted primarily,” the president said, “with a moral issue. It is as old as the scriptures and as clear as the American Constitution.” However, as author Barbara Ehrenreich said in her book, *Fear of Falling*, “The movement dramatized poverty for white, middle-class Americans; and the War on Poverty was, above all, their response to the movement” (Ehrenreich 47). She agrees with Frances Fox Piven and Richard Cloward that the focus on poverty “was Kennedy’s way out, allowing him to ‘evade civil rights demands while maintaining black support.’” (Ehrenreich 47). She believed Kennedy was disappointing on civil rights. An argument could be made on whether his time table and process was a form of gradualism or denial.

There were more signs of a delayed public response to this perceived injustice. After all, “King’s letter from Birmingham Jail “King had placed the black struggled into the archetypal American drama of religious persecution.” “But Wyatt Walker could find no accomplices for turning it into a PR opportunity for the movement...It wasn’t published in full for nearly two months” (McWhorter 355). The protest actions as image events and the rhetoric of King’s letter to subaltern counter publics had goal congruence for the Movement. It was powerful pictures *and* eloquent words that mattered.

I agree with Delicath and Deluca, “while today’s televisual public sphere is not the liberal public sphere of which Habermassian dream, wherein a reasonable public through deliberative discussion achieves rational public opinion, neither is it simply the medieval public sphere of representative publicity that they fear, a set where rules stage their status in the form of spectacles before the ruled” (Delicath and Deluca 318). Perhaps Jurgen Habermas found the starting point for a free press that can be co-opted by manipulative publicity. In *The Structural Transformation of the Public Sphere*, he says, “Only with the establishment of the bourgeois constitutional state and the legalization of a political public sphere was the press as a forum of rational-critical debate released from the pressure to take sides ideologically; now it could abandon its polemical stance and concentrate on the profit opportunities for a commercial business” (Habermas 184). The media during the civil rights movement looked for spectacles to gain profit, readers, and viewers.

Creating a public outcry in order to get news coverage is strategic. Studying these image events has relevance to social movement studies because social movement leaders must concentrate on marketing protest events using images that are receptive to the news editors in order to create the ascendant momentum leading to a public outcry.

John Delicath and Kevin Michael Deluca’s definition of “image events” provide the structure needed to evaluate symbolism in social movements. Weak publics use image events in their protest activities to get through the filters to reach readers and audiences. Fraser’s notions of getting through the constructed “access routes” to public political life, despite their exclusion from the “official” public sphere, shows potential for the use of image events as long as there are substantive words and images. This protests’ unintended consequences were public resentment and backlash as a result of the perception of the movement conflicting with the public sphere’s ability to function legally and morally. The pitfalls and potential of using image events to reach a large scale audience and to create an ascending social movement for successful social change have been conceptually clarified in the case of the Birmingham Movement.

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