

Gonzo Justice

The role of public discourse, social control, punishment claims about justice are joined in this essay through the concept of gonzo justice. Gonzo justice refers to the use of extraordinary means to demonstrate social control and moral compliance through rule enforcement and punishment designed to stigmatize publicly, often through the mass media, and to demonstrate the moral resolve of those mandating the punishment. The collapsing of distinctions between the news media as chroniclers of public life and formal agents of control is illustrated with materials from an ongoing study of new forms of social control. The implications of making extraordinary sanctioning practices ordinary and routine are noted.

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"I read the news today, oh boy."

John Lennon

Social order is experienced directly in everyday life and indirectly through mass media images and messages. If we take seriously the proposition that experience is communicated and interpreted, then the varieties of such experiences, including mass mediated content and discourse, must be taken into account. A compelling feature of one's experience is the nature of order and disorder, repair and disrepair, problems and solutions. This essay seeks to clarify further the implications of public discourse about disorder, repair, justice and social control.

Formal agents of control, e.g., criminal justice agencies, derive their legitimacy from the "promise" that their expansive-and expensive efforts to patrol and repair breeches of social order are successful. However, when counter-claims are made, that is, when doubts arise and are widely publicized that formal agents of control are not adequately "protecting" the public (order), then extraordinary steps may be taken by those agents to demonstrate their resolve, if not their effectiveness. This may involve routine undercover and even "sting" operations, whereby state agents intentionally violate laws in order to demonstrate that other "suspects" are felons (cf. Marx 1988). Such steps often involve the news media, not as **chroniclers** of disorder, but as **instruments** of repair. We do not refer to the widely documented use of social control agents as "news sources," but rather, to the direct participation of journalists and news organization in the process of control and punishment. The use of the mass media to stigmatize and presumably curtail future deviant behavior like "white collar" and "corporate" crime (cf. Fisse and Braithwaite 1983) is now institutionally accepted.

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Consider a few examples. This one is from Pennsylvania:

A 311 1/2 pound man who hasn't made child-support payments for more than a year because he's too overweight to work is under court order to lose 50 pounds or go to jail... 'I call it my 'Oprah Winfrey sentence,' [Judge] Lavelle said... It's designed to make him lose weight for the benefit of his children, while Oprah (a talk-show host) lost weight for the benefit of her job and future security (UPI and *Arizona Republic*, 6/18/89).

And another, from Tennessee:

A judge ordered Henry Lee McDonald to put a sign in his front-yard for 30 days declaring in 4-inch letters that he 'is a thief.' U.S. District Court judge L. Clure Morton instructed McDonald to erect the sign Tuesday as part of his three-year probation for receiving and concealing a stolen car... The sign must be painted black and have 4-inch white capital letters that read: 'Henry Lee McDonald bought a stolen care. He is a thief.' (UPI and *Tempe Daily News*, 1/5/84).

Readers of the *Arizona Republic* (11/9/89) were dealt this sentence from Rhode Island on page 1:

Saying there isn't enough public awareness of sexual abuse of children, a judge has ordered a child molester to buy an ad and have his picture in a newspaper with a caption urging others to seek help ... The judge told [accused] that as a condition of his [35 year] probation, he will have to place a 4- by 6-inch ad in the newspaper with his picture and a caption that reads: 'I am Stephen Germershausen. I am 29 years old. On Oct. 26, 1989, I was convicted of child molestation. I received a 35-year suspended sentence with 35 years probation for my crime. If you are a child molester, get professional help immediately, or you may find your picture and name in the paper, and your life under control of the state...

News reports like this can simultaneously contribute to our understanding of social control, the role of the mass media in the drama of everyday life, and how to evaluate documents and sources of information. The latter consideration entails, first, developing a general approach to **relevant information as documents**, and second, placing these documents in a context of meaning in order to interpret them. These points have emerged from some recent efforts to develop a conceptual framework for the qualitative study of documents.

One concept which joins these concerns is **gonzo justice, or the use of extraordinary means to demonstrate social control and moral compliance, often through rule enforcement and punishment designed to stigmatize publicly, e.g., the mass media, and to demonstrate the moral resolve of those mandating the punishment.** With apologies to gonzo pioneers like Hunter Thompson (1971), who locate themselves in an activity in order to tell an ironic-and usually "outrageous"-story about it, I choose to look for the institutional arrangements which promote social definitions and conclusions through "outrageous" stories. It is the character of such public accounts that concerns me, and in particular, the way in which authorized and legitimate agents are celebrated for their gonzo acts. I draw a distinction between an act and its publication career through an interpretive and communicative process which defines it for a purpose. My interest, then, is not to explain why these kinds of sentences were issued by state agencies, but that they were widely publicized through the mass media. I focus especially on the reference to justice in these reconstructive efforts.

METHOD AND PERSPECTIVE

The method used in this study is best described as **qualitative content analysis** of documents-primarily news reports-that are collected and analyzed for recurring themes and patterns. As noted in previous work (Altheide 1985), this is a reflexive process of theoretical sampling, filing, constant comparison, and conceptual coding. The original sensitizing concept was termed "extraordinary measures," as, for example, in a case discussed below, a judge ordered a woman to remain on birth control "for life." While there were numerous accounts by colleagues and others, as well as much smaller circulation publications, e.g., criminal justice newsletters, the sample was restricted to mass media publications, largely because

previous work indicated that messages contained in such media have implications for public perception about order and disorder. This report focuses on some three dozen news reports collected over a seven year period in which legitimate agencies of social control ordered individuals to place public advertisements/statements about their untoward activity and, in effect, self-stigmatizing conduct.

POWER AND COMMUNICATION

Power, control, justice and communication are reflexive. One aim of social control is to define the time, place and manner of appropriate behavior. Social control is manifested through images and claims about order and disorder, stigma and identity, enforcement, and moral denunciation. Underlying all social control is an ontology of "normalcy," "perfection," and "disrepair," although the content of each may be contested. Such contests constitute the meanings of "justice" and "injustice." For example, the attempt to repair something with the symbolic glue of evil characterizations provides a glimpse of the social meanings of disrepair.

In every social order, persons and agents with access to the major communication outlets have more opportunity to do social control work by interpreting problems within their domain as problems for all of social order. However, ideas and programs carry with them the discursive elements of cultural meanings and logics underlying all communication.

Key analytical terms of **mediation**, **media logic** and **format** have been identified as constituting major elements of communication for social order. **Mediation** refers to the channeling, transport, and molding of information as experience. Intuitively associated with major mass media, e.g., newspapers and television, a distinction is made between "print" and "electronic," on the one hand, and the various organizational cultures which "work," "transform," and mold information. In short, mediation involves technology, culture, and organization. **Media logic** refers to the assumptions and process for constructing messages within a particular medium. This includes rhythm, grammar and format. **Format**, while a feature of media logic, is singularly important because this refers to the rules or what we have termed "codes" for defining, selecting, organizing, presenting and recognizing information as one thing rather than another, e.g., "the evening news" and not a "situation comedy." It is the distinctive media logic and format of television news reports that separate them from newspaper reports. More specifically, the former deals with electronic visuals in "time" while newspapers deal with print (linear) representations in space, e.g., column inches. With the former, "importance" is signaled by temporality, including order in the newscast and how much time the item/event receives; with the latter, importance is signaled by location in the newspaper, including page, headline size; and number of column inches. The way in which messages are mediated and formatted shapes their character. A plethora of work has demonstrated that formats of communication constitute the selection, organization, presentation and content of messages (cf. Altheide 1985; Altheide and Snow 1991).

Statements about public order are shaped and transformed by the way in which they are mediated, or cast within the major news media. In terms of issues about justice and injustice this means that efforts to promote claims about public order entail joining at least two components: notions of justice, including the recipe for overcoming its breach, and a means of communication. The upshot is that the ability to employ the mass media to assist in defining situations, events and issues as one thing rather than another, as a threat to social order, or as a measure to repair social order is a major act of power that has tremendous implications.

THE NEWS MEDIA IN RELIEF

News is the most powerful resource for public definitions in our age. The legitimacy of media logic now underlies claims about the nature of public disorder, which in turn point to the constructive process for social worlds (cf. Altheide and Snow 1979; Altheide and Snow 1991; Couch 1984; Snow 1983). The renewed interest in "culture" and the symbolic systems and processes through which social order is

constructed, constituted, defined, interpreted and enacted calls for an expansive perspective incorporating the processes of communication, interpretation and meaning. This awareness has taken us beyond the point where the mass media merely set the public agenda (cf. Altheide 1976, 1985; Carey 1987; Ericson, et al. 1987, 1989; Maines and Couch 1984; Meyrowitz 1985). We have also moved well beyond the old arguments that the media are subservient to more powerful economic and ideological interests, and simply do their bidding (cf. Morrison and Tumber 1988; Schlesinger, et al. 1983).

The most creative students of the mass media now take it for granted that power and Ideology are implicated in all media content, and conversely, that power is exercised through communication channels and formats. Ideas, interests, and ideologies are clothed in communication logics and formats; it is the negotiability of the latter that enlivens the former. The research agenda for innovative work in mass communication will involve its "cultural reflexivity," including how "news codes," "entertainment codes," and mediated logics, styles and rhythms have transformed our post-modern experiences through a complex "ecology of communication." For example, recent work shows that significant "news sources," e.g., the police and politicians, now use the reflexive media logic and formats through which they have learned to "successfully communicate" via news media agencies to their various publics. Indeed, the media increasingly control the negotiation process for setting the themes and discourse through which those agenda items are to be addressed (cf. Ericson et al. 1989).

Changes in public order, especially spatial identities, have altered sensibilities. As Lofland (1985, p. 49) notes in her analysis of the rise of the city and spatial-individual identifiers,

'The order which is found in human life may be created in a variety of ways. It may emerge through a series of mutual agreements and understandings. It may be imposed on the majority by a small group with a corner on power. It may develop without special intent on anyone's part. Or it may arise out of some combination of agreement, coercion, and 'accident.'"

While there was relatively little spatial segregation, except for ethnic and religious groups, in the preindustrial city, there is a lot today. The extreme separation is joined through common mass media. Certain claims and definitions of public life are authoritatively published.

Public order increasingly is presented as a conversation within media formats, which may be envisioned as a give and take, point-counterpoint, problem-solution (cf. Ferrarotti 1988). For example, when mass media depictions stress the breakdown of social order, and suggest a failing by agents of social control, we can expect those agents to present dramaturgical accounts of their resolve and success in order to increase citizens' confidence in them.

The combination of various media constitutes an **interactive communication context**. For example, in a study of the "missing children problem," we found that similar messages about "thousands" if not "millions" of missing children who were abducted, molested and mutilated by strangers were carried on TV news, docudramas, newspapers, billboards, posters, T-shirts, mailings, and milk cartons (Fritz and Altheide 1987). Such claims were exaggerated and traded on widespread beliefs about crime and dangerousness. This can also be illustrated with crime news which seemingly celebrates the inability of the state agencies to protect its citizens. In some cases, this will involve vigilante scenarios by individuals, while in others it will involve vigilante actions by entire audiences. An example is the TV program, "America's Most Wanted," hosted by John Walsh, the man behind much of the "missing children" furor. This show draws some 5,000 calls per week from viewers who report that their neighbors, work associates, and fellow-consumers "fit the description" of a "wanted suspect" flashed on TV.

While news is replete with propaganda and ideological content, it is produced through organizational work governed by format considerations, including attracting an audience, relying on routine news sources which are largely state bureaucracies, and being consistent with other information sources about social problems and injustices, including a range of popular culture and entertainment programming. Extraordinary claims about individual and organizational resolve to promote justice by punishing injustice accompany prolonged periods of published reports which suggest that crime is rampant, no one is safe and the evil dramatized through popular culture is ascending.

TIME FOR GONZO

Gonzo justice has emerged as a new cultural form to address the mass mediated public perception of unsuccessful social control. While the notion of public punishment in individual cases has been around for a long time, the explicit inclusion or "folding" of authority, punishment and news media formats is more recent. Gonzo justice suggests some of the ways in which reporting and events share the same temporal frame and reflect each other in our "postjournalism" era (Altheide and Snow 1991, p. 51ff.). Popular culture provides a way to participate or play with horror, banditry, crime and justice, as we are presented a range of scenarios and enactments through which we can interactively arrive at meaningful interpretations. For example, it is common for youth to view horror or "slasher films" in groups that educate, direct and limit interpretation and action (cf. Roe 1983). This is also true of "competent news watchers," who soon take for granted sequencing, exemplifying, and distinguishing segments of a report from the whole. However, plausible interpretations are limited by the news code itself (Altheide 1985, p. 97ff.) as certain metaphors, scenarios and relationships are repeated within and across various media.

The scenario of "out of control" evil calls forth a heroic retort as a kind of narrative response in the mediated drama. I refer to this as gonzo justice. The examples noted above illustrate how media logic and formats permit the legal system to show outrage and affirm to various publics that specific agents are "doing their job."

A combination of "public spectacle" (Edelman 1988), moral authority and news legitimacy, gonzo justice is specifically oriented to mass communication formats, and is often celebrated and applauded by mass media writers and commentators. For example, in 1987, a young mother who left her two infants sweltering in the Arizona heat in an apartment for three days was put on probation, with the judge's proviso "to remain on some method of birth control," for life. About a year later, George Will's syndicated column addressed the "philosophical issues" underlying such a sentence, noting that while one could sympathize with the judge—a woman, the sentence is a step down a dangerous path since "pregnancy is not an illness," but "bad behavior-irresponsible procreation." Will argued that a more just option would have been to send her to jail. Will's verdict was propped up with "The law should appeal to conscience by stigmatizing certain behavior, and should pose a threat to be feared" (*Az. Rep.*, 6/29/88). Several months later, another report appeared in the *Arizona Republic* (n.d.) with the headline: "Child abuser pregnant; birth-control edict fails." The sentencing judge, a prosecuting attorney, and defense counsel were featured in several statements, including her attorney's request for a clarification as to whether "abortion is a form of birth control and whether Forster should obtain one to abide by the terms of her probation." No, replied the judge,

... I'm not going to send her to prison because she is pregnant ... However... she intends to modify the terms of Forster's probation to provide health safeguards for the unborn child [including] prenatal checkups ... and urinalysis to make sure that the defendant isn't using illegal drugs.

When an attorney representing the American Civil Liberties Union (ACLU) argued that "the order is unconstitutional because it is an invasion of privacy, is tantamount to cruel and unusual punishment, and violates freedom of religion" because Forster is a Roman Catholic, and besides, the national attention has been cruel and stigmatizing, the deputy county attorney replied, "She's got to use birth control," for purposes of "rehabilitating the defendant and protecting others." The original sentence was subsequently appealed!

Analysis of these materials suggest some identifiable features of gonzo justice which join the news media to legal authority:

1. There must be an act that can be defined and presented as extraordinary, if not excessive and arbitrary;
2. It must be protective or "reclaiming" of a moral (often mythical) dimension;

3. Individual initiative (rather than "organizational") is responsible for the reaction;
4. The act is expressive and evocative;
5. The act is intended to be interpreted and presented as an exemplar for others to follow;
6. Audience familiarity with other reports about the problem provides a context of experience and meaning;
7. Reports seldom include contrary or challenging statements.

Individual acts of "heroism" or "taking the law into one's own hands" including homicide-may qualify as "dispute resolution," but they are different from gonzo justice. What makes gonzo justice peculiar and unique is that we can expect it to be associated with those agencies and roles which are less likely to be seen as affirming and supportive of the cultural myths. For example, in the general realm of "criminal justice," we would anticipate that more of the emphases would involve the courts and judiciary partly because this is where "formal sentencing" occurs, but more importantly for, our argument, the judiciary has also been the most maligned for not enforcing laws, protecting the public good, and in many instances, it has been contrasted with the bravado of "street cops," including "tying the hands of the police."

It is an understatement that a large number of American people do not understand or simply do not accept the philosophy and function of our courts, and in all likelihood, the Bill of Rights. One consequence is that many people do not intuitively grasp how "those who probably committed acts" can be released due to "insufficient evidence," on the one hand, while also not grasping how overcrowded prisons can permit the court-ordered releases of convicted felons. Certainly one reason for this lack of understanding is the inordinate attention of our public and popular culture to the police function, individual discretion and heroics, often foiled by lawyers and courtroom procedures. (Recall that far more people can identify judge Wopner of the TV show, "The People's Court," than can name the Chief justice of the Supreme Court!)

The news media, as well as the public, exhibit profound misunderstandings of the criminal law in action. Press reports are widespread about "plea bargaining," being unconcerned about victims, and in general, not doing enough to "put criminals away." Moreover, the complex legal tradition, statutes and organizational considerations, e.g., crowded prisons, within which adjudication takes place make it very difficult for uninformed journalists to report routinely on the legal process (cf. Ericson 1989). Indeed, it has been widely documented that the "administration of justice" in courtrooms involves applying bureaucratic and efficiency-oriented criteria rather than case-by-case negotiated justice. This point is not widely understood by the public. For example, even though plea bargaining as a concept has the potential for case specific justice, it often involves applying "averages" to particular cases, often quite arbitrarily (cf. Eisenstein et al. 1988; Feeley 1982; Nardulli et al. 1988).

With courtrooms less receptive to cameras and public understanding, publics are left to their own devices-and those accounts by mainly the police-to explain why crime and evil are rampant throughout the society. For example, a Washington state senator explained why she supported a bill to reduce prison sentences of persons convicted of sex crimes if they underwent voluntary castration:

Craswell ... said the Senate's 25-23 vote for castration was the ultimate sign of frustration with a criminal-justice system that is incapable of keeping the most dangerous criminals behind bars ... While acknowledging that the bill's chances in the House are slim, Craswell said the Senate action has given new credibility to the possible use of castration (*Az. Rep.*, 2/14/90, p. A4).

Such a view is common among state and federal representatives who, presumably, are better informed than most of those they represent. It is, therefore, not surprising that workers in the criminal justice system, especially the often maligned court officials, may seek to use popular culture to demonstrate their own compliance and values. Thus, from the perspective of a court official, it is hardly newsworthy to carry out one's judicial tasks of hearing, evaluating and passing sentences; something more is needed to communicate moral resolve.

Consider a few examples of efforts to achieve what may be termed "effective public communication." A judge in Texas granted probation to a man who had been convicted of cocaine possession four times, but he warned him that any violation of the terms of his probation would result in a life sentence. When the man was picked up for driving with a suspended driver's license, the judge sentenced him to 60 years in prison (*Az. Rep.*, 6/2/89).

I am suggesting, then, that gonzo justice permits judges to act like moral enforcers who are committed to preventing crime, and social disorder, just like police officers are perceived! For example, in 1976, juvenile officials in New Jersey "sentenced" a group of juvenile offenders to spend time in Rahway State Prison where they would be "Scared Straight" by associating with "lifers" who enacted their roles so well that a documentary was soon made and shown throughout the United States. The presentations would often be followed by a panel of police officers, business people, and court officials who would bleat with telephone callers that "something had to be done," and "we should try it." Editorials in newspapers and TV stations gushed with approval as some thirty-eight states developed programs. When studies indicated that the program was ineffective and often made matters worse, the media attention subsided. The evocative nature of this program is suggested by Cavender's (1984, pp. 257-258) conclusion:

'Scared Straight' is a media-generated phenomenon. The public was enticed to watch it by publicity efforts, akin to 'previews of coming attractions' that promised a shocking and vulgar film-one that might contain a solution to the crime problem...

Based on the distorted reality, the film offered a solution to crime, one that was kept before the public with supportive media coverage, both before and after the documentary was aired.

What is important here is that even though court officials and police officers have explicitly different roles in the criminal justice system, occasions like the one noted above put them on the same moral and rhetorical footing, e.g., something must be done, we are not doing enough, we are failing, and tougher enforcement and punishment is the answer.

What must be remembered, of course, is that this collapsing of occupational roles and distinctive mandates occurs at the pleasure of the journalists, who, are often uninformed about the intricacies of the criminal justice system.

Not surprisingly, when extraordinary-and usually sanctionable activities of the police do occur, they may be applauded by journalists and columnists. My materials provide some interesting examples of the "vigilante theme," or the notion that taking the law into one's own hands in order to exact justice is admirable if not formally permissible. The key is their expressive and evocative nature which joins the author to the reader as members who share a situated solidarity relationship. As Seckman and Couch (1989, p. 340) stated in their observations about employers and employees, "Our observations suggest that much relationship work within mature relationships is completed by evocative transactions, not by negotiating." While the print media rely more on discursive than expressive symbols than visual media like TV, the interpretive process permits the audience members to draw on a range of other experiences, including previous media accounts, to inform their emotional response. Moreover, even discursive accounts of gonzo justice provide an evocative occasion between friends, coworkers and rapid transit passengers.

Two examples by Mike Royko, syndicated columnist for the *Chicago Tribune*, come to mind. The first, regarded as "one of his favorite columns," appeared on June 19, 1979. A 13-year old boy, described as a compulsive thief, was sat upon by two adults, one a police officer, as he was attempting to steal the owner's car. When he tried to get away, they severely beat him. Royko adds,

And if you strip it down to the basic facts, it does sound unfair: two grown men, one of them a cop, beating up a 13-year old boy. And, as a rule, I'm against police brutality... But on the other hand, I'm in favor of appropriate punishment which is something that is rarely applied. The fact is, the amount of crime in this country greatly exceeds the supply of punishment. And the imbalance is growing all the time ... So the question is, what can be done? And the answer is, not much ... [But] it might also involve a hard smash in the mouth. That, I think, is educational. And I just wish more of us had the chance to be the teachers.

Reflectively, one could ask, what does he mean by "appropriate" punishment and how does he know it is in short supply? But this is hardly his point, and it is surely not likely to be asked by many of his readers because the column is intended to be evocative, with a nod of one's head and agreement with fellows indicating shared group membership and commonsense awareness of how the world "really is."

Another Royko column celebrating vigilante justice described how a police officer, "Whitey," unofficially brought to justice a man who would routinely get drunk, go home and break apart the furniture and his elderly mother with whom he lived. (Recall the significant feature of the following account for gonzo justice is not the actions taken by the officer, but rather that it was reported, with approval, in a Royko column in a respected newspaper.) After Whitey's trouncing interrupted the son's levity, "A squad found the son out in the backyard, unconscious in the flowers. He had cuts, bruises, loose teeth and a nose that had been completely rearranged." When Whitey reappeared at the station and was told of the mother's complaint that someone "11 feet tall, weighing about 1,000 pounds and had nice rosy cheeks," had beat her son, he was asked if he could solve this crime. Royko ended the column with a quote from Whitey, "Of course ... the son might not ever act like this again-and then we won't be able to solve it, will we?" This is evocative. How many of the thousands of *Chicago Tribune* readers would openly disagree with Royko when riding the "L" with fellow commuters?

The use of force by legitimate agents of social control may evoke feelings of revenge, defense and a sense of individual initiative. It is a different matter, however, when the event is viewed, as in the case of Rodney King, a black man whose beating by Los Angeles police officers on March 3, 1991, was videotaped and subsequently shown throughout the world. Now, the symbolic meanings of revenge and justice which can be immaculately presented within a written narrative, as Royko does, become lost to the expanded information of visuals; numerous police officers clobbering a man on the ground with sticks and feet does not seem so reassuring that the force is with all of us.

While Royko's celebration of such individual acts against injustice and brutality tell us a lot about how he perceives the point of view of his audience, it also provides a "teaching tool" for others in the criminal justice system to present their moral authority by "teaching a lesson" to the accused, which often becomes a mass mediated lesson to the "entire class." If police officers can be lauded for such extraordinary activities, why not the judiciary? The first problem, of course, is establishing with various publics that such activities can occur in court. When John Zucker was arrested in Gainesville for burglarizing vehicles, he may not have known how a local prosecutor was operating. A prosecutor in Tampa is

having criminals apologize for their crimes in newspaper advertisements as punishment, in return for probation and dropping of some minor charges. 'I've admitted my guilt... I've been punished. It was not worth it. I'm sorry,' an ad purchased by John Zucker said (*Az. Rep.*, 10/18/88).

Consider another case involving a child molester in Florida.

A man who pleaded guilty to molesting a 7-year old boy has been ordered to write the phrase, I will keep my hands off other people' 25 times a week for 11 years (*Az. Rep.*, 3/3/85).

The molestation theme can be expanded by creative headline writers. Consider another case from Florida: "Crab `molesters' must wear signs advertising guilt." Four young men who were "a little bit drunk" were caught pilfering about 25 crabs. One part of their plea agreement was to pay the crab fishermen five times the cost of the damage and lost crabs. The other part was to wear placards:

The signs, which must be on poster-board-size placards and readable from 100 feet, will carry the following message: 'It is a felony punishable by five years in prison and/or a \$5,000 fine to molest crab pots. I know because I molested one' (*Az. Rep.*, 9/9/89).

Gonzo justice is a completed narrative about morality and norms, values, and sanctions, but it also suggests counter-factually why the breach occurred. This is illustrated by several of the previous examples, including "lack of thought" and "inadequate self control." Thus, an explanation and view of social order is implied by the sentence.

The symbolic use of gonzo justice to construct an image of propriety by celebrating its breach is illustrated in a report from Atlanta about seven ex-klansmen who were sentenced to "get lessons in brotherhood as punishment." The KKK members, who were involved in an attack by robed Klansmen on marchers led by the Southern Christian Leadership Conference (SCLC), agreed to take a course in race relations taught by civil rights figures. According to Dr. Joseph E. Lowery, president of SCLC, the intent was "not to denigrate or humiliate but to redeem" the Klan members. While one Klan member was reported to have said that he hoped the "classes could improve understanding on both sides," James W. Farrands, Imperial Wizard of the Invisible Empire, Knights of the Ku Klux Klan, described the agreement as "cruel and unusual punishment," and added, "I think it's a form of forced brainwashing. They'd have to lock me up forever before I'd do it" (*San Diego Union*, 9/25/89).

Gonzo justice is not synonymous with the news media, but the extraordinary measures, particularly in terms of formal sentencing, fit comfortably with news media formats, while the moral-myth statements virtually assure an interested audience. An agents' view of social order is enhanced through the mass mediated formats designed to promote circulation and N ratings. It is difficult for judges and others involved in adjudication to gain stature among the media-dependent publics which are more oriented to the police perspective celebrated through entertainment and news presentations. One way to bypass this bias is to promote yourself as "tough" and "decisive."

The extraordinary sentences under review are seldom criticized in the press by anyone other than the American Civil Liberties Union (ACLU). For example, when a judge ordered a woman who falsely accused a man of raping her, to take out radio and newspaper advertisements apologizing to him, the Nebraska Civil Liberties Union argued that the sentence may constitute cruel and unusual punishment.

A judge ordered ... in a half-page advertisement in every newspaper and a spot on each radio station in Dawson County, a county of about 22,000 in central Nebraska. The media campaign was expected to cost about \$1,000 ... She also was sentenced to 180 days in jail and was placed on probation for two years. A panel of attorneys from the state Civil Liberties Union who reviewed the case said the sentence may violate Richardson's constitutional rights against cruel and unusual punishment... 'Suppose someone is arrested for shoplifting. Are we going to make him wear a sign, saying he's a convicted shoplifter?' (Az. Rep., 7/3/1990).

Of course, we have already reviewed examples where some judges answered affirmatively.

When the sentences are harsh, but later revealed through judicial review to be unwarranted, we have a "mistake." Such a mistake occurred in the case of Louis Woodrow Freader, of Phoenix, who should have received a maximum sentence of 17 days on September 28, 1983, for failing to pay a fine for resisting arrest. When the full fine was paid, Maricopa County Superior justice, Marilyn Riddell, denied a motion to have him released (*Arizona Republic*, 1/16/85). Two years later the Arizona Court of Appeals reversed the ruling, stating in the words of one justice, "justice was not done. Rather, it clearly appears that an injustice has taken place." Nothing was stated about the judge's arbitrary ruling.

The issues raised by the ACLU and the theoretical points underlying this essay appear to not have been lost on all newspaper editors. Indeed, there is a glimmer that some editors may be more attentive to the constitutional issues undergirding the ACLU's point of departure than certain judges. Consider a case in Florida in which the chairman of the *Pensacola News Journal* rejected a court-ordered advertisement placed by a man convicted of drunken driving and other misdemeanors on the ground that the press should not be "a vehicle for court-ordered public humiliation" (*New York Times*, 1/26/1991, p. 10). Another newspaper accepted the ad:

The weekly, *The Gulf Breeze Sentinel*, ran the first advertisement on Jan. 17, complete with a photograph of the defendant ... The advertisement ran three days after judge William White of Escambia County gave Mr. Whitfield a choice of buying a 2-inch square advertisement in *The Sentinel* or going to jail for two days after he pleaded no contest to a charge of driving under the influence of alcohol. 'I think it is worth it if it will help as a deterrent,' Duane Cook, editor and publisher of *The Sentinel*... adding that there was no difference between publishing such advertisements and publishing news articles about crime (*NYT*, 1/26/1991, p. 10).

Clearly, in our age the distinction is blurred between the courts and the press, as both operate as agents of control.

CONCLUSION

Horror is usually visited upon humankind through the rhetoric of justice. Human beings are slaughtered, cities destroyed, genocide perpetrated and worlds made "orderly" through public discourse of justice.

Getting tough is good news, and gonzo justice is how toughness is', publicly celebrated and legitimated. But it is not only the content of such reports that is significant for our purposes; it is also the communications logic and mass media formats which constitute and produce modes of telling, seeing and knowing. I have suggested that gonzo justice reflects the communication order. Indeed, the sociological significance of the videotaped beating of Rodney King, noted above, would be incomplete without noting that his attorney has requested that King "wants a share of any profits" and that "Rodney King didn't give George Holliday permission to videotape him. To use the tape for commercial gain would entitle him (King) to compensation" (*Az. Rep.*, 5/4/1991, p. A 10).

Public discourse is important in making the extraordinary ordinary. More seems to be involved than the long-standing approach of "shaming" through stigma; public notice of untoward behavior becomes celebrated through the blurring of distinctions between agents of control and enforcement, on the one hand, and those media which have edged closer to moral enforcement, even as they increasingly retreat from the appearance of a mere chronicler of order maintenance, on the other hand. I have suggested that when viewed from an interactionist perspective, gonzo justice integrates mass communication formats with efforts to control the symbolic order through the definition of the situation of moral violations, reconstruction, explanation, and prevention. While the justice motive underlies most commonsense interpretations of social problems and issues, the challenge is to understand the process, meaning and consequences of different ways in which this motive may be manifested, and in particular, how it is; publicized and celebrated.

It may be argued that gonzo justice underlies numerous changes and adjustments in social relationships and even institutions. And there is evidence that the effect is cumulative, rather than case-by-case. Practitioners and audience members become accustomed to the increased span of control. Circumstances often assume the identities attributed to them by mass media characterizations. Gonzo justice becomes a feature of propaganda. For example, police undercover and sting operations are now accepted by our courts and citizens. What should not be forgotten, however, is that the use of video cameras provides visual evidence for the court and also terrific material for the evening news.

When police agencies and prosecutors release video materials and newspaper transcripts of sting operations before court proceedings, the mass media become active players as prosecution gives way to public humiliation and persecution; a version of justice can be obtained without the complexities of court trials, including concern with due process and other civil liberties. For example, in Arizona an eighteen month "sting" in 1990-1991, by the Phoenix Police Department and the County Attorney, led to the successful videotaped bribing of several state legislators and lobbyists. When the police and other authorities were notified by alert legislators that a suspicious person was hanging around the state house, and had attempted bribery, the police dissembled and assured them that it was being investigated. In this way the informal checks to prevent someone from violating the law by offering a bribe to a public official were circumvented, and the illegal behavior was soon embraced by an everwidening circle of police and prosecutorial agencies. The million dollar expenses were provided by discretionary funds the police department had obtained through previous "seizures" in drug cases. Several "suspects" used the funds during their election campaigns, thus compromising the democratic process. Video scenarios were released to the news media, one at a time, in order to insure that there would be successive reporting of the legislators accepting money. It was hardly surprising that opinion polls indicated that the Arizona citizens trusted their police more than their elected representatives.

From a sociologically informed communications perspective, foreign policy has an individual look, self-described and attributed with clear moral characteristics. International conflicts between the United States and Libya, Panama and Iraq involved dramatizing the evil of, respectively, Khadafy, Noriega, and Saddam Hussein. These men became symbols of entire societies and their identification as "criminals" in need of extraordinary measures helped set the stage for the extraordinary sentencing which has been carried out-called "Operation just Cause" (Panama) and "Desert Storm" (Iraq). The subsequent invasion and slaughter in Panama may not have occurred without the invasion of Grenada; the heads of state delivered "public opinion" by engaging in the "dramatization of evil" and the character attack on Manuel "Pineapple Face" Noriega as a philanderer, drug merchant, and practitioner of "voodoo." About one year later, the majority of people in the United States supported bombing Baghdad, Iraq on January 16, 1991, that resulted in tens of thousands of deaths and untold destruction at a cost of millions per day. The most visible enemy here was Saddam Hussein, who was mass mediated as evil, "another Hitler," a "madman."

Individual culpability can be assailed against a backdrop of anticipated outcomes if the audience is "properly prepared." If the long historical look backward is correct that virtually all routine social arrangements emerged through acts of power to offer and sustain a definition of a situation, then we should not be surprised if "extraordinary" and draconian measures today become commonplace in the future. Consider how "testing" originated, how it has been applied in recent years to illness and drugs for employment, and how it may be accepted in the future, e.g., all employees of federal and state agencies. Recall one of the cases noted above about the pregnant woman who would not be sentenced to prison, but would be "tested."

The myth of social control is that illegitimate agents pose the greatest challenge. Social control expands through the pursuit of exceptional and extraordinary methods by legitimate agents. One way to check its expansion is to reinvigorate our efforts to identify the communicative modes which constitute public concerns, crises, and the formats for noteworthy action. Let us put this understanding to use in offering alternative formats to celebrate justice of another kind.

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