

**Conflicting Forms of Use: The Potential of and Limits to the Use of the
Internet as a Public Sphere.**

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Abstract

This thesis examines the potential of and limits to the use of the Internet as a public sphere. To this end it considers the claim that the Internet *is* or can be a public sphere. To do this there are two related spheres of enquiry: the 'public sphere' and 'the Internet'.

The enquiry into the concept of the public sphere is based on an engagement with the work of Jürgen Habermas. The concern of this thesis is to draw on the wider corpus of Habermas's work to develop a model of the public sphere that takes account of his thesis of 'colonisation'. Because the process of colonisation results in systemically distorted communication the liberal model of the public sphere is replaced with a model of a 'radical' public sphere. These two concepts, the radical public sphere and colonisation then form the basis for the investigation into the potential of the Internet.

The Internet, like other technologies, cannot, however, be considered in abstraction of its use. Therefore, a theory of 'forms of use' is developed, through which the potential of and limits to media can be analysed. This term considers technologies to be socially constructed, and this social construction *tends* to meet the needs of dominant material forces in society; that is, technologies are not neutral or autonomous but neither are they necessarily completely controllable. A technology is rarely one-dimensional, for the basic technology may contain a variety of *potential*

uses. Different case studies are presented in order to show how these different forms of use of the Internet can be supported. However, we can understand that certain 'systemic' colonising forms of use of the Internet threaten the functioning of other, radical forms of use. This colonisation requires 'juridification' through political, legal, socio-cultural and economic frameworks for *production, exchange and consumption*

The limits to the use of the Internet as a public sphere are not, however, inherent features of the technology itself, but pertain to its use under a system in which certain social practices and institutions have priority over others. Under these conditions, the use of the Internet as a radical public sphere takes place as a continual struggle against dominant forms of use.

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Glossary and Acronyms

Colonisation: A concept that describes the process through which the lifeworld and persons within it are subjected to the 'logic' of instrumental rationality exercised through the economic system and the state.

Discourse ethics: Habermas's set of rules through which legitimate discussions should take place. Discourses ethics provide a basis for legitimate decision-making. Habermas distinguishes between his 'discourse ethics', which include 'moral discourses', and 'ethical discourses', which are those that take place in relation to a particular lifeworld.

Forms of use: A concept used to describe how technologies develop in accord with certain uses. Dominant forms of use are those that correspond with the needs of dominant systems and institutions.

IANA: Internet Assigned Numbers Agency, the original agency charged with allocating the numbers that identify Internet computers.

ICANN: Internet Corporation for Assigned Names and Numbers, the agency that replaced IANA

IMC: Independent Media Centre

Internet: A term used to describe disparate but interoperable networks linked to each other through the TCP/IP protocol.

ISOC: Internet Society

Juridification: Habermas's concept that describes the expansion of particular forms of legal relations into various aspects of life. Can be used as an indices of colonisation.

Lifeworld: A concept used to describe the world-as-lived. Habermas develops the concept from Husserl to describe a background culture that acts as the basis for taken-for-granted assumptions.

Public sphere: On Habermas's analysis a concept that most basically refers to a dialogical realm in which citizens come together to rationally debate issues of mutual concern. Its developed form refers to a network for generating and exchanging information and points of view. Others have modified it to take account of systemic inequalities.

Refeudalisation: A concept used to describe the regressive transformation of the public sphere into a 'feudal' form, wherein it loses its dialogical

form, allowing certain systemic actors to dominate the form and content of communication.

Rationalisation: A concept used to describe a number of processes of modernisation. Systemic rationalisation refers to the development of instrumental reason in bureaucratic form. Lifeworld rationalisation refers to the decline of arbitrary authority and mythological worldviews, and the increasing importance of dialogic reason as the basis of decision-making.

System/Lifeworld: A dichotomy used to describe different action-systems. 'Systems' – the most important of which are the economy and the administrative system or the state – tend to be almost 'hermetically sealed', nearly autopoietic, on Habermas's analysis. They tend to operate on the basis of their 'own' logic and are difficult to influence. They tend to be motivated by instrumental rationality, which is opposed to the lifeworld's communicative rationality.

TCP/IP: Transfer Control Protocol/Internet Protocol

W3C: World Wide Web Consortium.

World Wide Web: An application through which the Internet is commonly used. An adaptation of hypertext.

Introduction and Methodology

This thesis concerns the application of the social and political theory of Jürgen Habermas to evaluate the different potentials of ‘the Internet’, with a specific emphasis on its relation to the ‘public sphere’. Both the Internet and Habermas’s work have become significant areas of intense study over the past thirty years. Where the Internet has become a pervasive part of everyday life in the West, Habermas’s work has become a pervasive part of the academy, reaching into politics, law, media studies, linguistics, social work, nursing, education, finance and accounting and much more. Perhaps because of this conjuncture, and with the English-language publication of the *Structural Transformation of the Public Sphere* in 1989, Habermas’s work has been used as a basis for many investigations into the ‘effects’ of the Internet on democracy. In particular, it has been used in speculating about the possibility of actualising the public sphere on the Internet. This thesis works within the broad parameters of this issue.

The concept of the public sphere has become a popular one in academic literature in a number of fields. Although this on its own merits enquiry, there are other motivations for focussing on the concept. First, ‘the public’, or ‘publics’, is a key component of a democratic society. If decisions are supposed to reflect a ‘public will’, then this latter must influence decision-making. It is through public spheres that such a public will can be generated and enacted. Such a conceptualisation has been central to democratic theory and practice from Ancient Greece (Arendt,

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1958) through the Enlightenment to the present day. Democracies today can be evaluated, at least in part, by the degree to which they function on the basis of effective public spheres.

A premise of this thesis is that denser participatory deliberative democratic engagement is necessary to combat the neo-liberal turn that is emptying decision-making of democratic politics. In this sense, the importance of the public sphere lies in its communicative capacity, that is, in its capacity to facilitate communication on the basis of intersubjective recognition between citizens *independently* of the economic system and the state, on the basis of which decisions can be made by citizens in public. The free flow of communication – a primary element of sociation – becomes central to what we can term ‘communicative democracy’.

The second reason to unpack this concept is that it is too often understood as a simple ideal and thereby dismissed. Habermas’s initial (1989) investigation into the public sphere, to which so many refer, is concerned with a historically specific phenomenon. So it is important to understand this concept under changed conditions – and the consequent changing *use* of the public sphere. This is to say that it is important not to abstract the concept from the political, social *and* economic context that constrains it. As Blaug puts it, ‘what has been decontextualised [in theoretical development] must, if it is to be of use, be re-contextualised’ (Blaug, 1997: 102).

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Thirdly, although Habermas's conceptualisation of the public sphere and its context is to my mind a useful tool for understanding the limits to democratisation, there are still shortcomings – most notably in his (1996) construction of a theory in which the public sphere can overcome the contextual constraints on its operation. Accordingly, it is important to critically interrogate – and if need be reformulate – this theory before and during its application in an analysis of the Internet.

Blaug (1997) has pointed out that while there has been a massive amount written on Habermas's theories, there have been few considerate applications of it. According to Blaug, part of the difficulty lies in the fact that 'critical theory is not a scientific, empiricist-inductive set of laws which, once formulated, can be wheeled out to confront an epistemologically independent world' (Blaug, 1997: 101). Critical theory can be distinguished from positivistic social science in terms of its theory and its practice. In the first case critical theory does not rest with mere appearances, but aims to reveal part-hidden underlying structures through which agency is constrained. In the second case, critical theory has a normative underpinning – an orientation to emancipation from domination – and aims to make practical interventions on that basis. As Blaug puts it, Habermas's theory has 'practical intentions in the area of emancipatory politics' (Blaug, 1997: 107). So, any application of Habermas's critical theory requires a theoretical and conceptual

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engagement applied to and evaluated in relation to the social world but with normatively grounded practical intent.

Applications of Habermas theory have considered numerous sites of interaction, one of the most common of which, usually following Habermas's early (1989) analysis, relates to technologically mediated sites. Such sites are important because if free communication is a necessary basis for democracy, the conditions under which that communication takes place are of critical importance. To this end, a number of scholars (Dahlgren, 1993, 1995; Livingston and Lunt, 1994; McNair, 2000; Rosen, 1999) have claimed that media technologies can facilitate public spheres, but others have argued that their integration into a capitalist mode of production stymies this potential (Murdoch, 1982; Golding and Murdoch, 2000; Herman and McChesney, 1997; Wayne, 2003). It has been claimed that more recent technological innovations from digital television to the Internet have improved the mediation of public spheres.

Such claims must be carefully considered in light not of a theory of the public sphere abstracted from context, but of one in which both the medium and the concept are understood in relation to this context. The implications of this contextualisation for the concept have been subject to intense debate (see, for example, Mouffe, 1999), which, due to the political orientation of critical theory, must be engaged. However, while a number of applications of Habermas's theory of the public sphere and of communicative or discourse ethics have considered the communicative

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context and the influence of communicative distortions (see Blaug, 1997 for an account of these), few of them have considered contradictions in the material context and the material basis of communicative distortion.

Some early research in the general area of the Internet and democracy raised such questions as ‘does the Internet reinvigorate democracy?’, ‘will the Internet lead to a new type of democracy?’, or ‘is the Internet a new public sphere?’. A number of these analyses assigned a high degree of positive agency to the Internet, which is said to ‘actually strengthen deliberative democracy’ (Gimmler 2001: 31), ‘revolutionize the process of political communication’, and itself ‘invents new forms of democratic activity’ (Locke 1999), or acts as an ‘*inherent* support for democracy’ (Simon, Corrales, and Wolfensberger, 2002: 101). Others have argued that the Internet has negative agency, claiming that it will result in moral degradation (Graham 1999), threaten good social relations (Dreyfus 2002), or weaken the ‘social glue’ required for republican democracy (Sunstein, 2001). As Hill and Hughes put it, ‘the bulk of analysts agree that political and societal change are the *effect*, and the Internet is and will be the *cause*’ (*sic* Hill & Hughes 1998: 181; emphasis added). For example, Western suggests there will be ‘deep, structural, even seismic shifts that will move ... (the USA) away from its traditional reliance on representative democracy toward emerging forms of direct democracy. The current revolution in communications technologies will play a catalytic role’ (Western, 2003: 217). This reflects a tendency to assign anthropomorphic

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attribution of agency to the Internet. Even some studies that have tried to avoid technological determinism have done so by focusing on the uses of the technology whilst downplaying the context of the technology itself, and therefore downplaying the potential for new uses (for example, Polat, 2005).

Such understandings of the effects of the Internet tend to treat it as a somewhat abstract causal factor, and although there has been some very useful critical research on the public sphere and the Internet (Poster, 1997; Bryan, 1998; Kellner, 1998; Hale et al 1999; Malina 1999; Schalken, 2000; Dalhberg, 2001; Wilhelm, 1999, 2002; Saco, 2002; Kolko 2003), the degree with which technologies and their users are fully (i.e. socially, culturally *and* economically) grounded varies. Accordingly, research on the Internet and the public sphere tends to be based on questions such as ‘Can it promote rational discourse, thus producing the romanticized ideal of a public sphere envisioned by Habermas and others?’ and ‘is it possible that Internet based technologies will adapt themselves to the current political culture, rather than create a new one’ (Papacharissi, 2002: 9-12).

There is, then, a tendency to consider the Internet in abstraction from the full context of use. This latter point can be explicated a little more clearly by drawing on a seminal study of online public spheres. Anthony Wilhelm’s (2002) work on ‘digital democracy’ is one of the most thoroughgoing studies that has drawn on Habermas’s work on the public

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sphere. His study of Usenet/newsgroup¹ discussions concluded that ‘online deliberation’ is neither thoughtful nor inclusive, and that participants infrequently provide evidence with which to raise and respond to claims. However, though Wilhelm does not take a simplistic view of the technology, his conclusion still seems to be that the Internet is not good for rational debate. There are two related problems with such a conclusion. First, if the Internet is a causal factor in this lack of communicativeness, it would have to be shown that other (non-Internet) forums necessarily provide qualitatively enhanced opportunities. This is to say that it would have to be shown that people are willing and able to engage in rational debate in other settings. Perhaps the problem is not the technology, but the attitudes of the particular people using it. Secondly, if in a certain forum rational debate is not forthcoming, then the problem may consist in the design of that forum rather than the technology as a whole. If people can work to alter a medium and design forums to suit their communicative needs, then perhaps such communicative shortcomings can be addressed.

An additional problem occurs with the lack of conceptual clarification in so much of the work on the Internet, the public sphere and democracy. For instance, Shapiro’s (1999) study of the ‘control revolution’ argues that new technologies such as the Internet ‘put the individual in charge’. However, whilst he gives a nod to the need for cooperation and solidarity in democracies, his understanding of democracy is very much a

¹ The terms ‘Usenet’ and ‘newsgroup’ refer to the same thing, a text-based email forum in which information can be exchanged by all participants.

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liberal one, in which democracy is best safeguarded through individual responsibility, privacy and checks on government power. This is to say that Shapiro collapses liberalism with democracy. Similarly, Poster's (1997) argument equates democracy with individual self-definition.

Such understandings of democracy are connected with a strain of liberal ideology that drove many of the early claims as to the status of the Internet. Barbrook and Cameron (1995) referred to this as a 'Californian ideology', a 'contradictory mix of technological determinism and libertarian individualism' wherein computer mediated communications 'empower the individual, enhance personal freedom, and radically reduce the power of the nation-state. Existing social, political and legal power structures ... wither away to be replaced by unfettered interactions between autonomous individuals'. Similarly, Lockard (1997), found a pervasive sense of self-delusion about the relation between political economy, the state and the Internet in much of the rhetoric about the Internet, which was animated by hyper-individualism, property rights and neo-liberal economics. These myths of the Internet have been described by Mosco (1998) as 'important both for what they reveal, in this case a genuine desire for community and democracy, and for what they conceal, here the growing concentration of communication power in a handful of transnational media businesses'.

Others have done quite the opposite by collapsing democracy with the state. Slevin for instance, argues that governments are 'looking to

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promote deliberative democracy and a greater transparency of their activities, thereby seeking to mobilize active trust in their performance' (Slevin 2000: 29). This strand considers democracy and democratisation to be a method of improving the interface between citizens and the state, to bring 'citizens close to government' (Hale et. al. 1999), and to create mechanisms wherein public concerns can be channelled into government communications (Richard, 1999). This is to say that democracy becomes collapsed with public administration and governance, and that the state can be 'democratised' through the introduction of state-managed client feedback mechanisms.

Of course these two general positions do not exhaust the typologies of investigations into the Internet and democracy. A number of other studies have made far more theoretically informed arguments about the relations between the Internet and democracy, especially those that have focused on a 'Habermasian' public sphere (Malina, 1999; Saco, 2002 Wilhelm, 2002). However, though many such studies have been critical of the concept, they do not always adequately contextualise it, or Habermas's understanding of it. For example, Jenkins and Thorburn (2003: 8) reduce Habermas's theory of the public sphere to 'the site where deliberations about important civic concerns occur'. Others refer to Habermas's concept of the public sphere as something derived purely from the 'seventeenth and late (*sic*) eighteenth century bourgeois public sphere' (Roper, 1998: 69), from 'seventeenth century coffee houses of Britain and salons of Paris or...

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the eighteenth century press of England and the United States' (Fernback, 1997: 38). Such understandings have been developed mainly from *The Structural Transformation of the Public Sphere*. However, it is clear from that study that Habermas refers to a historically specific and largely ideological concept that was only approximated in practice.

A further problem with applications of this concept to the Internet is that they tend to misread the conditions of the decline, or 'refeudalisation' of the public sphere. For example, Knapp (1997: 181) suggests that the mass media is the 'very entity' that 'Habermas blames for the destruction of the public sphere', and Jenkins and Thorburn (2003: 8) suggest that he 'blamed the rise of modern mass media for privatizing civic life and turning citizens into consumers'. Malina (1999: 25) similarly misunderstands Habermas's narrative of the decline of the public sphere, claiming that it was caused by 'industrialisation, the growth of literacy (!), and the development of a "protective" welfare state'. The issue at hand here is that if the 'mass media', literacy or industrialisation caused the decline of the public sphere, then the conditions for the realisation of a similar concept may not be properly understood. As I shall show, Habermas's account of the potential for public spheres and the suppression of them is much more complicated than much of the literature indicates.

A number of studies have, however, offered much more critical engagements with the concept of the public sphere, though they have still stylised Habermas's conceptualisation theory of the public sphere in accord

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with the seventeenth and eighteenth century manifestations. Against this, they have developed the work of critics of Habermas such as Michael Warner (Knapp, 1997; Saco, 2002) and Nancy Fraser (Poster, 1997). Whilst these moves improve the theoretical bases for analyses, they tend not to have followed Habermas's theory since *Structural Transformation*. Habermas has continued to develop the theory of the public sphere in his subsequent work (1987, 1996), which has resulted in a richer and more significant conceptualisation than that of *Structural Transformation*. In his later work, Habermas develops a *normative* concept of the public sphere that links back to the empirical public sphere of *Structural Transformation*, but we can also see that new problems arise with his later theoretical construct.

Another development in Habermas's theory that can help us better explicate the functions of the public sphere – and the problems of democratic agency more generally – is his concept of the 'colonisation of the lifeworld', wherein the very basic forms of social interaction come to be dominated and guided by what he refers to as the 'administrative and economic systems'². This process of colonisation can be understood as an extension of Marx's (1992) concept of 'real subsumption' of labour under capital, through which capital transforms social relations until they become permeated with the nature of capital (and, for Habermas, the bureaucratic logic of the state). Colonisation itself occurs when 'everyday lives' are

² Following Rasmussen (1990), I shall refer to these as 'the state' and the 'economic system' respectively. I shall refer to them together as 'subsystems'. Both the contemporary state and the economic system are considered to be of a capitalist order.

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integrated into the rationales of the economic system and the state. The interests of ordinary people are thus subsumed under the interest of capital accumulation and state legitimation (Habermas, 1976). One of the ways in which colonisation can be measured is by observing 'juridification' processes, of the ways in which formal laws develop.

Against this, the everyday 'lifeworld', through which cooperative self-organisation takes place, is the (normative) basis of democracy as 'popular sovereignty' (Habermas, 1996). By understanding Habermas's (1987, 1996) development of the concept of the public sphere, and its relation to the lifeworld, we can get a better purchase on some of the criticisms of the concept of the public sphere. Further, the concept of the colonisation of the lifeworld by the economic system and the state may help us to understand Internet use more comprehensively, insofar as we can understand the technology and its users as systemically embedded and therefore constrained. Accordingly, it may enable us to understand the limits to the *possible* uses of the Internet much more clearly. So instead of charging the Internet with uncommunicative effects on participants, we can understand these as symptoms of broader problems. Similarly, whilst Malina (1999) and Wilhelm (2002) are right to draw attention to the material inequalities affecting participation on the Internet, the concept of colonisation raises the question of much deeper 'ideological' constraints on participation as well as of the marginalisation of 'democratic' uses.

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Nevertheless, while Habermas's concept of colonisation helps us understand the ordering of social life, it has been developed at the expense of emphasising other contextual constraints, such as the coercive role of the state, and the more traditional Marxist understandings of constraints on production. The former is almost entirely left out of Habermas's work, and he abandoned the latter by the late 1970s (Habermas, 1979). However, if Habermas is to claim that public spheres become colonised and 'refeudalised' through being produced by the subsystems rather than the lifeworld, then it makes sense to engage the issue of the production of public spheres, as it makes sense to consider the more direct forms of suppression at the hands of the state.

In summary, a proportion of research on democracy, the Internet and the public sphere has tended to incorrectly assign agency to the Internet, to rest on inadequate conceptualisations of democracy, or to abstract Habermas's concept of the public sphere (and the Internet) from its full context. My key intention, then, is to develop Habermas's concept of the public sphere in a way that is adequate to the current context and then to consider the potential of different media technologies, and in particular the Internet, to mediate such a public sphere.

The present research takes account of the research outlined above and raises somewhat different methods for thinking about the Internet and the public sphere. First, to avoid crude positivism it is crucial to consider the 'latent'

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potential articulated in concepts and theory development and made possible or not by social relations, social forms and material artefacts or forces of production. For instance, Habermas's concept of the public sphere refers not to an always already manifest element of human sociation but to a latent potential, to something that has to be realised. Similarly, we ought not consider media technologies, such as the Internet, solely as currently constituted, but also in terms of their potential. This sort of approach animated much of the work of the Frankfurt School, and is worth considering in a little more detail. Indeed, although Habermas has moved away from some of the political conclusions of the Frankfurt School, he remains indebted to its methodological underpinnings.

The Frankfurt School's hostility to positivism is well known. Held (1980: 160-174) notes that for Marcuse, Horkheimer and Adorno the development of positivism represented the fulfilment of the Enlightenment; it was the manifestation of humanity's domination over humanity. Positivism was the embodiment of the instrumental reason whose ultimate outcome would be totalitarianism and one-dimensionality, resulting in alienation and resignation. For Marcuse, '(r)esignation to the given (as is characteristic of positivism) follows from the positive view that concepts must be grounded in observed facts, and from the notion that the real connection between facts presents an "inexorable order"'. Positivism therefore lacks any capacity for criticism or moral judgement.

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Held has highlighted three of the Frankfurt School's crucial criticisms of significance for the present project. Positivism distorts social reality because it results in

an "hypostatisation of the immediately given", a "fetishisation of aspects of the social process", a "freezing" of the *status quo*; decontextualisation of the particular, absence of understanding of the conditions under which any "thing" can be said to exist, loss of insight into the total context to which a particular relates...

loss of the category of potentiality and possibility – the existing order is taken to exhaust all possible alternatives (Adorno cited in Held 1980: 169)

Adorno's consideration of the relationship between sociology and empirical research has also been very influential on Habermas's research agenda, not least in their shared understanding of the limits of observation. In criticising positive verification, Adorno states that the 'particular observation by which.... (theory) is verified immediately becomes a part of that deceptive façade that it is attempting to break through. What is gained by way of concretisation and irrefutability is paid for by loss of penetrating force' (Adorno, 1976: 239). Such positivistic verification tends to be limited to what Marx (1992) referred to as the mere appearance. To combat this, he suggests that theory

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must transform the concepts that it brings in from outside into those which the object by itself has, into which the object itself would like to be, and confront it with what it is. It must dissolve the rigidity of an object frozen in the here-and-now into a field of tensions between the possible and the actual; for each of these two – the possible and the actual – depends on the other for its very existence (Adorno, 1976: 238).

So critical theory provides an important methodology for understanding the world and things in it. It is not the preserve of abstract idealism, but an important mechanism with which to see through the ‘immediately given’, to regain the ‘category of potentiality and possibility’. Nevertheless, this does not mean that we can simply reject observations of the world and things in it. On the contrary, Adorno suggests that empirical research has a role in providing

a corrective, not only in preventing blind system-building from above, but also in the relationship between appearance and reality. If the theory of society has the job of critically relativizing the cognitive value of appearance, then empirical research has conversely to protect the idea of essential laws from being mythologized (Adorno, 1976: 255)

Therefore it is important to develop a coherent theoretical framework through which concepts can be articulated and objects interpreted. The potential for and limits to the realisation of these concepts and the potential

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of objects through social activities and the use of material artefacts (in this case media technologies) can then be better grasped through empirical enquiry.

Accordingly, my approach to research has taken two main forms: conceptual development, and conceptually informed empirical enquiry. The former led me to engage Habermas's work on the public sphere, the lifeworld and colonisation. To this end, I outline his theory, and illustrate it with contemporary examples, drawing on four of Habermas's major works, *The Structural Transformation of the Public Sphere*, *The Theory of Communicative Action*, *Moral Consciousness and Communicative Action*, and *Between Facts and Norms*, and from these I interrogate the concepts of the 'public sphere', the 'lifeworld', 'communicative action', 'discourse ethics', the 'economic system' and 'the state'. As Habermas often treats his theory and certain concepts as counterfactual and latent potentials to be realised, a good deal of this research has involved considering not just how they can be applied but also how they can be adjusted.

Initially, I was motivated by an understanding of the bourgeois public sphere and sought the realisation of this on the Internet, akin to some of the studies cited above. However, when this was not observable in my initial empirical research rather than reach conclusions on this basis (and to avoid being resigned 'to the given', or to the 'inexorable order') I went back to the theory of the public sphere to enquire into problems of the theory itself.

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I then move to engage critics of Habermas, especially Nancy Fraser and Kluge and Negt, drawing attention to insights that challenge some of the central tenets underpinning Habermas's work. I also suggest that Habermas's communication theory may be better served by an engagement with theorists such as Williams, Gramsci, Bakhtin, Volosinov, who consider language as a sphere of contestation already ridden with power differentials. These reference points were drawn on as my theoretical framework moved away from a liberalism that could not explain the problem of individuals coming together in free interaction as autonomous actors on the Internet. I understand this liberal-individualist framework – and its understanding of the subject – as contributing to Wilhelm's (2002) and Hill and Hughes' (1998) sense of frustration with uncommunicative discussion on newsgroups. The model in which autonomous individuals occupy a neutral space to discuss issues of mutual concern on the basis of the strength of the best argument betrays an inadequate understanding of the individual subject, and is based on an understanding of a homogenous culture and politics that made the bourgeois public sphere possible, but which was substantively class based. As a result of this engagement, I introduce the concept of 'radical public spheres', which act as a source of solidarity and of resistance to colonisation. Radical public spheres are public spheres that are produced by ordinary people (often in groups) on their own terms, determining their own forms, spaces and rules of interaction. As 'bottom-up' public spheres, they can be contrasted with

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systemic public spheres that are produced by companies and the state that tend to have forms, spaces and rules of interaction imposed from outside. As universally oriented and inclusive, they can be contrasted with racist and neo-Nazi movements.

The theory of colonisation led me to consider how this affects technologies. To this end, I introduce a new concept, 'forms of use'. To introduce and explicate this concept I engage some of the key theories of technological development, assessing their strengths and weaknesses. I illustrate the historical development of dominant forms of use with reference to newspapers and television broadcasting. These illustrations are not intended to give a complete picture of newspapers and television broadcasting. Nor are they intended as matched examples from which complete conclusions can be drawn. Rather, they are used to consider the limits to actual and potential uses of *very different* media technologies, but media that both tend to be referred to as *democratic* media (and are the media given most attention by Habermas). The examples enable me to consider the potential of newspapers and television to support radical public spheres, and to consider the forces that prevent the realisation of this potential. To do this, I use historical studies and political economy, and consider a number of approaches to media reform, and media use, to illustrate persistent theoretical and material constraints on possible uses of these media.

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To investigate the Internet again I use a historical approach, comparing the claims of Internet ‘enthusiasts’ with my own findings drawn from historical evidence of state-led communication technologies, specific policy documents from the US government, technical documents such as the Request for Comments series, and evidence garnered from correspondences with some of the original ARPANet engineers. I also draw on my own technical knowledge of the Internet, garnered from 10 years of use. Finally, in order to illustrate how dominant interests juridify dominant forms of use, I use a case study of the Internet Corporation for Assigned Names and Numbers and its legislative output. This mode of enquiry enables me to consider the potential of the Internet as well as the limits to that potential.

The analysis of the production of online radical public spheres is based on a case study of IMC UK (the IndyMedia Center based in the United Kingdom – though ‘UK’ stands for ‘United Kollektives’), and I use data derived mainly from participant observation. I have been involved in IMCs since 2001, observing and contributing to the policy and technical development processes, and observing and contributing content. IMCs are open spaces and encourage members of the public to get involved in all aspects of their development. Other participants were aware of my presence as a participant and researcher. The collection of data took three forms – my own experiences and observations, including meeting and corresponding with participants, the observation of email listserve communications, and

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content analysis. The latter took the form of analysing 134 different newswire reports and the discussions that followed them between 21st and 27th March 2002. To add some validity to my findings over time, I compare these with 41 reports and discussions between 3rd and 6th September 2004. To better understand how IMCs work, I draw on a number of public documents stored on the Web sites as well as documents, policies and position papers published in the form of a book (IMC, 2004). None of these methods have positivistic intentions, for I am not looking to prove that discussions on the Internet *necessarily* follow a particular pattern, but rather to exemplify the potential for rational discourse as well as to highlight some of the problems with such discursive spaces. I am interested in identifying the potential for the production of radical public spheres in a broader sense than the quality of *actual* discussion; the analyses of discussions are only indicative. Indeed, because discussions are only as good as the participants, actual discussions tell us more about the participants than about the forum. Thus, the point is not what participants actually do, but what they could do. Nevertheless, these approaches do enable me to analyse and consider the ‘internal’ production of IMCs as radical public spheres and the ‘external’ production of content and discussion. They also allow me to consider how changes may be instituted, to act on the practical intentions outlined above.

To investigate the potential establishment of colonising dominant forms of use and the possible marginalisation of radical forms of use of the Web again I use a variety of methods of inquiry. I draw on my participant

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observation of IMCs to illustrate the perseverance of the state, and its capacity to suppress radical forms of use. To illustrate the production of dominant content, I draw guidance from existing research on political economy and generate my own data on content production. Similarly, the investigation into the distribution of Web content is guided by existing research, supplemented by my own research on and testing of portals and search engines. Finally, I use court cases, the procedures and membership of the World Wide Web Consortium and two case studies of attempts to impose standards to consider how dominant forms of use may be juridified. Again, as the technology and policy and legal framework within which the Web and the Internet functions is constantly changing, these are not supposed to be scientifically verifiable claims, but rather they show *tendencies* and *potentials* in development.

These approaches enable me to show some of the underlying structures of social interaction through media technologies, to '[d]issolve the rigidity of an object frozen in the here-and-now into a field of tensions between the possible and the actual'. They also enable me to reflect back on Habermasian theory, pointing to its insights and shortcomings.

Chapter Outline

In the first chapter, I first clarify Habermas's concepts, particularly that of the public sphere, that I am working with. As so many applications of

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Habermas's theory have been limited, in the first chapter I begin by explaining how his theory of the public sphere can be understood in the context of the 'rationalisation of the lifeworld'. Habermas's (1984/1987) work on the theory of communicative action can be used to show that whilst the sort of rational-critical debate he claims took place in the bourgeois public sphere took place at a particular historical juncture, it can be explained as the realisation of a potential for communicative rationality that is latent in human sociation, or in the 'lifeworld'. This potential is released or suppressed according to the characteristics of a particular social formation at a particular time. Indeed, in class society it may be realised for some but not for others. I then move to consider Habermas's understanding of a particular source of suppression of this potential in the form of bureaucratic capitalism, which comes, on Habermas's analysis, to 'colonise' the lifeworld and 'refeudalise' the public sphere. The first chapter ends with an explanation of how Habermas conceives of the modern role of the public sphere in his most recent major work on democratic theory, *Between Facts and Norms*.

In chapter two I develop criticisms of Habermas's conceptualisation of the lifeworld, language and the public sphere. The criticisms mainly concern Habermas's construction of public spheres from a 'systemic' perspective rather than from a 'lifeworld' perspective. As a consequence of this, Habermas fails to fully recognise the limits to autonomy, the homogenising tendencies of his theory, the repressive functions of the state,

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and the attitudinal problems that stem from these. In contrast, I argue that radical public spheres must be *produced* by the lifeworld, rather than relying on the spaces provided within an essentially bureaucratic-capitalist constitutional order that Habermas outlines in *Between Facts and Norms*. While his notion of a broad and diverse ‘informal public sphere’ is useful insofar as it is a space in which a plurality of public spheres may emerge, I argue that his earlier (1987) ‘siege model’ of democracy and the *production* of ‘radical public spheres’, is a more appropriate strategy to facilitate intersubjective recognition, interaction, and to resist colonisation.

In the following two chapters I turn to consider the potential for mediating radical public spheres in newspapers and broadcast television. Here I argue that we cannot consider these media as hypostatised technologies; that is, we cannot say television is X technology that necessarily has Y effect. This is to say that we cannot abstract a technology from the different uses to which it might be put. Nor can we abstract those uses from the contexts in which they are realised or suppressed. Rather, technologies tend to embody dominant ‘forms of use’. At its most basic, this concept understands that the development and uses of things are limited by the dominant, systemic legal, social, political and economic relations in which they are developed, used and further developed – akin to what Raymond Williams (1974) referred to as ‘cultural form’. It is this dominant form of use that comes to *colonise* the technology. Here, though, I am also interested in potential (non-dominant or ‘radical’) forms of use, and therein

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assess the capacity of a technology to support uses generated under radical social relations and the potential to shape and change technologies in accord with radical needs.

The concept of ‘forms of use’ in part developed out of the present engagement with Habermas. Habermas bases his theory of language (which itself acts as a foundation for the rest of his theory) on Wittgenstein’s, and then Austin’s and Searle’s philosophies of language. Effectively, for Wittgenstein the problem of the functioning of language and meaning was ‘solved’ by his argument that the meaning of a word is in its use. This is to say that for Wittgenstein (by the time of *Philosophical Investigations*) there is no a priori basis for meaning within language as such. Rather, for Wittgenstein, the ability to understand a language depends on the ability of language users to demonstrate ‘rule competence’. Language rule competence must be a social phenomenon, otherwise ‘thinking one was obeying a rule would be the same thing as obeying it’ (Wittgenstein, 1999: 81). This social competence rests on understanding the context of language use (rather than static semantics or grammatical rules), and the fact that use, and therefore meaning, changes. I initially applied this basic use-theory to material artefacts, specifically media technologies, but soon realised that neither language nor technologies exist independently of their use in social context – we can only understand these artefacts in terms of the social

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context of their use³. What Wittgenstein failed to do (and what Marxist writers on language, such as Volosinov, Gramsci and Williams, have prioritised) was to investigate the social context of language use. So Wittgenstein's insights have to be supplemented if not supplanted by use-theories that consider the social context. This use theory of the medium of language can be extended to other media and to other social phenomena – for example, Habermas (1989) essentially refers to the changing forms of use of the public sphere. In the present exercise, I extend it to media technologies.

In chapters three and four I use this concept to consider the capacities and potential of newspapers (as a particular form of use of printing) and television broadcasting (as a particular form of use of television) to facilitate radical public spheres. To this end, I outline the establishment and perseverance of colonising dominant forms of use and the ways in which these marginalize radical forms of use. I also consider the significance of what we might call the simple technical limitations of these media. These chapters are not intended to give a complete and total account of newspapers and television broadcasting, but to illustrate some of the trajectories of forms of use.

In chapter five I begin my analysis of the potential of the Internet.

The central question here is the degree to which the Internet can be used to

³ A similar understanding of 'use' was developed by Richard Hoggart (1958). He argued that literacy should not be thought of as an automatic good, because it depends on how it is used. For Hoggart by the 1950s, the dominant uses of literacy had begun to strip working class culture of its authenticity, replacing it with 'Americanised' mass culture.

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facilitate radical forms of use appropriate to radical public spheres. In the first part I ask ‘what is the Internet?’, and compare claims made by various scholars about its ‘inherent capacities’ with its technological elements, which I divide into various layers of structure. To do this, and in keeping with the mode of analysis of the previous chapters, I move to consider the impact of the context of early development on the form of the ‘constitutive structure’ of the Internet. I then look at the institutions used to coordinate development, and argue that they were formally participatory and consensus oriented, but, substantively, limited by the US state. The consequence of this is that the Internet was developed in part to facilitate a dominant form of use. However, this dominant form of use does not mark the whole of the Internet for a number of reasons. First, the dominant form of use tends not to be complete and can therefore have gaps and contradictions– it allows other forms of use. Secondly, it does not necessarily extend to the physical and application structures; its openness and neutrality means that it does not prescribe the exact configuration of attached networks or applications. This means that there remains the possibility for radical forms of use.

In chapter six I analyse the potential that the application structure – in particular the World Wide Web (Web) – holds for radical forms of use. To this end I initiate a case study of the Independent Media Centers (IMCs) as an instance of the realisation of the potential of the Web for the production of radical public spheres. In the tradition of radical media

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projects IMCs seem to produce ‘intercreative’ and participatory public spheres in which the principles of intersubjective recognition, relative autonomy and openness are realised. These conditions are met, formally at least, in policy and technical development and in the production of content, though substantively IMCs face a number of problems in facilitating such needs.

In the final chapter I consider IMCs in the context of the state on one hand and the dominant forms of use of the Web as a whole on the other. In the first instance, though the Internet and the Web have so often been referred to as virtual, immaterial and beyond the reach of the state, the materiality of the technologies and of participants means that they can become targets for the state. IMCs also operate in the context of a colonised ‘Webspace’ in which they exist alongside dominant forms of content, and dominant social relations of that content. The fact that there are dominant forms of producing and accessing content affects the potential uses of the Web and threatens to marginalize IMCs and other radical public spheres. However, as the technologies and laws regulating its use and development are constantly changing and adapting, and as the Internet and the Web remain somewhat open, it is difficult to tell the degree to which dominant forms of use will be exclusively established.

Chapter One. Habermas's Public Sphere in Context

1. Introduction

In this and the next chapter I outline and evaluate Habermas's notion of what I call communicative democracy, in which the public sphere should play a central role in facilitating the free flow of ideas and information. Habermas's ideas on the public sphere can be traced back to his (1989) critical inquiry into the *bourgeois* public sphere. In this work he highlights the development of the Enlightenment belief in the value of public reason. Later on Habermas (1984, 1987) finds the capacity for public reason not in specifically bourgeois modes of communication but in the release of the inherent communicative capacities of ordinary language, which are drawn out in a 'post-conventional' rationalised lifeworld and can be specified in certain communicative arrangements through which intersubjective recognition can be achieved. These two elements – the public sphere and the rationalised lifeworld – cannot, however, be considered as reified phenomena. Rather, they should be understood as realisable *potential* forms of politics and sociation. As such they must be understood in relation to their antitheses – the systematisation and institutionalisation of instrumental rationality and its manifestation in the capitalist economic system and the bureaucratic state, which 'colonise' the lifeworld and 'refeudalise' the public sphere. It is only when we can understand the public sphere in the

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context of the lifeworld *and* of these systems that we can begin understand how Habermas views the functions of a public sphere. This latter is outlined most clearly in *Between Facts and Norms*, in which he reformulates the concept of the public sphere in relation to economic and political systems. In this chapter I sketch out the connections between the public sphere, the lifeworld and the colonising tendencies of the economic system and the state before outlining Habermas's most recent attempt to develop a theory of the public sphere. Even with this reformulation, though, Habermas's theorisation of the public sphere remains open to criticism. In the following chapter I outline these criticisms, and the degree to which we can fruitfully draw on Habermas's framework in order to reconstruct a theory of the public sphere that can be applied in the present analysis of mediated public spheres.

In this chapter I raise and address the following questions: What is Habermas's early theory of the public sphere? What relation has this to a rationalised lifeworld? How do 'subsystems' stymie the potential of the lifeworld to facilitate communicative democracy? And how has Habermas's theory of the public sphere developed to take account of his own theories of colonisation and refeudalisation?

1.1 The Bourgeois Public Sphere

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Habermas's initial (1989) study of the public sphere refers to a specific historical phenomenon made possible by the 'structural transformation' that accompanied the emergence of capitalism in Britain and France in the eighteenth and nineteenth centuries respectively. This new mode of production saw the emergence of the new class of the bourgeoisie whose growing economic power led them to seek social and political power. In so doing, the newly ascendant bourgeoisie sought to challenge and replace the existing political and economic hegemony by forming its own critical society in the form of a specifically bourgeois public sphere. The nature of this new form of publicity differed from 'feudal publicity', which had been associated with the aristocratic display before an uncritical audience in order to demonstrate their authority. In contrast, the bourgeoisie used publicity to criticise authority and existing power structures.

So, the bourgeois public sphere must be understood as the result not simply of the agency of individual members of the bourgeoisie, but as a result of economic and social-structural changes that led to greater economic 'independence' of a larger number of people who thereby gained access to cultural institutions, education, and literacy. The material conditions of the bourgeoisie therefore gave them the incentive, the socio-cultural capital, and the time to engage each other in public debates over issues of mutual concern. More than this though, according to Habermas the bourgeois public sphere facilitated a form of dialogical opinion and will formation that formed at least the ideological basis for legitimate decision

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making in a democracy. It is within the public sphere that the contestation of issues and interest positions was considered to generate a genuinely *public* opinion, akin to Rousseau's 'general will', upon which legitimate democratic decision-making was to depend.

The physical meetings of the bourgeois public sphere were identified by Habermas as being located mainly in the eighteenth and nineteenth century coffee shops of Great Britain, the *salons* of France, and in the *Tischgesellschaften* of Germany, in which the subject matter of critical debate first concerned literature, art and culture, and later politics and law. To differing degrees, coffeehouse society in Britain and France provided a space in which members of the bourgeoisie, some aristocrats and even a small number of plebeians could meet for discussion on a more or less equal footing. According to Habermas, in the bourgeois public sphere, 'the mind was no longer in the service of a patron; "opinion" became emancipated from the bonds of economic dependence', and ideas would circulate among a broader public, free from constraint and free from illegitimate authority (Habermas, 1989: 33-34). So for Habermas conditions in advanced nineteenth century European states were such that they enabled certain private persons to gain a degree of critical autonomy from economic demands and from the previously dominant ideological worldview.

Habermas notes three major commonalities of the *salons* of France, the coffee shops of Britain and the *Tischgesellschaften* of Germany that illustrate form of discourse in the bourgeois public sphere. First, the

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intercourse that took place within them ‘far from presupposing the equality of status, disregarded status altogether The parity on whose basis alone *the authority of the better argument could assert itself* against that of social hierarchy and in the end can carry the day meant, in the thought of the day, the parity of “common humanity”’ (Habermas, 1989: 36; emphasis added). In the public sphere, ‘critical debate took place without regard to all pre-existing social and political rank and in accord with universal rules’. So ‘public opinion born of the power of the better argument’ achievable only in the absence of illegitimate authority meant that ‘*opinion publique* alone had insight and made visible’ the natural order (Habermas, 1989: 54-55). Secondly, the bourgeois public sphere was completely open, or at least not formally restricted on the basis of social or economic status. The issues and controversies discussed ‘became “general” not merely on their significance, but also in their accessibility; everyone had to be able to participate’ (Habermas, 1989: 35). Thus arose a public sphere of private people, which was ‘critical in the sense that it provoked the critical judgement of a public making use of its reason’ (Habermas, 1989: 24). Finally, discussion in the *salons* ‘presupposed the problematisation of areas that until then had not been questioned’. That is, the traditional authorities, such as the Church, were no longer respected as the sole interpreters of truth. Rather, claims could be freely made and reasonably contested without relying on tradition or authority. This enlightened bourgeois public sphere sought to shake the foundations of the old order.

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Habermas associated the ideology of the bourgeois public sphere with the ideology of early free-market capitalism. In this sense, the emergence of the bourgeois public sphere took place at the same time as the deregulation of production, exchange and consumption, on the basis of which emerged the ideology of the free-market. The ideology of the free market provided a justification for capitalism, and also for the bourgeois public sphere. Where the free-market promised 'to function in a fashion that ensured everyone's welfare and justice in accordance with the standard of the individual's capacity to perform' (Habermas, 1989: 79), so too did the public sphere. Where the market was universally accessible and allowed all to enter into the domain of property and education, so too the bourgeois public sphere relied on a free-market conception of universality because 'a public sphere from which specific groups would *eo ipso* be excluded was less than merely incomplete; it was not a public sphere at all' (Habermas, 1989: 85-88).

Whereas Habermas's account of the bourgeois public sphere in *Structural Transformation* sees rational-critical universalism arise within bourgeois ideology, his (1984, 1987) theory of communicative action traces conditions through broader processes of more general human social evolution; the bourgeois public sphere was a moment in which the inherent rational potential of human communication was realised. This realisation occurred under specific historical structural conditions, a point that must be appreciated in applications of Habermas's theory. It is not the case in

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Habermas's (1989) account that the functioning of the bourgeois public sphere (equality, universality, and openness) was only a result of *ideas* of democracy. Rather, specific conditions – changes in production that led to contestation of economic and political power – created the demand for participation in a rational-radical public sphere. This is not to say that the concept of the public sphere is therefore flawed, but the model of the *bourgeois* public sphere that provides the basis for so many investigations into contemporary public spheres might not be a suitable model with which to evaluate contemporary phenomena. Nevertheless, nor is this to say that all of the conditions for a public sphere have entirely disappeared, or that its characteristics are not desirable. If we expand our attention to encompass Habermas's other works, we find other sources of the public sphere. In his *Theory of Communicative Action*, Habermas's historical attention goes beyond the material conditions of early capitalism to investigate the development of the lifeworld. As we shall see, the crux of Habermas's argument is that there are intrinsic properties of the rationalised lifeworld and language that can nurture the potential for 'communicative' public spheres; these properties develop as human societies evolve, but as other subsystems develop, they also come to be repressed as I show in the following chapter.

1.2 The Rationalisation of the Lifeworld

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Whereas the bourgeois public sphere of *Structural Transformation* should be understood in terms of historical class dynamics, Habermas's understanding of the rationalised lifeworld and rationalised language use should be understood in the context of meta-historical social evolution. In *Structural Transformation* the historical dynamic is class, but his faith in class as a historical motor ended by the time he developed his work (1979, 1984, 1987) on language and communication. Whereas *Structural Transformation* retains a materialist conception of history, in his later (1979) analysis, the development of forces and relations of production, and 'social evolution' as such, are made possible by the 'rationalisation of the lifeworld'; Marx's materialism is turned on its head.

On Habermas's (1987: 124) understanding, the lifeworld is the 'reservoir of taken-for-granted, of unshaken convictions that participants in communication draw upon in co-operative processes of interpretation'. The 'unshaken convictions' are the meaning-giving presumptions that act as the base upon which ideas, feelings and values rest. It is through the lifeworld that societies and individuals are reproduced. Though the concept of the lifeworld as a 'reservoir of taken-for-granted' may be argued to have conservative overtones, it is important to note that whilst people draw upon it, it is also responsive to contestation and change. Thus, Habermas suggests that the lifeworld acts as a collective repository for social experience and knowledge which we draw on and add to. Rather than new modes of production changing the lifeworld, the rationalisation of the latter makes

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possible changes in the former (Habermas, 1979: 118). Thus, for Habermas (1987: 154), 'the lifeworld remains the subsystem that defines the social system as a whole', because 'increases in (systemic) complexity are dependent on the structural differentiation of the lifeworld' (Habermas, 1987: 173). To this end,

the development of... normative structures is the pacemaker of social evolution, for new principles of social organization mean new forms of social integration; and the latter, in turn, first make it possible to implement available productive forces or to generate new ones (Habermas, 1979: 120)

For Habermas, the process of rationalisation is observable in the 'separating out' of a communicatively rationalised lifeworld and what became the instrumentally rational economy and state (which develop their own specific 'logics' or modes of operation). In simple societies, '*systemic mechanisms have not yet become detached from institutions effective for social integration*' (Habermas, 1987: 163; original emphasis). Economic activities in simple societies do not follow an immanent logic or mode of operation but rather 'serve less to accumulate wealth than to foster sociation' in accord with lifeworld-directed norms (Habermas, 1987: 161). However, Habermas argues that as societies become more complex, systemic mechanisms for dealing with specific problems such as those concerned with material production or with public administration develop. This results in the 'uncoupling' of system and lifeworld, whereby the

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economy and the state develop their own 'steering media' or 'steering mechanisms' of money and power respectively. At the same time, communicative action oriented to mutual understanding in the lifeworld separates out from instrumental action oriented to success in the economic system and the state. This separation, according to Habermas, releases the potential of communicative reason in the lifeworld and instrumental reason in the economic system and the state.

A further separation takes place within the modern lifeworld between objective, social, and subjective 'world relations' – to which the 'value spheres' of science, morality and art respectively correspond. On Habermas's analysis, in archaic societies neither lifeworld and system nor world-relations are separated out. In these simple societies mythical worldviews 'blur the distinction between the objective, social, and subjective worlds', and therefore stymie the 'critical potential of communicative action' (Habermas, 1987: 159). When world relations are separated out, the rational potential of communicative action is released, that is, set free of the constraints of conventional all-encompassing religious or mythical consensus. As Habermas argues,

when the participants in communication utter or understand experiential sentences or normative sentences, they have to be able to relate to something in a subjective world or in their common social world in a way similar to that in which they relate to something in the objective world with their constative speech act. Only when these worlds have been

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constituted, or at least have begun to be differentiated, does language function as a mechanism of coordination (Habermas 1987: 27).

Worldviews are rational to the degree to which the validity claims they make be contested and defended, 'the rationality of worldviews can be judged in the formal-pragmatic specified dimension of closedness/openness' (Habermas, 1984: 66). This openness makes possible unforced mutual-perspective taking, enabling intersubjective recognition, and sets free the 'illocutionary force' inherent in language.

For Habermas, understanding the illocutionary force of an utterance allows one to understand how communicative action can take place. The illocutionary force of an utterance consists in its ability to rationally motivate the hearer to accept or reject the utterance. An utterance has illocutionary force if it is accepted or rejected by a conversational partner on reasonably equal terms without resorting to external sanction – such as threats, compulsion, intimidation and so on – and without hidden intentions. Habermas argues that an utterance will be accepted or rejected because the hearer is able to accept or reject validity claims made on the basis of the objective truth and/or normative rightness, and/or subjective sincerity of the statement (though all three may be raised at the same time). This is to say that the validity claims attached to utterances are linked to the world

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relations that Habermas finds in modern rationalised societies. If the hearer does not accept the claims, negotiation takes place⁴.

The ability to challenge validity claims thus depends on a lifeworld in which ‘the need for reaching understanding is met less and less by a reservoir of traditionally certified interpretations immune from criticism... (the lifeworld) can be regarded as rationalised to the extent that it permits interactions that are not guided by normatively *ascribed* agreement but – directly or indirectly – by communicatively *achieved* understanding’ (Habermas, 1984: 340). In this ‘post-conventional’ society, Habermas argues norms are *agreed* (as human rights, which are an abstract concept whose realisation depends on rational agreement), that is, they must be subject to consensus, which in turn ‘must be met more and more frequently by *risky*, because rationally motivated, agreement’ (Habermas, 1984: 340; emphasis added). Under ‘stable’ conditions, validity claims are taken for granted in the lifeworld and act as communicative anchors. People communicate by assuming the acceptance of the truth, rightness and truthfulness of statements. However, under conditions of conflict or crisis the background ‘consensus is shaken (as in the bourgeois public sphere), and the presupposition that certain validity claims are satisfied (or could be vindicated) is suspended’ (Habermas, 1976a: 120). Habermas argues that ‘the further the structural components of the lifeworld... get differentiated, the more interaction contexts come under conditions of rationally motivated

⁴ The separation of value spheres appears to be ‘rational’ insofar as it prevents authorities impressing a ‘social norm’ (say, female circumcision) as an objective truth.

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mutual understanding, that is, consensus formation that rests *in the end* on the authority of the better argument' (Habermas, 1987: 145). Thus as communicative resources expand they release the potential for both greater disagreement but more legitimate agreement, both of which are possible under conditions of communicative freedom.

The degree to which communicative freedom is realised influences the degree to which truths, beliefs, norms, political decisions and so on can be said to be legitimate. Without the ability to question truths, beliefs, and claims understanding and agreement consist in little more than compulsion. Though Habermas argues that communicative freedom in a rationalised lifeworld is an innate potential of language and human society, it is a latent potential. The fact that it is a latent potential means that it is not always manifest but must be realised, which again leads us to questions of politics. The question of how best to realise communicative freedom and therefore be free to make decisions leads Habermas to consider not just the importance of civil and political rights, but also the form communication takes in public forums. Habermas's concern with the organisation of communication, or discourse, is clearly illustrated in his works *Moral Consciousness and Communicative Action* and *Between Facts and Norms*, in which the communicative characteristics of the bourgeois public sphere and of language itself are applied to a 'discourse ethics' (Habermas, 1990), which should form the basis of communicative democracy.

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Habermas attempts to ground his theory of communicative democracy in the communicative structures of the lifeworld. His objective is to 'trace out the forms of communication that guarantee the discursive character of a practice of self-determination' (Habermas, 1996: 157). To this end, he develops his discourse ethics. This provides rules for communication within what we might call communicative public spheres, which were to a greater or lesser degree exemplified in ancient Athens and in the bourgeois public sphere. This theoretical account of discourse ethics usefully links his understanding of the immanent characteristics of human communication in a rationalised lifeworld to some of the empirical characteristics of the bourgeois public sphere. In this sense, the contestability of utterances, the communicative reciprocity and the intersubjective recognition demanded in a rationalised lifeworld meets with the bourgeois public sphere's disregard of status, and its openness to participation and subject matter. Thus, we can see how Habermas sees the bourgeois public sphere as having realised what he argues to be the inherent communicative capacities of a rationalised lifeworld.

The conditions under which participants act in accord with discourse ethics have for Habermas both attitudinal and structural properties. Attitudinally, participants must express a willingness and ability to understand themselves and others, and must not practice strategic communication by hiding intentions or engaging in perlocutionary speech acts. Habermas understands this latter in contrast to illocutionary speech

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acts. For Habermas, illocutionary speech acts motivate the hearer solely through rational acceptance, whereas perlocutionary speech acts on Habermas's account (which differs significantly from Austin's and Searle's earlier formulations) are tied to strategic action – they serve to (often covertly) affect the hearer without the hearer necessarily accepting the utterance as justified. To relate this to validity claims, participants must be sincere participants. The participants should also regard a question as settled when it receives a satisfactory answer, drop assertions that are proved false, follow her or his own advice when the speaker finds her or his self in the same position as hearer, and act in accordance with a declared intention (Habermas, 1976a: 86-91).

Structurally, the discursive space or public sphere must provide equal opportunities for all to express those interests, equal opportunities to argue against suggestions that may harm one's interests, and protection against 'closure', due to the fact that 'no consensus can insure itself against the possibility of new arguments' (Rehg, 1997 38-39; 222). Steven White (1988: 56-7) adds to these rules conditions 'which are constitutive of an ideal speech situation' such that each subject who is capable of speech and action is allowed to participate in discourses, each is allowed to call into question any proposal, each is allowed to introduce any proposal into the discourse, each is allowed to express his attitudes, wishes and needs, and that no speaker ought to be hindered by compulsion – whether arising from

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inside the discourse or outside of it – from making use of the preceding rights.

Further to these conditions, the process of discourse should be aimed at clarifying language and terminology (which is made difficult by the ‘risky’ freeing up of language as a result of these conditions) so that understanding of needs and wants can be fully achieved. Lest arguments ‘pass one another like ships in the night’ a formal understanding of the language system is necessary, though crucially ‘one has... (to be) free to change any inappropriate or distortive aspects of the language system’ (Rehg, 1997: 42-43).

These characteristics of a discourse ethical foundation for communicative democracy can not be, however, simply achieved. As I have argued, they must be considered in the context of systemic repression of communicative freedom, and it is only when we understand this latter that we can begin to evaluate Habermas’s theory of communicative democracy.

1.3 Colonisation of the Lifeworld

The preceding discussion of the conditions for a communicative public sphere is not a description of existing phenomenon, but is an interrogation of a possible communicative form that is suppressed under modernity, specifically under bureaucratic capitalist regimes. This is to say that communicative action is a latent potential, unrealised under what Habermas

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refers to as conditions of systemically distorted communication. Though Habermas's theory is an attempt to escape from the Frankfurt School's 'pessimism' over the development of rationality, he does not refute the detrimental effects of instrumental reason. Rather, he argues that the extent of the advance of instrumental reason was over-estimated by his forbearers in the Frankfurt School. In a sense he sees resources of hope in communicative reason. As mentioned, the two forms of rationality have their origins in the same process of modernisation, but for different ends. Communicative reason is oriented towards freedom both in its process and in its outcome. Instrumental reason, on the other hand, is understood as oriented to the domination of nature and society, it is the reason of the 'iron cage of modernity'. Instrumental reason is encapsulated in forms of purposive-rational action that are not subject to deliberation under conditions of communicative freedom. Instrumental reason is therefore understood as a form of private will imposed on others, whereas communicative reason is publicly generated and oriented to a public good. Communicative reason can be set free in a public sphere that employs the dialogical medium of language, whereas instrumental reason is embodied in the economic system and the state, which employ the 'steering mechanisms' of money and power respectively. That is, whereas action norms are justified communicatively in the public sphere, the economic system and the state force certain types of behaviour through the use of money and power.

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Habermas argues that the separation of subsystems and lifeworld has, in some respects, positive implications insofar as the efficiency of subsystems alleviate the pressure on communicative reason. However, it also gives rise to ‘increasingly autonomous organization(s)’ that are ‘connected with one another via delinguistified media of communication’, that is, via power and money, which at the same time become ‘largely disconnected from norms and values’, leaving them ‘independent of their moral-practical foundations’. The main problem of the capitalist economic system and the state is that they come to be ‘regulated *only* via money and power’ (Habermas, 1987: 154; emphasis added). Steering mechanisms such as power and money ‘encode a purposive rational attitude ... and make it possible to exert generalised strategic influence on the decisions of other participants while bypassing processes of consensus-oriented communication ... the lifeworld is no longer needed for the coordination of action’ (Habermas, 1987: 183).

Habermas refers to the process of colonisation of the lifeworld whereby instrumental rationality ‘surges beyond the bounds of the economy and state into other, communicatively structured areas of life and achieves dominance there at the expense of moral-practical and aesthetic-practical rationality’ (Habermas, 1987: 304). This process results in a situation where the needs of the capitalist economy and state administration are placed in opposition to the needs of the lifeworld. The colonisation of the lifeworld by the subsystems does not go so far as to destroy the lifeworld and its

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communicative resources, but disempowers it, removing its ability to coordinate action. That is, the values directing action and assigning worth come to reflect those of purely instrumental reason, whether this be the profit-motive, administrative efficiency or both. The consequence of this is that other values are sidelined or ignored, being regarded only insofar as they contribute to those instrumental ends. Subsequently, 'the money medium replaces linguistic communication in certain situations' so that the money medium becomes a 'substitute for special functions of language' (Habermas, 1987: 262-3). Consequently, governance becomes increasingly remote from public will.

The process of will formation is also stymied by colonisation. It is through this colonisation that roles and social relations are constructed, turning people into employees, customers and clients, who are subject to rules of action that are driven by the needs of the economic system and the state rather than the lifeworld. As Habermas (1987: 325) explains, 'to the degree that the economic subsystem subjects the life-forms of private households and the life conduct of consumers and employees to its imperatives, consumerism and possessive individualism, motives of performance and competition gain the force to shape behaviour.' Money and power come to encode a purposive rational attitude into political and social life, exerting 'generalised strategic influence on the decisions of other participants while bypassing processes of consensus-oriented communication'. Such processes can be seen in, for example, higher

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education, in which the imposition of internal and external market mechanisms reduces many decisions to the rationale of economic performance. Further applications of Habermas's theory of colonisation have been made to education (Sumner, 2000; Abbas and McLean, 2003; for a non-Habermasian account, see Monbiot, 2001), social work (Cox and Hardwick, 2002), environmental planning (Sköllerhorn, 1998), European integration (Grewal, 2001), political 'modernization' (Pusey, 1991), social policy (Murphy, 2005) and welfare (Fraser, 1989). These studies illustrate how colonisation processes have infiltrated the institutions in which people are socialised before they can possibly partake in a public sphere.

Importantly, the process of colonisation can be in part measured through the process of juridification (Habermas, 1987: 357-362). Whilst juridification is used generally to describe 'the tendency toward an increase in formal (positive or written) law that can be observed in modern society', the function of the concept is to understand the types and functions of these formal laws. The process of juridification is seen in the formal organisation of relations between subsystems, and between them and the lifeworld. For Habermas, juridification can be understood in historical stages, beginning with the organisation of relations between private persons in a market economy, through to the development of civil, political, and social rights. This process is, however, ambivalent, or as Habermas puts it, Janus-faced. For example, the later stage of juridification, which saw the establishment of the social-democratic welfare state, 'serve(d) the goal of social

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integration', but at the same time promoted 'disintegration of life-relations... through legalized social intervention' (Habermas, 1987: 364), that is, the expansion of the competencies of the state replaced many of those of the lifeworld. The development of juridification in the neo-liberal period that followed the publication of *The Theory of Communicative Action* has in many respects removed many of the competencies of the administrative state, but replaced them with and regulated them through private relations of the market economy.

The implication of the colonisation of the lifeworld for the public sphere is that 'the bureaucratic disempowering of spontaneous processes of opinion- and will-formation expands the scope for engineering mass loyalty and makes it easier to uncouple political decision-making from concrete identity-forming contexts of life' (Habermas, 1987: 325). In effect, the colonisation of the lifeworld displaces the public sphere, or rather transforms its use. Thus, the process of structural transformation of the public sphere is underpinned by structural changes in the relationship between lifeworld and subsystems. On Habermas's view, the colonising state engineers mass loyalty 'in both a positive and selective manner'. The former refers to 'offers' made by the subsystem, specifically social welfare; the latter refers to exclusion through a 'social structural filtering of access to the public sphere, through a bureaucratic deformation of the structures of public communication or through manipulative control of the flow of communication'. Accordingly, the 'symbolic self-presentation of political

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elites in the public sphere can be largely uncoupled from real decision-making processes within the state' leaving the electorate restricted to 'the recruitment of leadership personnel ... removed from the grasp of discursive will-formation' (Habermas, 1987: 346). This legitimation function of the state usually works through consent, but can also work through the use of coercion. These modes are necessary to enable the state to pursue its main accumulation functions: its setting up of conditions for capital accumulation domestically and internationally, its organisation of production and its response to the 'numerous imperatives of the economic system' (Habermas, 1976: 34).

This understanding of the colonisation of the lifeworld provides an important framework within which the decline of the bourgeois public sphere can be comprehended. The colonisation of the lifeworld thesis enables us to understand the decline of the bourgeois public sphere as caused not just by the decline of public participation in democratic opinion and will formation, but also by the emergence of increasingly autopoietic subsystems that are insulated from public control.

1.4 The Refeudalisation of the Public Sphere

As the bourgeois public sphere grew from specific historical conditions, so too when those conditions changed the public sphere also transformed. As the bourgeois public sphere was used to criticise the political status quo,

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when its political power became dominant and institutionalised, the same public sphere was less likely to be used as a tool of criticism. This is to say that although the bourgeois public sphere had been used to criticise unrepresentative public authorities, when the bourgeoisie became the latter, criticism became less relevant to what was still regarded as a form of public sphere.

In addition to the changing relationship between the bourgeoisie and the state, the rise of the working class exposed limits to democracy within capitalism. The nature of these limits lies in the fact that the interests of the working class fundamentally conflicted with those of the bourgeoisie. Once the proletariat had gained the franchise they would threaten the political and economic hegemony of the bourgeoisie, as the latter did to the aristocracy. Indeed, the bourgeois public sphere was able to operate as it did in part due to the confluence of participants' interests (notwithstanding formally open and equal participation). Insofar as the general economic interests and socio-cultural background of the bourgeoisie could be said to be shared, conflict within the bourgeois public sphere did not include fundamentally conflicting claims. At the same time as the bourgeoisie attempted to consolidate itself as a class with economic and political power, so the proletariat organised to consolidate its class power in opposition to that of the bourgeoisie. This was to have a profound impact on the functioning of the public sphere as the extension of the franchise allowed competing political claims to be voiced.

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The institutionalised promise of universal access to the public sphere ‘strengthened the propensity of the economically weaker parties to use political means against those who were stronger by reason of their position in the market’; the working class and the bourgeoisie battled for political hegemony. The interests of trade unions and socialist parties on the one hand, and of the bourgeoisie on the other, caused a conflict that resulted in the bourgeoisie or ‘forces friendly to the state ... exchanging their private social power for political power’. Consequently, political antagonism and economic instability were quelled by increasing state intervention to stabilise the social system as a whole (Habermas, 1989: 145-147). Whereas a homogenous bourgeois public sphere based on the acceptance of given roles, equality and frankness, a code of self-protection and courteousness, and shared class interests was able to facilitate ‘reasonable forms of public discussion as well as... the convergence of opinions regarding the standards of criticism and the goal of polemics’, the broadened public sphere was marked by class conflict, as traditionally suppressed issues were engaged. To this end, Habermas argues that the ‘pressure of the street could hardly be understood any longer as embodying the reasonable consensus of publicly debating private persons’ (Habermas, 1989: 131), especially when it sought to challenge the established order.

The implication of this fundamental conflict of interests for the bourgeois public sphere was that the latter was unable to accommodate it while retaining its form as an open and egalitarian space for the debate of

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political issues of concern. The façade of the bourgeois public sphere crumbled as its class basis was exposed. For Habermas, ‘the principle of the public sphere, that is critical publicity, seemed to lose its strength in the measure that it expanded as a sphere’ (Habermas, 1989: 140). This is because political institutions were unable to effectively respond to the new expanded public without causing systemic crises. Accordingly, the inability of the proletariat to gain hegemony and the consolidation of the bourgeoisie’s political power meant that the public sphere came to be *used to manage* political disagreement, and its form changed in accord with this new use.

Habermas refers to this change as the ‘refeudalisation’ of the public sphere, that is, the modern public sphere came to generate the form of publicity that he argues prevailed under feudalism. For Habermas, the public sphere is refeudalised insofar as,

at one time publicity had to be gained in opposition to the secret politics of the monarchs ... to render political decisions before the court of public opinion. Today ... publicity is achieved with the help of the secret politics of interest groups (Habermas, 1989: 201)

The egalitarianism, openness and dialogicity of the bourgeois public sphere was replaced by the use of the public as an audience in front of which to display prefabricated privately generated information, opinion and decisions. The need of the state to generate legitimacy deforms the public

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sphere and ensures that public opinion follows decisions rather than vice versa. The state thus has to 'maintain the institutionalised fiction of a public opinion' (Habermas, 1989: 236), but should this fiction become operative, then legitimation problems can arise (Habermas, 1976). Furthermore, in the 'faked version' of the public sphere, the 'criteria of rationality are completely lacking in a consensus created by sophisticated opinion-moulding services under the aegis of a sham public interest'. This contemporary publicity returns to a feudal form whereby 'the "suppliers" display a showy pomp before customers ready to follow'. Accordingly, voters are the prey of party managers who aim to attract them 'not through enlightenment but through adaptation to the unpolitical consumer attitude' (Habermas, 1989: 214-215).

This attitude cannot be understood as simply a discrete issue of 'political apathy', but must be understood in the context of the colonisation of the lifeworld, specifically the thesis of internal colonisation. The deformations of the lifeworld, or lifeworld pathologies, are argued by Habermas (1987: 143) to affect problems in social integration, cultural reproduction and individual socialisation. The forms of autonomy and responsibility that Habermas argues are necessary for communicative action and participation in the public sphere are therefore threatened by colonisation of the lifeworld, thus neither media, 'massification' nor industrialisation is to blame.

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Aspects of this refeudalisation or domination of the public sphere can be seen in elements of public communication. For instance, the UK central government advertising and marketing budget alone was £295,000,000 in 2002, the year in which it became the biggest single advertiser in the UK (Dignam, 2002). By 2003/4 the Central Office of Information quango, which is responsible for 'direct and relationship marketing', 'PR and Sponsorship', and 'Strategic Consultancy' amongst other things, had an annual income of £307,000,000 (Central Office of Information, 2004). Between 1987 and 2002, this income fluctuated between just under £125,000,000 and nearly £300,000,000 at 2001/2 prices (National Audit Office, 2003). Local governments spent £60,000,000 through their public relations units, and nearly double that on communications as a whole in 1995 (Ideas and Development Agency, 2005). Of course, these figures on their own tell us little of the effects of such expenditure on public opinion itself, but they do help illustrate the importance of money and power in steering public communication; especially in terms of the increased use of 'commercial criteria in running and evaluating government communications' (Miller, 2003b).

On Habermas's account, political participation through parties also suffers under conditions of colonisation. With modern political marketing addressed to customers rather than citizens, not only is the public sphere manipulated but so too is the political party, whose meetings 'are useful

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only as advertising events'⁵. Membership of political parties across Europe declined massively through the twentieth century so that by 1999/2000 only 4.99% of the electorate across Europe were members of political parties. Between 1980 and the end of the 1990s party membership as a proportion of the electorate in the UK, France and Italy fell by between 50 and 60% and 'across all 13 long-established (European) democracies, membership levels in figures have fallen by a staggering average of almost 35 percent' (Mair and van Biezen, 2001). In the UK, membership of the two largest parties declined from highs of well over a million in the early twentieth century to around 250,000 by the first years of the twenty first century (Jones and Kavanagh, 2003: 31). Seyd and Whiteley (2004) have also shown a significant decline in the number of remaining party members who actively participate.

Party members serve to anchor the state in the lifeworld, by providing routes for influence. Without members, parties come to rely on other forms of public interfacing, such as advertising, focus groups and public relations stunts, all serving to increase communicative imbalance. The membership is not just supposed to legitimate parties, but should also finance them, giving the former another route for influence; but without members, financing must come from elsewhere, especially given the expense of the forms of communication needed because of a lack members.

⁵ This has for a long time been the case with the British Conservative Party, for whom the parliamentary party traditionally has priority over the membership. The Labour Party, on the other hand, has only recently experienced this 'turn' in the post-Michael Foot 1980s.

Despite the low levels of membership, in the 2005 General Election the Labour party and the Conservative party had a combined election budget of £35,000,000 (Baldwin, 2005). In 2004 the 'running costs' of the Conservative party were nearly three times the amount spent on actual campaigns, and income from donations and fundraising was more than seventeen times that of membership and subscription. The 'running costs' alone were nineteen times greater than the total income raised from membership and subscription (data from The Conservative Party, 2004). In the same year, the Labour party spent well over twice as much on commercial activities as it did on campaigns, and its running costs were thirteen times more than it spent on campaigns. Commercial income was greater than membership income and donations were two and a half times the latter (data from The Labour Party, 2004). Again, this data tells us little of the direct influence of donors or commercial activity on party policy. However, it does help illustrate the systemic logic of mainstream political parties.

The methods of communication of the state and systemic political parties reflect more general trends in 'public' communication, illustrated by the growth of public relations. Habermas argues that public relations epitomises the refeudalised public sphere; it is an industry in which the communicator 'inconspicuously employs illocutionary results for perlocutionary purposes' (Habermas, 1984: 305), in which 'the sender of the message hides his business enterprise in the role of someone interested

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in the public welfare' (Habermas, 1989: 193). To this end public relations aim to invoke a 'false consciousness that as critically reflecting private people they contribute to public opinion' (Habermas, 1989: 194). The main result of these developments is that

The "general interest" on the basis of which competing opinions could freely be reached has disappeared precisely to the extent that the publicist self-presentations of privileged private interests have adopted it for themselves (Habermas, 1989: 195).

The form of communication employed by public relations tends to be 'private', monological and strategic. Public relations agents aim not to engage in intersubjective recognition, they do not and cannot reciprocate criticisable validity claims, and they cannot engage in ethical discourse. Even from the perspective of public relations agents, the industry can hardly be seen as communicative. The industry's self definition (Department of Trade and Industry/Institute of Public Relations, 2003) highlights its perlocutionary aims of 'influencing behaviour to achieve objectives through the effective management of relationships and communications', and 'the managed process of communication between one group and another ... (it) is the method of defining messages and communicating them to target audiences in order to influence a desired response'. The growth of the form of communication used by public relations can be seen to have infiltrated not just governmental circles, but

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the fabric of public communication. In the UK alone the 'total size of the public relations industry including public and private sector in-house PR departments is estimated to be in the region of £6 billion' (Institute of Public Relations, 2004). Public relations utilises strategic communication to convince people, sometimes by exploiting social understandings, sometimes by generating new ones, sometimes by exploiting fears and sometimes by affirming prejudices, but usually by hiding its intention and always distorting communication. To this end, public relations companies may set up 'front' organisations, such as The Science Media Centre, or the Global Climate Coalition, which will undertake research and provide 'experts' to influence public opinion. They may also spy on opponents in the public sphere to counter their arguments, as they have done for McDonalds, Shell, BP, and Nutrasweet, or may create sophisticated pseudo events in the public sphere (Miller, 2003a).

The power of groups to use such methods is of course relative to the resources at the disposal of the group. Davies (2002: 117) calculated that in the 1990s the average per-client fee for a small public relations consultancy was £17,781 and for large firms was £72,629, concluding that the 'market determines that professional PR in Britain continues to be a service that is only affordable to large institutions and businesses'. The organs of the state and political parties have become significant employers of public relations as noted above.

The realization of discourse ethical participation in a public sphere might therefore be seen to be quite remote. Coupled with the development of increasingly autonomous and autopoietic subsystems, this is a problem which leads one to consider what form a public sphere might take in the context of those systems.

1.5 Habermas's Reconstruction of the Public Sphere

Habermas's recent (1996) work has returned to the problem of the public sphere and popular sovereignty (Habermas, 1988), and in order to protect it and the lifeworld from systemic colonisation Habermas created a hierarchical or layered model of communicative democracy, seemingly abandoning his previous 'siege' model of democracy. Habermas makes this notion of *communicative* democracy clear in his criticisms of Rousseau, wherein

Rousseau thinks that the normative content of the principle of law lies simply in the semantic properties of *what* is willed; but this content could be found only in those pragmatic conditions that establish *how* the political will is formed (Habermas, 1996: 103).

It is a constitutional system of communicative democracy that can, for Habermas, provide these pragmatic conditions. This 'constitutional turn' can be seen as part of a more general turn in the theory of deliberative

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democracy wherein, as Dryzek (2000) notes, liberal constitutionalism came to replace concepts of participatory democracy in the 1990s. The basic function of Habermas's model is to distinguish the spheres in which opinion can be formed from those in which legitimate and binding decisions can be reached and executed. The model also functions to prevent power flowing in the wrong direction; that is, it attempts to preserve a sphere in which the lifeworld can generate autonomous public spheres that are somewhat insulated from colonisation. To do this, Habermas introduces a hierarchy, beginning in the lifeworld, moving upwards to more organised social activity in civil society and then the 'informal public sphere', then more formal still in the strong or formal public sphere, to the execution of decisions in the state. The closer the interactive space gets to making a decision, the more formally organised are its rules of interaction.

The informal public sphere is grounded in the lifeworld and is and supported by a robust civil society. Civil society is, for Habermas, not a system of needs mediated by a market economy but rather 'those nongovernmental and non-economic connections and voluntary associations that anchor the communication structures of the public sphere in the society component of the lifeworld.' Civil society enables problems perceived in private life spheres to become amplified in the public sphere. The former has an egalitarian and open structure that mirrors the 'essential features of the kind of communication around which they crystallize'

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(Habermas, 1996: 366-367), that is, around communicative reason. The informal public sphere is described as an elementary

social phenomenon ... (which) cannot be conceived of as an institution and certainly not as an organization ... (nor) a framework of norms with differentiated competences and roles, membership regulations and so on. Just as little does it represent a system ... the public sphere can best be described as a network for communicating information and points of view (Habermas, 1996: 360).

Because the informal public sphere works to perceive and articulate social problems, its discursive form must be loose enough to be adequately sensitive. As such we can associate its discursive form with what Habermas refers to as 'ethical discourse'. Habermas (1996: 108-9) suggests that 'with ethical-political questions, the form of life of the political community that is "in each case our own" constitutes the reference system for justifying decisions that are supposed to express an authentic, collective self-understanding'. So, in ethical discourses good reasons are relative to the historical and cultural identity of the community, which we may interpret as a particular 'lifeworld', and are 'relative to the value orientations, goals, and interest positions of its members' (Habermas, 1996: 156). In this sense, ethical discourses are clarificatory, they aim to clarify the constitution and interest positions of a particular group. As Habermas (1996: 161) notes, 'in ethical political discourses, we reassure ourselves of a configuration of

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values under the presupposition that we do not yet know what we *really* want'. At the same time, 'insights promoted in ethical-political discourses can change a group's hermeneutically clarified self-understanding and, along with this, its identity as well' (Habermas, 1996: 163 emphasis in original).

The informal public sphere should be, like the lifeworld, 'reproduced through communicative action'. It should be grounded in the lifeworld and leave the 'specialized treatment' of 'politically relevant questions' to the state. However, on Habermas's analysis, the state should only act upon issues that have been contested in the informal and then formal, institutionalised, public sphere. Only after the latter process has taken place 'can the contested interest positions be taken up by the responsible political authorities, put on the parliamentary agenda, discussed, and, if need be, worked into legislative proposals and binding decisions' (Habermas, 1996: 314). At this stage in the formal public sphere of parliament a particular 'moral' discursive mode must be adhered to. In moral discourses 'humanity or a presupposed republic of world citizens constitutes the reference system for justifying regulations that lie in the interests of all' (Habermas, 1996: 108). In moral discourses, 'the ethnocentric perspective of a particular collectivity expands into the comprehensive perspective of an unlimited communication community, all of whose members put themselves in each individual's situation, worldview, and self-understanding, and together practice an ideal role

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taking'. Whereas 'ethical discourses... remain embedded in the context they thematize (because) those taking part in argumentation cannot work themselves free of the form of life in which they de facto find themselves' (Habermas, 1996: 162-163), moral discourses demand that we take 'one step back from all contingently existing normative contexts. Such discourse takes place under communicative presuppositions that require a break with everyday taken-for-granted assumptions'. Under moral discourses, the will 'is freed from the heterogeneous features of contingent interests and value orientations, particular sociocultural forms of life, and identity-shaping traditions' (Habermas, 1996: 196).

Habermas uses the metaphor of the sluice gate to describe how the separation between the 'periphery' and the 'core' operates. On this view, the communicative flows that generate binding decisions must 'pass through the sluices of democratic and constitutional procedures situated at the entrance to the parliamentary complex or the courts' (Habermas, 1996: 356). The sluice-gate model aims to prevent communication flowing in the 'wrong' direction, with parliament acting as an intermediary between the informal public sphere and the state. Although there are clear links between the core and periphery, it is important that these links are organised so as to prevent 'the illegitimate independence of social and administrative power' (Habermas 1996: 358).

The informal public sphere must be able to affect the state, but the reverse must not adversely affect the autonomy of the former, lest decisions

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reached within the state lack legitimacy. When this happens, Habermas argues that ‘the state is pulled into the whirlpool of legitimation deficits and steering deficits that reinforce one another’ (Habermas, 1996: 386).

The sluice gate’s supposed protection of the informal public sphere should facilitate ‘the networks of noninstitutionalized public communication (which) make possible more or less spontaneous processes of opinion-formation’ so that they can effectively ‘perceive, interpret, and present society-wide problems’ (Habermas, 1996: 358). It is important, on Habermas’s analysis, for the informal public sphere not just to perceive, but to be able to effectively and influentially amplify problems. This amplification is undertaken by political leaders, parties, and interest groups, as well as by respected and popular personalities and experts, who speak on behalf of the public, that is, to *represent* public opinion and will. Habermas’s argues that ‘the political influence that the actors gain through public communication must *ultimately* rest on the resonance and indeed the approval of a lay public whose composition is egalitarian’, that ‘the public audience possesses final authority’, and that the public sphere is ‘the *only* place where (such) actors can appear’. This formulation distinguishes between those actors who arise from the public sphere from those who ‘occupy an already constituted public domain in order to use it’ (Habermas, 1996: 364; emphasis added), between the power of those actors who

'emerge from' the public sphere and those who 'appear before' it (Habermas, 1996: 375)⁶.

When the informal public sphere is grounded in the lifeworld Habermas expects that 'public intelligence' is sufficient to make a distinction between those who rise from, and those who manipulate the public sphere from the outside. Indeed, 'informal public communication... prevents the accumulation of indoctrinated masses that are seduced by populist leaders' (Habermas, 1996: 382). Habermas aims to guarantee the autonomy of the public sphere by arguing that its actors 'can acquire only influence, not political power'. To prevent civil society and the informal public sphere from being transformed into exactly the bodies that they are opposing, or attempting to influence, they must practice 'self-limitation'. This latter refers to the normative proposition that 'civil society can directly transform only itself', it must 'reproduce and stabilize itself from its own resources as shown by the odd *self-referential character of the practice of communication in civil society*' (Habermas, 1996: 369 emphasis in original) because if it acquires political power it will become transformed into a functional subsystem itself (Habermas, 1996: 371-372). Rather than being regarded as disempowering, self-limitation should be thought of as another protective mechanism against colonisation, and it is new social movements, which are concerned with the 'grammar of life', that protect civil society

⁶ Notwithstanding this modifier, his analysis of such leaders should be borne in mind: 'the 'opinion leader(s) in public affairs' are usually wealthier, better educated, and have a better social position than the groups influenced by them. On the other hand, it has been observed that these politically interested, informed and active core strata of the public are themselves the least inclined to seriously submit their views to discussion' (Habermas, 1989: 213).

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from encroachments by the economic system and the state (Habermas, 1987: 391-396; 1989a: 66-67; 1996: 373). There is, however, a threat that such movements may not only pass over, structurally, into the state, but also that their leaders and decision-makers may become detached from the lifeworld contexts from which they arose, notwithstanding the possibility that they may not have been drawn from civil society in the first place, or may have been drafted in from the state by a group that has emerged from the state. Habermas can only insufficiently explain away this problem by noting the informal nature of lifeworld communication referred to above.

1.6 Conclusion

I have shown that Habermas's theory of the bourgeois public sphere in *Structural Transformation* cannot simply be transposed onto contemporary conditions. But neither is it redundant. Rather, Habermas now proposes a different form of public sphere as a 'higher order' element of a rationalised lifeworld. The lifeworld and the public sphere, however, struggle to function when subsumed under a capitalist economy and bureaucratic state whose mode of functioning colonises and disempowers the former. Consequently, Habermas has attempted to develop a 'layered' model of communicative democracy in which the lifeworld and an informal public sphere are protected against systemic encroachment, and are oriented to influencing the state. As I show in the next chapter, there remain significant

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problems with Habermas's theory. In addressing these problems, a more robust theory of the public sphere can be developed.

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sure that all actors involved in a public sphere are acting responsibly – how can the sincerity of speech acts and the identity of speakers be assured? How can participants ensure that others do not have hidden intentions? As public relations agents, state security services and political groups are known to surreptitiously engage public spheres to distract and disrupt them, how can participants be sure that the interlocutors are genuine? Without limiting the openness of radical public spheres, these seem to be questions that cannot be answered positively; they are necessary risks of radical public spheres. Contrary to the accusations of some critics (for example, Mouffe, 1999), Habermas's theory of the public sphere does not suggest that we are always already responsible, reasonable, communicative, and oriented to understanding. Rather these latent features must be realised. This is also the reason for refusing to abstract the theory of the public sphere from other parts of Habermas's work – especially on colonisation, for colonisation blocks latent potential. Accordingly, Habermas argues that although in language, 'structure, autonomy and responsibility are posited for us', this autonomy and responsibility exists as an only partially realised potential of human sociation and human communication (Habermas, 1972: 314-315).

2.2 Producing Radical Public Spheres

Though I have referred to blind spots and absences in Habermas's work,

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these issues are not entirely ignored, just under appreciated. Though Matušík (2001: 97) demonstrates that Habermas usually refuses to answer concrete questions about capitalism, on other occasions he has hinted at the status of his theory as a 'regulative idea', insofar as (in seeming contradiction to his (1992: 444) statement above) communicative democracy is only possible in a radically different society. He notes that, 'only in an emancipated society, whose members' autonomy and responsibility had been realized, would communication have developed into the non-authoritarian and universally practiced dialogue from which our model of reciprocally constituted ego identity and our idea of true consensus are always implicitly derived' (Habermas, 1972: 314-315). And elsewhere:

The informal public sphere must, for its part, enjoy the support of a societal basis in which equal rights of citizenship have become socially effective. Only in an egalitarian public of citizens that has emerged from the confines of class and thrown off millennia-old shackles of social stratification and exploitation can the potential of an unleashed cultural pluralism fully develop. (Habermas, 1996: 308)

Though Habermas is unclear about the mechanics of radical social change, it is clear that obstacles do need to be overcome. His theory of communication and the public sphere seems not to suggest that things-as-they-are is an adequate basis on which to build a communicative democracy

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through communicative public spheres. This is to say that achieving and sustaining communicative action, an emancipated lifeworld, and discourse ethics is a political project, not a philosophical assumption or sociological description.

So the question must be asked of the function of the public sphere without or before the sort of social-structural transformation that is necessary to achieve communicative democracy. Besides the problem of colonisation, formal equality in a deeply inequitable system militates against the intersubjectivity necessary for communicative democracy. This is not to disregard Habermas's ideas on openness, inclusivity, criticisability and intersubjectivity, but to consider ways of approximating them in a colonised lifeworld.

It seems that Habermas's 'sluice gate' model concedes too much to the subsystems, *especially the capacity to act*. It also does too little to counter the problems of facilitating the sorts of criticism, openness and intersubjective recognition that communicative democracy would require. In contrast, Habermas's 'siege' model of democracy seems a more appropriate model of resistance because whereas his later model conceives of the state as the only competent actor, his earlier model sought to connect public spheres to action. To this end, he argued for vibrant public spheres to create 'counterinstitutions' to 'de-differentiate some parts of the formally organised domains of action, remove them from the clutches of the steering media, and return these "liberated areas" to the action co-ordinating

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medium of reaching understanding' (Habermas, 1987: 396). To this end, people must work to create 'liberated areas' and use these to *produce* radical public spheres – through free, non-instrumentalised labour (which is to say, labour for the exercisers of labour power) – in which they can challenge colonisation and build alternative political practices, radical media and establish an experiential or 'cultural memory' that is not dominated by the subsystems; that is they are not simply limited to and evaluated on the basis of civil talk. These radical public spheres work to establish and communicate critical subject positions.

Radical public spheres cannot therefore rely on facilitation by the state or capital (though as we shall see they are situated within a more general capitalist system of production, a fact that has been overlooked in so many accounts of specific public spheres and communicative spaces that focus on 'rationality deficits' or local communicative imbalances). This is to say that participants must produce them from their own resources. Radical public spheres must protect themselves from systemic encroachments – they cannot assume autonomy. To this end, they must be removed from the organisational logics and control of the economic system and the state, and must be *produced* on their own terms. It is not enough for lifeworld actors to use or appear in public spheres created by subsystems – say, parliamentary institutions of the bourgeois public sphere, or public spheres of production such as television chat shows. Rather, radical public spheres have to be *produced* from the bottom up, often challenging the

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constraints imposed upon them. Accordingly, participants in radical public spheres may as far as possible determine their own uses of time and space, emerging where, when and for as long as the situation requires. This also means that they determine their own conditions of participation and their own communicative rules. To this end, the legality of such public spheres may be questionable – parts of these spheres may be unlicensed, and as such be sited in informal locations (the spontaneous demonstration, the occupied university building, the squat, the private house as well as the community centre and other public spaces) or may rely on semi-legal and illegal practices (besides the use of ‘reclaimed’ space, bill-posting, spray painting, direct action, ‘borrowing’ and sharing of resources, and contempt for legally restricted speech such as trademarks, libel and the like). Accordingly, radical public spheres must recognise both colonising and coercive threats and be able to respond to them in order to continue.

Habermas’s (1992: 453) claim that the public sphere requires ‘more than the institutional guarantees of the constitutional state; it also needs the supportive spirit of cultural traditions and patterns of socialization, of the political culture, of a populace accustomed to freedom’ is important. However, the absence of these conditions does not undermine the importance of *radical public spheres*, and the generation of critical public opinions therein, which may have to operate despite the absence of a constitutional state and a populace accustomed to freedom.

These radical public spheres should facilitate participation by

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subjugated groups, those excluded from or marginalized by the bourgeois public spheres and public spheres of production. The facilitation of subjugated groups does not mean that radical public spheres are exclusive. Rather, their purpose is to increase the communicative power of those normally excluded, which is necessary to afford such groups a better chance of securing intersubjective recognition; without the communicative power of radical public spheres, recognition remains elusive. On this understanding, we can distinguish genuine radical public spheres from unpublic regressive political movements with no commitment to inclusive intersubjective recognition, such as neo-Nazi and racist groups, which are exclusionary at their very base. In this sense, despite their particularism, radical public spheres have a universalist and emancipatory intent, they seek the emancipation of all through many particular struggles.

Though radical public spheres move towards universal emancipation, they must also be hermeneutically valid because they are produced by participants themselves. This is to say that the communication within them should not adhere to rules imposed from outside but should be vernacularistic, so as to challenge communicative distortions and appropriately mediate experience. Indeed, communicative action does not presuppose that language is already power-free, but entails a struggle against domination through action *and* language, as can be seen in many historical (Stedman Jones, 1983; Steinberg, 1999) and contemporary (Asen, 2001; Barker, 2002; Collins, 2000; Griggs and Howarth, 2004; Strath,

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2002) sites of protest and contestation, wherein heteroglossic subaltern groups may challenge not only the hegemonic position on an issue but also the terms of debate. In this sense, participants will be free to 'change any inappropriate or distortive aspects of the language system'. This will mean that the sort of language codes used may differ from those used in more formal discourses.

In contrast, Habermas's hierarchical model of communicative democracy does seem to prioritise bourgeois institutionalisations of discourse. The separation between ethical and moral discourses and between informal and formal public spheres does seem to set the former modes in subordinate relation to the latter. Although the notion of the 'sluice gate' seems to deny the state the power to define, form or influence informal public spheres, the latter remain subordinate within the hierarchy, in which communications flow upwards, becoming translated into a more formal (say, judicial) codes as they come closer to decision-making and execution. The problem of this, however, is that the translation into a formal code means that if discourses in the informal public sphere do not 'fit' or cannot be translated into the formal coding, they must be excluded or marginalised. Further to this, certain discourses may better fit 'higher-level' discourses than others – for example, the anarchist's claims about the state or the Marxist's claims about the commodity will not 'fit' as well as more 'common sensical' liberal claims about property. Questions, problems, experiences and arguments may be formulated in different

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'subordinate' linguistic codes or discourses, which makes it difficult to translate into and articulate in institutional language frames, so the rich context of their formulation is lost as they become subject to singular, homogenising formal rules of 'appropriate' institutional discourse.

Though radical public spheres should be produced by particular groups, this is not to say that they must be parochial sites of introspection. On the contrary, they must be open to participation, and to communication with other public spheres. Though people cannot easily step back from their culture, even if this was actually desirable, they can, however, observe and learn from others and, in intersubjective dialogues of overlapping positions, realise commonalities. To do this radical public spheres should be open, connected and overlapping, thus introducing a 'moral' engagement. On this basis, groups (say the landless peasant movement in Brazil, community groups in inner cities, the Zapatistas of Chiapas, dispossessed peasants in China) can represent their own identities, self-understanding and interests, rejecting the imposition of identities and interests by dominant groups, and demanding recognition on their own terms, on the basis of which claims can be made and actions undertaken.

Achieving recognition of subject positions is, however, the beginning rather than the end of the struggle, for it is on the basis of this that intersubjective solidarity can arise, as the 'anti-capitalist' or 'alternative globalisation' movements have been somewhat successful in generating. Unless these public spheres are overlapping and able to cross-communicate

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and cross-pollinate, and unless they are open to participation and the claims made open to criticism, it becomes difficult to realise common interests or common *sources* of subjugation and their rationality would be open to question. Such is the difference between, say, the chauvinistically exclusive quasi-public spheres created by racist groups, and the – in theory at least – radically inclusive public spheres such as the World Social Forum movement. This latter mode of networking across specific sites represents a far greater threat to the economic system and the state than do isolated struggles, which is why political authorities are so interested in combating such connections.

Because of the ‘risky’ dis-anchoring of language and action from formal norms of the bourgeois public sphere and the public sphere of production, and because of the openness and plurality of radical public spheres, we might expect that they will be unruly spaces in which continual contestation and conflict may *seem* to reduce the rational faculties of participants. Nevertheless, they should as far as possible militate against attitudinal shortcomings. The responsibility to be open to criticism and defend claims lies both with the attitude of culturally embedded participants and with the design of forums.

The importance of this point cannot be overstated. If we are to look for the potential for radical public spheres, we ought not to look for reified spaces in which people communicate and then judge that communication on the basis of its tepidity and already consensual orientation.

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To be sure, participants should be encouraged to be sincere, to sincerely engage claims made by others, and to be willing to justify their own claims; they must make some attempt to take up intersubjective relations with each other. However, we cannot rely on a pre-existing attitude of participants. Such attitudes must be nurtured inside and outside the public spheres. The particular way in which these conditions are realised – and the sanctions against those who do not intend to abide by them – must be generated by those within the public sphere, not by outside actors.

As such, attention must be paid to the design and re-design of forums. We must look for and contribute to radical public spheres that can be designed, produced and changed by those participating in them, for public spheres whose structures and forms are flexible and responsive to the agency of participants.

Perhaps the clearest example of such radical public spheres is the social centre movement, which has culminated in the World Social Forum (WSF). The social centre movement grew out of autonomist movements of the 1960s and 1970s, and seek to produce ‘community’ spaces in which political action can be organised, debated and enacted in meetings, debates, classes, and workshops, supported by screenings, exhibitions, and other forms of information provision such as book-lending. They also make more general cultural interventions, whereby they assist subaltern groups and local communities to protect and promote their cultural practices, their

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political rights and their material existence. The spaces tend to be in either rented or squatted buildings and are staffed by politically committed volunteers, who view their main role as providing communicative (in the Habermasian sense) spaces in which civil society can practice self-transformation. Social centres tend to provide spaces for the social forum movement, which serves to link localities across the globe through the World Social Forum. The WSF describes itself as ‘an open meeting place for reflective thinking, democratic debate of ideas, formulation of proposals, free exchange of experiences and interlinking for effective action, by groups and movements of civil society that are opposed to neoliberalism and to domination of the world by capital’. It ‘encourages its participant organizations and movements to situate their actions, from the local level to the national level and seeking (*sic*) active participation in international contexts ... and to introduce onto the global agenda the change-inducing practices that they are experimenting in building a new world in solidarity’ (WSF, 2005). This is to say that it acts to connect plural lifeworlds on their own terms, to create a global radical public sphere made up of more localised public spheres.

The subversive nature of radical public spheres may lead to claims and actions that draw attention from political authorities and opponents (as was the case when Italian *carabinieri* raided the Genoa Social Forum in 2001). While participants in radical public spheres cannot prevent disruption and subversion (for example by political opponents or security

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forces), they must be able to adequately respond to such threats. They must also be able to protect themselves from more direct repression by such opponents, whether by being adequately flexible and decentralised to withstand attack or (more problematically) by being able to ally with other groups that are able to engage and draw on constitutional protection. They may also protect participants and maintain communicative freedom by affording anonymity when required. However, this may have implications for the responsibilities of participants as it becomes difficult to judge the sincerity of participants and their claims.

2.3 Conclusion

I have illustrated some of the problems with Habermas's recent formulation of the public sphere. Though a number of criticisms of Habermas's theory are problematic insofar as they criticise a *bourgeois* public sphere that was not of his making (Habermas, 1989), there remain some problems even with his later model, especially in terms of how it can facilitate the radical generation of public spheres against the economic system and the state. I do not, however, think that Habermas's later model should be abandoned, but suggest that it can be enhanced with a concept of radical public spheres which can be produced in tension with, though not autonomously of, the economic system and the state.

The remainder of this thesis considers the potential of media

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technologies to facilitate the mediation of such public spheres, noting the economic and political context within which both are situated. Appropriate media technologies will potentially allow people to produce their own public spheres and to determine the rules for their operation, temporal, spatial and communicative needs, and as far as possible to produce the media technologies themselves. As Negt and Kluge (1993: 143) suggest, mediated radical public spheres exist in relation to the dominant bourgeois public sphere and public spheres of production, so the products of these latter 'can only be defeated by counterproducts', that is by the self-organising activity of publics.

Technologically mediated radical public spheres should be produced by those normally excluded from systemic public spheres, and should have sufficiently broad capacity so as to facilitate a plurality of public spheres, yet enable them to interconnect – thus avoiding the isolation of publics, fragmented public opinion and compartmentalised approaches to subjects of discussion. Participants should be able to speak freely, with a minimum of uncontrollable interference from the medium (which should itself be changeable to reflect the changing needs of the radical public spheres), and the medium should facilitate egalitarian and reciprocal communication.

Control over the technological form or structure of the medium must therefore come from the participants in the particular public sphere. This way, external pressures on it are minimised. In contrast, if the technical capacities and uses of a media technology are wholly controlled by, say, the

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state, then it becomes much more difficult to produce radical public spheres. Rather, participants should be able to affect the capacities and uses of a technology, in accord with their needs.

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Chapter Three. Media of the Public Sphere? Newspapers, Television and the Development of Dominant Forms of Use

3. Introduction

In this chapter I address the potential of newspapers and television broadcasting to mediate radical public spheres. To this end, following the historically contextualised investigation into the public sphere, I consider media technologies in the context of their historical development because the capacity to realise the potential of media technologies is related to the degree to which their development and use is led by and subsumed under the needs of the economic system and the state. These needs go on to mark the capacities of those technologies, generating what I refer to as ‘dominant forms of use’.

In contrast, Habermas hypostatizes the media technologies themselves, considering the fixed ‘nature’ of a technology and the ‘external’ pressures on their use. As a consequence, he seems to treat the problems of mediating public spheres as one of the fixed medium itself or the capacity of media workers to voluntarily adopt professional ethics. However, in this chapter I show that the dominant forms of use of two media – newspapers (as a particular form of use of print) and television broadcasting (as a

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particular form of use of television) – restrict their capacities more deeply than Habermas admits. This restriction is more apparent when we consider the mediation of *radical* public spheres rather than the mediation of bourgeois public spheres. The colonisation of media technologies makes intersubjective recognition through these media difficult to achieve.

At the same time, though, I suggest that the development of dominant forms of use of media technologies does not mean systemic control is complete or final. Thus in the following chapter I investigate other possible uses, the unrealised potential and the limits to this.

To begin, though, I concentrate on the development of dominant forms of use. To do this I raise and respond to the following questions: How does Habermas understand media technologies? How can we arrive at a more adequate understanding of the potential uses of media technologies? What can the historical development of newspaper television tell us about the establishment of dominant forms of use?

3.1 Habermas and Media Technologies

In *Structural Transformation*, Habermas (1989: 181) refers to the eighteenth century press as ‘the public sphere’s pre-eminent institution’. He traces its development from a medium of ‘pure news reporting’ to ‘one that had a commercial basis without, however, commercialising it as such’, becoming the medium of the ‘men of letters’. As such,

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A press that had evolved out of the public's use of reason and that had merely been an extension of its debate remained thoroughly an institution of this very public: effective in the mode of a transmitter and amplifier, no longer a mere vehicle for the transportation of information but not yet a medium for culture as an object of consumption (Habermas, 1989: 183)

As the bourgeoisie gained political hegemony, 'the press as a forum of rational-critical debate (became) released from the pressure to take sides ideologically; it could now abandon its polemical stance and concentrate on the profit opportunities for a commercial business' (Habermas, 1989: 184). As the franchise grew, as access to education grew and as access to disposable income increased, so there was an emerging market for this commercial business. This process resulted in the presentation of standardised, depoliticised, easily digestible information, editorial opinions receding behind press agencies and official sources, critical debate being replaced by internal discussions regarding the selection and presentation of material, 'delayed reward news' being replaced by 'immediate reward news', and news reports and editorials being dressed up in the format of entertainment news (1989: 169). One may read into Habermas's early analysis that there was an economic logic – explained through the growth of advertising (Habermas, 1989: 181-195) – to the depoliticisation of newspapers; the same economic logic that sees more general patterns of colonisation.

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In contrast to this historical materialist approach to the development of the press, with electronic media he argues that there is something in the technologies themselves that deform public spheres. On Habermas's analysis, television and broadcast media,

draw the eyes and ears of the public under their spell ... (and) place it under "tutelage", which is to say the former deprives the latter of the ability to say something and to disagree. The critical discussion of a reading public tends to give way to exchanges about tastes and preferences (Habermas, 1989: 169-171).

He goes on to suggest that radio, film and television 'reduce to a minimum the distance that a reader is forced to maintain toward the printed letter... (which) made possible the publicity of rational critical exchange' (Habermas, 1989: 170). The printed letter, it seems, is conducive to rational-critical debate but broadcast media are not. Broadcast media are mass media for a mass, depoliticised society.

Later on, in *The Theory of Communicative Action*, Habermas accepts that 'mass media' have ambivalent potential. On one hand they 'one-sidedly channel communication flows in a centralized network' and in so doing 'considerably strengthen the efficacy of social controls'. However, on the other hand, 'there is a counterweight of *emancipatory potential* built into the communication structures themselves'. This potential consists in professional codes of journalism, the fact that there is a plurality of interests

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behind production, the capacity of audiences to resist and reject messages, and the possibility of developing non-centralised networks (Habermas, 1989: 390-391; emphasis added).

Habermas's (1996) most recent analysis of mass media follows the critical lines drawn out in his earlier work. He maintains that 'the sociology of mass communications conveys a sceptical impression of the power-ridden, mass-media-dominated public spheres of Western democracies'. Furthermore, the presentation of news and information still 'for the most part follows market strategies', which 'form a syndrome that works to depoliticize public communication'. Where there is political content in the mass media, it is highly managed. Habermas maintains that the 'groups of actors' in the public sphere who constitute the 'journalists, publicity agents, and members of the press' selectively collect information, and 'control the entry of topics... into the mass-media-dominated public sphere'. This narrows the scope of content and views, excluding those who do not fall into the 'narrowly defined... spectrum of "established opinions"'. This process is intensified as mass media become 'more complex and more expensive', causing 'the effective channels of communication (to) become more centralized'. The business-style-professionalisation of 'the media', and the adaptation of formal political parties and interest groups to media frames means that a 'professionally produced... media input' develops. Because of this, actors who operate outside the official state or outside large bureaucratic organisations find it difficult to find representation in the

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media. It is in this sense that social movements, citizens' groups, and associations send out signals that are too weak 'to initiate learning processes or redirect decision making in the state in the short run' (Habermas, 1996: 373-377). However, Habermas's solutions seem less radical than his diagnosis demands.

In considering solutions to such problems, Habermas decides a similar route to that proposed for the public sphere more generally. He argues that 'the media' ought to

Understand themselves as the mandatory of an enlightened public whose willingness to learn and capacity for criticism they at once presuppose, demand, and reinforce; like the judiciary, they ought to preserve their independence from political and social pressure; they ought to be receptive to the public's concerns and proposals, take up these issues and contributions impartially, augment criticisms, and confront the political process with articulate demands for legitimation. The power of the media should thus be neutralized and the tacit conversion of administrative or social power into political influence blocked (Habermas, 1996: 378-379).

As with the informal public sphere, 'political and social actors'⁹ should only use the media insofar as they are responding to issues that have been 'perceived by the public or ... put on the public agenda with the public's consent' (Habermas, 1996: 379).

⁹ The restricted nature of Habermas's theory is illustrated by this restricted understanding of such activity – i.e. who is or is not a 'legitimate' political or social actor.

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Habermas's analysis of these problems is in some respects correct, but as media were never central to his work, it is perhaps unsurprising that his analysis remains somewhat superficial. He does not give enough detail on how the general interplay of political, economic and technical factors in the development of media technologies facilitates some forms of use and represses others. This recognition will enable me to argue that the 'emancipatory potential' that Habermas refers to should be sought not in the critical reception of content or professional ethics alone, but in a medium's capacity for public participation in the production of and engagement with counterproducts, and the creation of 'liberated areas' that accord with the sort of radical public spheres outlined in the previous chapter. Such capacity should not be considered to be a wholly innate capacity of an abstract technology, stemming from its instrumentality, but as the result of the interplay of what I call different 'forms of use'.

3.2 Media Technologies and Forms of Use

Frankfurt School theorists have had uneasy relationship with technology. For Marcuse, who was influenced by the Heideggerian view that modern technology comes to dominate human 'being', 'not only the application of technology but technology itself is domination' (Habermas, 1971: 84-87). Accordingly, in *One Dimensional Man*, he develops the idea that technology equates to domination, extending the instrumental rationality,

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upon which modernity is premised, into more and more areas of life. People submit to technology, and in so doing they are subordinated 'to the masters of the apparatus'; the technical domination of nature extends to the technical domination of humans. Habermas (1971: 104-105) follows Marcuse's lead in asserting that 'there is an immanent connection between the technology known to us and the structure of purposive-rational action'. There are material connections between purposive or instrumental rationality and technological development because 'industrial research has been linked up with research under government contract, which primarily promotes scientific and technical progress in the military sector'. For Habermas, 'social interests still determine the direction, functions, and pace of technical progress... (and) these interests define the social system so much as a whole that they coincide with the interest in maintaining the system'. The implication of this is that the 'quasi-autonomous progress of science and technology then appears as an independent variable on which the most important single system variable, namely economic growth, depends'. In turn, this technocracy 'can also become a background ideology that penetrates into the consciousness of the depoliticised mass of the population'.

Habermas's position on technology¹⁰ and its connection to the specific instrumental rationality-type is influenced by his (1984/1987) separating out of world relations and their corresponding value spheres of

¹⁰ Habermas stopped writing on technology in the 1970s, returning to discuss issues such as genetic engineering more recently. However, much of Habermas's work since the 1970s, *TCA* in particular, contains implicit references to a technological rationale.

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science, morality and art: technology is understood only through science. Whilst Habermas notes that all or any of the validity claims associated with these value spheres may be brought into question in speech acts, when it comes to evaluating associated rationality types, he nevertheless seems to section them off in relation to technology.

This separation of rationality types has been criticised by Andrew Feenberg. Feenberg (1999: 155-159) criticises Habermas's differentiation of rationality types stemming from the three world relations as arbitrary, losing correspondence to blurred reality. According to Feenberg (2002), Habermas's insistence on the objectifying attitude of science leaves 'no room at all for the social dimension of science and technology which has been shown over and over to shape the formulation of concepts and designs'. Instead of dismissing technologies as purely instrumental things, Feenberg (1999) seeks potential democratic uses of technologies as well as ways of democratising technological development.

Feenberg builds upon what has become known as the 'social construction of technology' (SCOT) approach (see Pinch and Bijker, 1984; Kline and Pinch, 1996), which emphasises that the contestation or 'social shaping' of technologies may involve a variety of interests and user-groups, and takes place over a long period of time. The SCOT approach also emphasises the 'interpretive flexibility' of technologies, which suggests that even 'closed' technologies (i.e. those which have stabilised around a particular form) are technologically indeterminate. However, Feenberg is

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also influenced by Marxist understandings of technological development, which, whilst recognising that a 'complex process of interaction' between individuals, research and scientific groups, businesses and the state does take place, note that the dominant mode of production strongly marks the overall development of technologies. As Castells (1996: 2-25) puts it, 'the historical process through which... development of productive forces takes place earmarks the characteristics of technology and its interweaving in social relationships'. To this end, the production and use of a technology is strongly influenced by its fit with the capitalist mode of production.

Williams' (1974) study of technological development provides a close reading of such dynamics of technological development, showing how it is mediated by cultural, political and economic formations. Overall, however, an overriding technological 'need which corresponds with the priorities of the real decision-making groups will, obviously, more quickly attract the investment of resources and the official permission, approval or encouragement on which a working technology, as distinct from available technical devices, depends' (Williams, 1974: 19). So at the same time as there are a number of possible developmental paths there are also dominant (but not totalising) influences on technological developments.

Brian Winston (1996, 1998) has undertaken some of the most systematic studies of the 'logic' of technological development. Focussing on communications technologies, Winston's analysis is important because he is primarily interested in tracing the release and suppression of *potential*

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in the development of communication technologies. Winston breaks the stages of technological development into 'ideation', which transforms scientific competences into technical performance and prototypes; the development of the prototypes according to 'supervening social necessities', usually of an administrative or economic nature; 'spin-offs', which are small transformations in the technology; and the 'suppression of radical potential', which takes the form of restrictions imposed by patent systems, suppression by either the same or competing industries (such as the slow take up of television due to the industry's desire to protect its investments in radio (Winston, 2003)), simple lack of profitability, and the more general absorption of technological potential into existing social economic and political structures. Nevertheless, it is impossible to control all aspects of development and use, so it is important to search for 'emancipatory potential' in technologies.

The above discussion of technology is the entry point for the following account of the uses of the press and television as media traditionally associated with the public sphere (Dahlgren, 1993; Keane, 1991; Kim, 1997; McNair, 1999; Price, 1996). Before I move on to look at these media, I will draw together the above insights to clarify the term introduced above, 'forms of use'. This term considers all technologies to be socially constructed, and this social construction *tends* to meet the needs of dominant material forces in society; that is, technologies are not neutral or autonomous but neither are they necessarily completely controllable. A

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technology is rarely one-dimensional, for the basic technology may contain a variety of *potential* uses. However, the dominant material forces (which in the language adopted here are those of the economic system and the state) in a given society will encourage and support particular (dominant) uses over others, and may even prevent other uses. As such, dominant forms of use can have a colonising effect; they may come to impose and juridify a particular form of use at the expense of others. The economic system and the state affect political, legal, socio-cultural and economic frameworks for *production, exchange and consumption*, which constitute a dominant *form* of use imposed on ‘producers’ and ‘consumers’. Insofar as dominant forms of use are legally codified we can refer to them as forms of juridification. I use an expanded understanding of juridification here so as to include direct and indirect (that is, derivative) statutory law, but also the use of private law governing terms and conditions of use. As will become apparent later, we should also understand juridification in a deeper sense in which the design of a technology (especially digital technologies) encodes possible uses. Lawrence Lessig (1999) refers to this as ‘code as law’.

However, this is not to say that the dominant form of use completely controls the technology. Nor is it to say that the dominant material forces are the only influences on development and use. Nor is it to say that they have total control, though at different stages of development and in different contexts control may be stronger or weaker. On the contrary, as there are subaltern groups that may object to the conditions of use

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structured by the economic system and the state, so they may develop other uses. When these uses move beyond simply interpreting the technology in a different way and come to affect its development and develop an alternative framework for production, exchange and consumption, we can refer to radical forms of use. These radical forms of use may orient the capacities of the technology to better realise the critical, open and intersubjective needs of radical public spheres.

Thus, in asking ‘what is X technology?’, we do not ask what it is in abstraction of its continuous development and use in social context. Further, we do not ask ‘what can X technology *do*?’, but rather ‘what can be done with X technology at particular stages of its development and in particular social contexts?’ and ‘how can we recognise and realise the potential of X technology?’. We ought not rest with describing current technological forms – or their uses – as either technologically determined or as necessary and unchanging, but we ought to look for ways of changing them. First, though, the following historically oriented approach helps illustrate how the development of media technologies encodes dominant forms of use.

3.3 The Development of Dominant Forms of Use of Newspapers

It is common to expect media technologies to fulfil certain political functions in liberal democracies, such as providing important information, scrutinising those in power, and providing a forum for public debate.

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Newspapers and television broadcasting in particular are considered to be important components of the public sphere (Keane, 1991; Dahlgren, 1995). However, Habermas's account of the decline of the public sphere implicates the emergence of 'mass democracy' and 'mass media' as causal factors (amongst others) in this decline. I argue here that in fact mass democracy and its demand for newspapers as such certainly did not in itself stymie the expansion of the public sphere. Rather the forms of use of the economic system and the state can be seen to have colonised the medium, not least by suppressing actually existing forms of use of newspapers that we might consider to be appropriate to the radical public spheres.

Habermas's account of the development of the mass media begins with the development of the bourgeois press. He observes a homogenous, singular path of development. As with his focus on the *bourgeois* public sphere, this exclusivity presents a problem insofar as his attention remains with the bourgeois press. The Whig history of the press, which Habermas seems to follow, speaks of the trial and imprisonment of journalists who passionately believed in the right to a free press in the UK (see, for example Keane, 1991), the campaigns to report from parliament, and the campaigns against Stamp Duty and licensing as illustrative of the struggle for freedom of the press. The 'fourth estate', it is argued, was established not only as a check on the excesses of the other estates, but also to provide citizens with a voice with which to criticise those estates, and thus facilitate a bourgeois public sphere (Habermas, 1989: 58-62). Again, Habermas's embroilment in

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the Whig history of the press is unsurprising insofar as it corresponds to his focus on the bourgeois public sphere. Without recognising other public spheres, he would have no reason to consider the development and suppression of radical forms of use of newspapers.

In contrast, James Curran (Curran and Seaton, 1991; Curran, 2002; see also, Thompson, 1980) has set about trying to establish a history of the British press that runs against popular, liberal, notions of historical progression as liberation. Instead he focuses on the radical or alternative uses of the press in nineteenth century Britain, through which critical subject positions were established, and how these forms of use were suppressed by economic and administrative forces (Squires (2001) has traced the mediation of a similarly marginalized alternative public sphere in her work on the 'Black press' in the US in the first half of the twentieth century), thereby restricting the possibility of intersubjective recognition.

Although it is difficult to accurately quantify the circulation and readership of what Curran refers to as the 'radical press', due to the fact that most radical papers were unstamped and therefore not officially sanctioned, he estimates the readership of the unstamped press publications in London alone at over a million in 1836 (well into the period in which Habermas charts the decline of the Republic of Letters)¹¹. The period 1815-1855, during which half of the working class of England was literate, saw the heyday of cheaply produced (due to the fact that they avoided taxation, and

¹¹ In a later, 2003, edition of the book, the figure is revised downwards to a still substantial 500,000.

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that contributors were often unpaid) radical newspapers such as *Poor Man's Guardian*, *Twopenny Trash*, *Northern Star*, and *Reynolds News*, which regularly broke circulation records both for radical and systemic presses. As Curran puts it, 'the radical press was thus a genuinely popular force, reaching for a mass public'. To this end, the radical papers made significant contributions to deepening and extending 'radical consciousness, helping to build support for the working class movement' on a national and international level, creating radical public spheres where newspapers would be read aloud, and discussed in taverns, workplaces, homes, and public meetings, which Curran refers to as a 'social pattern of consumption' (see also, Williams, 1965: 215). The public that wrote and read the radical press maintained 'a radical public opinion different from that proclaimed by the capitalist press, as well as a defence against the ideological assault mounted on the working class through schools, mechanics' institutes, and useful knowledge magazines' (Curran and Seaton, 1991: 14-23).

It is against this development of radical newspapers that the Whig or liberal history is set. Curran claims the liberal history to be a facade disguising the real struggle against the radical press and working class mobilisation. Against the Whig history of the press, Curran argues that the removal of government controls, which is generally regarded as having freed the press, was in part intended to suppress radical forms of use. It is generally accepted that the state sought to regulate the use of presses through legal controls, resulting in the imprisonment of reporters and

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seizure of printing presses¹², and that both the radical press and the systemic press campaigned against these regulations.

However, whilst both the radical *and* systemic press opposed regulation, Curran argues that they did so for different reasons. For the systemic press taxes and regulations hampered business, and because the radical papers resisted this repression by simply refusing to obey the frameworks imposed on use (following the questionable legality of radical public spheres), they distorted the market. Furthermore, and perhaps most importantly, it was argued at the time that a press subject to the 'free' market would act as an effective method of control on radical uses. Therefore Curran argues that the press reformers' 'aims and, indeed, their public utterances are difficult to reconcile with the historic role assigned to them in liberal ideology' (Curran and Seaton, 1991: 25). For example, the campaign against stamp duty was argued by the reformers to be the most effective way of reducing the circulation of radical newspapers by cheapening and increasing the circulation of commercial newspapers. Supporting his claims with evidence from select committees and other public declarations, Curran argues that 'the common concern of most leading supporters of the campaign (for press freedom) was to secure the loyalty of the working classes to the social order through the expansion of

¹² Such techniques were widespread, even in states with specific constitutional protection for the press. For instance, the fate of the 'Black press' studied by Squires (2001: 111-112) was similar. She writes of 'government attempts to censor and intimidate the Black press', wherein 'the state threatened to curtail the fast-growing power of the mass-distributed urban Black newspapers, attempting to stifle or eliminate this new voice of dissent and positive racial identity'. Beckles (1998) found a similar mode of repression against 'black' public spheres in England in the 1960s and 1970s, mediated through the English 'black press' and 'black bookshops'.

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the capitalist press' (Curran and Seaton, 1991: ch. 3). This is to say, 'systemic' newspapers became media of colonisation.

Of course, it might be argued that the rhetoric identified by Curran was merely a front presented to convince the government of the virtues of the free market. Nevertheless, the effects of the reforms remain the same: the radical press declined due to financial pressure, and in its place a commercial press consolidated its dominance. On this analysis, Stamp Duty and Paper Duty made the systemic press more expensive than the radical press due to the latter's non-payment. Therefore, the subsequent abolition of these duties made the production process of the systemic press cheaper than it had been. Whilst such reforms may perhaps have simply levelled the playing field for radical and systemic presses, it was the removal of the Advertising Duty that stifled the radical press, as the latter were unable to 'compete' in a commercial environment. The cheapening of advertising provided a second source of income for commercial newspapers that the radicals simply could not attract (Curran and Seaton, 1991: 38-44). Indeed, even those radical papers which could attract advertising were discriminated against financially by advertisers (Curran and Seaton, 1991: 64). Indeed, as Curran points out, the radical press went into decline even when demand for radical papers was still very high. Thus the growth of advertising led to the growth of a new form of licensing that changed the nature of newspapers forever. In Habermasian terms, the state withdrew

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control only when the economic system could take its place in steering the use of newspapers.

The problem of the monetary steering of newspapers is not, however, explicable solely in terms of advertising. It is not simply because radical publications could not attract advertising that they declined. Rather, the development of newspapers as business interests funded by advertising meant that they became 'part of the system of market control', wherein any hope for newspapers leading to greater democratisation or a flourishing public sphere were dashed, as publics came to be fragmented into specific consumer groups, not through the volition of the public, but through the business calculations of capitalists (Williams, 1965: 223-224).

The industrialisation of the press that followed the consolidation of the dominance of the commercial press led to a host of privately implemented (that is, unregulated) technological adoptions that decreased the unit costs of newspapers but massively increased the fixed capital costs in the form of Web rotary machines, linotypes innovations in graphic reproduction and so on. This meant that, in contrast to the heyday of the radical press, when 'the means of production of the printed page were sufficiently cheap to mean that neither capital nor advertising revenue gave much advantage' (Thomson, 1980: 740), start-up costs rose, as did running costs (Williams (1965: 224) dates the most rapid increase in production costs to the 1890s). Perhaps most importantly, the vertical integration of publishing (wherein newspaper publishers bought printers

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too) meant reduced costs for large publishers (Curran and Seaton, 1991: 35-36). Perhaps ironically we see similar effects of computerisation and advances in printing technologies throughout the twentieth century. Computerisation in the workplace has meant not more pertinent information or deeper interaction with the newspaper's *public* on the latter's terms, but greater productive efficiency and fewer staff. Similarly, the main developments in printing technologies have related to speed and style and have had the effect of increasing startup costs, making the establishment of new newspapers more difficult rather than easier. Thus economic needs were to frame the development of printing technologies along a particular route, but it is the industrial organisation of the press that drove this development and has led to the dominance of a particular commercial form of use of newspapers.

The development of a dominant commercial form of use subjects the whole field of production to the power and material differentials of capitalism – it is no coincidence that the newspapers with the highest circulation today tend to be the most profitable. The private ownership of systemic newspapers as property means that they are subject to the overall needs of investors. Ownership can take the form either of individual majority ownership through a corporation (such as Rupert Murdoch's ownership of the *Sun* and the *Times* through his News Corporation) or institutional ownership of a corporation (as with AOL Time Warner, which is 73% owned by U.S. Trust Co, Capital Research, Axa, Barclays Bank,

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Citygroup bank, Wellington Management Company, State Street Corporation, Dodge Street and Cox and other corporate investment groups (September 2005 stock portfolio)). As such their main function is to operate profitably. To ensure this occurs, a layer of executive management is necessary. Removed from the production process, the executive layer ensures the business as a whole runs efficiently and that it meets the needs and desires of the major investors from their systemic perspective. This means that executives are able to consider the workers solely in terms of their ability to generate surplus value.

The systemic need to raise revenue (as of 2002 the division of income for UK newspapers was 46% sales and 54% advertising (based on figures from Competition Commission, 2002)) and make a profit requires another layer of management that roughly divides into the 'business' and 'editorial' sections. Within the former, the marketing section will note the socio-economic group that the newspaper is oriented towards, the editors will ensure that form, content and style is appropriate to that market, and the advertising department will ensure that advertisers are aware of the socio-economic status of readers and suggest particular features to attract a sector of advertising. All three will keep an eye on circulation trends, with marketing advising on how to sustain or increase circulation. Both the business and editorial sectors are hierarchically organised to ensure a chain of responsibility from investors to the customers. In the editorial sector, senior editorial staff ensure that the journalists conform to the form, content

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and style of the newspaper as an identifiable commodity. The economic calculations of investors and advertisers are premised upon a degree of predictability of the return on investments, which contributes to the regularisation and standardisation of newspaper production. This regularisation and standardisation (along with conglomeration) contributes to its integration into a regularised system of production, exchange and consumption.

Beneath this layer of management there are the lower level editors and journalists whose labour is the basis of profit. In order for profit to be extracted, the products of journalistic labour must be subject to particular legal relations – they have to be to be somewhat removed from their control. Content itself must be subject to property relations and must be profitably produced. In order for profit to be made from content it (as well as the publication as a whole) has to be subject to commodity relations. So newspaper content may be produced ‘in house’, purchased from outside (from news agencies), or be freely copied from press offices, and then sold to readers or to other news outlets through syndication. This need to profitably produce content especially favours conglomerated newspapers that are able to increase efficiency by publishing simultaneously in a number of publications (this is especially the case in local newspapers where ownership is extremely concentrated – though there are thousands of local newspapers in the UK, as of 2002 the four largest publishers accounted for 74% of circulation (based on figures from Competition

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Commission, 2002)), or by syndication. The economics of production put a premium on space: space can only be given over if it is economically productive (hence the link between the numerous supplements of weekend newspapers and the advertising they carry) and attractive to advertisers.

The economics of distribution add another layer of costs to newspapers. Per-unit distribution costs tend to be higher for newspapers that are produced and stocked in smaller numbers, and when the latter do not attract significant advertising, these costs will be passed on to the reader. At the same time, vendors will also calculate not just the value of stocking certain publications but also the amount and prominence of shelf-space given over to different publications.

In order for the products to be sold, a clear line of division must be established between active producers and passive¹³ consumers. Commodification imposes particular relations of production on owners, producers and consumers through juridification. Without these legal relations, the commodity could not function as a commodity – for example, copyright protects content as belonging to the organisation, not the salaried worker or the consumer. Copyright also prevents the alteration of content – without its status as an integral commodity, information cannot be bought and sold, and without the division between owners, producers and consumers there would be no buyers or sellers. The economic framing of

¹³ Hall's (1980) argument that audiences are 'active' in making meaning is correct, but 'passivity' here refers to the lack of participation in material production.

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systemic newspapers thus acts as a key constraint on their use as radically generated radical public spheres.

The economic framing of systemic newspaper production is not the only influence on the dominant form of use of newspapers. Dominant forms of use are also framed by the state. In this sense, the organisation of labour in the editorial section (and the organisation of the newspaper as a whole) reflects the organisation of a bureaucratically organised society centred on the state, establishing an 'institutional interface' between newspapers and the state. There is an interface between the two because the latter is the main source of news for most newspapers. To this end, despite journalistic claims to 'objectivity', liberal-democratic understandings of politics pervade the general outlook of mainstream news organisations and the orientation of individual systemic journalists. As such it is understood that legitimate sovereign power is invested in parliament and the executive, and as such their actions should be subject to journalistic scrutiny (though their status as institutions is rarely challenged). This scrutiny assists the voting public, to which the state. Other forms of political activity are thereby marginalized – in correspondence to Habermas's theory, the lifeworld actors are prevented from acting. To this end, journalists can play a crucial role in homogenising the public by working in the 'public interest' or 'national interest', presuming these to be singular. This singularity contributes to the normalisation of particular dominant norms and values – the sanctity of property, the basic rights of the state and capital, the

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benevolence of foreign policy, the idea of the nation state, the legitimacy of standing armies, the 'reasonableness' of political positions, the need for economic efficiency and so on.

According to liberal ideology, this mediation requires journalists to adopt a passive position in relation to the world of activity; their role is to communicate what is happening without interfering. Accordingly mainstream news can serve to sustain the hegemonic position of the state: public problems, often perceived and amplified by journalists, can be and should be resolved by the state, offering the latter 'discursive preference'. The 'common sense' of systemic journalists tends to accept the role of official sources as authoritative sources whose understanding of a situation is trustworthy (Hall et al, 1978; Herman and Chomsky, 1994; Fairclough, 1995; Fowler, 1991; Glasgow Media Group, 1976/1980/1985).

Unambiguously 'trustworthy' official sources of information become especially important when the profit motive requires cost-effective journalism. This results in the extensive use of 'reliable' pre-packaged official sources and press releases, thus tying newspaper content production to the public relations agents and strategic communicators outlined in the chapter one. This economic relation between information sources and journalists has the effect about which Habermas has expressed concern: public communications have become 'mediatised' so that the sound bite and carefully staged displays have become the main form of political address as significant controversy and debate has receded (Meyer, 2002).

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The recruitment of journalists, especially at senior levels, serves the interface between the state and media, beyond the recognition of communication problems such as 'spin' and the individual and sometimes collective indiscretion of MPs. The class background of senior journalists has, by and large, changed little over the years. In fact, recent research on the educational background of journalists has shown the proportion of the top 100 journalists in news and current affairs who have a private school background actually rose from 49% to 54% between 1986 and 2006 and that 45% attended Oxbridge universities (The Sutton Trust, 2006). Even as late as 1999 only the *Guardian* had any ethnic minorities in its editorial staff, and between the *Guardian*, *The Times*, the *Daily Telegraph*, the *Mirror*, the *Sun*, the *Observer*, the *News of the World*, the *Mail on Sunday*, and the *Sunday Mirror* there were only 13 journalists or reporters employed from ethnic minority groups (*Guardian*, 1999). As of 2005 only 9% of national newspaper editors were female (Equal Opportunities Commission, 2005).

These recruitment biases influence the self-understandings of journalists, of those who should 'understand themselves as the mandatory of an enlightened public', and influence what those journalists think of the public and of their roles as mediators between subsystems and the public. It is in this sense that scholars refer to the 'powerful occupational mythology' (Aldridge and Evetts, 2003: 547) and the 'occupational ideology' of journalism (Deuze, 2005). This ideology is well illustrated by BBC

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journalist Andrew Marr's exchange with Chomsky. Marr challenged Chomsky on his Propaganda Model (Herman and Chomsky, 1994), prompting Chomsky to reply 'I don't say you're self-censoring - I'm sure you believe everything you're saying; but what I'm saying is, if you believed something different, you wouldn't be sitting where you're sitting' (BBC, 1996). Of course some journalists are recruited more directly into the nexus of power that they are supposed to critique by being offered preferential treatment or in extreme cases by recruiting senior journalists directly into the secret service (Dorril, 2001: 787-788).

The dominant form of use of newspapers reflects a dual interface with the economic system and the state. Crucially, *who can or cannot use the medium as a radical public sphere is restricted* through economic relations between producer-workers and consumers-audience. Under the dominant form of use, the roles of speaker and hearer, writer and reader are organised in accord not with the inherent capacities of the medium, but in accord with the economic organisation of labour and the bureaucratic organisation of society, the logics of the economic system and the state.

3.4 The Development of Dominant Forms of Use of Television

The development of the dominant forms of use of newspapers can be seen to fit into the pattern of technological development outlined above. As I shall show in the next chapter, the potential of print media has not been lost,

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but there are significant specifically technical limitations to its potential for use in radical public spheres. Perhaps the most significant limitations, however, can be understood in terms of its embeddedness in the economic system and the state. Certainly the origins of the dominant forms of use of newspapers can be understood to have emerged – in England, at least – at a time in which the state was viewed with some suspicion, which Curran illustrates with reference to the liberal presumptions that drove at least the rhetoric of the press reformers.

If the historical context of initial development colours the developmental path of a medium, then when that context changes, so too may the developmental path. We can certainly distinguish the context in which television was initially developed from that in which newspapers developed. In this sense we can see a slightly different constellation of interests or ‘supervening necessity’ with the development of television.

Television broadcasting grew alongside, albeit in the shadow of, radio. Although television began as early as the 1880s, it was developed as a *broadcast* system in the early twentieth century, using the forms of transmission developed by the radio industry. Consequently, the development of television broadcasting was set on a path that was initiated by radio and its developmental context. As Williams (1974: 147) suggests, ‘the history of broadcasting institutions shows very clearly that the institutions and social policies which get established in a formative, innovative stage... have extraordinary persistence into later periods if only

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because they accumulate techniques, experience, capital or what come to seem prescriptive rights’.

For example, the development of radio broadcast was set in tension between civilian uses of radiotelephony and the needs of the economic system and the state. Radio communication by amateur ‘hams’ was limited by the state in the interests of the state, commerce and the military. The US Radio Act of 1912 limited ‘ham’ broadcasts to 200 metres, and the UK Wireless Telegraphy Act of 1904 demanded that all UK transmitters and receivers be licensed (Briggs and Burke, 2002: 157), thus juridifying use. The different political cultures in the US and UK saw different reasons for different responses to the growth of radio *broadcasting*, and the desire to control of the means of distribution.

In the US, commercial interests recognised the potential use of radio broadcast for commercial propaganda, or advertising, early on:

What a glorious opportunity for the advertising man to spread his sales propaganda. Here was a countless audience, sympathetic, pleasure seeking, enthusiastic, curious, interested, approachable in the privacy of their own homes (Edgar Felix, Merchandising Consultant, cited in Briggs and Burke, 2002: 162)

Thus ‘advertising became the financial dynamic’ for the development of radio (Briggs and Burke, 2002: 162; see also Winston 1995: 84-87), demanding a dominant form of use, in the form of one-to-

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many broadcasting. Though the US government sought to retain ultimate control of radio frequency use in the 1927 Radio Act, it did not entertain the thought of producing content. In contrast, the growth of British broadcasting was statist.

In the UK the 1904 Act established a radiotelephony monopoly because it 'in effect nationalised all the... stations by passing them to the GPO', and in 1927 the production and broadcast of radio content became another state monopoly in the form of the British Broadcasting Corporation (Winston, 1995: 82-83). Jean Seaton (Curran and Seaton, 1991: 134-139) points out that the BBC emerged in a culture of state-centralism when the efficiency of free-market capitalism was being questioned. Thus, the state saw itself as bearing responsibility for this medium on behalf of the public, and saw to it that the technical structure would be centralised on this basis. Williams notes the specific influences on broadcasting in Britain in the first half of the twentieth century as being marked by the early nationalisation of culture, the establishment of a dominant, paternalistic version of that culture by a compact ruling class, and the character of the British state which was itself defined in terms of a pre-existing cultural hegemony (Williams, 1974: 33-34). It is not surprising, then, that the BBC (alongside state and ruling class educational and cultural institutions) was instrumental in shoring up the dominance of 'Standard English' and a dominant political culture.

Political culture can thus be seen to influence the particular forms that radio broadcasting took in the US and UK, but the important point is

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that both led specifically to a system of centralised *national broadcasting*, which Williams referred to as a 'new and powerful form of social integration and control', which is 'the applied technology of a set of emphases and responses within the determining limits and pressures of industrial capitalist society' (Williams, 1974: 23-27). The technological development was holistic, centralised, and heavily managed by the state through the BBC, with some input from manufacturers. This is to say that it factored in the production of standard audio equipment and conventions, transmitters and receivers-sets as well as the development of the airwaves for transmission. Broadcasting is not, however, the exclusive form of use of capitalism. Indeed forms of bureaucratic administration without free-market capitalism can make similar demands; thus Nazi Germany and Soviet Russia also developed such a form of use. What might well be the case is that forms of modern instrumental rationality in both subsystems demand broadcast as a form of communication: both the economic system and the state need an attentive consumer-audience with at best only managed feedback.

As television grew out of radio, it is unsurprising that the dominant form of use was that of a similar paternalistic, hegemonic state. Similarly the technologies used – transmitters, receivers, the production equipment and the conventions of production – followed a similar form of use in which access to production and distribution was heavily controlled. Until the mid-1950s, the only television broadcasting in the UK was undertaken

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by the BBC and was not so much controlled by the state as much as the class that had come to control state. It was through the BBC – and the Department of Trade and Industry – that many of the technical development and policy decisions would be made and implemented¹⁴. To this end, the state was able to exert a general influence on broadcasting by steering, or overseeing, the technological development as well as the content, recruitment and so on.

In terms of content, the early dominant form of use of television can be illustrated by the early treatment of news. Initially there was no news service, for, as with newspapers before, television news was considered potentially dangerous. It was only when the BBC could prove itself to be professionally deferent to the economic system and the state that regular news broadcasts were allowed. More generally, this helped establish the convention that ‘the public’ must be mediated by professionals. The public it was supposed to serve was understood from the perspective of the state, and was to be managed and integrated into that subsystem.

Even with the introduction of the first private networks, such as the ITV network in 1955, state control remained. Though the Pilkington report expressed concern over the standards of ‘independent’ television, it was still dependent on state licensing and regulation of the technology and its

¹⁴ This is the case still to this day. For example, the current government has a policy to move television broadcast signals from analogue airwaves to free up that space for other uses – mainly mobile telephony and wireless Internet access, thus giving a boost to those industries. Initially the state relied on the private sector to achieve this, but when the lack of profit forced ‘terrestrial digital’ platforms to fold, the BBC became the government’s conduit for this development through its role in developing the digital terrestrial ‘Freeview’ platform – an ostensibly ‘hands off’ means of subsidizing and leading development – allowing it to end analogue broadcasts by 2012.

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use through the Independent Broadcasting Authority, Independent Television Commission, and now the Office of Communication, in cooperation with international organisations such as the European Broadcasting Union, the European Telecommunications Institute, the International Telecommunications Union, and other 'industry bodies'. Since the 1990 Broadcasting Act, much of the technological coordination has passed over to state-regulated private companies. More recently, then, the dominant forms of use have been imposed through its managed subjection to the imperatives of the economic system. Until the 1980s and 1990s, the regulators regulated hours of broadcast, rules and regulations of adverts, and 'quality' of programming, including adherence to a public service remit.

Ideological shifts in the 1980s and 1990s entrusted a greater degree of control of television broadcast to the economy. For instance, through the 1990 Broadcasting Act, the 'quality' conditions for licensing were removed, and content production at the BBC started to be privatised. Content production would supposedly be determined by the market, and its mechanisms for providing audiences for advertisers. From the earliest days of commercial television, 'independence' from the state was established on the condition that not only should it contribute to political legitimation through the public service remit, but also that it should be subject to the same sort of economic steering as newspapers. However, with the removal

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of quality conditions and the slackening of the public service remit, television would be colonised by the economic system.

As Jean Seaton (Curran and Seaton, 1991: 219) points out, as commercial 'television companies sell audiences' so 'the most important pressure on television scheduling is that of advertising expenditure'. Because of this, the advertiser has three methods of determining whether the programme is 'safe' to sponsor: whether it will attract either a large general consumer-audience or a smaller consumer-audience with adequately strong purchasing power; whether the general theme is conducive to a general 'buying mood'; and whether the specific topic is complementary, or at least not hostile, to the particular product. Due to draft television schedules being released several months in advance of broadcast, advertisers can choose where to advertise, and television companies, on the basis of this information, can choose which programmes to commission and broadcast.

Again, though, it is not simply advertising that determines the form of programming, but broader economic calculations (of which advertising plays a significant part) on the basis of which station managers decide which programmes to purchase. Of course, this wholly commercial form of use imposes the same relations between producers and consumers, and the content they produce and consume, on the basis of which newspapers function.

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The 1990 Act not only imposed deeper commodity relations on content, but also on the technologies, especially the transmission equipment – it passed control of technical coordination to state regulated private companies, which deepened systemic control.

The development of new technologies, especially new platforms¹⁵, has consolidated the form of broadcast television that was developed in the early twentieth century. This is not because radical forms of use were not technologically feasible, but because the needs of the economic system and the state dominated development, usually through technical ‘industry groups’, such as the Digital Television Group¹⁶.

Satellite broadcasting, whose existence was made possible by government expenditure on communication research, has retained the broadcast model. The only UK satellite television system – British Sky Broadcasting – acts as a platform that is somewhat dissimilar to terrestrial broadcast insofar as until recently a private company determined which channels could be shown, subject to only loose regulatory requirements. As satellite platforms can carry hundreds of channels, the supposed ‘technical rationale’ for public service (spectrum scarcity) is absent. In 2005, though, the satellite platform was forced to carry any paying channel, though

¹⁵ The ‘platform’ is the method through which channels are organised and distributed. Whereas terrestrial broadcasting transmits analogue radio waves received through antennae, cable uses fibre optic cables to transmit *and* receive, and satellite broadcasting uses either a simple satellite receiver to receive transmissions or with digital satellite, a satellite receiver and a modem for feedback. Different platforms make different numbers of channels available in different ways.

¹⁶ As with analogue broadcasting, new digital technologies have been developed by a mix of government (through regulators and/or the BBC) and commercial initiatives.

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economics ensures this remains a restricted privilege¹⁷. In addition to having to upload data to the satellite, the costs for carrying channels are huge. Carriage charges (the cost to use a platform to broadcast a channel) vary between platforms (cable, digital terrestrial and satellite) and within platforms, currently from £300,000 to tens of millions for a channel on the Sky Digital platform and upwards of £2,000,000 for a digital terrestrial channel (which, as of 2005, has no space for additional channels, awaiting the release of more spectrum). These costs are, of course, in addition to other costs associated with running a television channel.

These costs mean that the interactive potential of digital platforms has become limited to revenue raising exercises. Although there have been suggestions for introducing properly interactive, 'peer-to-peer' uses of a 'user-editor-controlled' digital television network (Thomas, 2002), the need to protect programme-commodities and the lack of financial incentive would prevent such developments for any other reason than revenue raising (in fact, of 164 research papers stored at the Understand Interactive Television Research repository, uitv.info, almost all are either concerned with new ways to personalise television products or with new methods of service delivery). For example, the television playout company¹⁸, InMedia (2004: 19), suggests four reasons why a television station might adopt digital interactive services: to increase revenues, to keep viewers on the

¹⁷ There are exceptions. For instance, the non-profit Community Channel is given either free or cheap space on platforms, but this is only on the condition that it remains marginal and that there is only one such channel.

¹⁸ A 'playout company' arranges television content into the form of a television channel, and then uploads it to the desired platform.

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channel, to compete with rival channels already offering interactive services, and to gain knowledge of customers through 'powerful profiling and relationship enhancing opportunities' - the power to 'act' actualised in interactive television technologies has been far greater for consumers than for citizens. Most platforms (such as BSkyB) have breakdowns of per-use costs of interactive services, such as email, 'voting', betting, games and at best participation in 'public opinion polls' of the sort condemned by Habermas (1989: 217-220). In turn, channels may charge their viewers to use these services. It is unlikely, given the economic logic of capitalism that any interactive uses will be available unless a revenue stream can be developed. It is because of this economic logic that satellite broadcasting retains television's centralised, one-way, one-to-many and hierarchical (even when there is a feedback loop the broadcaster controls its capacities and always ensures that it is slower and subservient to the broadcast feed) form.

The economic logic to which new broadcast television technologies are subject of course affects participation and the production of content. Though commercial analogue terrestrial television stations still have to adhere to public service criteria, the challenge from other platforms has turned public service into more of a burden than it had been previously. As with newspapers (though to a lesser degree), economic colonisation has begun to supplant – or in this case supplement – state control. Consequently, the commercial channels have dropped much of their public

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service programming, including current affairs – the inadequate staple of the bourgeois public sphere – to such a degree that recent reports have stated that ‘commercial television has effectively vacated political and economic current affairs, which is now covered almost exclusively by the BBC’ (Barnett and Seymour, 1999), and that generally peak time current affairs programming declined by 35% between 1993 and 2004 (Jury, 2005). These trends are driven by government policy, which, since the 1980s, has weakened the public service requirements of terrestrial broadcasters and removed such requirements from commercial broadcasters on other platforms altogether. Such policy is embedded in the 2003 Communications Act, which is determined to treat media as an industry like any other (hence so much of media and cultural policy being dealt with under the Department of Trade and Industry). Accordingly, the 2003 Act made moves to increase the international ‘free trade’ in media commodities, whether they be programs, films, television channels or newspapers, further integrating media into the international economic system¹⁹.

Where there is news and current affairs, it is limited in similar ways to such content in newspapers outlined above, though television news and

¹⁹ The *Financial Times* (2003) reports how this integration into an international economy of production serves to reproduce international power relations. It reports that ‘the US controls more than 60 per cent of global trade in television exports, estimated at \$4bn... 93 per cent of feature films on UK TV in 2001 were US owned or co-produced... The EU’s trade deficit with the US for audiovisual products actually increased by 14 per cent to \$8.2bn in 2000. Market forces, more than statutes, are shaping these trends’ (though of course statutes allow and create “market forces”). In addition to this, the *FT* reminds us that ‘the rise in US co-productions [to say nothing of conglomeration and buy-outs] and the growth in multi-channel outlets wanting cheap, long-run series, means US broadcasters may be less visible in mainstream schedules than a decade ago, but their overall influence remains undimmed’.

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current affairs face other challenges too. While television can facilitate face-to-face exchanges, such as in the 'studio debate', the conditions under which it does so are very much controlled by the production company and station managers. Additionally, the channel as a whole will weigh up the value of such a program against other, perhaps more popular or more profitable programs. It is for this reason that news and current affairs, face-to-face exchanges and studio debates – usually between 'significant personalities' – tend to be scheduled late at night where they are unlikely to take up otherwise profitable space. Additionally, the time slot will, for similar reasons, usually be quite short – between 30 minutes and an hour, within which speakers get short moments to make snappy points, which are evaluated on the basis of their fit with televisual performance.

As Hesmondhalgh (2000: 110-111) points out, it is 'very difficult to appear on (systemic) television (or in newspapers for that matter), whether in a paid capacity or in order to present a viewpoint. It is even harder to appear on your own terms, without being considerably constrained by the very tight presentational conventions of television... television is hardly a means of communication at all, rather it is one almost entirely of distribution'. When it is possible for critical viewpoints to enter systemic sites of media discourse from outside the narrow spectrum of 'established opinion', they tend to be discursively ordered as a result of the producers' 'common-sense' knowledge of how things are, who should speak, and what audience expectations are – through stereotype, metaphor, framing,

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sequencing and so on – in such a way as to neutralise their threat to the order of things (Herman and Chomsky, 1994; Fairclough, 1995; Fowler, 1991; Glasgow Media Group, 1976/1980/1985). Thus intersubjective recognition becomes very difficult through such mediations.

Such discursive structuring is a continuation of historical trends of othering the subaltern, following the relations of moral quality and class outlined by Williams, and the history of the institutional order. This is to say that, as bourgeois institutions, media organisations impose particular discursive arrangements on subjects in a similar way to that which Kluge and Negt identified in bourgeois political institutions outlined in the previous chapter. As such, they tend to homogenise the public (when they address publics rather than consumers), presuming and protecting certain dominant norms and values – the sanctity of property, the basic rights of the state and capital, the benevolence of foreign policy, the idea of the nation state, the legitimacy of standing armies, the ‘reasonableness’ of official political positions, the need for economic efficiency and so on.

These matters all conspire to reduce the opportunities even for bourgeois public spheres to be televised, especially in systemic environments. When new technologies of production are deployed in systemic media organisations, the systemic constraints under which they operate stymie radical uses – technological potential is repressed because of the economic constraints on use. The general trend in most (news) media organisations is that their deployment is controlled by managers with the

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intention of increasing 'efficiency' and cutting costs (Braverman, 1974; Hardt, 1990; Bromley, 1996, 1997; Cottle, 1999). Rather than allowing, say, journalists to do more journalism or engage the public more effectively, the tendency has been for the deployment of new technology to be dependent on cuts in funding. This has meant new technologies often result in journalists being made redundant, re-skilled and spending time that might otherwise be spent engaging the public carrying out technical tasks such as editing. This means that time 'in the field' is reduced as journalists have to undertake tasks on a rota. As Simon Cottle explains in his study of the deployment of new technologies at the BBC,

new technologies, multi-media news production and associated practices of multi-skilling at this [Bristol] BBC newscentre have, despite corporate and management claims to the contrary, contributed to the production of more standardised news treatments and formats, and led to more superficial journalist involvement with selected news stories and their sources. (Cottle, 1999: 38).

Ultimately, Cottle's research shows that the "radical" promise of new digital technologies is not borne out' and when their deployment even in non-commercial media organisations such as the BBC is motivated by the desire to cut costs and reduce the number of people involved in production, it is 'unlikely to encourage "radical new directions in programme making"' (Cottle, 1999: 38). Because of managerial control over the deployment of

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digital technologies as a means to increase the workload and decrease costs. Cottle found that, amongst journalists, '[t]here was no consideration ... of how palmorders or videophones, for example, could provide the means for increased audience news access or even opportunities for limited editorial control, or how e-mail could facilitate audience feedback and/or enhanced source interventions, or how the internet could be harnessed to locate and expand the range of regular news sources' (Cottle, 1999: 40). The dominant form of use persevered.

Again, these constraints on production and distribution are not wholly a problem of the technology, but stem from the ways in which the technology is steered by administrative and economic needs. Ultimately the dominant forms of use of broadcast television of the economic system and the state – and their respective needs to accumulate profit and to generate political legitimation – continues to impact on the technological form. Both forms need one-way, one-to-many communications. This technological form is required to be one-way, one-to-many, either with a more or less unified large consumer-audience, or smaller specific consumer audience groups.

3.5 Conclusion

In this chapter I have shown that Habermas focuses simply on uses of media, rather than the ways in which dominant forms of use are established.

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Consequently, his prescriptions for facilitating public spheres are insufficient insofar as they do not challenge the dominant form of use, instead suggesting professional ethics. Whilst professional ethics linked to a form of discourse ethics may well be important, and can help link journalists to the lifeworld, they are insufficient on their own.

To illustrate how dominant forms of use come to affect technologies, I have shown how the developmental context of newspapers and television led to the suppression of other possible forms of use. The current dominant forms of use of such media – which are integrated into the economic system and interface with the state – now work to marginalize subaltern voices within by framing them within systemic practices and worldviews. Their current capacity to facilitate radical forms of use seems limited.

In the next chapter I consider the extent to which these media might be reformed to facilitate radical forms of use, such that they may facilitate radical public spheres.

Chapter Four. Media Reform and Radical Forms of Use:

Proposals and Limitations

4. Introduction

Habermas's analysis of media technologies and practices outlined at the beginning of the previous chapter is somewhat superficial. His understanding of mediating public spheres fails to recognise both the degree to which they are systemically embedded and the degree to which radical forms of use have existed and may develop. In this chapter I turn attention to other possible forms of use of newspapers and television through which radical public spheres may be facilitated. To this end I consider three different approaches to reforming mediated public spheres: rethinking what public spheres in a technologically mediated environment might look like, engaging media policy to reform media use, and the existence of radical media projects through which radical forms of use are constructed in tension with systemic uses. The possible alternatives, and their relation to dominant forms of use, will enable me to sum up the degree to which newspapers and broadcast television may possibly facilitate the establishment of critical subjectivity through radical public spheres.

To this end I raise and respond to the following questions: How have media theorists responded to the problems of mediated public spheres? Can we better understand the mediation of public spheres by reformulating

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– and expanding – the concept; that is, are significant public spheres (differently understood) already being produced? Can media be reformed to facilitate radical public spheres in newspaper and television? What can we learn about the technical limits to newspapers and television from the experiences of radical media projects?

4.1 Reforming Mediated Public Spheres I: Rethinking the public sphere

Some critics of the public sphere have argued that it is not media as such that creates problems for the public sphere, but the ‘rationalistic’ demands of ill-formulated radical public spheres that prevent realistic analyses of media. The answer to the problem of the public sphere is that it should be differently conceived, that is, consensus should be replaced by conflict (Mouffe, 1999; Porter and Porter, 2002). Once we understand that public spheres should not be rational because irrationalism and emotion are important aspects of human being, we can accept that mediated public spheres such as audience-participation talk shows are not examples of refeudalised public shows, but create complex and emotive dramaturgical and fragmented public spheres (Gamson, 1999; Keane, 1998; Livingstone and Lunt, 1994; Simons, 2000, 2002). Other social-structural changes are said to contribute to the need for reconceptualisation.

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The idea that rationalistic, rational-critical public spheres are too narrowly conceived is argued by John Keane, who proposes a strong reconceptualisation of the public sphere is based upon the idea that, 'we are living in times in which spatial frameworks of communication are in a state of upheaval. The old dominance of state-structured and territorially bounded public life mediated by radio, television, newspapers, and books is coming to an end', and that these processes 'outflank and fragment anything formerly resembling a single, spatially integrated public sphere within a nation-state framework' (Keane, 1998: 169).

The public sphere to which Keane refers is a 'particular type of spatial relationship between two or more people, usually connected by a certain means of communication ... in which non-violent controversies erupt ... it is the vital medium of naming the unnameable, pointing at frauds, taking sides, stating arguments ... shaking the world, stopping it from falling asleep'. Keane maintains that 'contemporary public spheres have a fractured quality which is not being overcome by some broader trend towards an integrated public sphere' (Keane, 1998: 168-170). In place of a single, unified public sphere, he distinguishes between 'micro-public spheres', which refers to the localised public spheres of social movements, work, and the playing of video games; 'meso-public spheres', which are 'those spaces of controversy about power that encompass millions of people watching, listening or reading across vast distances' within which Keane includes television chat shows such as *Rikki Lake* (a similar argument is

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made by Lunt and Stenner (2005) in relation to *Jerry Springer*); and 'macro-public spheres' which consist of hundreds of millions of people, and are the unintended consequence of 'the international concentration of commercial media firms' (Keane, 1998: 171-179), the apex of which is the Internet. However, on Keane's analysis, the concept public sphere becomes so broad that any normative meaning becomes reduced. He insists that everything from 'children playing digital games' to the 'supposed enemy territory of consumer markets' and 'the Hobbesian world conventionally dominated by shadowy agreements, suited diplomacy, (and) business transactions' constitute public spheres (Keane, 1998: 182).

Not only is it questionable as to whether or not territorially bounded public life has been, or should be, eroded – for example, all international media companies 'nationalise', to market products to national-cultural particularities; even 'globalising' technologies such as the Internet retain territorial shape – but it is also clear that the normative distinction between the economic system and the state on one hand, and a *radical public sphere* grounded in the lifeworld on the other, is not upheld. For some reason, audience-participation shows such as *Rikki Lake* are considered public spheres rather than commodities aimed at a particular a consumer-audience, refeudalised or colonised public spheres, or, in Negt and Kluge's terms, 'public spheres of production'. Due to the weakening of the normative content of the public sphere, Keane's conception must be rejected. The sorts of perlocutionary communication employed in business, diplomacy,

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markets, or children playing digital games contribute little to the critical comprehension of the world as it is, let alone of how to change it. Furthermore, Keane ignores the production and use of space for commodity production, mistaking *private* property for *public* spheres, as well as ignoring the massive communicative inequalities reflected in dominant forms of use. Ultimately Keane is interested in public spheres of production, not the production of public spheres.

Such criticisms of Habermas's theory of the public sphere are also a result of overemphasising the specific rationality of the bourgeois public sphere, stylising Habermas's theory, and even juxtaposing emotion and rationality. However, as noted above Crossley (2004) and Habermas (1984: 90-94) point out that emotional responses and dramaturgical action and can contribute to self-expression and understanding. They can also be evaluated in terms of the validity claim of truthfulness or sincerity. However, in the case of television programmes such actions are usually constructed to produce 'good viewing' rather than to help people. Habermas's intention is not to develop a theory in which pathologies or problems are simply managed, but one in which the systemic deformations of the lifeworld that cause problems can be coherently understood and challenged. Whilst the therapeutic qualities of audience-participation shows (which are ultimately sold on their functioning as *show*) may well be real, questions as to their functions need to be asked. A show in which a 'guest' who raises the problem of her son's delinquency is advised to join a revolutionary party to

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violently overthrow the system that is the root cause of such pathologies would be rather unlikely. The unlikelihood of such shows is by-and-large down to the form of use of television: programming choices are market decisions framed by the needs of the economic system and the state. Without rejecting these forms of use and producing others, radical public spheres will not function.

4.2 Reforming Mediated Public Spheres II: Reforming media

Various attempts have been made to think about how the problems of media can be addressed through reform. Calls for media reform go beyond the interpretivist approaches that tend to disregard the impact of dominant forms of use because the audience might not believe what it hears, sees or reads, or if it does, it does so at its pleasure. Such interpretivist approaches are effectively conservative insofar as their consideration of the fulfilment of existing desire or affirmation of opinion as adequate strips them of any imperative to change – they are resigned to the given. Whether affirmative or critical, the interpretivist approach to media does nothing to alter the control over production or forms of use. The interpretivist approach does not consider the potential for different uses of media.

I have already indicated how the dominant forms of use of media technologies, including public service broadcasting place limits on the possibility of producing mediated radical public spheres. However, public

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service broadcasting and professional ethics has traditionally been the response of the social-democratic left. This is, for instance, Nicholas Garnham's solution to the problem of a 'symbolic system within which both the power to create symbols and access to the channels of their circulation is hierarchically structured and intimately integrated into a system of economic production and exchange, which is itself hierarchically structured' (Garnham, 1992: 371-373). His proposed solution to the problems facing mainstream media is to 'construct systems of democratic accountability integrated with media systems of matching scale that occupy the same social space over that which economic and political decisions will impact'. The 'systems of democratic accountability', which are mediated through public service broadcasting, are intended to guard against colonisation by the administrative and economic systems. As Habermas also suggests, for Garnham it is the responsibility of media professionals, as intellectuals, acting as 'the creator and carrier of a culture of critical reason potentially open to all humanity' to take the lead in ensuring the democratic credentials of public service and protect it from illegitimate interference (Garnham, 2000: 91-93). On Garnham's analysis, informed by Gramsci, although the ultimate aim is to make everyone an intellectual, in the meantime the role of media professionals is to deliver the 'creation and circulation of public meanings to publics *they in part create through their chosen modes of address*' (Garnham, 2000: 108, emphasis added). Though he recognises many problems in actually existing public service

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broadcasting systems, and, he argues, though some commercial media have fulfilled some functions of the public sphere (Garnham, 2003: 196-7), it is only through a public service that prioritises political community that a public sphere adequate to a self-governing democratic polity can be realised.

Though Garnham's diagnosis of the problems of media is acceptable, his proposals for reform through his understanding of a single public sphere may fall for the same kind of homogenising tendencies outlined in chapter two. It also leaves little room for radical interaction, on the basis of which intersubjective recognition can be established, and on which basis validity claims can be raised and contested by participants in discussion. Within the terms of his diagnosis, public service broadcasting may well be a good complement to commercial media, but it retains the statist, hierarchical uncommunicative form of use identified in the previous chapter. Though perhaps if we are to think of public spheres as being hierarchically ordered, as Habermas argues in *Between Facts and Norms*, then public service may be seen as an appropriate form for formal, procedurally organised public spheres. It may also be through a reformed public service that perhaps an overarching democratic culture can be maintained across communities in a given polity.

In contrast to this homogenised model, James Curran (2000) and Peter Dahlgren (1995) have developed proposals for media reform that move beyond public service broadcasting to consider how best to reform

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media in order to accommodate radical public spheres. Dahlgren (1995: 47) is positive about the unrealised potential of television to foster public spheres. He sees such forms of use as being made possible by recognising plurality, but enacting communication between plural positions, 'acknowledging difference and striving for agreement' (Dahlgren, 1995: 141). Thus, media should be organised so as to facilitate genuine interaction through intersubjective recognition. However, Dahlgren is sceptical of the capacity of the systemic media under dominant forms of use to facilitate such public spheres. He argues that the current form of 'mediation... renders the public sphere less of a dialogical encounter between citizens, and shifts its character in the direction of monological representation' (Dahlgren, 1995: 92). Media, and television in particular, must therefore be reformed so as to realise their potential, and crucially Dahlgren (1995: 122) argues that 'only by departing from ... (the role of recipient) will... (media users) stop being the recipients and start being the producers'.

Dahlgren develops Curran's (2000)²⁰ argument that media should be organised into sectors. Curran's arguments for media reform somewhat mirror Habermas's 'sluice gate'. He argues that media such as radio, television and newspapers should be structured into 'core' and 'periphery' sectors, for 'different media should be viewed as having different functions within the democratic system, calling for different kinds of structure and styles of journalism' (Curran, 2000: 140). The core sector would essentially be the realm of public service, but would be 'fed by peripheral media

²⁰ He refers to an earlier edition of the same work.

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sectors'. The periphery sector is divided into four. The 'professional sector' would be similar to Garnham's public service model. It would be a sector 'wholly independent of both the state and the market in which professional communicators relate to the public on their own terms, with the minimum of constraint'. The 'civic sector' would consist of 'channels of communication linked to organized groups and social networks'. The 'social market sector' would involve the subsidization of 'minority media as a way of promoting market diversity and consumer choice', and the 'private enterprise sector' 'relates to the public as consumers, and whose central rationale within the media system is to act as a restraint on the over-entrenchment of minority concerns to the elusion on majority pleasures' (Curran, 2000: 142-148). Thus, Curran's model aims to separate media sectors, to ensure a plurality of public spheres and protect them from the state and the market.

Dahlgren adds to this Cohen and Arato's (1992) prescription that media be organised to facilitate two coexisting types of public sphere: the common domain and the activist domain. The common domain, akin to Curran's public service sector, corresponds to a form of general will and 'is the arena which strives for universalism'. The advocacy domain 'consists partly of space and time made available within the dominant media... and partly of a plurality of smaller "civic media" ... (which encompasses) a *broad and diverse realm of communication channels*, including newsletters, electronic bulletin boards, neighbourhood radio stations, magazines and the

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organisational press' (Dahlgren, 1995: 155-156; emphasis added). Civic media serve civil society and the informal public sphere, where 'a wide variety of subcultural, alternative modes of communication may bloom'. Because of this, civic media are able to respond to the specific needs of the lifeworld more sensitively than the dominant media. Dahlgren is observant of the shortcomings of such an arrangement: the problem of reactionary views, the idea that the common domain may be forced to accept the lowest common denominator, the problem of the interfaces between the common and advocacy domains, and that the common domain would 'struggle centripetally to hold together dominant perceptions'.

Dahlgren is thus faced by a similar problem that faces Habermas's reformulation of the public sphere in *Between Facts and Norms*: the problem of how the two domains communicate. In a similar way to Habermas, Dahlgren calls for 'people who are multicodeal and competent in facilitating communication between the two domains' (1995: 159). Within this process, civic media act as 'information sources and critical dialogic partners with the major media of the common domain'. However, Dahlgren's solution for the problem of communication between domains is as unsatisfactory as Habermas's. Nevertheless, Dahlgren's proposals are useful insofar as they consider how *different media may be suited to respective domains*, how certain forms of use can facilitate radical public spheres, and how participation in the production process can be facilitated.

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Curran's and Dahlgren's proposals for media reform are sensible recommendations for facilitating access to media, and do point to the importance of public needs in the formation of media policy. Some of their proposals would certainly not be difficult to implement – indeed, some of their proposals reflect trends in media policy in various European states. For example, some European states have implemented something like a 'social market' sector in which subsidies are provided to newspapers that cannot attract sufficient advertising. Others provide subsidies for the film industry and for 'domestic' television production. Almost all European Union states provide a statutory 'right of reply', in which newspapers and sometimes television stations have to provide citizens the right of reply – sometimes a reply of the same length in the same place and in the same form as the original article – to persons variously aggrieved by an offending article.

However, few democratic provisions have been made in recent media policy. In fact, the trends in juridification led by the UK parliament (for example, the 2003 Communications Act), the European Union (for example, the 1997 'Television Without Frontiers' directive) and from the undemocratic international economic organisations that create 'free markets', such as the World Trade Organisation, are leading away from democratisation. Perhaps most importantly, there have been few discussions on the possibility of altering the technical form of media technologies – which Curran and Dahlgren also exclude – beyond those required under

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competition law. Reforming the technological structure with the view to expanding possible forms of use is a necessary condition not only of adequate reform, but also of realising the potential of the technologies.

For example, perhaps Williams' (1974) analysis of the potential of cable television technologies showed how the organisation of technical infrastructure in the 'periphery domain' might look. He called for 'more independent production companies', and for the airwaves, cable networks and so on to be protected as public property. However, his most significant contribution was his call for the reform of the relations of production, including citizen control over technical decision-making. He argued for 'permanent links, in particular communities, between local public-owned cable companies and production companies: real local bases from which some material would pass into one or other of the networks'. At the same time, there should be 'alternative producers of national and international news and current affairs programmes', though the main emphasis would be on the local community. The latter would 'contribute to solving the problems of urban information flow, democratic discussion and decision-making and community identity'. To prevent communities from becoming mere markets, local media ownership and control must be 'subject to open and democratic local processes' (Williams, 1974: 147-150). So, Williams argued for a form of technical development of cable television that would be led by local communities, in which content would be produced by local communities, and in which interactive potential would be developed in a far

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more communicative sense than the economically and administratively oriented forms of use outlined in the previous chapter.

4.3 Reforming Mediated Public Spheres III: Radical media

Media reform along the lines suggested by Curran and Dahlgren, especially the reforms to ownership and control, would be welcome. If they were to result in the development of radical forms of use, all the better. However, the likelihood of such reform remains low, largely because media technologies and organisations are locked into an international system of production and exchange. Furthermore, even if such reforms were undertaken, they would require the state to formulate and implement them, on its own terms and from its own perspective. There is, and would be, still a need to create 'liberated spaces' in media, and these can be found in 'radical' media projects.

In the previous chapter I outlined Curran and Seaton's contribution to understanding the development and use of newspapers in their analysis of the radical press. Though these radical newspapers became marginalized, they did not disappear. Rather, radical newspapers or radical media projects continued to function throughout the nineteenth and twentieth centuries, and have continued to be subject to study. For example, Chris Atton (2002) and John Downing (2001) have conducted more recent studies into

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'alternative' and 'radical' media respectively²¹, and whilst there is some disagreement between Atton and Downing as to the characteristics of alternative and radical media – insofar as Downing focuses on forms of use of a broad range of media by social movements whereas Atton includes a more diverse range of practices – their studies of actual media projects are instructive. To draw out some of the characteristics from both works, we find that alternative and radical media projects share reasonably similar forms of production, distribution, content and language-use.

Radical media may be regarded as 'liberated areas', removed 'from the clutches of the steering media', producing media spaces and practices that are not colonised, and tend not to follow dominant forms of use. Production in radical media projects tends to be unlicensed, or at least exists in tense relation to the state, and organised on a not-for-profit basis. Projects tend to be financed by grants, financial and equipment donations, fundraising and voluntary cover-prices. Some make connections with institutions, such as television studios in universities, to gain access to free resources (Kellner, 1990). To this end, radical media projects try to escape direct steering by the money medium, insofar as it is subservient to the aims of the project. As a consequence of this relative autonomy from the economic system and the state, radical media projects tend not to evaluate their 'success' in terms of circulation, though some radical media projects, such as *New Internationalist* and *Red Pepper*, raise revenue in the same way as commercial media: through sales and advertising. Nevertheless, to a

²¹ I use the term 'radical' media.

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degree they retain the relations of production of radical media. Another consequence of the suppression of financial considerations is that content is not commodified, it is usually non-copyright and can be shared, reprinted and redistributed. In turn, distribution tends to rely on cooperative agreements with local shops, cafes and bars, street sales (or free street distribution), mail subscription and delivery, and reader reproduction. The Internet has made distribution cheaper and easier, with some paper and video publications encouraging people to print or copy onto disk and redistribute.

Because access to production in many radical media projects is open (though prone to cliquishness), and because there is no need to divide functions into business and editorial sectors, production relations of radical media projects tend to be very different to those found in systemic media. In contrast, labour in radical media projects tends to be cooperative, with a minimal division of labour between the roles of editor, writer and technician; there tends to be internal democracy and no formal hierarchy. If there is a full-time staff, then wages tend to be irregularly paid, low and equally distributed, often paid according to need (Downing, 2001). Often, participation in radical media projects is informal, and the distinction between writer and reader, or producer and consumer, is discouraged, so that radical media projects have small formal staffs or sometimes none at all.

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Radical media projects make innovative use of technologies, using photocopiers, cheap video cameras, cable television, and radio transmitters. Richard Barbrook illustrates some of the hopes of those involved in the New Left of the 1960s for realising the technical potential of radio and television, citing examples of community television projects, and pirate radio projects developed by social movements in Italy and France, in the latter led by Felix Guattari. Barbrook explains that New Left activists sought the creation of 'the electronic agora' because 'electronic media had already provided the technical solution for the physical limits of direct democracy' (Barbrook, 1995: 106). This did not mean that the technology-as-it-is was enough, rather

the reorganisation of radio and television was needed to create two-way communications among the people. Once the electronic agora was formed, then everyone would be able to participate directly in political and social decision-making at both local and national levels (Barbrook, 1995: 95)

This is to say that New Left intellectuals realised the need to develop radical forms of use of media technologies in a similar way to that suggested by Williams above.

Radical media projects still make their own or alter existing technologies, such as some pirate radio groups that 'hack' radio frequencies and transmission equipment – and are consequently directly subject to the coercive power of the state. Generally, these forms of use of technology

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tend to be subsumed under communicative processes, as opposed to the instrumental processes evident in their deployment at the BBC (cf. section 3.4). For example, the *Undercurrents* collective, founded in 1993, used video recorders, and hand-held Hi8 and DV video cameras to produce their own 'news' programmes, providing technical training for members of the public to make their own contributions, and distributing them on video cassette. These contributions tend to tackle issues affecting the 'grammar of life', from critical lifeworld perspectives that are excluded or marginalized in systemic media. A typical edition of *Undercurrents* (*Undercurrents* 7, 1998) includes:

Street News: a round up of direct actions from round Britain;

Dear Lenny: a video letter from a Welsh community to the New York based owner of a factory polluting the community;

Party Political: reclaiming the ballot box in London;

Sabotage: activists' use of economic sabotage;

Plane Warning: the impact of aircraft on global warming;

Atlantic Frontier: a Greenpeace contribution on oil exploration;

Subvert break: defetishised adverts;

Holtsfield: the resistance to the eviction of an ecological community;

In Yer Face: the use of CS Gas against protesters;

Space Cadet: the testing of LSD on British soldiers;

Squat the Lot: a guide to recycling;

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Oddsox: a guide to avoiding police computer surveillance;

No Comment: a guide to handling police interrogation.

Because most radical media projects are open to a high degree of participation by 'ordinary' members of the public, and because they tend to reject the forms of 'professionalism' – neutrality, passivity and asserting an 'objective' positionality – of mainstream media organisations, the content produced in such projects often appears very different to that in most mainstream organisations; that is, they encourage the establishment and communication of critical subject positions. Whilst a large number of radical media projects claim to take a general 'lifeworld' worldview, others come from specific positions, most notably of workers, anarchists, ecologists, the socialist left, feminists, gay, lesbian and minority ethnic groups (see Kellner, 1990); that is, they interface with social and political movements embedded in the lifeworld rather than with the state. The movements themselves may focus on particular issues, but their objectives tend to be universally oriented, in contradistinction to racist or neo-Nazi movements.

Consequently, the style of content may mirror the forms of communication (and of mediation appropriate to Kluge and Negt's (1993) category of 'experience') that have traditionally animated such movements, such as the use of song, parody, reporters embedded in the demonstration and direct action, which are particularly prevalent in, say, *Undercurrents*

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videos. They tend to cover subjects from the positions of the subaltern. Accordingly, they tend to adopt an animated, emotive and evaluative language (Barbrook (1995: 106) describes how French social movements used radio to ‘undermine social and psychic repressions with a “poetico-frenzied” style of broadcasting’), but at the same time, the treatment of subject matter may be very serious and analytical. Though jargon-laden language is often frowned upon, in favour of the colloquial, the ironic and the irreverent, many participants will be politically and theoretically astute. Consequently, content may often aim at developing alternative ‘emancipatory’ languages, knowledges and histories.

While perhaps such forms of communication seem not to tally with the common stylisation of a strictly rationalist Habermasian communicative public sphere, as I have shown radical public spheres may reject the bourgeois forms of communication. However, this is not to suggest that radical public spheres should reject any attempt at rational engagement in favour of ‘irrational’ performance. Rather as noted above, emotionally charged issues and the dramaturgical actions that may respond to them can be played out rationally or irrationally. The point is first whether the ways in which they are ‘played out’ are produced from within the lifeworld (and mediate social experience from this perspective) or whether they are produced by and for subsystems. Secondly, it must be considered whether the radical public spheres in which such dramaturgical action takes place are open to response and criticism.

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As a consequence of these forms of use of media technologies, radical media projects construct radical public spheres at a number of levels: first, the political activities, such as demonstrations, direct actions, camps, festivals, squats, public meetings and so on, in which the projects' participants partake and from where much of the content comes. Secondly, they are constructed in the process of production, such as in editorial meetings and other decision-making meetings, fundraising, distributing, printing/broadcasting and so on, the former of which often take place in pubs, cafes, private houses, community centres and the like. Finally, they create mediated public spheres in the production, consumption and response of participants. The active engagement with content does not consist merely in production, consumption and response within media, but also in the calls to action which are often an integral part of content. Consequently they produce alternative discursive frameworks.

Radical media projects, then, seem to provide a space removed from the direct influence of the economic system and the state, this is to say they create 'liberated areas' from which strategic actors and systemic steering mechanisms – mediated through money and power respectively – are absent. These areas are ones in which various interests, including those that are normally marginalized in mainstream media, are able to participate on their own terms in the production of networks 'for communicating information and points of view', marked by their openness to the participation of any interested parties on an equal basis.

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However, though radical media projects provide an indication of what non-colonised mediated public spheres might look like, they are neither entirely removed from the imperatives of money and power, nor are they as communicative as they might be. These problems do not apply only to radical media projects, but to the mode of functioning of radical public spheres as such.

Though radical media projects are not subject to the direct influence of systemic steering mechanisms, they are still framed within a 'socio-political order... (that) organises society hierarchically and deploys persons acting within it' (Volosinov, 1973: 153). This is to say that although radical media projects attempt to wrest communicative freedom from subsystems, they are still framed within broader social relations that marginalize them.

Though radical media projects do not work on the basis of mainstream logic, so market data and sales are considered unimportant. However, for such projects there is a *political* interest in attracting as broad a *public* as possible: the 'emancipatory potential' must be emancipatory for all. So sales are not important in the same way as they are for systemic media organisations, for which large or specific consumer-audiences are central to the logic of production, but there is a need to reach people, to create publics. However if radical media projects orient themselves to circulation, their logic of production may change. For instance, *Marxism Today's* move to increase circulation saw financial expenditure reach £300,000 in 1989, and saw a rise in the amount of content provided by

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professional journalists from mainstream newspapers (rising from 1/3 to 2/3 between 1983 and 1988), including interviews with and reports on mainstream politicians. Ultimately, ‘access to the mainstream public sphere (as illustrated by the case of *Marxism Today*) is dependent... upon changes in production and distribution, cultural form, organisation, finances and autonomy’ (Pimlott, 2000). Khiabany’s (2000) study of *Red Pepper* found that when it tried to compete on the basis of market competition as ‘a professional publication, with proper journalistic budgets, promotion and circulation staff, and so on’ it was unable to compete with wealthier publications that were better integrated into the system of production. When, however, it adopted a ‘more traditional strategy of publishing on a shoestring and addressing a relatively small audience of those interested in leftist ideas’, it fared better. Essentially, the lesson from both cases is that when radical media projects attempt to conform to the rules of the economic system, which are governed by market power, they simply cannot compete. Alternatively, radical media projects struggle to survive even with the good will of those involved, due largely to the lack of resources, a lack of access to large scale distribution networks, and the lack of labour resources. In essence, they are necessarily marginalized by the dominant forms of use.

In a rare comment on radical media, Habermas (1987: 391) recognises that ‘the technical development of electronic media does not necessarily move in the direction of centralizing networks’, but “video

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pluralism” and “television democracy” are at the moment not much more than anarchist visions’. Similarly Hesmondhalgh (2000: 110) argues that alternative television ‘operates very much on the fringes of broadcasting institutions: rarely publicised, minimally resourced and hardly watched’. The same can be said of print and radio projects; the production and distribution mechanisms of the ‘mediascape’ as a whole marginalize radical forms of use and the production of radical public spheres alike.

4.4 Technological Limits

Though reforms and alternative uses of existing media technologies would doubtlessly improve the communicative capacities of newspapers and television, there remains the problem of fully satisfying the conditions of radical public spheres, which may lie in the dominant technical structures of print and broadcast. Even under reformed conditions, the capacities of the technologies would remain limited. In a sense, it is difficult to say what the technical limits of, say, broadcast television are due to the fact that systemic interests have led and continue to lead its development. As stated in the previous chapter, even outside the liberal-capitalist world media technologies developed under bureaucratic socialism have taken a similar developmental path. In both liberal capitalism and bureaucratic socialism we see the state setting similar initial parameters of development – a path that somewhat limits future innovations. Beyond this though, print and

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broadcast television distribute finished products. This is to say that neither the broadcast sounds and images of television nor printed paper can be sites of thick interaction required by radical public spheres. In this sense, Habermas's suspicion that television and broadcast media 'deprives the... (public) of the ability to say something and to disagree', and that it 'curtails the reactions of recipients' (Habermas, 1989: 169-171) is true insofar as it deprives them of the ability to say something and to disagree *in the immediate context of production*.

What Habermas neglects to realise is that the shortcomings of broadcast extend to print: printed text is static, stable, closed and non-interactive. As MacIntyre (1999: 250) states, 'texts... can play no part in the dialectical and dialogical development of genuine thought except when they are part of the matter of spoken conversation'. For MacIntyre, reading contributes to a public sphere only when it is associated with participation in 'conversational groups'. As I have suggested, radical media, from the eighteenth century to the present, have encouraged participation and have often created spaces for reception. Even then, though, the text remains the text, unchanged: though readers might disagree with it or find it to be wrong, it remains as it is with limited 'feedback loops', save the next edition.

Even more participatory forms of broadcast television and newspapers necessarily disconnect the site of production and the site of consumption and response. Thus there is only limited presence-in-time

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within these media. Once content is produced, it is broadcast or published for audiences who may feedback via another medium – SMS, letters, telephone calls – which then may or may not be a reference point in future broadcasts or editions. Those who wish to feedback will usually do so independently of each other – there are no *necessary* ‘conversational groups’ *within* the medium. Indeed, Linda Steiner’s (2005) research into the National Organisation for Women’s attempt to create feminist radical public spheres through public access cable television found that the major barrier to success was the technology itself. She argues that although the technologies used by them ‘can be used in unintended ways or even against the intended ways’, ‘technical and structural demands within public access channels themselves still present material barriers to access’ (Steiner, 2005: 329). Ultimately, even in the US, ‘Cable’s current industry structure also powerfully discourages diversity of sources and perspectives, and leaves virtually no opening for use of the system as a public space’ (Aufderheide, cited in Steiner, 2005: 321).

Additional problems arise in temporal and spatial terms. Though to differing degrees, in both newspapers and broadcast television content is temporally restricted, not just in the amount of space-time individual contributions take up, but also in terms of their temporariness. Television broadcasts, and to a lesser degree newspapers, are present temporarily and fleetingly. Consequently, it is left to memories, recordings and archives to assist people in connecting events past and present. Even with the existence

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of public and private archives, however, back-referencing newspaper or television content is often difficult and time consuming and does not take place in the immediate context of production.

The problem of time links to the problem of spatial relations between television and newspaper content. Whereas radical public spheres should be interlinked to prevent fragmentation, the discreteness of television programmes and channels, and of newspaper issues and newspaper content means that outside individual issues of newspapers or broadcasts of programs, there is little possibility of immediately linking to and interacting with other content produced by other publics (outside the delayed and limited practice of syndication). There is no spatial capacity within a newspaper issue or within a television broadcast to dynamically connect it to another –in the dominant forms of use there are usually property relations to prevent such links being established – and there is rarely space for adequate participation.

The participatory problems of broadcast television and newspapers become more apparent when we compare them with a medium such as the Internet. In contrast we will see that it is very possible to use the Internet in such a way that the distinction between reader and writer can be so easily broken down, essentially because each site of consumption or reception can be configured as a site of production. The Internet therefore can be used to create a presence-in-time-and-space in which continual co-production is possible.

4.5 Conclusion

In this chapter I have illustrated how writers have, to differing degrees of success, made proposals for media reform that aim to facilitate different forms of public sphere. These range from weak, conservative proposals such as Keane's to stronger more fundamental reforms such as those proposed by Dahlgren. Though reform is welcome, it seems that broadcast media technologies are too far embedded into the economic system and the state, they are already colonised by a dominant form of use. Furthermore, any such reform would require the legislation from the state, which, as media are considered by policy makers as important sectors of the economy, is unlikely. In contrast, radical public spheres require the production of liberated spaces against these systems. The characteristics of radical media projects illustrate how mediated radical public spheres may be constructed *against* systemic domination of much of the mediascape. However, such projects are still limited by the dominant forms of use of media technologies as well as the limitations of those media's technical characteristics. The development of the technologies themselves is insulated from public participation. Though the overriding concern for those wishing to develop mediated radical public spheres must be to change the general social relations that limit such uses, we might also look to newer media technologies – in particular the Internet – to interrogate their

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potential for being used as radical public spheres. To this end in the following chapters I consider not just the possible uses of such technologies, but also the degree to which technologies may be developed to facilitate radical forms of use. In so doing, I also consider how existing patterns of domination limit possible new uses and developments.

Chapter Five. The Potential of the Internet

5. Introduction

In the previous two chapters I argued that newspapers and television have limited capacities to facilitate the production of radical public spheres. In this chapter I turn to a newer media technology, and trace the historical development of some of its forms of use. This is necessary because it is often claimed that there are *inherent* characteristics of the Internet which make it suitable for 'democratic' uses in public spheres, civil society and in social movements. To this end, an analogy can be drawn between Habermas's understanding of a democratic constitutional order, a democratic culture and an open civil society as foundations for public spheres, and the basic technologies of the Internet as foundational for forms of use conducive to the needs of public spheres. However, as I have shown with other media, once we understand technologies through their historical development, we can see that their forms at a given time are not inherent forms.

On tracing the historical development of the Internet it becomes apparent that the Internet is not one single thing. Rather, the Internet is made up of many layers of structure. The Open Systems Interconnection (OSI) reference model, on the basis of which the Internet operates, consists in seven such layers: application, presentation, session, transport, network,

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datalink, and physical layers. These layers can be roughly divided into the ‘constitutive structure’, which refers to the basic protocols used to connect different networks and through which data is transferred, the ‘physical structure’, which refers to the telecommunications infrastructure, Internet servers and clients, the different constituent networks, and the ‘application structures’, which refers to the software applications – such as the hypertext transfer protocol used by the World Wide Web – that are used to enable humans to communicate using the constitutive and physical structure of the Internet. It is the development of the constitutive structure that I will consider in this section, as this is primary to the Internet, it is specific to it. Applications will be considered in following chapters.

By understanding the changing context of development, and by understanding the functioning of the ‘non-governmental’ organisations set up to steer continued development, we can get a clearer picture of how dominant forms of use of the Internet have emerged and the degree to which they marginalize or suppress other uses.

To this end, I raise and address the following questions: What claims are made about the affordances²² of the Internet? What does the history of the Internet tell us about its potential uses? To what degree has the development of the Internet led to particular uses being prioritised over others?

²² ‘Affordances’ is a concept introduced by James Gibson’s (1977) theory of perception and applied to technological design by Donald Norman. The concept is predated by Aristotle’s concept of ‘potential’, although the concept was not developed in relation to technologies.

5.1 The Internet as a Communicative Technology?

As noted in the introduction, there have been a number of claims made about the effects of the Internet on various social, economic and political aspects of life, which have come to form something of a conventional discourse on the 'emancipatory potential' of the Internet. These suggestions are usually based on the understanding of the inherent properties of the Internet: it is 'virtual' (Poster, 2001) insofar as it transports users to a domain in which 'real world' relations do not apply. It is a 'horizontal', 'non-hierarchical' (Jordan, 1999) and 'decentralised' (Holmes, 1997) technology that forces users to assume equal relations to each other. It is thus argued to be a good medium for the communicative needs of radical democracy and new social movements (for example, Klein, 2000; Castells, 2003).

Certainly the very basic constitutive structure of the Internet, packet switching and Transfer Control Protocol/Internet Protocol (TCP/IP) has interesting characteristics. Packet-switching systems were initially developed to control the distribution of information along radio and satellite networks, and the predecessor to the Internet, ARPANet was the first to employ them in a computer network. Though developed initially for the military, packet switching networks were also developed to reduce 'load' on individual computers and network routes, and thereby offer greater

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computing efficiency for computer scientists too. The basic principle of packet-switching is that it breaks up messages into smaller pieces and when necessary sends them via different routes to the same destination. The packets of information may convey no more information about themselves than is necessary to get to their destination, which has led people to refer to the way the Internet treats information as formally ‘non-discriminatory’ – that is, information is carried in the same way regardless of what it is – and ‘egalitarian’. It also goes some way to justifying John Gilmore’s now mythic statement that ‘The Internet treats censorship as damage, and routes around it’. At least packet-switching systems have the potential to make it difficult to control the flow of information.

The basic protocols can allow any type of network running any internal protocol to interconnect as long as it utilises TCP/IP externally; it may not homogenise use, nor may it or packet switching discriminate between, or hierarchically order, the types of networks using it; it can be a neutral mediator and does not need to be altered by different forms of use. Just as TCP/IP can be autonomous of any particular configuration of member networks, so too can it be autonomous of applications through which it can be used. This means that any applications – such as email, the World Wide Web, Telnet and so on can be set on top of TCP/IP forming another layer of mediation that may or may not have similar properties to TCP/IP, that is, which may be more or less interactive, more or less hierarchical and so on.

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Further to this, TCP/IP can be a multi-directional protocol, potentially making sender/receiver relations between computers somewhat more equal than with the broadcast model. In this sense whereas television, radio and satellite broadcast networks tend to prescribe a direction of communication flows – from the transmitter to the receiver, TCP/IP can be used in such a way that it does not distinguish between different transmitters or receivers. In a sense, it can allow for intersubjectivity on the grounds that each node transmitter can potentially receive equal recognition.

A further implication of TCP/IP is that it can allow scaled expansion of the Internet as a whole. This means that as new networks are added they do not reduce the overall capacity of the Internet – they do not necessarily take up space or time, though expansion is limited by the number of available IP addresses (which runs into the hundreds of millions). In fact, each new network increases the overall capacity and the number of routes for packets (compare broadcast television where each new network or channel reduces capacity available for others).

These characteristics did not emerge ‘immanently’, however. Rather, they resulted from the particular conditions of development. So, it is important to understand these conditions to understand the potential and limits facilitated by this context. If the characteristics of the Internet stem from a particular context of development, when this context changes, so might the characteristics themselves.

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Early studies of the Internet tended to refer to the Internet as an ‘anarchic’ technology insofar as it is ungoverned, or argue that it just develops itself, that no one owns it, that it is beyond the control of the state and the economy (Jones 1997), and was developed by ‘idealistic technologists’ who ‘were sure it would reinvigorate democracy and spread democratic values around the globe’ (Simon, Corrales, and Wolfensberger, 2002). This understanding was clearly exemplified in John Perry Barlow’s (1996) ‘Declaration of Independence of Cyberspace’, in which he claimed that governments ‘have no sovereignty where we gather’, that ‘We did not invite you. You do not know us, nor do you know our world. Do not think that you can build it, as though it were a public construction project. You cannot. It is an act of nature and it grows itself through our collective actions... Your legal concepts of property, expression, identity, movement, and context do not apply to us. They are based on matter, there is no matter here.’

Many such claims tend to prioritise one aspect of the development of the Internet. For instance, Castells (1996: 357) highlights the ‘countercultural origins’ of those working on the Internet, which were ‘utopian, communal and libertarian’ – an understanding of ‘Internet culture’ that is widely held (see for instance, Hauben and Hauben, 1995; Rheingold, 2000). This is to say there was a culture that grew out of working practices and immediate lifeworld context of the ‘idealistic technologists’, which shaped networking technologies and their use in the context of this

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'culture'. This 'Internet culture' is said to have grown out of an earlier 'computer culture' of mutual help, information sharing, consensus, formal openness and inclusivity, self-organisation, and free software, embodying non-commercial cooperative relations (Beckett 2000: 22-24; Stallman 2004; Torvalds, 1998. See also footnote no. 19 for an example of how this 'culture' has been subject to colonisation). Such a culture is for some, a political issue (Berry, 2004), whereas for others (perhaps the majority in the ARPANet project) it is simply a practical and efficient way of working – motivated by the need to share resources over networks, the difficulty of writing computer code, and the fact that code is, like language, social. This practical and efficient way of working was at the same time set in tension against the 'way of working' of government and industry (Cerf, 2002; Kahn, 2002; Kleinrock, 2002; Leiner, 2002). Whatever the motivation, the culture of many of the Internet engineers resembles the elements of a rationalised lifeworld that Habermas wishes to preserve. Indeed, computer culture is portrayed as standing in somewhat tense relation to the needs of the economic system and the state, most specifically as relates to power and property, challenging existing sources of political power and existing social relations of production (Hardt and Negri, 2000).

This computer culture and subsequent Internet culture is illustrated by the form of the Standards and Coordination Bodies (SBCs) that were, to a degree, set up by engineers. For example, the Internet Architecture Board (IAB, formerly Internet Activities Board) may seem to be an

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institutionalisation of a communicative public sphere, which is, formally at least, open to all interested parties to participate in rational dialogical argumentation on the basis that the strongest argument would win the day. However, it also shows the limits of formally communicative public spheres, against substantive demands.

In its early form, the IAB regarded itself as 'the coordinating committee for Internet design, engineering and management... an independent committee of researchers with a technical interest in the health and evolution of the Internet' (RFC 1160: section 2). Its functions were to set Internet standards, to manage the RFC²³ publication process, to review the Internet Engineering Task Force (IETF) and Internet Research Task Force (IRTF), strategic planning, to act as a technical policy liaison and representative to the Internet community, and to resolve technical issues that cannot be treated by IETF or IRTF.

As the Internet has grown, the procedures of the IAB developed

to provide a fair, open, and objective basis for developing, evaluating, and adopting Internet standards. They provide ample opportunity for participation and comment by all interested parties. At each stage of the standardization process, a specification is repeatedly discussed and its merits and failings debated in open meetings and/or public electronic

²³ RFC or Requests for Comments are discussion documents, circulated among engineers (and any other interested party), on the subject of technical, policy and organisation issues to do with the development of the Internet.

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mailing lists, and is made available for review via world-wide on-line directories (RFC 2026: 1.2).

Within this process, any standard can be entered for consideration if it 'is generally stable, has resolved known design choices, is believed to be well understood, has received significant community review, and appears to enjoy enough community interest to be considered valuable' (RFC 2026: 4.1.1), though it is evident that in this instance the 'scientific' dimensions of development are separated from the political and aesthetic. In adopting standards, the ultimate goal is to reach a considered consensus:

as much as possible the process is designed so that compromises can be made and genuine consensus achieved, however there are times when even the most reasonable and knowledgeable people are unable to agree. To achieve the goals of openness and fairness, such conflicts must be resolved by a process of open review and discussion (RFC 2065, 6.5).

If the procedures themselves are considered to be 'inadequate or insufficient to the protection of the rights of all parties in a fair and open Internet Standards Process', there is further recourse to the Internet Society's (ISoc – see below for outline of its emergence) Board of Trustees.

Once standards have been agreed, no property claims can be made on them; such technologies and standards cannot be owned, they remain public domain. RFC 2026 explains that 'in all matters of intellectual

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property rights and procedures, the intention is to benefit the Internet community and the public at large, while respecting the legitimate rights of others' (RFC 2026, 10.1). To this end, the Internet Society now acts as a kind of Leviathan for copyright whereby 'the contributor (of a technology or protocol), the organisation he represents (if any) and the owners of any proprietary rights in the contribution grant an unlimited perpetual, non-exclusive, royalty-free, world-wide right and licence to the ISoc' (RFC 2026, 10.3.1), and 'the contributor ... agree(s) that no information in the contribution is confidential and that the ISoc and its affiliated organizations may freely disclose any information in the contribution' (RFC 2026, 10.3.5). So the SCBs and the technologies were intended to be open to participation and use. As Leiner (2002) puts it,

those responsible for the Internet developments in the early days were rather committed to open architectures and systems. And that commitment led to efforts to keep the basic technologies in the public domain... the basic technologies and approaches were kept open to benefit the community as a whole

5.2 Limits of Autonomous Development and Dominant Forms of

Use

The above explanations of the Internet tend to emphasise a mythology of Internet technologies, decontextualising its actual use. The explanations of

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the development of the Internet also focus on the self-proclaimed culture of Internet engineers, again decontextualising them and assigning them a great deal of autonomy.

In the first instance, the potential form of TCP/IP does not explain its implementation, or its form of use. Indeed, TCP/IP's positive affordances have their limits in the forms of use through which they develop. Though the Internet protocol may treat 'censorship as damage, and routes around it', control can quite easily be asserted at the server level in individual networks, or even through Internet gateways. Horizontality is also limited at these levels – because of the way that computer networking developed, various stages of mediation exist between individual computers connected on the Internet. At the first stage computers tend to be connected to others via Internet service providers, through which conditions of access are configured. These Internet service providers are the networks that form the Internet, and as networks can have greater or lesser communicative capacities. For example, in the 1980s the expectation was that the dominant form of network would be the centralised server model, in which all 'agency' would be vested in a central server, leaving 'dumb terminal' operators to select operations from the central server (see for example, Beniger, 1986). The dumb terminals are not able to contribute to the network except in structured feedback loops, much like the way television works. The level of control over use that such systems provide to their owners is very high. Though the Internet does not take this form, some

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networks connected through it do. So the potential communicative forms of the Internet very much depend on the configuration of member networks.

In addition to the limitations of member networks, the Internet protocols themselves are not entirely horizontal. The computer and network engineers who designed the ARPANet were faced with the 'technical' issue of how to make different networks interoperable, and how upgrades could be introduced without interrupting the network as a whole, and without having to upgrade all computers on the network. It was decided that the host computers would *not* be the basic unit of the ARPANet. Rather, interface message processors (IMPs) were developed to carry out many of the operations, such as handling the packets, forming a 'subnet'. This ostensibly created a layered (hierarchical) ARPANet, which enabled IMPs to be changed without changing the host computers, and conferred a good deal of potential power on those who control the IMPs. Indeed, the IMP system was actually *intended* to centralise control over the system (see McQuillan and Walden, 1977).

A similar hierarchy carried over to the Internet with the development of the TCP/IP protocol. A central idea behind the development of the TCP/IP protocol was again to ensure that different networks could communicate and could be upgraded with minimal disruption. The solution was to introduce 'gateways' between networks, which would act as translators between networks, yet hold minimal knowledge about the internal workings of member networks. The TCP

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would be the responsibility of the host, and the IP the responsibility of the gateways in a similar way to which the IMPs and the hosts were separated in the ARPANet.

The point, again, is that none of the possibilities are necessarily realised; they depend on the development of forms of use. This understanding enables us to consider how forms of use are realised and restricted at different stages of its development. So, it is important to turn to consider how forms of use of the constitutive structure of the Internet have developed, the degree of 'autonomy' these have, and what implications they have for public spheres.

In the second instance, mythical explanations of the development of the Internet downplay the role of the state in its development. To this end, Brian Winston (1998) has pointed to the fact that as with telegraph, radio, television and satellite, reasons of particular states – often in terms of military needs – have been the main motor for the development of the Internet. He argues that the 'supervening necessities' leading the development of the Internet were those of the US military. He argues that given the material connection between the military and network technology researchers, for the latter not to be intimately connected to the interests of the former 'requires a certain cognitive dissonance on... (the part of researchers) as they were all working for the Pentagon or for firms contracted to the Pentagon, even if their announced purposes were not overtly military'. For Winston, 'it is clear that the supervening necessity for

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networking the main frames came from the same military concerns as had caused those main frames to be built in the first instance'. He goes on to argue that rather than being a motivation for the development of computer networking, the 'science agenda' was actually a cover for the military project. Indeed, although ARPANet was located in some academic sites, these were 'still closely bound into defence work of one sort or another', and still more than two thirds of ARPANet sites were 'buried in the military-industrial complex'. Furthermore, the initial two million dollars that ARPANet cost to set up could not be justified 'just because some computer guys wanted to play at linking their machines together'. Military interests, however, could and did justify such expenditure. Winston rejects the claim that the Internet developed as a cooperative community of scientific researchers, as serving to conceal the real forces behind such innovations. For instance, the network coordinating body, the Network Working Group (NWG) was seen by some as a decentralised, non-hierarchical organisation based on consensus rather than authority, and independent of particular interests. However, Winston argues that it 'had the useful effect of deepening ARPANet's cover'. Although the NWG had set about making decisions and agreeing standards independently of ARPA, Winston argues that 'the noisier network users were, the louder they proclaimed their power, the better hidden... (the) real purpose remained' (Winston, 1998: 325-327).

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Though Winston points us in an important direction, and although the ARPANet had its roots in the US Military's agenda, his claims overstate the impact of the military, and unnecessarily assert direct relations between the military and the 'network users' – one does not need to understand one's function in order to be useful. Whilst he is right to consider the 'real reasons' for the development of the Internet, his explanation is too narrow. As I explained in chapter three, it is not always possible or necessary to control all aspects of development. This is not to say, however, that certain forms of use were not prioritised.

Indeed, whilst it is undeniable that the underlying motivation for the development of the ARPANet was military command and control, it is also true that engineers sought to develop and use networking technologies for their own (research-related) interests. Vinton Cerf (2002), one of the Principle Investigators working on the ARPANet project, summarises this tension thus,

While there was a very strong underlying understanding of the military interests, the bulk of the research and engineering was done by students or professional researchers and engineers excited by trying out somethingt (*sic*) new and exploring how the new technologies might be applied, independent of the precise military applications

Winston's claim that engineers must have been cogent of the military interests certainly depends on which engineers he is referring to (Principle

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Investigators had far greater knowledge of who they were working for than graduate students [Cerf, 2002]), and what particular applications he is referring to. Indeed, other engineers who worked on the original ARPANet project confirm this. Barry Leiner (2002) states that 'flexible, robust, and efficient computer communications serves a broad set of interests', Bob Kahn (2002) reported that researchers were mindful of a variety of interests, and Vint Cerf (2002) that a 'blending of motivations permeated the work'.

This 'blending of motivations' emerged for a number of reasons. The 'Internet culture' and relations of production noted above were practical orientations, which were enhanced by the loose degree of control that the U.S. military had over development, and the fact that most of the work was contracted out. Although the U.S. military put out the initial Request for Quotation for research through ARPA, research institutes, universities, private companies, and individual computer enthusiasts undertook much of the research on which the Internet is based. For example, Donald Watt-Davis of the UK's National Physical Laboratory initially developed packet switching technologies, Ethernet was developed in Xerox's Palo Alto Research Centre, and the implementation of Transfer Control Protocol/Internet Protocol (TCP/IP) was contracted to researchers at University College London, Stanford University, and BBN (Bolt, Berenak, and Newman, an information systems company that won the main ARPA contract to develop packet switches and Internet Message Processors). In addition to this, many of the innovations that helped the

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diffusion of computer networks, such as the Xmodem and the Usenet system, came from outside the ARPA community altogether, from enthusiasts who developed them as hobbyists, to enhance their communicative capacities. In addition, when the Military Network (MilNet) branched off from ARPANet in 1983, the military's direct influence on the development of the some of the later networking technologies – and the Internet proper – waned; the motivation to further develop Internet technologies expanded beyond the needs of the military to encompass a broader set of interests.

Nevertheless, the development of the Internet itself is overseen and steered by the US state and the institutions that it oversees. To explicate this, we can look back at a history of technology policy to understand the mode of development of the Internet.

The management of development of the Internet by the US state was not for simple, isolated domestic benefit. Rather, the establishment of institutions through which that development could take place follows a pattern in the development of technologies. Though states have a degree of control over the development of certain technologies, to understand the development of dominant forms of use in technologies with international scope it is necessary to understand this development in the context of international relations. This is to say that occasionally a *particular* form of use can be exported or imposed abroad. For example, Herbert Schiller (1971) traced the development of US satellite communications in the 1960s

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as a mechanism to assure the continued power of the US state both domestically and internationally. In the 1960s the Communications Satellite Corporation was set up by the US state, and then pushed into the private sector, 'for the purpose of taking and holding a position of leadership for the United States in the field of international global commercial satellite service' (*Progress Report on Space Communications* US Senate hearing, cited in Schiller, 1971: 131). Such leadership is important because as a subcommittee of the Committee on Foreign Affairs, stated, 'to a significant degree what America does will shape the emerging international communications system... To a very large degree other countries will imitate our experience and will *attach themselves to the institutions and systems we create*' (Schiller, 1971: 9; emphasis added).

Similar intentions can be seen in the development of the Internet. The cooperatively oriented SCBs, through which development of the Internet was coordinated, on one hand reflected Internet culture. However, although they were created by Internet engineers, they were overseen by the U.S. government agencies that facilitated them. When Milnet split off from ARPANet in 1983, the role of Department of Defense was reduced in coordinating the latter. This change saw the IAB replace the Internet Configuration Control Board. The IAB was not, however, a law unto itself. Its authority was derived from its factual relationship with the U.S. state. In the 'post-military' phase of the Internet, the U.S. federal government

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established the Federal Networking Council (FNC)²⁴, which acted as an intermediary between the IAB bodies and the U.S. Office of Science and Technology Policy, which, in turn, was ultimately responsible for setting U.S. government policy affecting the Internet. However, the FNC recognised that the procedures of the bodies that had grown out of ARPA – and which reflected ‘Internet culture’ – worked effectively (in general systemic interests), so endorsed and employed ‘the existing planning and operational activities of the community-based bodies that have grown up to manage the Internet’ (RFC 1160: section 1). Thus development was left to the engineers not as a ‘democratic’ move, but because their work was sufficient in meeting the requirements of the state.

The sort of collaborative openness practiced by the SCBs is, then, limited. It is acceptable insofar as it does not fundamentally challenge the needs of the economic system and the state that oversees it. The FNC realised the efficacy of a communicative form of collaborative development, as long as its output could be effectively utilised; this is to say that there is nothing in communicative collaboration in itself that challenges the normal functioning of the economic system and the state. Indeed, the *material* possibilities of participation ensure that only certain interests can

²⁴ The FNC had a mission to ‘provide a forum for networking collaborations among Federal agencies to meet their research, education, and operational mission goals, but at the same time, it aimed to facilitate the ‘ultimate acquisition of mature versions of these technologies from the commercial sector’ (FNC Charter http://www.hpcc.gov/fnc/FNC_charter.html). The activities of the FNC show that various objectives – such as education, federal research, public access are perceived to coincide with commercialisation (See FNCAC Resolutions: http://www.hpcc.gov/fnc/FNCAC_Res.html). The FNC was replaced by the Large Scale Networking Program, which sustains the Federal Government’s research objectives in networking technologies, but which has a lesser influence on the now privatised Internet.

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lead development. Of a sample of all RFCs between June and September 2000, all except two were written by engineers working for large US corporations, 20% included at least one participant from a university, and only one was written by a someone in what might be called an advocacy role. In fact, against well meaning and insightful critiques of the 'commercialisation' of the Internet (Simpson, 2004), there is little evidence that the Internet itself was intended to be non-commercial. Rather, the oversight of development by the U.S. state allowed it to steer private sector development, and meant that the contracted companies could advance forms of use in their general interests. As with television and satellite, the state functioned to set the conditions for capital accumulation both domestically and internationally to serve the 'numerous imperatives of the economic system' (Habermas, 1976: 34).

The most notable changes to the status of the Internet was in the privatisation of the physical structure in the 1990s. Much of the physical structure (cables, telephone lines and exchanges, servers and computing equipment) of the Internet was, until the mid 1990s, 'publicly' or, perhaps more accurately, state owned. However, the 1990s also saw the subjection of telecommunications systems more generally to the (ongoing) commodification processes instigated by nation states but intensified by World Trade Organisation agreements, such as the General Agreement on Trade in Services. The privatisation of the Internet's physical structure in the mid 1990s took place with little genuine public consultation, and with

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little attention to the public interest other than that related to the supposed 'public benefit' of the 'free-market'. Though the Internet's SCB were at the time open to discussion on the future of the physical structure of the Internet (on the formal basis of the strength of the better (technical) argument), there was little likelihood that the physical structure would not be subject to commodity relations on the terms of and in the interests of the hegemonic state. For example the US government's *Technology in the National Interest* paper reported that

by the end of the 20th century, information will be the most important commodity in the world's economic system. The speed with which we create knowledge and our ability to put it to work for us will determine America's position in the international marketplace of the next century... our national interests are served through market-opening initiatives and efforts to strengthen the protection of intellectual property rights worldwide (Office of Technology Policy and Technology Administration, 1996).

Subsequently, the development of the US National Information Infrastructure became the blueprint for a Global Information Infrastructure (GII) in which states encourage private sector investment, competition, 'open access to the network for all information providers and users', a 'flexible regulatory environment that can keep pace with rapid technological and market changes', and a universal service (Information

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Infrastructure Task Force, 1995: 1). Clearly the call was for a market-led development of the GII in which the hand of the state would be hidden from view.

The changes to the status of the physical structure of the Internet can be clearly illustrated by the RFCs in which they were described. For instance, according to the IAB in 1989 the U.S. government had a 'fiduciary responsibility to the public' in the allocation of Internet resources. This meant not that the Internet should be made available to the public, but that 'Access to and use of the Internet is a privilege and should be treated as such by all users of this system'. The users of the Internet consisted of a 'multi-disciplinary community of researchers ranging, inter alia, from computer scientists and electrical engineers to mathematicians, physicists, medical researchers, chemists, astronomers and space scientists' (RFC 1087). The important point here is that whilst TCP/IP has the potential to be open, it can be exclusive, especially with limited resources.

Thirteen years after RFC 1087 was written, RFC 3271 declared that 'The Internet is for Everyone'. However, the motor for this expansion is different to that of the earlier development referred to in RFC 1087. The earlier document notes the government as the primary motor of development, whereas the later asserts that the Internet is for everyone with the qualification that this is to be bought about by market forces. RFC 3271 asserts that market forces are the most appropriate mechanism for expanding the use of the Internet, challenging the Internet Society 'to

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stimulate regulatory policies that take advantage of the power of competition to reduce costs' (See also RFC 1192; cf *Technology in the National Interest*). To this end, even in the mid 1990s (and still today) the Advance Research Projects Agency was involved in developing the Internet to 'enable the rapid construction of Internet-enabled applications for electronic commerce, command and control, and virtual enterprises' (Object Services and Consulting, Inc, 1996).

RFC 3271 also tells of the systemic understanding of 'everyone's' expected uses. Besides giving information on the number of users and the range of new mobile (quasi-interactive) Internet technologies, the introduction to RFC 3271 states that 'It is estimated that commerce on the network will reach somewhere between \$1.8T and \$3.2T by 2003'. This acts as a useful context to the call for the Internet Society to 'dedicate ourselves to work towards the development of authentication methods and systems capable of supporting electronic commerce through the Internet'. Again, this was not a mere evolution, but specific state policy to integrate the Internet into the economic system. It also entailed a mode of development that intended to make the Internet available to 'everyone' because the more people used the Internet the greater the potential market for Internet technology companies, which because of their close involvement in the early development of the Internet would be American, and for commercial transactions conducted over the Internet. The Internet would be colonised through commercial use.

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The emergence of the ISoc in 1992 (at the same time the Internet was 'privatised') ostensibly represented a shift in power and control over the development of the Internet from the U.S. government to the 'Internet community' and the global public, albeit with oversight from the Department of Commerce. ISoc was set up to coordinate the continued development of the Internet, including management of the IAB. Although ostensibly independent, its objectives cohere with those of the US state. ISoc's mission statement professes its aims to 'assure the open development, evolution and use of the Internet for the benefit of all people throughout the world' (Isoc, 2000). However, there are elements to the constitution of ISoc that belie this mission. Although, formally, access to the Internet Society is equal and non-discriminatory, substantively, membership fees ensure that unequal privileges apply. Until 2001, members of the Internet Society were fee-paying, but then an amendment to membership rules admitted individuals to non fee-paying 'Global Membership'.

The 'global' membership of ISoc seems, formally, to expand the possibility of shaping the Internet to all those potentially effected by it. Compared to other technological steering groups, such as the Digital Television Group, ISoc, as the IAB, has taken important steps to formally encourage public participation in developing forms of use. However, taken as a whole, membership rules award greater influence to those who pay greater fees. Global Membership mainly provides 'networking

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opportunities' for members, with little ability to influence the agenda of the Internet Society. On the other hand, those paying fees have an altogether different level of influence. Costing from £1,250 to £100,000, different levels of membership allow different levels of influence. At the lower levels, fees give representation on the Internet Society's advisory council, a listing on and a link from an online directory of members, complimentary passes or reduced fees to ISoc conferences, complimentary ISoc individual memberships, joint press release and official announcements of membership in all ISoc publications. At the higher level, members are allowed to designate funds to particular areas, and 'to specifically designate areas or projects to be supported in the fields of a) Standards, b) Public Policy or c) Education and Training'. Further to this, the highest level of membership allows the member to have 'enhanced, direct consultation with ISoc regarding its activities in your funded area'. (ISoc, 2002)

Although fees are halved for non-profit organisations of civil society, unless they apply for the highest levels of membership at £50,000, they will not have sufficient influence to make membership worthwhile. Given that most non-profit organisations are substantially less well funded than for-profit companies, the influence of the latter will be greater and such 'lifeworld organisations' have less influence. This means the technology comes to reflect systemic interests at the expense of those of the lifeworld. We can see, then, that ISoc's mission to facilitate 'open development, evolution and use of the Internet for the benefit of all people

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throughout the world' is marked on one hand by the unequal access to influence, mediated by money, and on the other, as the case of the Internet Corporation for Assigned Names and Number (ICANN) shows, by the forms of use desired by the US state, which brought it into being in the first place. Consequently, the notion of 'the benefit of all people' depends on *what* one considers to be to the benefit of all people, which in turn depends whether the subject's position is in the lifeworld or system.

5.2.1 The case of ICANN

If, as Schiller (1979: 9) notes, the US state shapes the international communications system, creating a path for others to follow, then a good example of a system and an institution that other countries 'attach themselves to' can be seen in the Internet and the institutions of juridification, such as the IAB, ISoc and ICANN. The emergence of ICANN has been considered as evidence for the claim that the Internet could potentially be used to facilitate 'new' forms of democratically steered juridification, enabling *all those who are potentially affected* by a rule to participate in its authorship. However, it also illustrates the limitations on the possibility of public participation in steering technological development, especially when it conflicts with the needs of subsystems.

The predecessor to ICANN was the Internet Assigned Numbers Authority (IANA), which was set up to organise the Domain Name System,

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assign top-level domain names (such as `www.internet.com`) and distribute Internet Protocol (IP) addresses (such as `256.232.33.183`) to Internet Service Providers so that Internet computers can be individually identified, which is necessary for the operation of the Internet. IANA's mission called for it to be 'dedicated to preserving the central coordinating functions of the global Internet for the public good' (IANA, 2006). Initially, IANA distributed IP numbers on a first-come-first-served basis. The 'organisation' itself was based around a single person, Jon Postel, an Internet engineer who was based in the Information Services Institute at the University of Southern California. Initially, IANA had neither a permanent staff, nor a charter of responsibilities. This informality eventually led to legitimation problems as questions arose as to from where IANA derived its authority. When the physical structure of the Internet began to be privatised, a seeming contradiction emerged insofar as the economic rationale of 'market forces' was supposed to drive the expansion of the Internet, yet the Domain Name System (DNS) was still in the hands of a government contractor whose decisions did not correspond to the rationale of the economic system. The seeming contradiction consisted in the fact that whereas the money and the market seemed to guide development of the physical structure, the DNS was steered by a man on what seemed to be more or less arbitrary basis, but which was non-systemically rational.

When Image Online Design had not been allocated the domain name they wanted, they took IANA to court to challenge its authority. The

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basis of the complaint was that as a 'government appointee, IANA did not have the legal right to interfere in speech – and the domain names were considered to be speech. Initially, the US state asked the 'Internet community' to develop a replacement for IANA under the guise of the International Ad Hoc Committee. However, this 'democratic' experiment failed because such a public sphere did not generate the form of juridification that the economic system and the state needed. To this end, the U.S. state criticised its proposals for, amongst other things, 'lacking participation by and input from business interests' and for 'imposing unnecessary burdens on trademark holders'. Furthermore, concerning trademarks, whilst on one hand the state admitted that the 'management of the Internet must respond to the needs of the Internet community as a whole, and not trademark holders exclusively', on the other hand, 'the proposals were designed to provide trademark holders with the same rights they have in the physical world'. Indeed, the specific calls for a change in the naming and numbering system cited by the Department of Commerce were motivated by the 'dissatisfaction about the absence of competition in domain name registration', the increasing 'conflicts between trademark holders and domain name holders', the fact that 'many commercial interests, staking their future on the successful growth of the Internet, are calling for a more formal and robust management structure', that 'as Internet names increasingly have commercial value, the decision to add new top-level domains cannot be made on an ad hoc basis by entities or

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individuals that are not formally accountable to the Internet community’, and that ‘as the Internet becomes commercial, it becomes less appropriate for U.S. research agencies to direct and fund these functions’ (United States Department of Commerce, 1998). The Ad Hoc Committee was judged not to have addressed these motivations adequately.

ICANN was proposed by the US state in 1998 as the answer to the problem of IP addressing. It was set up to introduce private-sector management, supposedly removing any responsibility from the state. However, ICANN was brought into being by the 1998 White Paper ‘Statement of Policy on the Privatization of Internet Domain Name System’, three existing government contracts – a Memorandum of Understanding, a Cooperative Research and Development Agreement, and the IANA function – and Department of Commerce (DOC, as opposed to Department of Defense) oversight, which allows the DOC to rubber stamp domain name changes and review ICANN practice, and reflects the continued dominance of the U.S. state²⁵. Today the main oversight body is the US state’s National Telecommunication and Information Administration.

Formally, the founding documents sought to allow the ‘Internet community’ to agree as much of the constitution of ICANN as possible. To this end, it was established as a ‘nonprofit *public benefit* corporation’ under California Nonprofit Public Benefit Corporation Law (ICANN 1998;

²⁵ In the World Summit on the Information Society in 2003 and again in 2005, a number of countries and blocs bought U.S. dominance into the open, challenging its right to ‘run’ the Internet. Unsurprisingly, the U.S. was able to simply refuse proposals for reform.

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emphasis added), whose ‘mandate is not to run the Internet,’ but to facilitate the coordination and management of ‘*only those specific technical managerial and policy development tasks that require central coordination*’ (ICANN, 2003; emphasis added). What is meant by ‘public benefit’ was and is, again, a point of contention, alas *the* point of contention in politics. Also the idea that its mandate is *only* technical coordination (cf. Habermas’s distinctions between scientific and moral value spheres) is belied by the fact that ICANN was brought into being because IANA did not encompass the dominant administrative and economic rationale.

A board of directors was established that would orient itself to developing the naming and numbering policy towards the ‘public interest’. To this end, the White Paper proposed that the Corporation should ‘equitably represent the interests of IP number registries, domain name registries, domain name registrars, the technical community, Internet service providers (ISPs), and Internet users (commercial, not-for-profit, and individuals)’. The White Paper sought to fill possible legitimation deficits by ensuring functional and geographical representation, whilst preserving ‘as much as possible, the tradition of bottom-up governance of the Internet’, as practiced by the SCB. The election of representatives to the board of ICANN would fulfil this latter requirement. Accordingly, ‘Board Members should be elected from membership or other associations open to all or through other mechanisms that ensure broad representation and participation in the election process’, and ICANN would ‘restrict official

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government representation on the Board of Directors without precluding governments and intergovernmental organizations from participating as Internet users or in a non-voting advisory capacity' (United States Department of Commerce, 1998).

The initial composition of ICANN's board of directors numbered nineteen directors, nine of whom were elected by three functional supporting organisations²⁶, nine of whom were temporary 'At Large' directors, and of whom one was to act as President. All of these directors were initially appointed without publicity. Ordinary Internet users were supposed to be able to replace them through 'At Large' elections, which sought to democratise and therefore legitimate the organisation's decisions by allowing ordinary Internet users the right to elect representatives to the ICANN board. The At Large drive was intended to consolidate the 'democratic' aims of the Clinton administration's Internet policy to preserve 'the tradition of bottom-up governance of the Internet'. The At Large drive was, then, an attempt to allow anyone effected by ICANN's rules to have a say in how ICANN would be run; any Internet user could register for membership by providing a physical address and an email address, and could then vote via the post on the basis of that membership.

²⁶ The Supporting Organisations (SO) are made up of the Address Supporting Organisation, which deals with the allocation of domain numbers; the Country-Code Names Supporting Organization; and the Generic Names Supporting Organization. The latter gives representation to the 'diverse' constituency of Internet users, namely, Commercial & Business, gTLD (Global top-level domain) Registries, Internet Service & Connection Providers, Non-Commercial, Registrars, and Intellectual Property Interests.

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The successful candidates would represent users on a geographical basis, for Latin America, North America, Africa, Europe and Asia-Pacific.

The ICANN elections were held on 11th October 2000 but despite or perhaps because of the preparations, the degree of legitimacy they conferred on successful candidates was immediately questioned due the low turn out (in Africa, the winning candidate was elected with a total of 67 votes, reflecting very real disparities in international political economy). More ominously, an appointed nomination committee assembled by the ICANN board nominated most of those who stood for election. In Africa, Asia/Pacific, and Latin America, only one of the nominees for election was a self-nominee; in Europe there were two self-nominees, and there were three in the US. In Africa, Asia/Pacific, and Latin America, the successful candidates were ICANN nominees. Only in Europe and the U.S. were self-nominations elected. Of the eighteen nominees overall, eleven represented interests already present on the board, and of the remaining seven only one was said by the Computer Professionals for Social Responsibility to be 'distinguished as an advocate for communication and consumer rights' (CPSR, 2000). To this end, Hans Klein (2001) has suggested that 'democracy in ICANN was reduced to a mere formality of the bylaws, as the board and staff were appointed through back room deals between powerful interests'.

Soon after the At Large posts were taken up, future elections were abandoned, the posts abolished, and the consensus policy abandoned.

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Whilst neither the elections nor the consensus policy worked effectively, it has been suggested that this was due to lack of commitment to democratic steering among those controlling the board rather than any inherent failings in democracy per se (Geist, 2001; Johnson et al, 2003; Mueller-Maguhn, 2002). In a sense, as in the bourgeois public sphere, ICANN could not support broad participation, belying its conception of public good. Given the way that ICANN ejected the non-nominated At Large directors, yet retained others (ICANN-nominated At Large candidates) as appointed directors, it is somewhat clear that systemic imperatives were seen to be obstructed by the former.

By June 2003, ICANN's board of directors consisted of eight directors appointed by a nominating committee and two members selected by each of the three Supporting Organisations. Each member of these 'constituencies' is eligible to vote in electing two representatives to the ICANN board. In addition to the SO members, appointed experts were considered necessary members of the board due to the need for specialists. Of the proposed 17 appointed members of the board, seven were founders of commercial companies, five were or had been involved in the business lobby, and four were or had been on the boards of directors of commercial companies. There were four Chief Executive Officers, three Vice Presidents, two Managing Directors, five had clear links to government agencies, and seven had some link to academia. Most members had cross-sector links, holding positions at different companies and organisations at

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the same time. In fact, only three did not have explicit commercial ties. This certainly seems to illustrate a clear set of interrelated interests that lay behind decision-making at ICANN. Such interests would be unlikely to interpret the 'public good' in a way that would be contrary to the interests of money and power. The influence of such interests can be seen in the main policy decision made by ICANN, the Uniform Domain Name Disputes Resolution Policy (UDRP), on the basis of which conflicts over domain names are adjudicated.

The priorities of the UDRP are clarified in paragraph 4 of the policy document. According to the provisions therein, a domain name owner must come before a mandatory administrative proceeding if,

- (i) the domain name is identical or confusingly similar to a trademark in which the complainant has rights; and
 - (ii) the owner has no rights or *legitimate interests* in respect of the domain name; and
 - (iii) the domain name has been registered and is being used *in bad faith*.
- (ICANN, 1999; emphasis added).

From this paragraph, it becomes clear which interests and rights are prioritised. They are not the political, social or civil rights enshrined in various states' constitutions, but commercial rights. The final clause above is clarified in Paragraph 4b of the policy document. In this it is asserted that bad faith refers to the registration of a domain name for commercial gain –

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i.e. of later selling it to the 'rightful' owner, despite the fact that domain names are *supposed to be* tradable commodities.

Though paragraph 4c of the document asserts that the domain name may stay with the 'owner-without-right' if she or he is 'making a legitimate noncommercial or fair use of the domain name', it then goes on to reject such a claim if it serves to 'tarnish the trademark or service mark at issue', in other words, criticism of commercial interests is not allowed. For example, it was used to rule against the domain names, 'guinness-beer-really-sucks.com' and 'lucentsucks.com'. The UDRP therefore limits criticism in the public sphere, if the namespace is considered part of the public sphere.

This juridification of the namespace can be considered as a form of colonisation in a double sense, insofar as the UDRP extended Californian trademark law to the entire Internet regardless of country, and insofar as it applies not just to commercial domains but to all domains.

In the first instance, the international scope of ICANN and the 'universal' sense of the UDRP means that within the namespace ICANN rules apply regardless of national legal regimes. So not only does the idea that 'our national interests are served through market-opening initiatives and efforts to strengthen the protection of intellectual property rights worldwide' ring true, but we can also transpose the reports Schiller cites to the Internet. The US state's interest is still in taking and holding a position of leadership for the United States in the field of international networks

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services, and in creating institutions and systems to which other countries will attach themselves.

In the second sense, the UDRP rules for domain names generically, which means that UDRP rules for domain names regardless of the extension. This way, 'McDonalds' is protected whether in the organisation (org), commercial (com), information (info), and although national registrars draw up their own rules, they tend to follow the institutional guidelines of ICANN. So, not only would existing trademark law be the basis for ICANN decisions, but also ICANN would be responsible for the extension of trademark law to more and more domains of life on an international basis. The UDRP became the legal mechanism through which colonisation would take place.

The orientation of UDRP is made more explicit by the expense of the disputes resolution process. This latter is tendered out to organisations firmly situated in the politically administered economic system, such as the World Intellectual Property Organisation (WIPO). Further to this systemic bias, the fees (at WIPO) of around \$1000 to judge a case serve to discourage contestation by those without the material means. Thus there arises a situation in which we see the merging of technical, economic and political spheres, and the UDRP as a form of juridification in favour of the needs of the economic system.

The UDRP's idea of the 'public good', then, seems to be the efficient functioning of the economic system, as defined in *Technology in*

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the National Interest above. For the institutions governing the development of the Internet, the market system was considered as the best way to ensure this ‘public good’ would be met – substantive needs of the subsystems trumped what people agreed in the formal public spheres, which can be seen in the ‘agreed’ policy on domain naming and numbering, the UDRP.

The forms of public sphere that have been established to mediate technical development may have been formally inclusive, egalitarian and communicative but if their decisions were not conducive to the needs of the state, they would be discarded. The response of Michael Roberts, then CEO of ICANN, to the CPSR’s criticisms of ICANN indicates the cynicism with which ‘democracy’ was met. He noted that,

Railing away at ICANN because it doesn’t meet some ideal model of democracy is likely to be about as effective as complaining that the US Congress is too dominated by the money of those who finance political campaigns (Roberts, 2000)

5.3 Resisting Colonisation: Social Movements and Radical Forms of Use of the Internet

Despite the dominance of the US state, it has always been challenged. The cooperative ‘Internet culture’ noted above encompasses values that may not be explicitly opposed to systemic colonisation but that may certainly be

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tense relation to systemic interests. For instance, Stallman (2001) explains how the juridification of computer software through nondisclosure and copyright agreements in the 1980s radicalised (and illegalised) the cooperative practice of 'hacking' software to improve it, essentially meaning that the 'cooperating community was forbidden' (Stallman, 2001). Beckett (2000) sees the resonance of this 'culture' in the resistance of Internet enthusiasts to the 'commercial exploitation of the Internet' that came in the 1980s and 1990s. These trends have continued through various hackers movements, computing associations such as Computer Professionals for Social Responsibility, at least sections of the Open Source²⁷ movement (Berry, 2004), that all call for the domination of technological development by the economic system and the state to be resisted. For example, the self-proclaimed 'netizen' Howard Rheingold insists that:

citizens must contribute to the dialogue about the way public funds are applied to the development of the Net, and we must join our voices to the debate about the way it should be administered. We need a clear citizens'

²⁷ The code of 'Open Source' software is left open so it can be altered by users to suit their specific needs. Initially, on Beckett's analysis most software was initially open source – early producers allow others to produce and change (or 'hack') software. According to the software programmer (and Founder of the Free Software Foundation) Richard Stallman, this method hacking software was commonplace before the advanced commodification of software in the 1980s, when software programmers began to be forced to sign 'non-disclosure' agreements to protect the integrity of software commodities. These agreements meant they were not allowed to disclose the core programming scripts to the public, so people could not adapt or improve software themselves, giving complete control over development and distribution to the owning corporation. Stallman argues that this meant that the 'cooperating community was forbidden'. Open Source software in contrast allows anyone to make alterations to software (and now digital music, film and other products) to suit their purposes. Often this Open Source software is free to use and alter.

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vision of the way the Net ought to grow, a firm idea of the kind of media environment we would like to see in the future. If we do not develop such a vision for ourselves, the future will be shaped for us by large commercial and political powerholders (Rheingold, 2000: xxi)

Such sentiments have been slow to cross over into the academic literature, though Calabrese and Bochert's (1996) work has suggested that communications be considered as part of a social democratic social policy – under Habermas's later stage of juridification.

Another opportunity to shape the technology stems from the fact that the constitutive structure remains open to a variety of forms of use; in particular TCP/IP still allows any network to be connected, regardless of its internal configuration. I noted above how very hierarchical networks can be imposed on Internet users but, with appropriate configuration, the connections between computers on those networks can also be relatively horizontal. This means that sites for radical public spheres can be produced and interconnected in a way that is significantly different to broadcast television. To this end, a number of forms of computer networking were produced outside of the direct control of the economic system and the state, including community networks (Dutton, 1996; Schmitz, 1997; Tsagarounsiou et al, 1998) such as the WELL (see Rheingold, 2000), the Santa Monica Public Electronic Network, Grandnet, other 'freenets', and in particular PeaceNet, EcoNet, WomensNet, ConflictNet, LaborNet and AntiRacismNet (under the umbrella of the Institute for Global

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Communications) that developed radical forms of use, which, because of the openness of TCP/IP, continue to thrive today. These latter have often been used to support existing physical political social movements and mobilise people in developing new ones on- and offline, and on a number of accounts (Ayers and McCaughey, 2003; Cleaver 1998; Diani 2000; Meikle, 2002; Pickerill, 2003) they have been successful.

A good example of such alternative networks is Association for Progressive Communications (APC, which evolved from the Institute for Global Communications). The APC was established in 1990 as the 'world's first globally interconnected community of ICT users and service providers working for social and environmental justice'. It consists of various NGO and civil society networks serving over 50,000 activists, non-profit organisations, charities and non-governmental organisations (NGOs) in more than 133 countries. Its mission statement makes it clear that the APC aims to defend civil society and social and political movements therein:

The Association for Progressive Communications is a global network of non-governmental organisations whose mission is to empower and support organisations, social movements and individuals in and through the use of information and communication technologies to build strategic communities and initiatives for the purpose of making meaningful contributions to equitable human development, social justice, participatory political processes and environmental sustainability (APC 2002a)

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The APC aims to shape the Internet in accord with its socio-political position, so it is useful to explain this position in order to understand how it aims to influence the development and use of Internet. The APC sees communication and civil society as the two central components of democratic society. Of the former they assert that,

The right to communicate is a fundamental human right. Rights related to access and use of the Internet and electronic communication infrastructure are equally fundamental if ordinary people are to have their voices heard.
(APC, 2002)

To achieve this vision, the APC works with other groups, including Computer Professionals for Social Responsibility, who share their (Habermasian) vision of democracy and civil society:

Civil society is a third sector of society alongside the state and the market. The values underlying civil society include freedom of association, freedom of expression, participatory democracy, and respect for diversity. A vigorous civil society is an important counter-balance to government and business. (CPSR, 2000a)

They find these ideas not only in democratic political theory, but also in the Internet culture that I described earlier. The APC defines this culture as having existed 'when neither commerce nor governments paid too much

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attention to the Internet, (when) the people setting the standards worked within a prevailing “Internet culture” favouring openness and the consensus of all stakeholders’ (APC, 2002).

In accord with these presuppositions, the APC aims to develop networks, Internet access, and *shape* the Internet by facilitating radical forms of use. The explicit strategy of the APC is to make ‘the Internet *work for civil society*’, by way of the ‘development of resources and tools to meet the unique advocacy, collaboration and information publishing and management needs of civil society’, including the provision of news services, public discussion groups, a *Rapid Response* (to economic and political action against APC members) *Network*, the development of applications such as *Action Apps*, which can be specifically tailored to the needs of social movements and civil society groups, and the publication of information, all of which seek to include ‘both local and international perspectives on community issues, which spark new ideas and projects’.

On this account, the APC seeks to encourage and facilitate forms of use specific to civil society, which they counterpoise to the forms of use required by the economic system and state, by defending and promoting ‘non-commercial, productive online space for NGOs’ (APC, 2002a; emphasis added). By so doing, the APC can,

empower and support organisations, social movements and individuals in and through the use of information and communication technologies to build strategic communities and initiatives for the purpose of making

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meaningful contributions to equitable human development, social justice, participatory political processes and environmental sustainability. (APC, 2004a)

Perhaps most importantly, in addition to providing resources for production, consumption and exchange, the APC seeks to affect the structures of the Internet. To this end, the APC sees its role not only in practically developing applications specific to civil society, but also to develop communications policy awareness, and influence policy and technical development. The APC seeks to provide a political platform to ‘ensure that the information and communication needs of civil society are considered in telecommunications, donor and investment policy’. Rejecting the idea that the Internet passively serves their needs, throughout its existence the APC has had a view of the Internet as a communications medium that cannot simply be left to an ‘invisible hand’ to steer. To this end, on the premise that the ‘technical coordination of the Internet’s core resources has unavoidable social, economic, and political consequences’ (APC, 2002), the APC sought and achieved the election of three APC-sponsored candidates to the board of ICANN (APC, 2000). Though it had recommended specific candidates for their ‘pro-civil society’ or ‘pro-development’ standing, the APC also contributed more generally by producing public spheres through discussion groups, encouraging participation by translating documents and using its informational resources and communications networks to distribute information about the Internet,

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its development, the candidates for ICANN and the election process, in part as an attempt to counter the dominance of systemic nominees.

Whether radical forms of use, such as those produced by the APC grow or even continue depends on the development of the dominant form of use. At present, though there are clear signs of economic colonisation of some of the Internet's constitutive structure, it is neither complete nor totalising. TCP/IP remains, especially in comparison to broadcast and print technologies, a particularly communicative technology. Practices such as file sharing testify to its continued openness, wherein any individual computer can, with permission, download files on any other computer – illegal uses of which are proving very difficult to prevent technically without impairing the performance of the Internet overall. However, such characteristics are not necessary – they might not be realised, as can be seen in the restrictive Internet policies in countries like China. Furthermore, even where dominant forms of use are still open, this may change. For example, Graham Meikle (2002) has referred to new innovations in Internet protocols as 'Internet Version 2.0' wherein commercial interests close down other possible forms of use: 'It is the Net as closed system rather than open system'. Kleinrock (2002) also notes that 'as we moved into the 90's (sic) when the commercial world began discovering the Internet and then when the Web appeared and the dotcom craze took over, the open culture was eroded as proprietary claims and controls were instituted'. Lessig (1999) has also drawn attention to the 'architectural changes' that the Internet

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faces, wherein economic interests aim to reconfigure the relations between networks (by altering protocols) to increase control over forms of use.

Perhaps the biggest threat to the current openness of the dominant form of use will come from US telecommunications companies' attempts to change the physical structure and network architecture through the Communications Opportunity, Promotion, and Enhancement Bill (2006). The Bill was introduced on the back of what has become known as the 'Brand X' decision of the US Supreme Court (June 2005), which backed the classification of broadband services as information services rather than telecommunication services. This means that, like satellite or cable television platforms they are not obliged to carry any particular content. This is one of the clearest attempts to extend the economic rationale of corporate capitalism to the structure of the Internet wherein 'Network Neutrality', the idea that the Internet does not discriminate between types of content, would be ended. This would mean that telecommunication companies would be able to give priority routing to certain sorts of content, and even block off content that is not financially viable, a practice that is already widespread but as yet not standardised.

5.4 Conclusion

In this chapter I have shown that the Internet does not have any *necessary* properties in abstraction from its use. As dominant forms of use change, so

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does the Internet. Furthermore, as the configuration of particular networks change, this impacts on how the Internet can be used. The developmental history of the Internet shows how its use has changed from a set of restricted military and research networks available only to a restricted group of people to a rather open and very big set of very diverse networks used in a variety of ways. It should be noted, though, that the main driving force for this expansion was the perceived benefit of the Internet to a particular type of economy. Nevertheless, at the moment the Internet remains open to a variety of forms of use – especially to those forms needed by radical public spheres. To fully understand how such forms of use take place, it is necessary to consider the application structure.

Chapter Six. The Potential of the World Wide Web

6. Introduction

In the previous chapter I showed that although the constitutive structure of the Internet is subject to colonising processes, the latter do not come to entirely determine all forms of use. Rather, colonising processes have two main interrelated effects: they provide a structure for a *dominant* form of use, and thereby influence people's expectations and uses of the Internet, which are shaped by 'consumerism and possessive individualism, motives of performance, and competition'. (Habermas, 1987: 325). At the same time, however, the constitutive structure does not entirely determine, prescribe, or discriminate between the types of physical or application structures. This means that the potential for radical forms of use can be found in networks and application structures.

In this chapter I turn to what I have referred to as the application structure of the World Wide Web (Web) as a particular form of use of the Internet. There have been many applications developed though which to use a variety of networks, such as file transfer protocol (FTP), telnet, Gopher, email and email listserves, and Usenet (newsgroups), which serve to allow the transfer of computer files, remote access to computers, and a variety of ways of mediating human-to-human communication respectively. However, the Web has now become the application most readily associated with

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Internet use. In this chapter I will consider the emergence of the Web and its *potential* for facilitating radical public spheres. As an example of this potential to produce radical public spheres through which critical subject positions can be established, I undertake a case study of the Independent Media Center.

In so doing I raise and address the following questions: What potential does the Web hold for the production of radical public spheres? How can radical forms of use produce radical public spheres, how do these function and what are their 'internal' limits?

6.1 Properties of the Web and the Potential for Public Spheres

The Web grew as a particular form of use of hypertext, which grew as a text-based method of linking documents to each other. In turn there are a variety of forms of use of the Web itself. Before considering particular forms of use, it is useful to consider the potential of the Web. The Web is something of an oddity in the history of media technologies insofar as it was developed without direct military-state or significant commercial oversight. It was also, unusually, developed and controlled by a single person (albeit on the established basis of hypertext) who was not driven by direct commercial or political gain. Building on a 50 year history of hypertext, in 1989 and 1990 the applications upon which the Web is based were developed by Tim Berners-Lee at the CERN physics research

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laboratory in Switzerland, and were made available for the Internet in 1991. His intention was to develop a technology through which research information could be produced, collected and shared easily. This technology came to work in such a way that it integrated various existing applications; that is, like TCP/IP it would provide a foundation upon which other applications could work without prescribing the exact form of those applications. Additionally, the Web was constructed in such a way as to allow new applications to be integrated into it. In a sense, Web protocols act as a meta language through which almost any form of information (images, video, sound and text) can be viewed, and through which other protocols (such as email, databases, ftp and so on) can be used. Berners-Lee developed a language and protocol that was, to all intents and purposes, universal, that is, it could be used by almost any type of computer, running any operating system, to view almost any information and communication format (Beckett, 2000: 28-29).

As the use of Web sites and applications vary, it is worth considering the intentions of Berners-Lee so that we can determine the Web's communicative potential. In fact, Berners-Lee has on numerous occasions expressed his concern that the cooperative and interactive potential of the Web is not being realised. Central to Berners-Lee's vision of the Web was the notion of creating a scalable, distributed, 'neutral', productive space. This is to say that the Web would be a relatively

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horizontal space in which people could work together without particular forms of work (or spaces in which work takes place) being imposed.

Berners-Lee's intention was to create a medium in which 'intercreativity' was possible

I wanted the Web to be what I call an interactive space where everybody can edit. And I started saying "interactive", and then I read in the media that the Web was great because it was 'interactive', meaning you could click. This was not what I meant by interactivity, so I started calling it "intercreativity" ... What I mean is being creative with others. A few fundamental rules make this possible. As you can read, so you should be able (given the authority) to write. (Berners-Lee, 1999)

To this end, the initial Web browsers had not separated the roles of reader and writer or client and server²⁸. Instead, the 'browser' had reading and writing/editing functions built into the same application. This 'intercreative' space was supposed to be open to unlimited participation, made possible also by the scalability of the Internet and Web. As Berners-Lee explains,

²⁸ However, as with the Internet dominant forms of use to which the Web puts hypertext are not strictly non-hierarchical. Rather, the Web splits participant computers into 'servers' and 'clients'. Possible uses of Web sites are configured in the server, which sets it in hierarchical relation to clients and reduces the interactive capacities of Web sites – clients are subordinated to servers. That said, the relations between clients and servers and the degree of interaction depends on how they are configured (any computer can be set up as either, anyone can configure their own computer as a server), and the degree of possible interactive relations can be much deeper than in newspaper or television.

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Anything in the Web can be quickly learned by a person and any knowledge you see as being missing from the Web can be quickly added. The Web should be a medium for the communication between people: communication through shared knowledge. (Berners-Lee, 1998)

The production of content was supposed to take place as an ongoing social act, distinct from other media forms, such as the press and television,

The basic ideas of the Web is that (*sic*) an information space through which people can communicate, but communicate in a special way: communicate by sharing their knowledge in a pool. The idea was not just that it should be a big browsing medium. The idea was that everybody would be putting their ideas in, as well as taking them out. This is not supposed to be a glorified television channel (Berners-Lee, 1999)

Practically, this means that Web sites, and the Web as a whole, can be used as profoundly interactive sites of production and communication.

When contrasted with other media technologies, this potential for radical public spheres becomes clearer, but this is not always recognised. For example, in as much as Habermas has considered the Internet and Web, his concern is that it serves to decentre or fragment a democratic public. Habermas explains that,

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the publics produced by the Internet remain closed off from one another like global villages. For the present it remains unclear whether an expanding public consciousness, though centred in the lifeworld, nevertheless has the ability to span systematically differentiated contexts (Habermas, 1998: 120-121)

By claiming that the Internet produces rather than being produced, Habermas follows the line of considering technology in abstraction from actual use. His analysis fetishises the Internet in a way that is not uncommon. The idea that publics are *produced* by the Internet is clearly inadequate. As I have shown, the Internet produces nothing by itself, and same can be said for the Web. To make sense of either, we must consider potential and actual forms of use.

To this end we can consider the Web as a whole, as described by Berners-Lee above, and also consider the relations between and within particular Web sites. Because the Web lies, as it were, on top of the Internet, the possibilities and limitations of the latter are shared by the Web. Importantly, 'any knowledge you see as being missing from the Web' can be added because it is possible to add new networks and servers to the Internet. If particular Web sites are appropriately configured, 'knowledge' can be added to them too. To this end, the Web is open to participation. As neither the Web nor the Internet as a whole prescribes conditions on participation, it is possible that participation can take place on the

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participants' own terms, potentially creating conditions for intersubjective recognition.

Crucially, though Habermas writes of 'publics' being 'closed off from one another', the Web functions on the basis of hyperlinks. Hyperlinks can be used to ensure that any 'publics' and any data are not closed off. Indeed, hyperlinks connect not just whole Web sites with other Web sites, but also bits of information contained on other Web sites. This means that in addition to Web sites linking to each other, one site can link to utterances, data, images and the like on a variety of other sites, thus providing evidence for claims. Potentially, the discreteness of television and newspapers is eliminated on the Web. The forms of discursive ordering of television and newspapers can also be avoided with the right configuration of links. Because hyperlinking can connect up any bit of content, the sorts of hierarchical ordering of speakers in print and broadcast media can be diminished. This is not to say that such ordering is necessarily absent, but that it is not imposed by the medium – that is, the need for linear narrative is diminished as the communicative breadth is extended (though in practice the dominant narrative forms of use of broadcast and print have carried over to many mainstream Web sites).

Rather than the Web producing publics, *people* can produce publics by using the Web, and specific technologies can be produced to facilitate these publics. Besides the relative cheapness of storage and distribution compared to newspapers and television, the 'intercreativity' that can be

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facilitated in Web sites does seem to offer the possibility of creating the sort of productive public spaces outlined in chapter two. This is so partially because Web content is potentially dynamic, open, editable and debatable in the immediate context of production and consumption a way that content cannot be in broadcast television or newspapers. Unlike the latter, hypertexts can be edited and changed as they are read – Wikipedia (www.wikipedia.org) and Wikinews (www.wikinews.org) are clear (though rare) realisations of this potential. Whereas in newspapers and television the medium separates the moment of production from the moment of consumption, hypertext links the two together – one can participate in production as one ‘consumes’. Thereby one can raise and respond to claims made, provide arguments and present evidence.

The process of production of public Web sites and debates that might take place on them can be less constrained by time and space than with previous media. This is to say that the production of space and the process of debate on Web sites might not be constrained by deadlines, completed products, broadcast slots or editions. The timing and size of Web content may be fluid and can respond to practical need rather than the limits of the process of production and distribution. This fluidity can remove so many systemic constraints on public communication. The interaction that can take place on Web sites can be incomplete and ongoing because free from the sorts of time and space constraints that beset other media. As such,

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the production of radical public spheres can take place on the terms of the producers of those public spheres – when, where and how they are required.

Whilst it is unlikely that communicative practices – or radical public spheres – can colonise the Web as a whole (due to its size, there will always be regressive, abusive, commercial, manipulative, refeudalised, non-communicative uses within some sites and between sites), they can be developed within specific Web sites. So in considering the potential forms of use, it is important to consider specific instances of use, specific sites and the forms of use they develop. To provide an example of a specific space in which a radical public sphere is developed I will give an account of the Independent Media Center. To illustrate the limitations on the use of the Web as a public sphere I shall, in the following chapter, consider the Web as a general space.

6.2 The Independent Media Centers as Radical Public Spheres

6.2.1 The origins and structures of Independent Media Centers

The Independent Media Centers are forms of use of the Internet and Web in which the technologies, content and spaces for interaction are produced in accord with the principles of radical public spheres. They are ‘liberated areas’ wherein radical public spheres are produced through free, non-instrumentalised labour, in which they can challenge colonisation and build

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alternative political practices, and establish subject positions, and an experiential or cultural memory that is not mediated by the subsystems.

The first Independent Media Center was established in 1999 for the purpose of providing grassroots coverage of the anti-World Trade Organization protests in Seattle in 1999, acting 'as a clearinghouse of information for journalists' (IMC, 2003a). Although the Seattle IMC focussed on the Internet, they made use of other media, with the former used as the central coordinating medium. To this end, satellite was used after the Seattle demonstration to distribute documentaries about the WTO and the protests throughout the United States to public access television stations.

The center also produced its own newspaper, distributed throughout Seattle and to other cities via the Internet, as well as hundreds of audio segments, transmitted through the Web and Studio X, a 24-hour micro and Internet radio station based in Seattle. The site, which uses a democratic open-publishing system, logged more than 2 million hits... Through a decentralized and autonomous network, hundreds of media activists setup (*sic*) independent media centers in London, Canada, Mexico City, Prague, Belgium, France, and Italy over the next year. IMCs have since been established on every continent, with more to come (IMC, 2003a)

The IMC continues to recognise the importance of 'broadcast' media, such as pirate radio and television, though they recognise the

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potential of using the Internet and Web to create new ways of distributing audio, video and newssheet content. At the same time, the IMC clearly positions itself in relation to mainstream media, facilitating a form of autonomous communication network, which is not only independent of systemic ownership and control, but also of the 'logics and languages of the mainstream stenographers to power' (IMC, 2004: 14). The IMC is placed firmly in the tradition of radical media.

As mentioned in the above passage, the IMC rapidly expanded beyond Seattle, and now provides public space in scores of sites from South Africa to Brazil and Palestine to Burma. At the same time as the IMC has internationalised, it has also localised. As such, within any national site there may be many local sites, such as Chiapas Indymedia or Leeds Indymedia. Though each IMC has a good deal of autonomy from the others, they are expected to link to each other. Thus, from Mumbai IMC one can follow a hyperlink to Buenos Aries IMC. Though each site will tend to have a specific focus on local issues, they may also contain or link to information from around the world, much of which is translated into a number of languages from Spanish to Hebrew, and Turkish to Japanese. Content may be added from the particular locale or by participants from elsewhere who are interested in another locale. So, for example, IMC UK has content relating to a the eviction of squats in London as well as relating to the civil war in Columbia; the professed location of participants on IMC UK ranges from Wales to Peru.

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There are few restrictions on the production of new IMCs, and a usual pattern of expansion will be that, if there is sufficient interest, IMC participants who use an existing IMC may decide to propose a new local IMC. The motivation for this may be simply a desire for a local forum, such as with Bristol IMC, a response to a specific event, such as Zambia IMC being founded in response to the Conference of Parties of the United Nations Convention on Climate Change (IMC, 2004: 124), or Washington DC being founded to cover the World Bank/IMF protests in 2000 (IMC, 2004: 43). As long as it is willing to subscribe to the IMC's *Principles of Unity* the new IMC will be integrated to the network, and participants will be able to use the IMC's software, servers and domain name (for example, la.indymedia.org or ecuador.indymedia.org).

One of the first attempts to develop a mission statement and principles of unity prescribed a rather comprehensive mission for IMCs to promote 'social, environmental and economic justice', 'to assist the distribution of intellectual, scientific, literary, social, artistic, creative, human rights, and cultural expressions', to 'illuminate and analyze local and global issues that impact ecosystems, communities and individuals', to 'identify and create positive models for a sustainable and equitable society' and to 'aid in a revolutionary social transformation of society that prioritizes people before profit' (IMC, 2004: 139). However, most participants wished local IMCs to develop their own senses of purpose, to consider issues that were important to local IMCs, and to allow the

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participants themselves to determine what they would do. Subsequently the comprehensive mission was abandoned, leaving local IMCs to determine their own mission statements. However, Principles of Unity were retained at the level of the network as a whole.

The Principles of Unity apply in a general sense to all IMCs and state that the IMC network should operate upon principles of 'equality, decentralization and local autonomy'. The IMCs must be not for profit and must not be 'derived from a bureaucratic process, but from the self-organization of autonomous collectives'. To this end, they must develop non-hierarchical and anti-authoritarian relationships and must 'recognize the importance of process to social change, from interpersonal relationships to group dynamics... be committed to the principle of consensus decision making and the development of a direct, participatory democratic process that is transparent to its membership'. IMCs and participants should consider open exchange of and open access to information a prerequisite to the building of a more free and just society, and as such they should utilize 'open publishing', allowing 'individuals, groups and organizations to express their views, anonymously if desired'. Each IMC should be made up of people who are committed to caring for one another and their respective communities both collectively and as individuals. IMCs should promote the sharing of resources including knowledge, skills and equipment and should use free source code software to 'increase the independence of the network' – each IMC may use different software for servers, database operation and

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operating systems, or even use similar software to another, but customised to their needs. Finally, all IMC's should be committed to the principle of human equality, and should not discriminate on the basis of race, gender, age, class or sexual orientation (IMC, 2002).

Though all IMCs are expected to adhere to these commitments, the autonomistic orientation of IMCs means that individual sites are encouraged to inflect them to fit their own circumstances (IMC, 2004: 139-142). For example, IMC UK's mission statement is quite comprehensive politically. It states that it exists to report 'from the struggles for a world based on freedom, cooperation, justice and solidarity, and against environmental degradation, neoliberal exploitation, racism and patriarchy'. To this end, IMC UK rejects 'all systems of domination and discrimination' and acknowledges 'that the struggle for a better world takes many forms. The focus of the Indymedia UK collective is on grassroots politics, actions and campaigns'. The reason for this is that 'inherent in the mainstream corporate media is a strong bias towards Capitalism's power structures, and it is an important tool in propagating these structures around the globe', but this is concealed in 'their manifold biases and alignments'. For IMC UK, their political subjectivity is necessary to combat the systemic inequalities that prevent intersubjective recognition. Thus the independence from administrative and economic systems (and their organisational and professional forms) loosens the material and ideological binds of systemic media (IMC, 2003c).

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Despite the fact that IMC UK retains a somewhat comprehensive political outlook, they retain the use of open publishing or 'direct media'. This system serves to 'create open platforms to which everyone can contribute - not just a small media elite with their particular interests. By eliminating the classic division between professional producers and passive audience, many issues and discussions that were previously suppressed become visible and available' (IMC UK, 2003a). As a consequence of this, 'people are enabled to speak for themselves' (IMC UK, 2003c).

To this end, participants can contribute 'features' that appear in the main column of the front page, 'newswire' items that appear in a secondary column, or they can contribute comments and discuss the main content. Each of these sites of interaction is subject to different conditions of access. Comments and discussions and newswire items are not subject to prior restraint but may be removed on the grounds of discrimination, advertising, inaccuracy, or repetition. They may also be removed if they are unrelated 'rants', if they are 'disruptive' or if they promote political parties or other bureaucratic organisations (IMC UK, 2003b). However, even those contributions that are refused due to the editorial policy are displayed in the administration area²⁹ for all participants to view and if necessary, contest their status. Features, on the other hand, are produced collectively through an email list. Participants can either suggest a feature to the list, which others might agree to work on or submit a completed piece that is then

²⁹ These are stored at http://uk.indymedia.org/display.php3?led=y&first=&edit_comments=y Discussions about what constitutes such content and what to do with it can be vigorous and extensive.

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considered by all members of the features list. If no one objects to the feature within a day, it will go to the main section of the site. Should objections arise, then discussions will take place until agreement can be reached.

The principles of unity and local mission statements result in a network in which member IMCs can develop relative autonomy from state power and economic interests. A particular IMC reflects the lifeworld from which it emerges, reflecting the specific political, cultural and linguistic needs of that area with minimal outside interference. Neither are these needs necessarily mediated externally. This is to say that each IMC can draw up its own policies, produce its own server, create its own network and develop its own software to reflect its needs. So, for example, IMC UK has its own policies, servers, network and software, and a city-based IMC such as Bristol can exist independently of the national IMC by producing its own conditions of existence. This relatively autonomous yet interlinked process of development enables IMCs to facilitate intersubjective recognition between collectives as well as between participants.

Given the autonomy of local IMCs, it is difficult to generalise about funding, but all IMCs are largely funded from donations and, though sources differ, most undertake fundraising events, such as parties and small and large music concerts, and some IMCs have received specific grants. Naturally, different IMCs have been able to attain different levels of funding, so that, for example, Los Angeles IMC has been well funded,

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whereas Mumbai IMC is poor in comparison. These differences tend to reflect the different levels of economic and political development of the states in which they are situated. Because of this, some attempts have been made by wealthier IMCs (or IMCs in wealthier countries) to assist poorer IMCs, hence the global IMC's undertaking of 'global' financial matters under auspices of the Confederated Network of IMCs, containing representatives from each IMC and each working group.

6.2.2 Producing IMCs: participation in development

As noted in chapter four, radical media projects produce public spheres in a number of ways. Participation in general areas of IMC policy and development takes place in public spheres created through email lists, participatory Web pages such as Twiki (a fully interactive Web page that participants can alter and add to at will) to create, manage and alter documents, and Internet Relay Chat (IRC, a text-based real-time communication system) for online meetings. All of these applications are accessible through the Web interface and makes participation possible for all interested parties. Most IMCs also facilitate physical meetings in local communities, and there are annual national network meetings and global online meetings.

The primary method of participation in policy and technology development is in the email lists, consisting of 'process' (including the

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structure of IMCs and general issues), technical issues, legal issues, outreach (relating to community and political activism) features, video, audio, print, photo, translation, finance, events, specific issues, research, and evidence (relating to police arrests). Every single IMC has its own set of lists, which may include some or all of these topics. The lists are formally open to the participation of any interested party. IMCs also take advantage of what they refer to as a 'social network' (IMC 2004: 124) that includes IMC participants, but also reaches into, academia, law, media activism, computing, protest groups, pressure groups, social movements, civic and community groups and so on, all of whom are also able to participate in IMCs. Because of this form of networking, they are able to draw upon a very broad range of resources without formalising these relations. For example, IMCs may receive technical developmental support from IMC participants as well as 'outside' sympathetic computer programmers, drawing on the cooperative traditions of what I have described as 'Internet culture'. Similarly, participants and sympathetic groups and organisations donate various pieces of hardware to IMCs. Those setting up and organising IMCs, can rely on the social network for advice and problem solving.

The decision-making process for IMC policies seems to have been influenced by Internet culture, and is based on the 'rough consensus and running code' proverb of the Internet Engineering Task Force and the IAB. This is to say that discussions take place on the mailing lists and in the

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meetings, and suggestions are acted upon when there are no substantial disagreements. The important point is to be able to make decisions and act on them. The ideas behind the IMC's adoption of such an approach resemble Habermasian discourse ethics taking place in communicative public spheres (and the formal practice of the IAB),

We believe that it is inherently better to *involve every person who is affected by the decision in the decision-making process*. This is true for several reasons. The decision would reflect the will of the entire group, not just the leadership. The people who carry out the plans will be more satisfied with their work. And, as the old adage goes, two heads are better than one (Indymedia, 2004: 68; emphasis added)

Though there is no formal hierarchy in IMCs, 'leaders' emerge as a result of their labour and participation, for a 'prerequisite for participation in the decision-making process of each local group is the contribution of an individual's labor to the group' (IMC, 2004: 34). On this basis the leaders tend to be the ones who implement the policies, technical or otherwise.

The IMC's general decision-making procedure uses a process referred to as Formal Consensus. Formal Consensus resembles Habermasian discourse ethics not just because it involves everyone affected, but also in its conscious attempt to resist strategic communication, 'the point is to prevent covert disruption, hidden agendas, and malicious

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manipulation of the process' (Indymedia, 2004: 72). To affect Formal Consensus, the IMC procedure requires

a commitment to active cooperation, disciplined speaking and listening, and respect for the contributions of every member. Likewise, every person has the responsibility to actively participate as a creative individual within the structure (Indymedia, 2004: 68)

Recognising the difficulty of consensus even in situations in which there is a reasonable background agreement, the IMC legislate for irresolvable disagreement,

When a concern has been fully discussed and cannot be resolved, it is appropriate for the facilitator to ask those persons with this concern if they are willing to stand aside; that is, acknowledge that the concern still exists, but allow the proposal to be adopted (Indymedia, 2004: 77)

Under such circumstances, a disagreement that cannot be resolved is held over for future discussion. However, if an issue has been resolved, then it 'does not deserve additional discussion, unless something new has developed' (Indymedia, 2004: 77). The process of decision-making in the IMC resembles another aspect of Habermas's theory insofar as it posits a layered model of decision-making, the important difference being that on this model the participants and forums remain the same,

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in the first level, the idea is to allow everyone to express their perspective, including concerns, but group time is not spent on resolving problems. In the second level the group focuses its attention on identifying concerns, still not resolving them. This requires discipline. Reactive comments, even funny ones, and resolutions, even good ones, can suppress the creative ideas of others. Not until the third level does the structure allow for exploring resolutions, and whereby at each level, the scope narrows (Indymedia, 2004: 73)

This model also stretches consensus beyond simple agreement, because on this analysis consensus must be premised upon conflict,

it is the underlying thesis of Formal Consensus that nonviolent conflict is necessary and desirable. It provides the motivations for improvement. The challenge is the creation of an understanding in all who participate [in] that conflict, or differing opinions about proposals, is to be expected and acceptable. Do not avoid or repress conflict. Create an environment in which disagreement can be expressed without fear. Objections and criticisms can be heard not as attacks, not as attempts to defeat a proposal, but as a concern which, when resolved, will make the proposal stronger (Indymedia, 2004: 78)

Against the understanding of policy and technological development as necessarily embodying instrumental reason, the IMC subsumes

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instrumental rationality under communicative decision-making procedures. To this end, the system of open publishing characterises other processes within the IMC, affecting its application structures. The technological development of the IMC is largely 'in house' insofar as IMC activists develop servers, networks and software openly, communicatively and independently of systemic needs. The IMC Tech Working Group not only allows anyone to get involved in technological development, but also offers training for those with the political interest but without the technical know-how. Thus we see that 'technical' decisions are 'social' and 'political' decisions. It is not just the case that these technologies make participation in radical public spheres possible, but also that participation is encouraged in the continued development of the technologies through such public spheres.

6.2.3 Producing IMCs: participation in producing content

The structure and organisation of IMCs lend them a degree of autonomy from the economic system and the state. Their openness to participation in development on a cooperative basis, and the local autonomy of particular IMCs entails that control remains with participants. However, in considering IMCs as radical public spheres it is not enough to consider just their structure and organisation. It is also necessary to consider content in the form of initial contributions and responses to them. Because of the

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structure and organisation of IMCs, in considering the production of content it is necessary again to draw on the experiences of a particular IMC. To this end, I analysed 134 newswire submissions to IMC UK and responses to them between 21st and 27th March 2002. The sample was selected at random and is intended to give an indication of the type of content being produced. This is indicative rather than positivistic due to the fact that IMCs change, centres differ from one to another in terms of practices and organisational arrangements, and because of the methodological issues raised.

Content on IMCs can be contributed by simply using the Web interface to post a name (or pseudonym), a title and then content, be it text, photograph, audio, video or any combination of these; hence the IMC motto, 'Don't hate the media, be the media'. In addition to being able to initiate discussions by posting news items and features, IMCs facilitate debates – through the addition of comments – with few editorial limitations. In fact, editing only takes place, in exceptional circumstances, after stories or comments have been published.

Because the production of IMC content is not subject to the sort of time and space restrictions of systemic media, it tends to be irregularly produced. There is no set frequency of submission or publication of features, newswire items or comments, the lengths of contributions are only roughly specified for features. A feature or newswire item may prompt no response, or any number of responses from any number of people. Further,

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as editorial guidelines are quite loose, content covers a broad range of issues, interests and experiences. Subject matter addressed on IMCs includes capitalism and anti-capitalism, environmentalism, war and peace, assorted rights, and questions of inequality, as well as more 'conventional' issues, from trade unionism and local government to the traditional role of May Day, and the need for public gardens. The reports analysed in this research certainly reflect this diversity of content, and of location. In the sample analysed in this research, content ranges from peat bog destruction in southern England and evictions of squats to strikes in Nigeria, and Scottish Solidarity with the Australian anti-Detention Movement.

Table 1: Ratio of Report Subjects on IMC UK 21st – 27th March 2002

Report subject	Percentage of reports
Media	7
War and conflict	16
State action against activists	10
Human rights and immigration	13
Environment	7
Political violence	4
Demonstration planning/reports	5
Other activities	12

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International politics	9
Economics	3
Workers' struggles	5
Others	9

Content may include original reports, analysis of current affairs, reposting (and sometimes critiquing) articles from elsewhere, publicity for events, political actions or social movements, as well as reports on them and analysis of them.

IMC UK is therefore distinct from systemic media in terms of the participatory form of content production, the critical nature of content, and in terms of the range and subject matter of content. Besides the republication of articles from elsewhere none of the reports included references to elite groups and none prioritised 'established opinion'. In fact the latter almost always met with criticism. The distinct difference between IMC UK and systemic media insofar as radical public spheres are concerned is that participants can respond to content without being mediated through a journalist or moderator. Of the 134 reports, 67 (50%) received responses, though only 18 (13%) included ongoing interaction between those responding; that is, only 13% of postings could be said to be constituting a discussion. 24 (18%) of the reports responded to involved no more than one comment by a respondent. It was not possible to respond to feature articles at the time I analysed the sample.

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On the occasions that there is ongoing interaction, there is some evidence that reasoned argument takes place, though it is, as expected, unruly. One discussion arose in response to an article republished from another Web site that explained that the invasion of Afghanistan threatened to alienate and radicalise British Muslims, and explained the response of the intelligence services to this. The first comment on the article came from a participant with the name 'Mos-Sad', who replied

What do you expect British Muslims to do? Join the UK armed forces and go bomb what's left of their families in Iraq and Afghanistan? Britain has declared a racist war on Islam, they are entitled to defend themselves, as Palestinians are forced to do, under illegal Israeli occupation

Though the reply is somewhat confused, it raises the issue of the responsibilities of British Muslims. The first reply came from someone who supported the original article, 'Jack',

First you say they're "british", then you say "you can't expect them to fight for Britain". Hmm, interesting. Why don't you just say they're Muslims living in Britain, which is what they view themselves as as well. They don't have any loyalty to Britain.

The aim of the next post, from 'Publica', was to question the right of the original poster and 'Jack' to contribute to the discussion, claiming that the

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'article is "politely" worded anti-Muslim hate speech' and that 'Indymedia has been set up to cover social, environmental and anti-capitalist actions and ideas, not to provide room for bigots and racists like you. So stop spamming this site'. Following this attempt at 'closure', 'Yossarian' attempts to engage 'Jack' by arguing

Like millions of Muslims I was born in Britain, but I am a Christian. I don't support this "War against Terrorism" (based as it is on the beginnings (*sic*) of the establishment of a "New World Order"), does this mean I am a "Christian living in Britain"?

'Jack' responds by again questioning the 'loyalty' of British Muslims, and suggests that 'we' ought to oppose the attempts of Islamic fundamentalists to establish an 'Islamic state' in Britain. 'Zedhead' makes the next posting in response to 'Jack', arguing that he and others are attempting to desensitise people to the suffering inflicted on Muslims around the world, and especially the 'abuses of Arab and Muslim human rights in the Western bastions of Anglo-Saxon "liberal democracy"'. At the same time, though, he attempts to question the right of 'Jack' to discuss the issue and to question the interpretation of the original article in the context of IMC UK,

the comments in response show how important it is to explain why you are posting something because there will always be racist idiots on the loose... would the original poster care to clarify?

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No one did, and the discussion returned to the issue of loyalties and the issue of multiculturalism. 'Pearly Spencer' argued that 'Muslims don't have to be loyal to Britain any more than flying pigs of the RAF need to be loyal to Saudi Arabia when they're there, or indeed that anybody needs to be loyal to any state'. Towards the end of the discussion, 'Jack' again asserts that Islamic fundamentalists wish to set up an Islamic state in Britain, and when challenged, claims that this will result from the 'high birthrates', 'lax immigration' and conversions all favouring Muslims. At this stage, rather than continue to challenge 'Jack's' arguments, he becomes dismissed as a British National Party agitator and is eventually left alone.

Another discussion centred around a commentary by 'A/E' criticising 'McDonalds Workers Resistance' (MWR), a McDonalds workers association campaigning primarily for better pay and conditions and against 'McDonaliation' more generally. The critique argues that McDonalds is part of a system of exploitation that cannot be changed from within, because by working for McDonalds they are sustaining its system of exploitation (especially of the environment, animals and indigenous peoples).

The first response from 'Lentilshaper' pointed out that while 'anarcho-syndicalist' groups such as MWR have tended to ignore environmentalist and feminist critiques, most McDonald's workers have little choice of employment. The post also pointed out that their

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understanding that 'abuse will continue until we have a society where resources are controlled from the bottom up' is credible. The next comment raises a similar point, that most McDonalds employees are immigrants who have little choice of work, and that if 'starving or begging on the street is the alternative to working in fast-food chains, they and maybe soon, we, will have little choice but to contribute to the slaughter, of animals and humans in corporate companies'.

After a couple of 'flames' ('flaming' refers to a situation in which participants desist in argumentation in favour of torrents of abuse) the discussion turns to whether it is better to organise all workers to take control of production or to undertake economic sabotage of McDonalds. After this a participant called 'Webel' claims to be a former member of MWR. This participant explains that

MWR did start out because we were pissed off, bored and underpaid. And, in fairness, we probably didn't understand very much beyond that. There's no shame in that, did you come out the womb quoting comrade Kaczynski?

'Webel' goes on to explain that A/E has misunderstood MWR's aims.

Webel argues that

that we want an end to all wage labour, and a transformation to an ecological, communist society, but it's not a good idea to start ranting on

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about that to every pissed off employee that wants to start fighting back. People learn and develop through being actively involved in struggles. We have anyway.

And then reiterates an earlier point that it is unrealistic to expect that people can either find 'ethical employment' or be unemployed, that these are certainly not ends in themselves, nor are they adequate means to transform society. A response to this came from the original poster, wherein A/C quotes the MWR Web site to assert that it is simply self-interested: "and through the network we can work together for higher wages, better conditions and a greater degree of control over our working lives" ... straight from your site, nuff said'. Webel responded with another citation from the MWR Web site

"One week your (*sic*) wanting a few pence more an hour and to get the managers off your back, before you know it you're worried about all sorts of things: peasants displaced from their land by cattle ranching in Brazil, the conditions dairy cows live in, rainforest depletion and climate change ... There are tens of thousands of campaigns like ours going on all over the world, and we've all got a common enemy- capitalism. Many of these diverse struggles are linked together by a network called Peoples' Global Action (PGA)" Straight from our Website, nuff said

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Some participants then move to 'flaming', accusations and insults and the discussion ends with no agreement over the issues raised.

This lack of agreement so often stems from a lack of genuine engagement on the part of some participants. For example, a piece by an anarchist group opposing the involvement of Globalise Resistance in the London May Day celebrations was followed by claim and counter claim about how different groups had made mistakes in the past, with anarchists claiming that Globalise Resistance wish to organise events that are 'pro-Labour, allowed-by-the-state, policed and stewarded by people who have the state inside their head', and with others complaining of the anarchist's 'pretend "confronation" (*sic*) with the system'. A number of participants made the point that there is no need to impress one single mode of protest on the whole day, drawing examples from other 'powerful' protests such as those that occurred in Seattle in 1999 and Genoa in 2002 wherein 'anti-capitalists and trade unionists marched and fought together. There is a strong case to be made that this is what the state is afraid of'. Another participant added that legal events are necessary for immigrant political groups who run a greater risk taking part in illegal activities. This participant went on to suggest that

We want a demo on the scale of the 3 million that just marched in Rome, now I know it won't be that big! But getting the backing of several Unions means that numbers will be mobilised, and I for one find mobilising thousands of people to begin to question and organise against the system

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far more radical and democratic than the actions of a self-selected elite few.

These participants had raised a number of points that could be directly engaged: that the anarchists' position is not realistic, that different modes of protest can co-exist, that some groups would need to cooperate with the state because of their legal status, and that a broad front is more powerful and democratic. However, none of the next nine comments engaged these points. Instead the next contribution claimed that whereas the anarchists 'can hold our own protests on our own terms', those seeking legal protests go 'cap in hand to the authorities to seek their approval'. The next makes that claim that 'we' should not 'cooperate with parasites like the SWP, whose only interest is in manipulating social movements for their own ends so as to recruit members to their party'. Neither do these arguments elicit responses. While neither set of arguments is invalid in itself, the problem is that they do not meet; there is no evidence of intersubjective recognition and no genuine attempt to engage points made. This is of course not a necessary problem with the medium, but rather it illustrates attitudinal issues with these particular participants.

As IMCs change, I analysed a further 41 reports between 3rd and 6th September 2004 to see if there has been any significant changes in content or interaction, in view of the fact that there had been no significant changes to the editorial rules or the form of the forums. Overall, content remained similar with a mixture of calls to actions, reports on actions, and other

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reports on war and conflicts, local, national and international politics, human rights issues, environment and so on. Just over 50% of the reports received responses but only one prompted a significant reasoned debate, in which Islamic terrorism was compared and contrasted with Western state violence. However, this is partially due to the fact that main features on IMCs began to attract more attention and allowed comments – between August and the end of September 2004 of 14 features, only three received no comments and all but two received more than one.

Though IMCs make provisions for participation, as shown above the extent and quality of interaction fluctuates. Nevertheless, the space does stand open ‘in principle, for potential dialogue partners’, much more so than in television and newspapers, especially as even every uncontested contribution is evidence of participation.

6.3 Reflection and Questions of Design

The above difficulties with the functioning of IMCs as radical public spheres are in some respects issues of design. Ultimately ‘the success of deliberative politics depends not on a collectively acting citizenry, but on the institutionalization of the corresponding procedures and conditions of communication, as well as on the interplay of institutionalized deliberative processes with informally developed public opinions’ (Habermas, 1996: 298). Thus, Habermas argues that the general informal public sphere

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demands a *discursive structuring* of public networks and arenas in which *anonymous circuits of communication* are detached from the concrete level of simple interactions. An informal opinion-formation that prepares and influences political decision making is *relieved of the institutional constraints* of formal proceedings *programmed to make decisions*. These arenas must certainly be constitutionally *protected* in view of the space they are supposed to make available for *free-floating opinions, validity claims, and considered judgements* (Habermas, 1996: 171; emphasis added).

So, despite Habermas's reservations about 'electronic media', because institutions must be designed in accord with certain requirements, so too can media and communications technologies and the public spheres that they are used to create. To this end, IMCs have attempted to design and produce radical public spheres. Certainly IMCs provide more open and dialogical public spheres than those provided by systemic media. In the tradition of radical media projects, the distinctions between producer and consumer, writer and reader, technician and editor, and so on have been reduced on IMCs. Consequently, the control, management and filtering to which discourses are subject in other media are diminished. This results partially from the political beliefs of core participants, and partially from the technical characteristics of the Web and the Internet. Indeed, the IMC is one of only a few examples of where Berners-Lee's concept of inter-

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creativity, utilising the potential of the Web (if not hypertext), has come to fruition.

Crucially, because the public spheres created by IMCs are produced by participants they are open to constant reflective evaluation. Because of the ability to control the technologies they use, as well as the organisation of IMCs more generally, and the conscious attempt to be technically and organisationally independent of systemic imperatives, IMC participants are able to easily alter and redesign the form of use. To this end, spaces can be changed to better enable participants to perceive, communicate and amplify problems, to receive and engage the communication of the problems of others, comparing their concerns with those of others, and discovering that there might be common problems, common causes, and common solutions.

It is therefore necessary to consider which problems stem from the technologically mediated environment, and which stem from the social environment of participants. This understanding will enable us to consider how changes to IMCs may affect more adequate spaces for discussion, as well as how the possibility of change is limited.

6.3.1 Attitudinal issues: anonymity, sincerity and responsibility

There are a number of issues raised by the production of IMC UK content, especially in terms of the discussions that constitute a large part of it. A number of problems in discussions seem to stem from the anonymity

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afforded to participants. Given that the critical nature of IMCs attracts the attention of the various people and organisations wishing to prevent them, IMCs have taken a conscious decision to guarantee the anonymity of participants. So, participants in IMCs need not identify themselves beyond a name or pseudonym attached to the comment. Anonymity contributes to a greater sense of freedom amongst participants, though this freedom has some negative consequences. These can be analysed as internal – to the participant – effects, and intersubjective effects.

In the first instance, Sherry Turkle (1997) and Mark Poster (1997) have both emphasised the liberating effects of anonymity. Turkle has argued that anonymity can be positive insofar as it allows people to express different sides of their personality and become freed from the social demand for conformity. Poster has argued that anonymity has ‘democratised’ the subject, removing the subject from having an identity impressed upon her or him. Both have pointed to the benefits of self-definition that anonymity brings. However, the absence of constraint does not necessarily result in intersubjective or communicative freedom constitutive of subjects participating in a public sphere. Turkle’s and Poster’s ideas on the implications of anonymity contest what might be deemed ‘good’ conditions for political engagement. The idea of the ‘self-construction’ or the supposed ‘democratisation’ of the individual subject may contribute to the denial of one’s real objective status as a culturally embedded person, of how that embeddedness shapes the person, and of how

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social change (as opposed to withdrawal) can change that objective status. Furthermore, the fragmentation that Turkle refers to does not lend itself to coherent political discussion.

Following from these are the intersubjective effects of anonymity. As I explained in chapter one, communicative freedom depends on responsible actors practicing intersubjective recognition. Habermas explains that ‘communicative *freedom*’ consists in the possibility ‘of responding to the utterances of one’s counterparts and to the concomitantly raised validity claims, which aim at intersubjective recognition’. It ‘exists only between actors who ... want to reach an understanding with one another about something ... and expect one another to take positions on reciprocally raised validity claims’ (Habermas, 1996: 120). On Habermas’s account, communicators must *want* to reach agreement and *expect* certain behaviour; little is taken for granted. Indeed for Habermas (1996: 108), even under ‘conditions of communication that enable the free processing of topics and contributions, information and reasons in the public space (are) constituted by illocutionary *obligations*’ (emphasis added). Surely one needs to know with whom one is communicating with in order to know whether one’s interlocutor is acting in accord with their communicative obligations. Though IMCs encourage participants to be honest and sincere (IMC, 2004: 20), it is reasonable to suggest that anonymity may not be conducive to the sort of *attitudinal* reciprocity that Habermas demands of actors in a public sphere, perhaps helping to explain why so few of the

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submissions analysed received responses, and when they did they were uncommunicative.

Because of anonymity, participants may be able to assume a number of identities in a debate, some to support participant A and some to lambaste participant B. Some participants may disengage from a debate, with her or his anonymity making it impossible to be encouraged to continue and defend reasons proffered, or they may continue under a new identity. Again, the illocutionary obligations to make good and justify reasons are missing under conditions of anonymity. Ultimately anonymity may too easily allow the manipulation of a debate with hidden intentions or motives, such as to prevent the debate taking place at all. To this end, George Monbiot (2002) has identified the creation of fake citizens online by public relations firms in order to make dishonest interventions in public spheres, with the view to discrediting speakers rather than engaging in rational debate. It also makes it easy for political opponents and the state to infiltrate.

Such effects of anonymity for communication on the IMC may be seen in their claims to have had their sites spammed by right wing groups and state security forces (IMC, 2004: 12). IMCs have claimed that ‘some obvious undercover trouble makers have appeared, sent from various security agencies—local police, FBI and perhaps even military agents in the post 9-11 militarized atmosphere’ (IMC, 2004: 121). However, anonymity makes it easy for ‘security agencies’ to infiltrate IMCs without being

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noticed, especially in absence of IP logs. However there is little evidence that such actions would be any more or less frequent without anonymity. Further to this IMCs have claimed to have been 'besieged by crank posts. Occasional racist slurs and even a sort of "left spamming"' (IMC, 2004: 118). Although anonymity may encourage 'spammers' (those who use the means of communication to distribute large numbers of adverts and other irrelevant information), 'trollers' (those who wish simply to argue for argument's sake, often inducing argumentation by 'baiting'), and 'flamers', of the 134 reports analysed, there were only 2 cases of spamming, and 1 troll – though in such unruly spaces it is difficult to distinguish flaming from impassioned argument. Indeed it is worth noting in the first discussion above 'Jack', posted somewhat analytical, and not explicitly offensive, reports on immigration, but was ostracised and charged with being a suspected BNP activist and was therefore considered as unfit for engagement. However, he was one of the few regular participants who identified himself consistently.

It is certainly a mistake to believe that all IMC communication suffers under conditions of anonymity. 'Trolls', 'spam' and the like seem to be the exception to IMC communications perhaps because of the efforts of participants to prevent it. Further to this, the degree of anonymity is moderated by the fact that local IMCs do have physical meetings, and regular participants do come to establish firm identities. Also, other characteristics of IMC Web sites – such as their archival and search

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capacities can balance out some of the problems of responsibility. Discussions on IMCs are recorded in text, so that statements and reasons can be referred back to, traced, and checked for consistency, coherence and so on. The time and space made relations on IMCs could also enable participants to take time and space to research (using hyperlinks to present evidence) and reflect rather than respond on the spur of the moment.

Web-based discussion forums can, then, also afford participants a considerable amount of responsibility. This might be configured in the technology used by IMCs, especially if statements can be attached to the *same* participant, and if those participants can be informed when there is a reply. This may help prevent the use of IMCs as 'sounding boards' (Wilhelm, 1999) wherein people participate without considering reciprocal duties of interaction. It is indeed possible to configure IMC sites so as to tie utterances to participants through registration systems or through IP address logging. This possibility was raised in IMC discussions in October, 2005, but was rejected on the grounds that anonymity is seen as an important form of protection of participants from the coercive forces that Habermas downplays, outweighing the limited problems of anonymity. As I shall show in the following chapter, the IMC's concerns are well founded. The problem for IMCs may be that they must accept that 'uncommunicative' behaviour will occur in content-discussions. However, individual IMCs take different approaches to uncommunicative behaviour. For instance,

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Bristol IMC uses the email list to discuss the behaviour of participants and agree on the possible banning of uncommunicative participants.

This contrasts with the forms of discussion on the email mailing lists, which are subject to more formal rules in the form of Formal Consensus, in which participation takes place by email, giving a greater sense of identity and therefore a greater sense of responsibility. This sense of responsibility also consists in the fact that the discussions must result in decisions by which participants are bound. It seems that such a motivation for discussion increases the seriousness with which participants approach it. Therefore the motivation to fulfil reciprocal duties stems from the discursive situation.

Uncommunicative behaviour is, however, not necessarily a problem of IMCs or the Web and the Internet per se. It is not the case that responsibility is something that otherwise exists and is challenged only on the Web. It is an attitudinal requirement that has to be realised by participants. To blame the Internet for something that is a more general phenomenon is to present a partial explanation. In addition to the general irresponsibility that motivates capitalism, Garnham (1992: 367) suggests that 'while the rights to free expression inherent in democratic theory have been continually stressed, what has been lost is any sense of the reciprocal duties inherent in a communicative space that is physically shared'. Kierkegaard long ago made similar criticisms of newspapers, which allowed 'someone who is no one ... (to) set any error into circulation with

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no thought of responsibility and with the aid of this dreadful disproportioned means of communication' (cited in Dreyfus, 2002: 78). Further, Dreyfus' (2002: 86-88) argument that responsibility is *reduced* on the Internet because 'any commitment I make does not get a grip on me because I am always free to revoke it' abstracts interaction on the Internet from social context (outside the Internet), and because makes a false contrast with a perfect 'offline' community in which peoples' commitments are irrevocably binding. Nevertheless, it would be folly to disregard the negative implications of anonymity, but perhaps they are unavoidable consequences of radical public spheres.

6.3.2 Openness, participation and the problems of pluralism

The degree of openness of IMCs may be seen to create problems for the production of content and for discussions. Again, though these problems can be seen as general issues in pluralistic societies, which become compounded with the demand that radical public spheres be open. Habermas asserts that 'every encounter in which actors do not just observe each other but take a second-person attitude, reciprocally attributing communicative freedom to each other, unfolds in a linguistically constituted public space. This space stands open, in principle, for potential dialogue partners who are present as bystanders or could come on the scene and join those present' (Habermas, 1996: 361). As noted, this principle of access

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(Rehg, 1997: 226) is necessary for radical public spheres to avoid the formal and substantive exclusion of the bourgeois public sphere and public spheres of production.

In addition to formal openness, most IMCs make some material provision for encouraging participation. For example, IMC UK has tried to enhance participation by 'establishing "Public Access Terminals" on the streets, facilitating direct access to the technical equipment that enables participants to upload to the Website' (IMC UK, 2003b). Similarly, the original Seattle IMC participants hired a shop in which they created a public access space, and other IMCs have had access points in Social Forums, such as those in Genoa and Florence and now all over Europe. On occasion, IMCs can attract a massive number of participants. For instance, the global IMC claims to have registered 1.5 million Web site page views during the 1999 World Trade Organisation protests in Seattle, more than a million during the 2000 protests against the WTO and IMF in Washington, and 5 million during the week of the 2003 G8 protests in Genoa. Under normal circumstances, the global IMC Web site claims to register around 100,000 page views per day.

Perhaps, though, there is a trade-off between the openness required in the informal public sphere, and the exclusivity of the lifeworld resources upon which understanding is supposed to be based. Habermas (1987: 184-5) argues that 'technologies of communication make possible the foundation of public spheres... (when) they see to it that even concentrated

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networks of communication are connected up to the cultural tradition' because 'what counts as a reason or ground also depends of course on the background cultural knowledge that the participants in communication share as members of a particular lifeworld' (Habermas, 1982: 270-271). Thus, for rational discourse to take place 'one has to speak the same language and, as it were, enter the intersubjectively shared lifeworld of a linguistic community in order to benefit from the peculiar reflexivity of natural language' (Habermas, 1988: 217). So for example, Willhelm's (1999, 2002) study of newsgroups found little evidence of rational debate or a shared normative basis from which to make and evaluate claims.

However, there are problems in evaluating Web communications against a measure that does not exist. As I argued in chapter two, public spheres may or may not include participants from a single homogenous lifeworld. Cultural, class, religious, political and social pluralism is a condition of modern societies that cannot be ignored or imagined away. It is not just pluralism within a nation state that may result in communicative problems, but the fact that the economic system and the state, and problems raised therein, stretch beyond single political and cultural communities and individual nation states. So experiences, the recognition of problems and the solutions to them necessitate engagement with diverse constituencies. As the boundaries of inclusion stretch, as they must, the resources that participants can draw upon, and their background presuppositions, which include differing interpretations and experiences of the issues and concepts

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under discussion, also diversify. Habermas understands the ‘risks’ of pluralism, as they have been increasing throughout human social evolution, in which ‘the need for reaching understanding is met less and less by a reservoir of traditionally certified interpretations immune from criticism’ and more ‘by *risky*, because rationally motivated, agreement’.

Consequently, where IMC discussions do become unruly, this reflects broader socio-cultural diversity rather than a problem specific to IMCs. It is important, then, that IMC participants accept that openness will result in diverse and difficult participation in which there may be no pre-existing shared validity basis for claims. Such conditions do not require withdrawal and exclusion – even incidentally – (as with ‘Jack’) but sincere, intersubjective and ongoing engagement. The alternative is a form of introspective self-referential, non-reflexive, solipsistic non-public spheres which are ‘closed off from one another like global villages’, and that Sunstein (2001) has argued to be an ongoing characteristic of Internet communication.

It would be a mistake to charge that IMCs *cause* certain types of behaviour or that they *create* conditions in which the sort of communication practice in radical public spheres cannot be realised. The autonomous self-organisation of local IMCs certainly holds the potential to facilitate both the form of ethical discourse in which participants ‘express an authentic, collective self-understanding’, but at the same time, their openness may serve to fragment this. So too the idea that the ‘the ethnocentric perspective

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of a particular collectivity' can expand into a 'comprehensive perspective of an unlimited communication community, all of whose members put themselves in each individual's situation, worldview, and self-understanding, and together practice an ideal role taking' is perhaps possible but stymied by attitudinal issues affecting ordinary people as well as by the incomprehensibility of conflicting political worldviews.

This is not to say that all communication in IMCs fails to reach rational-critical criteria of public spheres. On the contrary, the processes of policy and technical development of IMCs and the production of features tend to be more communicative than the production of newswire items and many, though not all, of the discussions that take place in response to content. The processes of policy and technical development of IMCs can be argued to constitute public spheres more strongly, perhaps because decisions have to be made on the basis of a consensus. Therefore, the discussions are more rigorous and participants have a greater interest in justifying their claims. Perhaps another reason these public spheres are more communicative is that participation and editing has de facto become more restricted, not least to ensure that decisions get made, and that those involved in decision-making are sympathetic to the IMC cause. Jenny Pickerill (2003a) has confirmed this finding in her research on the Australian IMC network.

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6.4 Conclusion

In this chapter I have illustrated how the Web can be used to facilitate the cooperative production of radical public spheres, which was illustrated by the case study of IMCs. I showed that the form that IMCs take is very close to the sort of radical public sphere outlined in chapter two. I also pointed to a number of problems faced by IMCs. However, I argued that these problems are not problems with the technology as such, but are rather more general problems of the sort outlined in the first parts of chapter two; the technology itself does little to relieve these problems.

Although IMCs are a good example of how the Internet and Web applications can be used to facilitate the counter-production of radical public spheres connected to broader general public spheres, they are not the dominant form of use of the Internet and Web, nor do they exist in abstraction from the economic system and the state. As with other radical media projects, IMCs stand to become marginalised due to the demands of the economic system and the state, and their dominant forms of use, disabling alternatives or marginalising them as they become hidden in a colonised Web. This process of colonisation will be investigated in the following chapter.

Chapter Seven. The Development of Dominant Forms of Use of the Web.

7. Introduction

The Web can be used to produce radical public spheres. Despite their shortcomings, IMCs are significant and relatively successful examples of this. However, it is a mistake to consider IMCs in abstraction from the world in which they are situated – a mistake to consider them as fully autonomous or fully liberated spaces. Rather, IMCs are framed by the economic system and the state, which ‘organise... society hierarchically and deploy... persons acting within it’. They are also situated in a Web that is subject to dominant, colonising forms of use that may work to marginalize certain subject positions. To illustrate this, in this chapter I will consider three main sources of colonisation *within* the Web: the coercive functions of the state against dissent through the use of repressive law; the influence of dominant forms of production and distribution – what Kluge and Negt referred to as public spheres of production – by the state and economic system, and the associated juridification of dominant content; and finally, colonising pressure on the Web’s SCB through which attempts are made to impose a dominant form of use of the structural properties.

To this end I raise and address the following questions: What limits does the state place on radical public spheres such as the IMC? How might

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dominant (colonising) content marginalize critical sites such as IMCs? How might juridification through code-as-law further marginalize radical forms of use?

7.1 The State and the Limits of Online Radical Public Spheres

Claims that the Internet escapes material relations, and that the state has no power over the Internet or its users are wrong. I have already shown how the US state led the development of the Internet, largely for the economic system. It is also clear that this process did not close the Internet to other uses and relations, though it did begin to establish a dominant form of use. Further, there is an ongoing dynamic between the state and critical actors on the Internet, as one tries to stem the power of the other. However, to understand the continued power of the state, we must understand that online radical public spheres are made up of territorially bounded material technologies and physical, embodied people, both of which provide the state with legally defined subjects.

The behaviour of 'oppressive states' (such as China, Iran and Cuba) towards Internet users is well documented. In 2005 Reporters Without Frontiers listed some 15 states it considered to be 'enemies-of-the-Internet' and 70 'cyberdissidents' imprisoned by oppressive regimes, though those dissidents imprisoned in 'non-oppressive' regimes, such as Sherman Austin, imprisoned in the US for inadvertently hosting a Web page that

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included information on how to make a smoke bomb³⁰, or even those charged with copyright violations did not get a mention. The point here is that Internet users and participants in radical public spheres exist as legal subjects.

Further limits to online activity can be observed under conditions of conflict. For example, as a sobering reminder that 'immaterial' electronic networks are in fact physical and territorial, at the 2003 World Summit on the Information Society the Palestinian delegation complained that the Israeli army had 'continual control over the Palestinian frequency spectrum', refused to allow 'linking the occupied areas of Jerusalem to the Palestinian network', prevented direct access from the Palestinian 970 country code to the international network, denied the fibre-optic linking of Palestine to the outside world, confiscated telecommunication equipment, systematically destroyed the Palestinian infrastructure by demolishing 'communication towers ... public and private radio and television station transmitters ... (and) communication and electricity poles and towers' (WSIS, 2003).

Such direct physical interventions against the physical structures of the Internet are not always necessary because states can interfere less obviously. The Internet has become a significant tool in what has become known as 'psychological warfare', 'perception management' and 'information operations', or perhaps more honestly, propaganda (see Joint Chiefs of Staff, 2003). Of course, due to the nature of propaganda, the

³⁰ Google returns over 400 pages on the exact search phrase 'How to make a smoke bomb'

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extent of these ‘operations’ is unknown. Certainly, there is an awareness that if operations such as ‘Softwar’, ‘the hostile use of global visual media... to shape another nation’s will, by changing its view of reality’ (de Caro, cited in Taylor, 2002: 27), are undertaken ‘via the free media, then unless it is kept absolutely secret for an indefinite period of time, the credibility of all other information operations will be seriously undermined’ (Taylor, 2002: 28). This is to say that critical uses of the Internet may be subverted by domestic and foreign political authorities – one of Habermas’s blind spots. To this end, media policy – relating to technologies and content – can be seen as part of foreign and security policy (Price, 2003), which different states can implement to differing degrees. It is not without reason that Ronald Reagan, speaking at the *Intstitut de France* in 1989, opined that ‘information ... wafts across the electrified borders. Breezes of electronic beams blow through the Iron Curtain as if it were lace’ (cited in Poster, 2001: 1).

In ‘domestic’ politics, Poster (1990) and Jordan (1999) have written about information and communication technologies, and especially the Internet, as a ‘Superpanopticon’, used to track the activity and communications of users. Poster and Jordan base such claims in more general processes of what Foucault referred to as the growth of ‘governmentality’ – the establishment of populations as the key subjects of rule, and the organisation, surveillance and control of them (see also Webster, 2003). Certainly this concept is useful, and as the Regulation of

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Investigatory Powers Act (RIP) in the UK, and the existence of the Echelon spy system show, it is also probably truthful (though more direct approaches are still available: in one action alone, the Italian authorities gained access to the activist Autistici server, which hosts nearly 5,000 email boxes, 600 emailing lists, and over 500 Websites, for a year between 2004 and 2005). Indeed, the continual attempts by states to outlaw the possibility of escaping their watchful eyes, such as the banning of strong encryption in France and the consideration of it as a 'munition' in the US (and as such its subjection to an export ban), and the RIP's demand that all Internet communications (including passwords) be made available to the state on demand, show the continued importance of the state law in the 'Internet age'.

I will now turn to two cases involving IMCs to further illustrate these coercive tendencies of the state against specifically radical public spheres, using means reminiscent of the earlier repression of the radical press outlined in chapter three. As noted previously, IMCs have suspected infiltration by security services on a number of occasions. However, the two cases illustrate not just the difficulties of mediating radical public spheres, but also how administratively guaranteed private actors as well as state authorities can use coercive instruments.

An ongoing campaign against what is systemically referred to as the 'defence industry' (but referred to by IMC participants as the 'war industry') has focussed on EDO Systems, an arms manufacturer based in

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Sussex. Actions against EDO have included regular protests as well as direct action. Activists from the 'Smash EDO' campaign have proposed and reported on actions on the IMC UK Web site. Consequently, a vibrant public sphere has emerged around this subject, both within the IMC and in the sites of protest and action. The issues of the war industry, pacifism, disarmament, and the national economy have all been engaged, and the validity of the strategies of the campaign against EDO systems has also been a topic of debate.

Significantly, the language used in the discourses has tended to differ from the sort of language used to discuss such matters in systemic media (where this happens) or in formal institutions. This critical use of language has been the catalyst for attempted actions against IMC UK. IMC UK was served with a 'takedown notice' (a letter from solicitors asking for content to be removed) by lawyers acting for EDO, demanding that they remove content that referred to EDO directors as 'war mongers'. The takedown notice essentially threatened to suppress the critical discursive mode practiced by IMCs. The letter threatened that if the offensive content were not removed, then they would initiate a libel action against the IMC. After the takedown notice was sent to IMC UK's Web site host, IMC participants used their listserves to discuss the issue and activate the social network. Consequently, various sympathisers (including lawyers) advised that because the threats were not made to specific people – recipients had not been identified – or to an incorporated body, which IMC UK is not, the

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lawyers could not act on the threats. In further discussions among IMC participants, it was decided that 'war mongers' was a legitimate term and that they should refuse to be intimidated by EDO Systems and their lawyers; they called EDO's bluff and the 'warmonger' label has stuck. Since then, takedown notices have continued to be served on IMCs, and the response of the latter tends to take a similar form: discussions among participants and activating the social network.

As an example of more direct state (and foreign policy) intervention, on 7th October 2004 the Indymedia UK servers, situated in London, went offline without warning. The outage hit not just the IMC UK, but other IMCs from around the world hosted on the same server³¹. No prior information about the seizure was submitted to IMC UK (though apparently the FBI made a request to IMC Nantes two weeks earlier to remove photographs of undercover police), and after a brief period of speculation, it transpired that the hosting company, Rackspace, had received an order from the US Federal Bureau of Investigations to provide them with the (physical) Indymedia Web and email servers. Again, the IMC utilised its social network to seek legal and political advice. The social network mobilisation included lawyers from Liberty and the National Union of Journalists, pressure groups such as the International Federation of Journalists, politicians, journalists from mainstream media organisations,

³¹ The full list of sites effected is: Ambazonia, Uruguay, Andorra, Poland, Western Massachusetts, Nice, Nantes, Lilles, Marseille, Basque Country, Liege, East and West Vlaanderen, Antwerpen, Belgrade, Portugal, Prague, Galiza, Italy, Brazil, UK, part of the Germany site, and the global Indymedia Radio service.

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solicitors and academics. Though no official reason for the seizure was given, the enquiries of the hosting company, Indymedia participants and supporters, sympathetic MPs and organisations such as the National Union of Journalists, Reporters Sans Frontieres and others found that the Italian and Swiss authorities had requested that the FBI seize servers situated in London. An Italian prosecutor, Marina Plazzi, apparently made a request to the FBI on the basis of support for 'terrorist activities' on IMC Web sites. The Swiss authorities were supposed to have made a request because a number of photographs of undercover police who were thought to have been involved in the severe beating of a protester after the June 2003 anti-G8 demonstrations in Geneva were published on the Nantes IMC Web site.

The idea of an 'immaterial', 'decentralised', 'deterritorialised', 'democratic', 'ungoverned' Internet did not therefore save these IMCs from state coercion. Significantly, the Nantes site was hosted in the UK partially to get around France's extensive Internet laws. The problem, however, emerges when states with similar agendas work together. In this instance, the general response of capitalist states was to limit and contain the anti-capitalist movements that use IMCs and within which a number of IMC participants work. Under these circumstances, one state will not tend to give protection from another when mutual interests are threatened. On the contrary, they will often work together, especially in response to cross-boarder threats. In the case of the IMC UK server seizure, the legal instrument used was the Mutual Legal Assistance Treaty, which is an

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unlimited agreement to legal assistance between states. In this instance, the Italian, Swiss, UK and US states agreed to work together across jurisdictions. An important feature of this sort of coercion is that it takes place against the *physical* aspects of online radical public spheres – against the equipment and people. The examples above are only a few of the many examples of coercive activities against these radical public spheres; below I list more examples reported on IMCs:

Table 2: Reports of Coercive Activity Against IMCs

Seattle, USA, May 2001	FBI demand IMC logs and impose gag order on IMC
Ohio, May 2001	IMC domain owner served subpoena to appear before Ohio grand jury and release IP logs
Genoa, Italy, August 2001	Raid of IMC centre & hospitalisation of journalist at anti-G8 protests
Ottawa, Canada, November 2001	IMC camera operator arrested at anti-IMF/World Bank demonstration
Georgia, USA, November 2001	Arrest of IMC journalist at demo against School of the Americas
Copenhagen, January 2002	IMC journalist arrested at EU

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	Summit demo
Italy, March 2002	Police raids on 'IMC offices' in Bologna, Florence, Turin, Taranto
Israel, May 2002	Investigation into IMC Israel after publication of 'Factories of Death' article
South Africa, September 2002	Arrest of IMC journalist, dispute over accreditation
Washington DC, September 2002	Two IMC journalists arrested in anti-WTO/World Bank demonstration
Argentina, October, 2002	Two IMC journalists shot with rubber bullets while covering arrest of environmental activists
Sydney, Australia, November 2002	Arrest of IMC journalist in anti-WTO demonstration
Urbana, USA, May 2003	Urbana-Champaign Independent Media Center closed down for fire code violations
St Louis, USA, May 2003	Police search IMC St Louis offices
Argentina, June 2003	IMC participant beaten covering demonstration outside textile factory
Evian, June 2003	Raid of IMC offices, IMC journalist

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	shot in leg at anti G8 demo
Dublin, July 2003	IMC journalist arrested at EU Summit demo
Miami, USA, November 2003	Assault and arrest of 4 IMC journalists during demonstrations against the Free Trade Area of the Americas
Miami, USA, November 2003	Arrest of IMC journalist covering a jail solidarity rally
Israel, December 2003	Investigation of IMC Israel for 'incitement'
Thailand, April 2004	Arrest of IMC journalist
Cyprus, July 2004	CIA ask US embassy to instruct Cyprus Criminal Investigation Division of police to investigate IMC participant for posting information to Web site
New York City, August 2004	5-7 Indymedia participants arrested at Republican National Convention
New York, August 2004	US Justice Department subpoena ISP Calyx for the IP address of a post on the New York IMC Website
New York, September 2004	NYPD subpoena NYC IMC for an

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	IP address relating to the posting of a purported internal NYPD memorandum during the Republican Convention
New York, November 2004	New York City subpoena NYC IMC list of information relating to a civil suit related to suppression of Animal and Earth Liberation March.
Trafalgar Square, London, October 2004	Arrest of IMC participant at European Social Forum
London, October 2004	IMC server seized
San Diego, January 2005.	IMC journalist arrested during 'Reclaim the Streets' action
Goiania, Brazil, February 2005	Arrest of two IMC journalists during eviction
Warsaw, Poland, May 2005	Arrest of IMC journalist after filming anti-war demonstration
Bristol, England, June 2005	Seizure of IMC server and arrest of journalist
Tomball, Texas, June 2005	Arrest of IMC journalist at anti-KKK rally
California, USA, July 2005	Arrest of IMC participant for littering.

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Manila, Philippines, July 2005	IMC journalist arrested during protest at US Embassy
Arizona, July 2005	IMC journalist arrested for trespass
Paris, August 2005	IMC journalist summoned to court over publication of anti-Jewish spam & republication of revolutionary leaflet
London, Oct 2005	IMC journalist arrested at anarchist book fair
Oaxaca, Mexico, Oct 2006	IMC reporter shot and killed filming armed assault on a Popular Assembly

Online radical public spheres are therefore not immune from the normal constraints of the state. This is because they are, after all, still material. Furthermore, their links to physical public spheres, such as the various social forums, social and direct action movements, anti-capitalist movements, anarchist groups, trade unions and so on, mean that IMCs are often considered integral parts of such movements, and are therefore considered to be 'aiders and abettors'.

Despite the ongoing role of the state, IMCs have shown resilience; they have been reasonably successful in resisting such attempts to suppress their radical public spheres. First, the organisational form of IMCs – that

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there is anonymity, no formal hierarchy or ownership and they are not legally corporate bodies (in fact, they are not legally defined) – means that it is very difficult to hold anyone to account. This means that the mutually interested relations between newspaper editors and political authorities on which the Press Complaints Commission is based, and the formal and informal provisions for Defence Advisory Notices, Official Secrets and so on are not applicable. Nor is it possible for economic interests to exert direct influence. They can and do, however, shut down or refuse to host sites, as Al Jazeera experienced when Hoboken Web Services, Akamai, and Datapipe all cancelled contracts with Al Jazeera and refused to host its English language Web site in 2003.

When the state has undertaken actions such as the confiscation of servers, IMCs have practiced quite traditional forms of resistance such as ‘mirroring’³². For example, though the IMC UK servers were seized, the computer network of which it is a part was used to mirror the IMC UK site. This meant that the site was not closed down as such. Rather, the mirror sites enabled the IMC UK site to appear as if nothing had happened, though others (such as the Nantes site) were ‘down’ for some time.

7.2 Dominant Forms of Use I: Production and Distribution of Dominant Content

³² A ‘mirror’ is a replication of a Web site at another physical location.

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7.2.1 The production of dominant content

Like many previous radical media projects, IMCs do not count their success in terms of circulation. Nevertheless, they are factually positioned in relation to a 'Web-scape', alongside dominant forms of content, which perhaps marginalizes them as radical public spheres in the same ways in which previous radical media projects have been marginalized. Despite the technical potential of the Internet and Web, dominant forms of use are being established through dominant forms of production and the imposition of commodity relations on the production, exchange and consumption of content.

Though it is not true that there was a time in which 'neither commerce nor governments paid too much attention to the Internet' (APC, 2002), it is the case that Web content is increasingly provided by dominant producers. The early use of the Internet and Web by scientists, researchers, computer engineers and enthusiasts meant that users were accustomed to producing and arranging the content themselves. The production of content was largely undertaken with very basic text editors and published as basic text files that could be downloaded, or basic html files that could be displayed online. The arrangement of content through indexing, informal and personal link lists and Web-rings again was an amateur pursuit. This is to say that in the early days of the publicly accessible Internet and Web, there was a general expectation that content was free, and that participants

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would help to produce content – most money was made through the provision of access, though some non-Internet networks such as CompuServe (which was founded in 1969 as a computer time-sharing service) did provide substantial content, access to which was included in the cost of subscription to the network. A number of ‘networks’, such as bulletin boards systems (BBSs) were entirely amateur affairs, in the sense that they were run by hobbyists, with access provided through a computer-to-computer telephone connection. Usenet also mirrored this approach to networked communications – access was open and the people using it freely provided all content. Others, such as community networks, freenets and activist computer networks, provided public spaces outside the direct control of the state or economy.

As Internet access and use increased, economic motivations for the production of subscription, advertising sponsored and cross media content led to its commodification. This is to say that the expansion of Internet use was understood by the economic system as producing an adequately sized market to make content provision profitable. This changed the dominant motivation for providing content and access to that content. Through this development of commodification of content it is possible to trace some routes of colonisation and juridification in the development of the Web.

Howard Rheingold’s (2000) account of the WELL (Whole Earth ‘lectronic Link) network illustrates these general patterns of development. Although the WELL was a private network, the participants themselves

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freely contributed most of the content. That is, spaces were created and content was produced primarily according to the needs of participants, not economic needs. The transition from this moment is illustrated in Rheingold's (2000) account of the rise and fall of the WELL. After the WELL was sold to investors, the 'internal' bonds between users weakened, with the trust that had developed between participants becoming exploited for commercial ends. The profit motive replaced the community motive in steering the network, prompting Rheingold (2000: 332) to muse that 'it is an unusual business where your customers also create the value you sell them'. Further, he found that the profit-making imperative resulted not only in changes being made to the type of content provided, but also in 'false persons' being created to trick people into chatting online, similar to those used on telephone chat lines. That is, the owners paid people to participate in their network, taking on the persona of exciting and appealing people in order to attract and retain *customers*. Patelis's research on AOL found they use similar techniques to managed content and interaction, utilising 'specialised retention programs designed to increase customer loyalty and satisfaction and to maximise customer subscription life' (AOL Web site, cited in Patelis, 2000: 53)

Robert McChesney (2002) has explained how this process of the colonisation of Web space mirrors trends in the political economy of media more generally whereby 'media giants' positioned themselves to take over Web space. They were able to do this largely because of their resource

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bases. McChesney argues that 'Disney, Time Warner or Viacom can afford to lose \$200-\$300 million annually on the Internet if it means their core activities worth tens of billions of dollars are protected down the road'. They have existing material that can be simply and cheaply transformed into Web content, they can promote Web sites in their traditional media holdings, and vice-versa, they can invest in or buy out other Internet content, and they can hedge their bets.

These patterns can also be seen in the vertical integration of media corporations (as content producers and distributors), Internet service providers, and software and hardware manufacturers, which has enabled them to steer Web users to certain content and certain types of 'interaction'. So, for example, Microsoft, linked to NBC, has turned its Internet Explorer 'Favourites' tab into what is essentially an advertising space, in which links are provided to fee paying commercial enterprises, as well as Microsoft's own Web interests (Version 6 of the UK Internet Explorer provides links to Bloomberg, Capitol Records (owned by EMI), CBS, Dow Jones Business Video (owned by CBS, Microsoft, and Dow Jones), Disney, ESPN (majority owned by Disney), Fox News (News Corporation), Hollywood Online, NBC Video Seeker (owned by General Electric), Warner Bros. Hip Clips (owned by Time Warner Inc.), MSNBC (owned by Microsoft and NBC/General Electric) and so on. The purchase of Netscape by AOL (now owned by Time Warner Inc.) has led to a similar use of this space.

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Dahlberg (2005) has argued that this dominance has resulted in the corporate colonisation of 'online attention' and has also marginalized 'critical communications'. He argues that 'Although it is relatively straightforward (for those with the resources) to get views published on the Internet, having them noticed is another matter' (Dahlberg, 2005: 163). Hesmondhalgh's (2000) thoughts on alternative media can be carried over to the Internet.

Accordingly, as of 2005, the top seven Web sites in the UK are owned by Microsoft, Google, Yahoo!, eBay, BBC, Time Warner and Amazon respectively. In Germany it is Google, Microsoft, eBay, T-Online, Time Warner, Yahoo! and United Internet; in Japan it is Yahoo!, Rakuten, MSN, Global Media Online, Nifty, NEC and Microsoft (with Google at number 9. Japan figures for November, 2004); in France it is Microsoft, Google, Wanadoo, Iliad – Free, Yahoo!, Pages Jaunes, PPR (with Time Warner and eBay at numbers 8 and 9); and in Australia, Microsoft, Google, Yahoo!, Telstra, eBay, News Corporation and the Australian Federal Government. The top ten Web sites in the USA are all American. Of the top 100 global Web sites, 88 are American, 5 are British, 5 Dutch, 1 Canadian, and 1 French (Netcraft, 2005). Though the corporations in most of these cases are American, it is interesting to note how they still take account of national of national particularities, so that Yahoo!, Ebay, Microsoft and almost all large Internet companies have nationalised their online appearance (for a more detailed analysis of 'nationalisation', see Halavais,

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2000). Nevertheless, in accord with their early exposure to the Internet, it is unsurprising that the main content producers (as well as most of the main software and hardware providers) are U.S. corporations producing and distributing commodities, rather than facilitating communication, in a similar way to television.

Because of these processes, McChesney (2002) reports that as early as 1998 more than three-quarters of the 31 most visited news and entertainment Websites were affiliated with large media firms, and most of the rest were connected to companies such as AOL and Microsoft (which are themselves now considered media firms).

Further to this, in 2005 the Center for Excellence in Journalism (2005) found that 60% of the most popular news Web sites were owned by just 20 media companies. It concluded that 'in short, despite the attention paid to blogs and the openness of the Internet, when it comes to sheer numbers, online news appears dominated by a handful of traditional big media sites, and for now that domination appears to be increasing.' It is a similar case in the UK with the BBC, the *Guardian*, the *Telegraph*, the *Financial Times*, *CNN*, *Annova*, *The Sun*, the *Independent*, and *The Times* dominating online news (Nielsen Netratings, 2002). At the same time as there is domination of space, there is also the marginalisation of alternatives. For instance, the Pew Internet and American Life Project (2006) found that in the US only 12% of Internet users have visited a

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foreign news Web site, 9% visited blogs and only 6% visited what could be classed as 'alternative' news Web sites.

The mechanisms that make this domination international are a continuation of existing 'free market' media policies, mediated by national governments, regional governments and undemocratic international institutions such as the WTO, many of which promote the 'free flow' of information as trade policy. Schiller (1971: 8-9) argues that 'if free trade is the mechanism by which a powerful economy penetrates and dominates a weaker one, the "free flow of information"... is the channel through which the life styles and value systems can be imposed on poor and vulnerable societies' (Schiller 1971: 8-9).

This establishment of dominant content producers has led to demands for a certain type of juridification – to enable the trade in online commodities – to take place. Accordingly, as commercial activity was permitted through formerly public networks (cf. RFC 3271), new laws were established to protect the commodity form of content, demands were made for software to be developed to protect commodities, and for standards and protocols to be implemented that can facilitate trade in them.

The juridification of commercial Internet content has mainly come from the application of existing copyright law. However, there are a number of inadequacies of existing law, from the systemic point of view, especially due to the fact that every time Web content is viewed the Web browser makes a copy of that content (stored in the Internet cache of the

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user's computer), which necessitated new legislation. The 'high point' of this protection of digital copyright, in the US at least, was the 1998 Digital Millennium Copyright Act (DMCA), which, in response to the ease with which digital content can be copied, essentially ended copyright's status as a limited right. The extensive copyright introduced in the DMCA meant not only that copyrighted content and software was to be protected, but that hardware, software and applications that limit use of that content and software cannot be circumvented. In the first instance, the age-old limitation of fair use is vastly reduced and in the second instance, it has become a crime to create any software or hardware that allows one to copy or share copyrighted material. As Lawrence Lessig (2000) puts it, this law creates an extensive degree of control over content. It affords producers '(t)he power to control how... (content)... is played, where, on what machines, by whom, how often, with what advertising'. Perhaps the significance of such laws can be illustrated with an analogy: the newspaper that can only be seen by the purchaser, in which the text may disappear after it has been read, and disappears altogether after a given period of time whether read or not, that cannot be left on a bus for others after the purchaser has read it, and that alerts the producers should the purchaser attempt to read it or part of it aloud. The implication for online radical public spheres are clear. Certainly the possibility of Curran's 'social pattern of consumption' is thus threatened. Other implications of copyright will be addressed in the next section.

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The protection of private content requires not just formal law, but a certain sort of environment that differs from that required by the likes of IMCs. Whereas the latter are open, free, intercreative and so on, the former tend to be closed, privately owned, and unchangeable. This problem of dominant content emerges not just in terms of accessibility or consumption, though the economic system needs as big a market as possible, but also in terms of production. So, whilst Poster (2001: 50) makes much of the fact that RealPlayer, Quicktime, Acrobat and Shockwave content *readers* are free to download and use, the *writers* are often expensive: though RealPlayer producer has a free (for non-profit organisations) version, it is largely an attempt to capture a consumer-audience to deliver 'exclusive content' to subscribers. QuickTime player channels user to a 'Pro' version with extended capabilities (including 'encoding') at a cost of £19, with both versions promoting 'exclusive content' and Apple products. In 2006 Adobe Acrobat writer cost £464, and the equipment for writing Shockwave products cost £828. In addition to questions of increasing computer 'literacy' being complicated by production costs, the advanced methods of Web authoring (which impact upon Web standards) demanded by image conscious companies, increase the HTML literacy threshold to such a degree that Web design programmes become necessary tools to have an effective presence on the Web: the standard Web editor, Dreamweaver, cost £393.³³ The complexity of the 'languages' on top of basic HTML becomes

³³ All prices were all taken from the Web sites of the respective manufacturers in September 2006

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exclusionary; production is mediated, partial and subject to the limitations imposed by authoring packages. Additionally, such forms of production require greater bandwidth and incur associated costs charged by the Web host as well as the use of additional databases and programming 'scripts' which also usually incur additional costs.

The above software developments are largely driven by a variety of systemic motivations, both administrative and economic. The 'feudal' tendencies of advertising 'display' have contributed to the spread of 'flashy' software such as Shockwave, and the transfer of visual and audio content by media corporations has contributed to the growth spread of multimedia players such as RealPlayer. The widespread distribution of such players (caused by early distribution and then 'lock-in' through their adoption by media corporations) mean that the other technologies – such as the free-software/open source encoders and decoders used by IMCs become marginalized. The feudal form of many Web pages has also tended toward display rather than engagement, or at best heavily managed interaction within a set of pre-defined 'choices'. Hence Berners-Lee's concerns.

The demands of e-commerce, whether in the form of buying access to information or of buying physical commodities over the Web, and the demands of 'e-government' to 'allow' people to make tax returns or apply for passports over the Web, has contributed to the increasing use of managed, secure, private databases. Data integrity, security and protection, 'professionalism', and control over commodities and money are all marks

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of systemic interests that call for a particular form of use of the Web – and helps to explain why the Web has taken the hierarchical server-client form rather than the horizontal form of interactive hypertext. As such, the companies producing or distributing information can heavily manage interaction – the reader/writer distinction and production relations are strongly re-imposed in a similar form to which they were imposed on newspapers and television³⁴. Accordingly, the pioneer of hypertext, Theodore Nelson (1997), refers to the Web as akin to ‘paper under glass’.

With the Web, however, this imposition has little to do with the properties of the technology – or rather runs counter to the properties and original forms of use of the technology. In this case, the economic colonisation of content, and the increasing colonisation of its environment, demands divisions between producers and consumers and creates a division of labour in which roles are ‘professionalised’, regularised, and conventionalised – *who can or cannot use the medium as a radical public sphere is restricted* through economic relations between producers-workers and consumers-audiences. The roles of speaker and hearer, writer and reader are thus organised in accord not with the characteristics of the medium, but in accord with the economic organisation of labour.

This dominant form of use, and particularly its mode of structuring content, production and interaction has also tallied with the uses of the

³⁴ Though it should be noted that this is a design choice and not a necessary function of database Web sites. For example, IMCs use an interactive database system for their Web sites, and can thus manage interaction. However, due to the participatory nature of decision-making, and content production, this management is democratic.

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state. The uses of the Web by political institutions are not dissimilar commercial uses – they tend to follow a logic of consumerism and service delivery in terms of their content and the technological arrangement of that content (quite literally insofar as a good deal of the work on theorising and implementing so-called e-democracy is undertaken by corporations such as IBM and NTT and capitalist organisations such as the OECD). This is to say that they share a form of use, which stems partly from the state's adoption of a consumer-economic mode of functioning identified in the realm of communications by Miller (2003b, cf. section 1.4). Thus, the hopes that the Internet might be used to democratise the state are somewhat optimistic, but more importantly, they often tend to misunderstand the systemic nature of the state and often rest upon an inadequate understanding of 'democracy' and 'government', especially on the part of those developing the systems. For example, systems analysts Mahrer and Krimmer (2005: 28) suggest that 'E-democracy forms a component of overall e-government initiatives where technology adoption and diffusion, to enhance wider access to, and the delivery of, government services, are apparent'. On this analysis E-democracy generally concerns 'goals of more efficient operations, better quality of services and increased citizen participation in democratic processes'. It is clear from these information system analysts that they share an ideological conception of 'government' as a service provider and the link between democracy and efficient service provision. Service provision can, on this analysis, become more

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'democratic' if service providers can allow consumers to feed back on those services. Indeed, such systems analysts share this conception with some politicians. Zouidis and Bekkers (2000) found in their studies on 'electronic service delivery' that the development of 'e-government' has taken place in the context of the emergence of 'consumer democracy' or colonised or refeudalised politics. They found that '(p)oliticians assumed that an increasing satisfaction with service delivery would automatically lead to an increase in political involvement by citizens' (Zouidis and Bekkers: 132-3).

Chadwick and May confirm this dominant form of use in numerous states. They suggest that that bureaucratic managerialism rather than democratic self-determination has driven the use of the Internet and Web by the state. To this end, though the technology could be used to 'democratise' the state, its implementation is oriented towards managerialism, efficiency and service delivery. They conclude that 'from the idea that democratic participation is merely the consumption of services to the extraordinary notion that voting is a form of information submission, democracy itself is being sold short' (Chadwick and May, 2001: 30).

Chadwick's (2001) research on government Web sites has shown that they tend to reflect the refeudalised form of politics. These Web sites 'reveal the potential for governments to become self-publicists in ways that have previously been unavailable', wherein the use of "'(h)ortatory" language... characteristic of political leaders seeking to establish a link with their audience, is both intensified and curiously modified in the electronic

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face of government', so that '(c)itizens are brought "closer" to government through their online "discoveries", but their interactions with its electronic face are very much on government's own terms'.

To be sure, the question might not be whether the technology can facilitate democracy but whether the state needs democracy. To be sure, the more hopeful government initiatives such as the 'Citizen Space' forums were flawed in a number of ways (Wright, 2006) but what indicates their shortcomings so clearly was that they were based on a fundamental misunderstanding of democracy. In the first instance, the initiative was upside-down insofar as it was government that sought to facilitate, design and organise this so-called public sphere, using contracted private companies to run them. Clearly, neither democracy nor public spheres can be the product of the state or companies. It is perhaps not that democracy cannot work online, but that it is not the business of the state to organise it. Wright (2006) reports that government attempts to facilitate such public spheres have ended, and the initiative has moved to opinion polling, or 'consultation', and to electronic voting initiatives. Government use has refeudalised.

In view of these findings, it is unsurprising that the 2002 UCLA *Internet Report* (UCLA, 2002: 69) states that in the US, a nation with one of the highest rates of Internet use among politicians, 'All three years of the UCLA Internet Project have found that relatively small numbers of users believe that the Internet gives them more political power, or helps them

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influence political decisions and government officials – and those numbers are declining’. This is not *caused* by the Internet, but reflects the degree to which the systemic state is more generally insulated from public control, and has a central role in the organisation, surveillance and control of populations.

Research on political parties also seems to confirm that Habermas’s refeudalisation thesis carries over to the Internet. There have been a number of studies of the use of Web sites and the Internet by mainstream political parties, and the general finding is that they tend to be adapted to the bureaucratic and strategic needs of the party hierarchy, they tend to be tightly controlled advertising and marketing mechanisms. Roper’s (1998) study of the use of Web sites by mainstream political parties in New Zealand found that the reasons for setting them up did not betray ‘any consideration of empowering the voter’ (Roper, 1998: 77). The ‘target voting publics would fit within the consumer model of the Internet and would be reached in a private domestic sphere without the information nor the facility to join a debate on public policy making’ (Roper, 1998: 82).

Similarly, Colin Smith’s (2000) study of the use of Internet technologies by British political parties found that such technologies are used to ‘bring about enhanced top-down control of democratic expression’ and at best used in ‘anticipating and discerning opinion’. He argues that Internet technologies tend to ‘reinforce the role and power of professional party organisation’ (Smith, 2000: 81). Overall,

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While ICTs are also being used in ways which might suggest greater potential for membership discussion and exchange of ideas (such as through the Web), the extent to which this impacts upon established processes of decision-making in the party is negligible (Smith, 2000: 82)

Ward et al's (2003) research confirms the continuity of this form of use. They argue that where there are forums, they are still heavily controlled, and 'their agenda is still largely determined by the party (hierarchy) rather than the public or members' (Ward et al, 2003: 660). They found that with political organisations more generally (i.e including pressure groups and trade unions), 'although sites often contain large quantities of information, campaigning, mobilising and participatory features are considerably less prominent' (Ward et al, 2003: 658-659)

Gibson et al (2003) undertook a comparative study of the use of the Internet by US and UK political parties. They found that,

Information provision and resource generation are consistently emphasized while promoting participation and establishing electronic networks, both within and outside of the party, are less of a priority. Web-based communication is largely a party-led and topdown phenomenon rather than two-way dialogue (Gibson et al 2003: 66)

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They confirm that this resulted not from any problem with the technologies, but because of the conservatism of parties. The Web sites come to embody their bureaucratic and hierarchical forms of organisation and their strategies more generally. Party Web sites also come to mirror the political landscape as whole, whereby, although in the US some minor political parties made significant use of their Web sites, 'the access and visibility figures make it clear that the two key parties in both countries maintain a significant advantage in terms of their profile to casual Web surfers' (Gibson et al 2003: 67). Thus we see the dominant form of use by systemic parties, insofar as they replicate the material and communicative inequalities and the refeudalised form of mainstream politics outlined in chapter one. Accordingly, the importance of radical public spheres is intensified.

7.2.2 The distribution of dominant content: portals and search engines.

The colonisation of Web content is deepened when it extends to the means of access and distribution, which can be illustrated through an analysis of the major 'gatekeepers' of Web space: portals and search engines. Again we see the imposition of relations in which the transformation from Web participants to consumer-audiences leads 'gatekeepers' to direct the flow of users to content that best fits with systemic needs.

Internet service providers, Web portals, search engines and directories are the first ports of call for almost all Web users, so have a

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great deal of potential power over not only the use of the Web, but also the expectations and relations of users to the content. Such 'gatekeepers' influence the activities that users can undertake via the Internet Service Provider (ISP), portal or search engine's sites. These in turn become important nodes through which state power can be exercised either through the monitoring and collection of data on users or through pressuring the nodes to limit access to undesirable sites. However, one of the most direct non-coercive attempts to channel communications comes in the form of the home page that the users' Web browser points to by default (usually initially decided by either the ISP, or software or hardware provider), which Dahlberg (2005: 163) reports is changed by fewer than half of those who sign up to an ISP. The range of content that users have access to through the home page will be specially selected, as will the search engines they can use, and the categories of Web site that they 'recommend'. These two latter are often done in conjunction with search engine companies through sponsorship or commercial use deals.

Besides the portals of ISPs, specialist portals remain important mediators of Web users, and have increased their commercial content as they have grown. If the colonisation thesis is correct, commercial content would be promoted at the expense of non-commercial content. Indeed, this has proved to be the case. The front-pages for the early Yahoo (Figure 1, October 1996) and Infoseek (Figure 3, April 1997) portals had a variety of categories to direct the user, such as society and culture, health, science,

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government, social science, and education alongside shopping, sports and travel. Both portals also encouraged visitors to list their own Web sites and Infoseek offered the facilities to produce them too. By February 2005, Infoseek been bought by Disney through their Go subsidiary and had eliminated the first set of categories listed above (and the ability to produce Web sites) from their front-page altogether, replacing them with Disney products (Figure 4). At the same point in time Yahoo had reduced the prominence of these categories, but had not eliminated them. Instead they replaced them at the top of the page with consumer categories, moving links categories such as science, society and education to the bottom of the page and to the now peripheral Yahoo! Directory (Figure 2). Similarly, Patelis (2000) looked at how commercial notions of news influenced AOL's news front page. She found that commercial relations led to the categorisation of *news* as: Weather; Stocks; Scoreboard (Sports results); The Lighter Side: Ann Landers Buzzsaw: Today's Crossword; Daily Briefing: CNN Top Story, The Wall Street Journal Hourly Business Updates, Warner Bros Hip Clip; and Featured Sites (Patelis, 2000: 59).

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Figure 1: Yahoo! in October 1996

YAHOO!

New Cool Today's News More Yahoo!


Yahoo! France [Click here for the Net Radio] Search Options

[World Series - NFL](#)

[Yellow Pages](#) - [People Search](#) - [City Maps](#) -- [Stock Quotes](#) - [Sports Scores](#)

- ♦ [Arts and Humanities](#) - [Architecture](#), [Photography](#), [Literature](#)...
- ♦ [Business and Economy \[Xtra!\]](#) - [Companies](#), [Investments](#), [Classifieds](#)...
- ♦ [Computers and Internet \[Xtra!\]](#) - [Internet](#), [WWW](#), [Software](#), [Multimedia](#)...
- ♦ [Education](#) - [Universities](#), [K-12](#), [College Entrance](#)...
- ♦ [Entertainment \[Xtra!\]](#) - [Cool Links](#), [Movies](#), [Music](#), [Humor](#)...
- ♦ [Government](#) - [Politics \[Xtra!\]](#), [Agencies](#), [Law](#), [Military](#)...
- ♦ [Health \[Xtra!\]](#) - [Medicine](#), [Drugs](#), [Diseases](#), [Fitness](#)...
- ♦ [News and Media \[Xtra!\]](#) - [Current Events](#), [Magazines](#), [TV](#), [Newspapers](#)...
- ♦ [Recreation and Sports \[Xtra!\]](#) - [Sports](#), [Games](#), [Travel](#), [Autos](#), [Outdoors](#)...
- ♦ [Reference](#) - [Libraries](#), [Dictionaries](#), [Phone Numbers](#)...
- ♦ [Regional](#) - [Countries](#), [Regions](#), [U.S. States](#)...
- ♦ [Science](#) - [CS](#), [Biology](#), [Astronomy](#), [Engineering](#)...
- ♦ [Social Science](#) - [Anthropology](#), [Sociology](#), [Economics](#)...
- ♦ [Society and Culture](#) - [People](#), [Environment](#), [Religion](#)...

Figure 2: Yahoo! in February 2005



Finance

Music

Shopping

Mail

My Yahoo!

Messenger


Search for: on the Web Yahoo! Search • Advanced
• Preferences

Yahoo! Mail: Blocks spam and viruses to protect you. [Learn how.](#)

Free mail Sign Up **Mail status:** [Sign In](#)

Autos	Horoscopes	Movies	Real Estate
Chat	HotJobs	Music	Shopping
Finance	Kids	My Yahoo!	Sports
Games	Mail	News	Travel
GeoCities	Maps	People Search	TV
Groups	Messenger	Personals	Yellow Pages
Health	Mobile	Photos	All Y! Services...

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- Pressure mounts on Syria over Lebanon
- Likely Iraq PM Jaafari promises moderation
- Iraq war protesters to rally across Britain
- Man pleads innocent in Calif. train wreck
- Firm makes \$3.25B offer for Circuit City
- Florida shark attacks drop due to hurricanes
- Boxing reality show contestant kills himself
- NBA · NCAA Hoops · NHL · NFL · MLB

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Yahoo! Travel Flights | Hotels | Cars | Vacations | Cruises


Search Flights

From

To

Adults search

Search flights with dates



Plan your trip with Travel Guides

Great Deals to Popular Destinations


Yahoo! Small Business

Web Hosting Sell Online
Domain Names Search Listings

Yahoo! Featured

SBC Yahoo! DSL Personals
Fantasy Sports HotJobs


Entertainment » More Entertainment



TV Cast Reunited

- Cast of 'One Day at a Time' reunites for special
- Kevin Federline emerges from Spears' shadow
- Video Premiere: My Chemical Romance - 'Helena'
- Today's TV Picks - Horoscopes - Celeb Birthdays

Buzz Log - What the world is searching for » More Buzz




With Westminster in full swing, we rolled over and fetched the top dog searches. [More...](#)

Popular Dog Breed Searches

1. Pug	3. Maltese
--------	------------

Weather


Enter City or U.S. Zip Code



Go

Save location on this page

Marketplace



Yahoo! Shopping - Digital cameras
Shop for the latest digital cameras - Research, compare, and buy at low prices.

Try Yahoo! Games Downloads - One hour free game play.

Yahoo! Merchant Solutions - Start selling online today. Save \$50.

SBC Yahoo! DSL - Free activation and

Figure 3: Infoseek in April 1997


infoseek **infoseek**[®] BigYellow
proof of intelligent life on the net sm UPS Services

Infoseek Home
Type a specific question, "phrase in quotes" or Capitalized Name.

the Web [Tips](#)

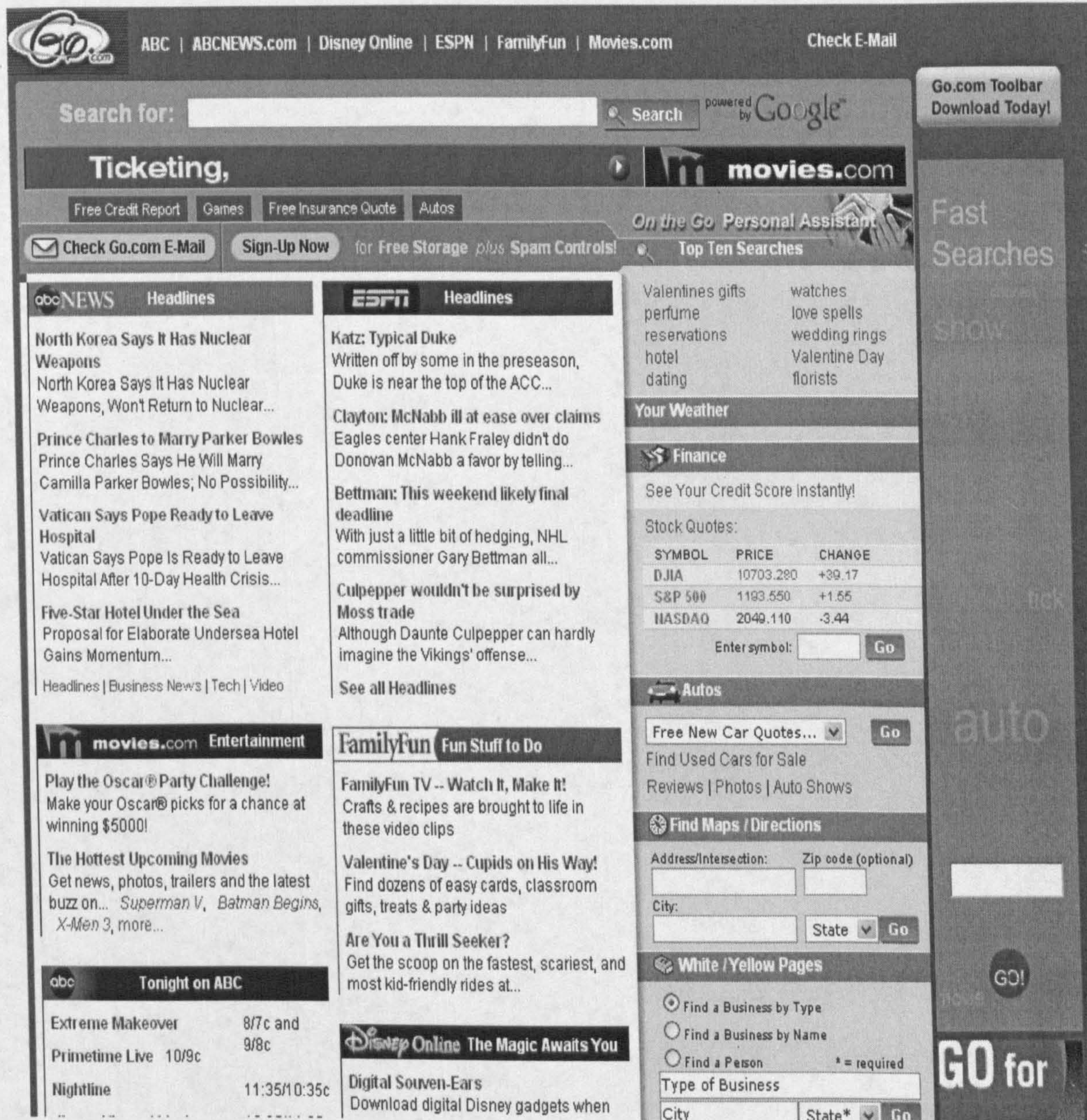
To explore the Web's largest directory, click a topic below.

- [Arts & Entertainment](#) - [books](#), [music](#), [games](#), [movies](#)...
- [Business](#) [News](#) | - [business services](#), [small business](#)...
- [Computers](#) [News](#) | - [desktop computers](#), [hardware](#), [software](#)...
- [Education](#) - [colleges](#), [environment](#), [adult education](#)...
- [Getting It Done](#) - [find a job](#), [buy a car](#), [your money](#)...
- [Finance & Investment](#) - [buy a home](#), [mutual funds](#)...
- [Health](#) - [drugs](#), [disease](#), [fitness](#), [women's health](#)...
- [Internet](#) [News](#) | - [intranet](#), [HTML](#), [web publishing](#)...
- [Politics](#) [News](#) | - [elections](#), [government](#), [taxes](#), [law](#)...
- [Shopping](#) - [Online shopping](#), [computers](#), [CDs](#)...
- [Sports](#) [News](#) | - [baseball](#), [golf](#), [basketball](#), [hockey](#)...
- [Travel & Leisure](#) - [air travel](#), [food](#), [lodging](#), [cruises](#)...



We're Hiring! [Find a Job at Infoseek.](#)

Figure 4: Infoseek in February 2005



In addition to the commercial portals, search engines have developed in a way that tends to increase the presence of commercial Web sites and Web sites of the resource-rich. Search engines are most people's primary form of navigation around the Web. It might be considered that search engines are technically neutral tools in relation to content, which is

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the image that search engine companies would like to create. However, this is not the case. The economy of the development of search engine content selection usefully illustrates how commercial forms of use restrict the flows of information upon which a functioning public sphere depends. Search engines initially used a combination of 'meta-tags'³⁵ and the content of Web pages to determine relevance. These two methods were, however, inadequate. In the first case, meta-tags were abused by Web site designers who might mis-describe the Web site by using terms in the meta-tags which bear little or no relation to the content of the site, but which are popular search terms. In the second case, a Web site designer may hide irrelevant keywords on the page, for instance by including white text on a white page. Using these methods, Web page designers may invisibly embed 'sex', 'porn', 'money', and 'Britney Spears' (four of the most common search terms in 2004) on a Web page that has nothing to do with these things in order to improve the site's search ranking.

The logical outcome of the inaccuracy of search engines was to introduce discrimination between 'proper' and 'improper' Web sites with the use of more 'accurate' algorithms. For example, Introna and Nissenbaum (2000) demonstrate how search engines began to base selection on the number of links to and from a Web site, the popularity (not quality or relevance) of the sites that these links come from, and a 'location matrix', which depends on the URL of the Web site. This latter means that

³⁵ Meta tags are words at the top of an HTML document (hidden from the user's view) that describes the content to the search engine.

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a site with its own domain name, and those with fewer subdomains were higher in the search results, which means that a Web site less is likely to be found if it is stored on a free host such as an ISP or Geocities (for example, www.bbc.co.uk would rank higher than www.geocities.com/athens/users/2342/index.html). The outcome of this is that search engines begin to promote dominant Web sites.

The growth of commercial Web content also led developers to subject search engines to direct commercial relations, as seen in the 'preferred placement' policies of some search engines. Preferred placements were introduced in the late 1990s on the Altavista search engine, whereby the company decided to reserve the top places in search results for Web sites that paid for listings under certain search terms without drawing attention to the commercial nature of this relation (Rogers, 2000: 13). Although the practice ceased soon after its introduction, it has resumed under a different guise. Rather than being included in the actual search results, placements are included as 'suggested links', 'further reading', or 'places of interest'. Furthermore, companies are now offering priority indexing for paying customers. Thus, if one wishes to be listed on the Yahoo! directory, one will be listed in a much shorter period of time if one pays.

Even the much-lauded Google search engine, which is generally regarded as the best available, is subject to economic logic. Although it does not include sponsored links hidden away in the actual search results (it

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does have 'Premium Sponsorships' and 'Adwords', but although these are separated from search results this separation is not always obvious to users), the way that the results ranking system, PageRank, works means that the more 'popular' and 'important' Web page is, as long as its text includes one's search terms, the higher its ranking is. The PageRank algorithm takes the search terms inputted, say 'Iraq war', finds pages with these terms, assesses the location matrix and the number and 'importance' (which is not publicly defined) of links to that page from other Web sites, and then delivers the results in accord with these factors. The result of this is that those Web sites with greater market power are more likely to be viewed. In this case, even Google has a tendency to consolidate existing inequalities between information sources. So, for example, the big corporations dominate a search for 'news', with the first alternative news source, National Public Radio, appearing at position 32 and the next, Altnet, appearing at position 82. Indymedia does not appear until position 115, one position above Chemical and Engineering News. This is despite the fact that in 2006 Google registered more than 50,000 Web pages linking to the IMC UK home page from outside the IMC network. Similarly, though Yahoo reported over 900,000 links to the global IMC site, it does not register any of the IMCs among the top 300 returns for 'news'.

In addition to these internal relations it should also be noted that searches are of course influenced by the political and cultural context of those inputting terms. For example, the choice of terms reflects choices that

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are influenced by broader processes of public communication, in particular those adopted by systemic media. For example, someone searching for information about the war in Iraq would find very different content searching for 'invasion', 'resistance', or 'war crimes' than someone searching for 'operation Iraqi freedom', 'terrorists', or 'liberation of Iraq'.

Without a notion of 'public good', Introna and Nissenbaum argue, the economic system will ensure that Web sites that have the resources to design in accord with search engine requirements, that pay to have themselves placed highly, and/or which are popular enough to attract links will gain presence and effective distribution. On the other hand, as argued by Introna and Nissenbaum (2000: 42), those unable to do this will 'perhaps actually disappear, further narrowing the options for Web participants'. Indeed, the 'free-market' approach of many search engines results in problems that are similar to those faced by mainstream media, as explained in chapter three. Here users or audiences are free to choose, but the choice is restricted to those sites that can afford to be more visible in that range of choice. Thus, not only are there the normal constraints on the production of content (it requires financial resources to produce), but there is the added question of how content is to be distributed. As Introna and Nissenbaum (2000: 37) note, 'there is unlikely to be much market incentive to list sites of interest to small groups of people ... (or) individuals of lesser economic power' – such as IMCs – when search engines treat information as a commodity.

So, colonisation processes and dominant forms of use are evident in the production of content, and in the ways in which that content is organised and distributed. The outcome is that a dominant public sphere of production reigns, marginalizing those forms of use that are not in synch with the interests of the economic system. These developments demonstrate how the potential of the Web has been restricted. However, there is another avenue through which attempts have been made to restrict the potential of the Web – through affecting the development of the ‘official’ Web code. Such attempts to restrict code have a much more profound effect on the structure of the Web than do those listed above: they constitute a much deeper form of colonisation through juridification.

7.3 Dominant Forms of Use II: Colonising the Application

Structure: Legal Challenges and the World Wide Web

Consortium (W3C)

7.3.1 Legal challenges

Hyperlinking is one of the structural properties of the Web and has traditionally been, as I have explained above, a relatively unproblematic social relation on the Web. However, these simple relations became qualified as economic colonisation advanced. As such, the use of hyperlinks has been met with legal challenges on numerous occasions, and almost

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always in relation to the protection of commercial interests. One such case relating to the status of hyperlinks was that of Ticketmaster vs. Microsoft (1997). In this instance, Microsoft had made deep links³⁶ into Ticketmaster's Web site, bypassing Ticketmaster's home page and, therefore, the main repository of advertising. Further to this, it was argued that Microsoft's bypassing of the Ticketmaster home page meant that the content would seem to have more relation to Microsoft than Ticketmaster, thus impinging on Ticketmaster's image. The case was settled out of court in favour of Ticketmaster.

Perhaps more importantly for the purposes of radical public spheres, in July 2002, the Danish Newspaper Publishers Association set something of a precedent by winning a case to ban others linking to any page other than its home page (Wired, 2002a). A similar case in Germany was brought to court on the basis of the European Union's Database Directive, wherein the selection and arrangement of content in a database, in this case a Web site, is protected from access; the court found against the site making the link (Wired, 2002b). With the increase in the quantity and proportion of commodified content, and its concentration in the hands of a few companies, such hyperlinking may well become reduced outside the realm of commercial relations. That is, hyperlinking may well become a commodity. Perhaps more importantly, as I illustrate below, there have

³⁶ If one considers a Web page as a hierarchy of pages linked to each other, starting with the index, a deep link is to the pages that are lower in the hierarchy.

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been attempts to make provisions for the *standardisation* or juridification of colonised relations.

'Framing' is another of the immanent properties of the Web, another integral piece of HTML code. It refers to a method of displaying a Web page within another, based on the HTML 'frame' tag. This method of displaying information can be used to either remove the content from its context, say by displaying a newspaper article without the surrounding Web site, or can allow access to several sources from a central location. For example, a political discussion Web site might use frames to display a number of links to, for example, newspapers on the left-hand side of the page (say, the *Guardian*, the *Morning Star*, the *Times* and the *Daily Mail*), which load into the right hand frame. Framing can prove very useful for Web sites attempting to provide politically relevant information to citizens or indeed to critically contrast information, news and opinion from a range of sources. All of these are what we might consider to be acceptable, or in fact necessary, activities in a public sphere. However, such activities depend on a certain arrangement of relations and configuration of space that enables access, interaction and other features of a radical public sphere. Again, though, such activities also met with protest from economic interests, because framing supposedly confuses ownership over content and reduces the ability of the framed site to present itself. As an illustration of this contestation, in 1997 *The Washington Post*, *Times Mirror*, *Time Warner*, *CNN*, *Dow Jones*, and *Reuters New Media* took legal action

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against a news aggregator, *TotalNews*, for framing their Web sites. *TotalNews* had linked to these sites by using frames to provide a wide-ranging and comparative news service. However, this was seen as contrary to the commercial interests of the news services linked to. The case was settled out of court whereby *TotalNews* agreed only to frame sites that had given express permission and the plaintiffs agreed to issues 'linking licences' to *TotalNews* as long as they did not use frames (For a summary, see CNET, 1997).

Whilst this case involved commercial organisations as both plaintiffs and defendant, it is indicative of the juridification of technically mediated relations and standards by economic interests. In this case to protect the overall commodity form, not least so that 'branding' stays intact and that adverts can be seen. Again, the very basic Web technologies are threatened through the juridification of relations of production, exchange and consumption. The implications are particularly serious, for example, for the act of providing evidence in a discussion through a link. Though legal cases have gone both for and against deep linking and framing, there has been no real precedent. Most recently, the World Association of Newspapers have initiated court proceedings against news aggregators to demand them to pay for linking to and framing content of its members (*Financial Times*, 2006). Partially because of these problems and partially because of the problems of displaying framed pages, the frame tag is now infrequently used.

7.3.2 Juridification through the World Wide Web Consortium (W3C)

Where legal recourse against ‘objectionable’ forms of use of the Web is unpopular, expensive, time consuming, and most importantly, reactive rather than proactive, there are other means by which the demands of capital can be made and, to a degree, acted upon. It is in this sense that, as we have seen with ISoc and ICANN, SCBs can act as vessels for the interests of the capitalist economic system.

The W3C is the organisation set up by Berners-Lee to agree standards for the Web, and runs on a similar ‘rough consensus, running code’ functioning of Internet coordination bodies. Unlike the IAB and other Internet SCBs, there is no, nor has there been, government oversight of the W3C (or the Web itself); it is not steered by administrative power directly or otherwise. However, again unlike the Internet standards bodies, its process is hierarchical, centred as it is on Berners-Lee. Despite ‘inclusive’ provisions, the W3C is very much a benign dictatorship, with its founder, Berners-Lee, ultimately control of development (see W3C, 2004), though it is supposedly a professional member-based body.

Each paying member of the W3C has a seat on the Advisory Committee; employees of member organisations may participate in Working Groups, Interest Groups, Coordination Groups and may participate in workshops and symposia, and each member may access

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member-only information. However, membership costs £50,000 per year, or £5,000 per year for non-profit and government organisations, and for companies with revenues of less than US\$50m, and is tenable for a minimum of three years. Members are also expected to provide staff for working groups and other groups. This not only acts as an additional constraint to membership fees, but also means that those with greater human resources have greater influence. The result of this is that W3C membership is directly biased in favour of the better resourced. This disproportion is illustrated by a brief survey of membership, conducted on 13th May 2003. As of this date, the 410 members of the W3C consisted of 305 commercial organisations, 38 educational organisations, 28 governmental organisations, 23 non-commercial organisations and advocacy groups, 10 organisations representing commercial interests, and 5 commercial organisations working on behalf of governments.

It is not the case that membership enables actors to impose particular standards on others. Rather, it is the general realisation of systemic interests that threatens to dominate general development. Measuring this confluence is of course very difficult, but it is clear that the majority members of the W3C have an ultimate interest developing the Web in such a way as to facilitate commercial activity. Two examples will illustrate how these interests have attempted to impress themselves: the Patent Policy and the Micropayments Policy.

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7.3.2.1 The Patent Policy

Historically, and perhaps in accord with its stated desire to ensure open standards, W3C recommendations, software, and much of the documentation were public domain. However, until the proposed 'Reasonable and Non-Discriminatory Patent Policy' (RANDPP), the W3C never stated formally whether or not it would recommend and standardise patented technology for which fees would be charged. The Patent Policy proposal suggested that the W3C should allow companies to charge fees to users of its recommendations (standards) on reasonable and non-discriminatory (RAND) terms. There were a number of options for how the fees could be charged, including one-off payments by developers, or even per-use payments by consumer-audiences. It is perhaps unsurprising that the backers of the policy proposal, who provided the legal, technical, and administrative personnel for the W3C Patent Policy Working Group consisted of mainly for-profit companies, including Apple, AT&T, Fujitsu, Hewlett-Packard, IBM, Microsoft, Nortel Networks, Philips Electronics, and Reuters. Naturally, the proposal was an extension of their specific interests as standards developers as well as the general interests of capital.

The potential threat of the proposal to non-commercial forms of use was either unrecognised or was considered unimportant by its backers. However, the idea of charging fees for using the constitutive structure of the Web seemed absurd to many users and developers, especially those in

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the free software and open-source community. Free and open source software and content³⁷ would in fact have been the major casualty of the RANDPP. With fixed (non-discriminatory) fees, free software such as that used by IMCs would be virtually impossible to implement, if it utilises recommendations covered by fees. On the other hand, the implementation of licensing fees only for commercial software and content would be discriminatory, since they would be the only ones paying licensing fees so would be at a competitive disadvantage. The interests behind the RANDPP assumed a for-profit production model behind Web development, which would – whatever the particular charging scheme – ultimately pass on the costs of production to users. It may be consistently argued that Berners-Lee's vision of the Web is antithetical to the whole concept of intellectual property and patents. Indeed, the existence of a hypertextual Web is made more difficult when its code and content becomes fenced off, and accessible only to those with the ability to pay.

The exclusionary measures in the membership and decision-making structures of the W3C meant that certain interests would not be considered. Although Eben Moglen (Free Software Foundation), Bruce Perens (Software in the Public Interest), and Larry Rosen (Rosenlaw.com for Open Source Initiative) were eventually invited to participate, there were of course no participants from poorer sections of poorer societies for whom the implications of the RANDPP would be intensified. Indeed, even these

³⁷ 'Content' here refers not just to words, images and the like, but also the coding within which words etc are situated and related.

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invited experts were only ‘invited’ under pressure from the ‘user community’. Nevertheless, there was a vigorous campaign against the proposal outside the W3C.

Eventually, the RAND track was dropped ostensibly because of a ‘strong preference for RF (Royalty Free) Recommendations’ within the W3C: ‘the Patent Policy Working Group believes that the RF license as proposed is compatible with all major Open Source licenses except the GPL (General Public Licence). We are still working on GPL-related issues’. (Patent Policy Working Group, 2002). This abandonment was also, however, a response to the resistance experienced when the proposal was put forward for public consultation; the arguments of the open-source, free software and general Web users seem to have convinced Berners-Lee. Mozilla’s Christopher Blizzard summed up the opposition to RANDPP to those proposing RAND:

If there needs to be a venue where companies can get together and create documents that describe their patent-encumbered standards, they should do that outside of the W3C. The W3C should promote standards that are truly freely available. This would promote truly interoperable software and standards and would put the resulting technologies into the hands of as many people as possible (Blizzard, 2001)

7.3.2.2 Micropayments

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Another phenomenon that threatened the current form of the Web, and non-commercial forms of use, was the movement, begun in 1998, to introduce micropayments systems as a standardised structural component of the Web (see W3C, 1998). Micropayment is the process whereby those who provide content – in the broad sense – are able to charge very small fees for others to access that content. The W3C set up a working group to investigate the possibility of integrating micropayments into the structure of the Web.

Where the RANDPP was opposed because it would have prevented free development, a similar threat emerged from the system of micropayment: the logic of monetisation would, in the long term, discourage anyone from producing free content or having free relations. The standardisation of micropayments would colonise not only Web content, but also the programming language through which it is accessed. Additionally, Micropayments would alter people's expectations of and relations to each other and to content (especially as mediated by the search engines and portals), reifying the role of consumer, another of Habermas's indications of a colonisation. Indeed, Web content and code has an underlying parity as digital information. Thus, arguments for micropayments for, say, MP3s can be extended to cover all content and code: if people can use micropayments for newspaper articles, then they can for other content, for following links, and even charge for using standards or an XML schema. Indeed, without inclusive decision-making in the W3C, serious questions about the limitations to the application of micropayments

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went unaddressed. The sort of social democratic juridification that would address questions of the barriers to charging and how public service or public good provisions may be maintained cannot be fully addressed with such skewed power relations within the W3C.

Another important consequence of micropayments would be that *routes* to information and communication sources would become blocked as search engines could begin to charge fees. For instance, a search engine may charge a minimal amount for each search, or perhaps instead of charging for the search, they could charge to follow the link (on the commodification of hyperlinks, see W3C, 1999) creating a kind of online toll system. Even if small content providers could charge search engines to link to their information and resources, micropayments would not enable the Web to reflect the public good, but would merely reflect market power. Those with the most economic power could be able to channel users to their content, and economically restrict access to other content.

The W3C's working group on micropayments has now ceased to be. The stated reason for this is that there was a lack of interest in actually implementing the technology. Unlike the patent policy, micropayments attracted very little critical interest³⁸. This is, however, not to say that the idea of micropayments is dead, as research is being continued by a number of other private companies and, rather more controversially, by the Internet Engineering Task Force.

38 Ironically, the micropayment discussion list at the W3C was overwhelmed by e-commerce spam.

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The issues raised by RANDPP and micropayments demonstrate not just the tension between forms of use of the Internet, but also the degree to which the imposition of certain forms of use can eliminate others. They also show, however, that there is resistance to such forms of colonisation. Nevertheless, the design of the Web must respond to the demands of the economic system and the state. Given that the W3C is not backed by state power, it is likely that if it does not respond to economic demands, the latter will take other routes. One such example can be seen in Microsoft's dominance of the browser and server markets. This dominance has enabled them to gain some degree of control over *de facto* standards by ensuring that only Microsoft Web browsers can properly display certain content generated by some Microsoft Web servers or even by 'locking out' other browsers from entire networks (Clark, 2001).

7.4 Conclusion

In this chapter I have shown that radical public spheres on the Web are open to pressure from the state in a similar, though lesser, way to that of previous mediated radical public spheres outlined in chapter three. I have also shown that this direct coercive activity is not the only threat to such forms of use. Rather, the existence of such forms of use in a 'Webscape' that is itself increasingly colonised is not directly threatened, but does become marginalized. This threat of marginalization is not, however,

complete. Again, it is an ongoing process and is subject to significant resistance from the lifeworld, from individuals and organisations that are desirous to protect technologies that allow a variety of forms of use. Indeed both the Internet and the Web still remain open to a variety of forms of use, some of which (such as file-sharing) are very much fundamental forms of use, yet present significant challenges to vested interests.

Indeed, while some forms of use are threatened, new forms constantly emerge, one of the most significant of which, as relates to public spheres, is blogging, which is a kind of online hypertextual diary linking one's reflections with other sites, bits of information, other blogs and readers' feedback. Blogs are often linked through networks of common interest through which bloggers share information and analyses. Blogging is just one of many other uses of the Web illustrative of the Internet culture of collaboration, openness and sharing, such as social bookmarking, Wikis (such as those utilised by IMCs) and Bittorrent, which together have been coined 'Web 2.0' (O'Reilly, 2005). At the same time, this is not to fetishise social software, for much of it has been developed and rolled out by big Internet corporations such as Google, who have integrated it into their business plans. Should this software pose a significant structural threat, it can be neutralised, incorporated or marginalized.

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Summary

This thesis has developed a radical Habermasian theory of the public sphere through which the capacities of different media can be analysed. In the first two chapters I contextualised Habermas's theory of the public sphere in relation to the lifeworld and system, showing how his (1989) early study of a specific bourgeois public sphere alone cannot be brought forward to analyse contemporary phenomena. Rather, to theorise public spheres, we must consider their functions in relation to colonising systems. We must also consider the shortcomings of Habermas's theory, specifically where it fails to take account of the extent to which the economic system and the state shape and constrain the lifeworld and the public sphere. On this account I argued that a more radical, though no less rational, model of the public sphere was necessary.

In the next two chapters I showed that the current dominant forms of use of two media – newspapers and television – has to a degree limited the technological capacity to facilitate radical public spheres. I did not suggest that these technologies are inutile, but that their integration into and subsumption under the control of the economic system and the state means that radical forms of use are marginalised. I also illustrated that even under ideal conditions, their potential to mediate dialogic radical public spheres

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was limited by their temporal and spatial conditions, and by their lack of interactivity.

In the remainder of this work, I interrogated the capacities of the Internet and the Web to facilitate radical public spheres. I found that they were developed in such a way that they may potentially facilitate radical public spheres, such as IMCs. However there are two constraints on this potential. First, there is the 'internal' colonisation of these media in which certain uses become dominant and juridified, and secondly there is the fact that radical forms of use exist in an 'external' world in which the economic system and the state organise life. This is to say that the potential of such technologies is limited by the general context in which they are used. However, I also showed that dominant forms of use of the technology have not yet stymied the potential of the Internet as much as with, say, television. In contrast to the latter, the constitutive structure of the Internet and the Web facilitate a variety of forms of use. Nevertheless, because of the general context of use, some of these uses are inevitably marginalized. Even in this marginalized state, though, they provide an important media environment for radical public spheres, as they constitute important parts of a broader informal public sphere.

Whether or not the systemic forms of use come to dominate the technologies of the Internet and the Web remains to be seen. It must also be borne in mind that radical public spheres are not marginalized solely by (systemically driven) technological factors. Rather, broader social issues

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beyond the Web – material resources, education, ideology, production relations, alienation and so on – may explain why people do not seek out such spheres in the first place.

IMCs are not, of course, the only public spheres on the Internet, nor are they the only radical public spheres. Due to the size of the Internet there are of course innumerable other Web sites and Internet applications that have tried to facilitate more or less participatory public spheres, such as *Slashdot* (www.slashdot.com), *WikiNews* (www.wikinews.org) and Weblogs. Some Web sites, such as www.opendemocracy.org have been designed from the outset with a clear understanding of their function as a public sphere.

Like IMCs, Open Democracy positions itself in critical relation to systemic media. They state that they follow ‘world events, not “the news”, ensuring we are not swayed by the transitory media’, that they aim to tackle ‘the long-term issues, such as globalisation, which are too big for the media to grasp comprehensively - with their continuous churn’, and that they are as inclusive as possible by ‘promoting global dialogue and discussion around these key issues, especially between the North and the South’. They refer to their exercise as a model of “Contested Exchange”, which they describe as a

formula for comprehensively covering a global topic. It introduces the global topic and why we believe it to be of pressing importance. It allows the key positions of thought to be presented in an open handed and

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balanced way, enabling our members to make up their own minds about the subject. It then enables you to contribute to the discussion and participate in the active exchanges (OpenDemocracy, 2003).

However, interaction is limited to discussions of articles (rather than allowing people to contribute articles or to the development of the Web site), and there is a divide between academics and journalists who write articles and the public that discusses them. There is also no capacity for participants to produce the Web site itself, or to influence policy and development.

Efforts have also been made by systemic media organisations such as the BBC to enable people to communicate on their Web sites, such as the heavily moderated “Have Your Say” section on its News Web site. However, the degree to which the BBC can be considered to be part of an informal public sphere rather than an aspect of systemic communication is open to question, as its editorial policy roughly follows the ‘professional’ ethics of BBC broadcast journalism. Of course, the possibility of participation in producing the Web site more generally is non-existent, not least due to the priority of waged labour at the BBC.

Perhaps the most important issue facing radical public spheres relates to how participation can be facilitated. The return of the production paradigm to Habermas’s theory illustrates how a general context of material production organised through the state orders not just the thing itself, but also the ability of people to engage it, not least through the organisation of

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their life-time through labour. The productive basis on which activity takes place provides a more concrete explanation of why radical public spheres become marginalized. Certainly it provides a better explanatory framework through which forms of use of things generally can be understood than can colonisation on its own. It also provides a basis for understanding the limits to deliberative democracy more generally – it seems to be the case that either fundamental social change is necessary before communicative democracy can be effectively implemented (which would be the approach of the emancipatory politics of the Frankfurt School), or the theory of communicative democracy makes too strong demands of a structurally limited society and individuals within it.

Redistribution, Marginalization and Public Spheres.

The issue of inequality has been raised by a number of theorists of deliberative democracy, and it has been an issue noted throughout this thesis. Knight and Johnson (1997: 307), for instance, argue that equality is an integral issue part of deliberative democracy, claiming that ‘we endorse... redistribution as a remedy for the... fundamental difficulty that citizens must possess a certain level of income and resources if they are to develop the basic capacities necessary to be effective participants in democratic deliberation’. I have pointed out here that material inequalities influence the ability to produce radical public spheres, and their media.

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Certainly the more general organisation of production means that systemic media marginalises radical media. Perhaps most importantly, *control* over production – especially in systemic media – resides in those with an upper-middle class background (the same can be said for participation in Parliament).

Research on Internet use shows a continuation of this trend. In the UK in 2005 only 29% of those earning under £12,500 used the Internet, compared to 58% of those earning between £12,500 and £25,000 and 84% of those earning over £37,500 (Oxford Internet Institute, 2005). In the US, in 2000 and 2001, those earning over \$50,000 were nearly twice as likely to use the Internet than those earning up to \$30,000, and, crucially, those with a higher income spend more time online than those with lower incomes (UCLA, 2000, 2001, 2002). On a global level these divisions are of course even more stark, so that the idea of ‘promoting global dialogue and discussion around these key issues, especially between the North and the South’ pursued by Open Democracy and IMCs is merely a formal desire, especially when we consider that as of 2002, only 10% of the world’s population was online and of these 88% were in the industrialised countries (World Economic Forum, 2002). This is to say that if the population of the world is roughly 6,000,000,000, then Internet users from the (majority) ‘industrialising’ and non-industrialised countries make up only 1.2% of this population. This figure is even more a matter for concern if we were to be

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able to break users in poor countries down by income, as the UCLA report on the US was able to do.

If the possibility of participation in public spheres is influenced by material wealth, then could redistributive policies adequately redress this? One thing I hope to have shown is that it is unlikely that state-led redistributive policies alone would be enough to invigorate democracy. Rather, as the colonisation thesis shows, participation in public spheres and the capacity to act on the basis of decisions reached in those public spheres is systemically limited. In the first instance, participation in public spheres is limited by much more than the basic distribution of wealth. Rather, under capitalism, the fact of wage labour means that primary activity must be oriented to remuneration – one must labour for capital to survive – and those activities that are more profitable are prioritised. In the second instance, the ability to implement changes is stymied by the incapacity of the state to respond to certain types of demand – especially those that may threaten its existence or the ‘proper’ functioning of the capitalist economy.

In this sense, the marginalization of radical public spheres cannot be fully redressed through redistributive policy, nor perhaps should it be. Indeed, radical public spheres would only be foregrounded when the conditions of their marginalization are removed. Reforms to the functioning of media, the Internet, or the distribution of wealth on their own will not remove these conditions, for they will address only the symptoms of the problem, not its cause, and therefore mask rather than resolve fundamental

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problems. As I have argued, we cannot and should not isolate the problems faced by radical public spheres from broader issues.

Directions for future research.

The present project has addressed two issues: that of theory of the public sphere and the problem of colonisation more generally, and that of the uses and development of the Internet and the Web.

The problem of the public sphere in the context of colonisation has been explicated in this thesis rather than resolved. Indeed, the intention was not to resolve theoretical problems as much as clarify them through a specific application. To the degree that I engaged theoretical problems, I introduced the concept of radical public spheres, linking this to radical forms of use of media technologies. This concept has not resolved the problem of colonisation, though it does go some way to assist thinking about resisting it. The problem with foregrounding this conceptualisation of the public sphere remains insofar as it says little about how colonisation can be overcome rather than just resisted. To this end, the concept carries with it the problems of Habermas's theory. These problems include the issue of how communicative democracy can have a real purchase if it is always already stymied by the economic system and the state, especially as the latter controls coercive resources through which opposition can be neutralised. Habermas's solution of simply leaving the capitalist economic

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system – and by implication the state – alone is clearly insufficient, so greater consideration must be given to how its dominance might be overcome.

The problem of the Internet and the Web has the status of an ‘in the meantime’ problem. This is to say that until more significant general changes can be initiated, how can democratic engagement and its mediation be facilitated – in particular, how can radical forms of use of the Internet and the Web be protected and extended? As with the first problem, this is not just a matter of research, but of practical activity. To this latter end I have continued to participate in IMCs, and note that they are constantly reflecting on their roles, their policies, development and design. In terms of research on this area, it would be fruitful to consider how local IMCs might respond to the cutbacks that media conglomerates are making in local media. For instance, ITV has been lobbying the government to weaken its local news provision and two of the biggest local newspaper conglomerates, Trinity Mirror and Northcliffe are making enormous cuts in the sector, sacking journalists and creating a greater reliance on the reproduction of press releases and the like. Perhaps IMCs will be able to take advantage of the supposed lack of profitability in the local sector, and become the main forum of local communities. Interestingly, this may intensify the move IMCs have made to take a form similar to the local community networks and ‘digital cities’ of the 1990s.

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Future scholarly research into how radical public spheres can interact more effectively with broader publics, that is, how they can affect the 'public consciousness' or the Habermasian concept that attended to only marginally here, 'genuine public opinion', could feed into this reflection. This would be important not least due to another issue necessarily omitted from the present research: that the potentials of the Internet and the Web are potentials for all. This means that it is not only 'progressive' groups that take advantage of these technologies by producing radical public spheres that feed into a more general egalitarian informal public sphere, but also 'regressive' groups. It would be an important but difficult task to understand how IMCs 'fit' into the public consciousness – or political culture – in the context of this informal public sphere, compared to 'regressive' groups and advocates. Such research would again enable us to reflect back on Habermas's theory, specifically his focus on formal proceduralism. The present research illustrated the limits to formal procedural equality in the cases of the development of the Internet, the Web and the experience of IMCs when systemic interests are threatened. In future research, the formal procedural equality emphasised by Habermas – and to a degree afforded by the Internet – must be questioned because it is clear from his work that he desires that his proceduralism results in certain sorts of (generally socialist) output. However, the complexity of political culture, ideology, substantive resource differentials and so on make such output in the informal public sphere uncertain. The questions can then be

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asked: What happens if the lifeworld ‘radically’ generates ‘regressive’ public opinion? What if it serves as a prop to the economic system and the state? What if – as may well be expected under conditions of systemic inequality – formal procedural equality fails to neutralise material and power differentials?

Additionally, there are important policy debates to be engaged, which a number of legal scholars have taken the lead on. For instance, Michael Fromkin and Lawrence Lessig have been heavily involved in debates over the future of ICANN and the issue of digital rights management respectively. Both see the issue of colonisation as a threat to the openness of the Internet, and both have made scholarly and political interventions to oppose policies that they see as extending colonisation. It seems, though, that their logic of argumentation – that further colonisation reduces the capacities of the lifeworld – does not fit with the neo-liberal logic of policy makers today. The needs of the lifeworld and democracy pales in significance to the needs of the economy.

That said, though, it would be worth exploring an issue that I have only indirectly touched upon in the present work (not least because it is something that does not fit comfortably into the Habermasian framework within which I have been working) – that is the issue of contradiction within the economic system. Following Marx, Michael Wayne (2003) has reminded us that we must not think of capitalism as a singular interest. Rather, different capitalist organisations may have very different needs. For

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example, the 'Brand X' case referred to in chapter six involves a struggle between two sets of capitalist organisations – content providers and content carriers – who have very different needs. Similarly, file-sharing technologies presented a business opportunity in terms of distribution, but this conflicted with the interests of music, film and software copyright holders who saw another's opportunity as a threat to their business. To this end, further research on the political opportunities arising from different capital interests may well be a fruitful opportunity to construct arguments for particular routes for the development of Internet technologies. Here the concept of forms of use can thus be further developed, applied and problematised.

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