CULTURAL POLICY, CRITICISM & MANAGEMENT RESEARCH

Issue 5 | August 2011

THE NEW MEDIA ISSUE

CITY UNIVERSITY
LONDON

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New media? Re-imagining technology, culture and the social

This special issue of *Cultural Policy, Criticism and Management Research* explores the enduring fascination with the idea of novelty through the lens of new media. The brand names in the discourse are familiar: Twitter, Facebook, Google, Digg, Tumblr, MySpace, to name a few. But these buzzwords reveal more than their commercial application. Critical analyses of these tools reveal ongoing dialogue and tensions between technology, culture and society. As these vectors – with ever-shifting contours, contested meanings and competing claims – overlap, they raise important questions about what can be claimed by 'new media' and why and how this term maintains currency and power within the social realm.

Through an interdisciplinary framework, this volume investigates new media by asking just what it is – to borrow from Raymond Carver (1982) – that we talk about, when we talk about the *new*. For, as Roger Silverstone made clear, '[i]t is easy to be seduced by the simplicity and the significance of novelty. It is easy to misread the signs. Novelty is, however, at this point, our problem' (1999: 10). This is to say that the new is never without precedent, nor is it ever completely innocent. The present bears imprints of the past, whether linear or otherwise. History exists in the now; it informs challenges to the present as much as it teases out narratives of a given future. Yet novelty's conceptual value lies not in its referential relationship to what was. Instead, the problem of the new is the problem of making sense of shifting logics of being – logics that hold out the promise (or the threat) of

reconfiguring structures of knowledge and experience. It is a problem of contextualising and understanding change *within* continuity.

In questioning new media, the articles in this journal resist the urge to fetishise novelty and choose instead to unpack the 'new' and demonstrate how it can act as a lever of both transformation and stability. To be clear, new media have not made their predecessors obsolete. They have simply absorbed older media into the fold, and in this sense, the challenge of **New Media? Re-imagining Technology, Culture and the Social** is to reconcile technological innovation with new media's deep historicism.

Thus, **Richard Wigley** uses systems theory to investigate Twitter's value to deliberative dialogue; **Judith Townend** documents the impact of social media on news publishing and implications for the law; **Dong-Hyun Song** writes about internet governance and online activism in South Korea; **Jowan Mahmod** explores how youth in the Kurdish diaspora perform identity online; **Jenny Kidd** examines the relationship between new media and democracy; and **Zeena Feldman** locates Georg Simmel's stranger in the world of social media. With contributions from the humanities and social sciences, this collection of essays contributes to wider discussions about how media platforms and communication tools impact social, spatial and cultural spheres of meaning and practice. It offers a variety of interventions for readers to consider, comment on, and indeed, question.

Zeena Feldman
Editor, Cultural Policy, Criticism and Management Research

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Novel noise?
A systems-theoretical approach to Twitter

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ABSTRACT
This paper explores instances where communication using the medium of Twitter is shown to be in tension with communicative codes of the mass media and law, and asks whether the micro-blogging service can be described as a novel system of communication. Utilising Niklas Luhmann's systems-theoretical approach to sociological analysis to analyse specific cases, the paper assesses Twitter's potential stability as a social system based on communication. Evidence regarding the basic conditions of system formation is sought in three cases where Twitter may be identified as a conduit for communication resulting in action or dissent. In asking whether Twitter fulfils the properties required for system formation, this paper suggests that Luhmann's systems theory provides a valuable framework for deeper analysis of social media tools.

KEY WORDS
Twitter, Luhmann, Systems Theory

> *If media and techniques of communication change, if the facilities and sensitivities of expression change, if codes change from oral to written communication, and, above all, if the capacities of reproduction and storage increase, new structures become possible, and eventually necessary to cope with new complexities.*
>
> (Luhmann 1990: 100)

INTRODUCTION

Launched in 2006, the web-based micro-blogging communication tool Twitter is based on the idea of being able to share 'What's happening?' with a group of friends while being simple to use and access.[1] Communication via the service consists of messages with a 140-character limit, designed to fit within the SMS (Short Message Service) protocols that governed the distribution of text-based messages across most mobile communication networks at the time. This restriction of message length has allowed the service to be truly mobile from its inception; both posting and reading can be done on a wide variety of technological platforms including mobile phones.

Over the last four years around 175 million Twitter accounts have been created (numberof.net 2010, Twitter.com 2010). Even though it is estimated that 40% of these accounts have never been used (numberof.net 2010) the sheer scale of the capacity of the system is demonstrated by its global user base, who published an astonishing 25 billion Tweets during 2010 (twitter.com 2010).

The rapid growth and acceptance of Twitter, and indeed micro-blogging itself provides the possibility for highlighting a novel change in the medium, technique, and content of mass-communication. Although SMS messaging, which is equally restrictive in message length, has been available as part of mobile phone functionality for some time,[2] the publicly open nature of messages communicated though Twitter raises questions regarding its efficacy as a medium for the dissemination of information.

Instances of irritation, although few in number, have notably occurred where Twitter activity has been deemed to be in contravention of accepted mass communication protocols and tested against legal structures that were formulated prior to the service existing. Luhmann defines the concept of irritation, specifically in relation to mass media, as ‘the form with which a system is able to generate resonance to events in the environment’ (Luhmann 2000b: 22). This concept will be used to assess the systemic nature of Twitter by highlighting the communication of environmental events within its operation. The chosen instances of irritation highlighted within this article show the potentially problematic nature of the change in communication that Twitter may demonstrate and its complex relationship with the possible environments in which it operates.

METHODOLOGY

This paper explores the phenomenon of Twitter through utilising elements of the analytical paradigm of social systems theory, specifically as proposed by Niklas Luhmann. By turning to a theoretical model that ‘offers a highly original description of modern social conditions and the possibilities of communication’ (Lee and Broszewski 2009: 5), the growing complexities of Twitter can be simply described and its potential as a stable system of communication assessed.

Although highly abstract, Luhmann’s systems theory of based on the identification of differences, distinctions and boundaries, which he helpfully applied to the mass media system late in his career (2000b). By focussing on such basic systemic operations, this paper aims to introduce systems theory in an accessible manner, whilst providing insight into the potential of Twitter as a case for empirical, systemic investigation.

In addition to issues concerning the systemic classification and interpretation of Twitter-based communication, particularly whether

posting constitutes participation in the mass media or a personal communication channel, there have been instances where Twitter has been utilised as a tool for campaigning, resistance and dissent in political climates as disparate as Iran, the USA and England.[3] The utilisation of structures outside of established mass media in such an open, public manner raises further questions about the structural relationship between Twitter and mass media, specifically whether the service is exhibiting systemic autonomy or not.

The analytical approach employed in this paper is of a critical nature, utilising key concepts and the language of Luhmann's systems theory to provide an analysis of systemic traits that are displayed in specific cases, particularly difference and distinction between Twitter and other mass media.

DEFINITIONS

In order to discuss Twitter, it is necessary to briefly pause to clarify and define a small number of terms that will be used throughout this paper. Without becoming too technical or dwelling on a technology that may be employed and appropriated by users, these definitions will focus on common user operations.

The term Tweet will be used refer to a message, within the 140 character limit, posted by a user on Twitter.

'Following' is a term used to describe the relationship between users across the network. Followers are other users that have requested to be kept informed of any new Tweets that are posted by a particular user. The same user is a Followee of other users by request. The two positions do not have to be reciprocal; users can have an imbalance between the number Followees and Followers in their network.

LITERATURE REVIEW

The work of German social theorist Niklas Luhmann provides a somewhat under-explored conceptual framework on which to build an analysis of the potential of Twitter. Introducing systemic thinking has been recently proposed as a 'dramatic paradigm shift in sociology' (Lee and Brosziewski 2009: 3), one that seeks to describe society not in terms of human subjects and their action, but in terms of systems that reproduce themselves in the medium of communication (Taekke and Paulsen 2010: 1).

Although Luhmann's systems theory is comparable, and indeed a significant development of the general systems theory of Talcott Parsons,[4] this paper, due to considerations of length and focus, does not set out to discuss systems theory as a conceptual framework, but intends to utilise the most accessible and perhaps familiar principles of systemic thinking by way of an introduction.

Based on the communicative feedback models of cybernetics, the basis of Luhmann's theoretical position, and the distinction between his and earlier Parsonian models is the concept of *autopoiesis* (Sevanen 2001: 76-77). Used to describe self-recursive and regenerative behaviour in cellular biology, autopoiesis in Luhmann's terms is one of the conditions essential for 'fulfilling the conditions of systems formation… no matter how complex the emerging structures turn out to be' (2000a: 2). Systems therefore, using Luhmann's conceptual framework, exhibit self-referential and reproductive capabilities.

The other condition for systems formation, again a development from earlier systems thinking, is that of *operative closure*. As Sevanen tells us, 'this does not mean that they have no connections with their environment', but rather that a system handles the information and energy that it gains from its environment according to its own 'inner code or operating principle' (2001: 80).

It is these two conditions for systems formation that are the departure point for the systemic analysis contained within this paper, that of the '*difference between system and environment*'. A system exists, Luhmann tells us, by constituting and maintaining a boundary between itself and its environment (Luhmann 1995: 16). It is important to note that boundaries are not points at which connections are broken. Processes that cross system boundaries, that is from system to its environment, have 'different conditions for continuance after they cross' (*ibid*.: 17).

Although there are parallels that can be drawn between systemic analysis and web sphere analysis as proposed by Schneider and Foot (2005), namely boundary definition, recursivity and dynamism, the focus of this framework on the 'analysis of communicative actions between web producers and users' (Schneider and Foot 2005: 158) encourages the creation of complex models of person-to-person interaction. By negating interpersonal interaction, systemic analysis becomes a more viable proposition than web sphere analysis as it allows for a reduction of elemental complexity that may not be possible with Schneider and Foot's framework.

It has been suggested that a social networking site 'is a social system that produces itself by meaningfully organising its own elements' (Lee *et al*. 2010: 138). If we are to view Twitter as a social networking site,[5] the point of interest for this paper is not regarding the differentiation between the participants in the systems (users) and the conceptual difference of medium/form as outlined by Lee, Goede and Shryock (2010), but the passage of information between system and environment.

To begin analysing Twitter from a systems-theoretical perspective, it is worth noting the work of both Taekke and Paulson (2010) and Lee *et al*. (2010), which introduces Luhmann's theory of media in *The Reality of the Mass Media* (2000b). While both papers concentrate on the distinction between medium and form within social network sites, the

readings of Luhmann's media system provides valuable entry points into discussing the relationship between Twitter and its environment.

Previous research specifically focussing on Twitter, its operation and function is, as one might expect from such a recently launched service, fragmented and notable by its paucity. One has to question the use of statistical analysis as a basis for analysing how users engage with Twitter (Java *et al*. 2007, Huberman *et al*. 2008, Jansen *et al*. 2009), especially as reliable data appears to be difficult to identify. Indeed problematic data has led Java *et al*. (2007) to analyse user activity and retention over a period of only a week despite basing their wider analysis of user volume on the publicly available Twitter timeline of two months. Huberman *et al*. (2008) have also found that any longitudinal analysis of user's posts and connections is constrained by a limit of 3201 Tweets per user capable of being displayed. Although beyond the scope of this paper, such limitations are justified as being necessary 'to alleviate some of the strain on the behind the scenes part of Twitter, and reduce downtime and error pages' (Twitter.com 2011).[6] Recently a number of third party archival engines have been developed to store Tweets in perpetuity, although these require individual users to take action to ensure the data is kept available. The storing of every publicly available Tweet ever created by the Library of Congress offers no real solution to these identified problems, as there are heavy restrictions for usage and a six-month delay on Tweets being published.

Huberman, Romero and Wu (2008) provide early analysis of the social networks that underpin users' engagement with Twitter. Differentiating between following someone, being a followee and the reciprocal direct messaging that in their opinion indicates friendship, their analysis concludes that users' most important network connections are well hidden inside a more complex network of loose, expendable connections. Zhao and Rossen (2009) however see these weak ties as being vital to the flow of novel information, which is 'more likely to be gained from people outside of our daily activities'. Indeed, Hughes and

Palen (2009) add further weight to the importance of loose connections in their analysis of Twitter messages during emergencies and mass convergence events where they note that information is disseminated in a less person-specific form.

In the analyses of the cases below, principles concerning both the formation of systems and the differentiation between a system and its environment will be taken into consideration. Although by no means a comprehensive empirically based systems-theoretical analysis, the restrictions will allow for comparison with other suitable analytical frameworks.[7]

OPERATIONAL CLOSURE, AUTOPOIESIS AND TWITTER

On the 24th September 2009 in Pittsburgh, Pennsylvania, state troopers raided a motel room, acting on information received regarding protests surrounding the G20 Summit happening in the city at the time. The police entered the room to find Elliot Madison sitting at his computer with a range of other communication equipment including police radio scanners (eff.org 2009). Madison was arrested for allegedly breaking a federal anti-rioting law by informing protesters of the movements of police during the protests so that they might be avoided (wired.com 2009).[8] Among the charges that stood against Madison at his trial was criminal use of a communication facility, that facility being Twitter (eff.org 2009).

Less than six months after Madison's arrest, on the 6th January 2010 in England, Paul Chambers, anxious about catching a flight in the face of bad weather, Tweeted 'Crap! Robin Hood Airport is closed, you've got a week and a bit to get your shit together otherwise I'm blowing the airport sky high!' (independent.co.uk 2010). Chambers was arrested a week later, charged under an obscure 1977 law designed to prosecute 'hoaxers who make others believe, beyond reasonable doubt, that bombs or explosives have been set somewhere' (guardian.co.uk 2010).[9]

While both cases are much more complex to describe than the length of this paper allows,[10] what is of concern with regard to analysing Twitter using a systems-theoretical approach is that the prosecutions happened. Turning again to the concept of differentiation, the two cases highlighted clearly show irritation between communication that happens within the (sub)-system of Twitter and the societal sub-system of Law (Sevanen 2001: 79-80).[11]

A note of particular interest in the Madison case is that when protesters in Iran earlier that year utilised Twitter as a medium to communicate information relating to political protests, such usage appeared to be officially sanctioned as acceptable in America (reuters.com 2009). When Madison, leaving aside his other communication tools, used Twitter in the same manner domestically he was deemed to have used a communication system in contravention of the law.[12] Systemically, this could be seen as the legal system imposing a limitation on the function of Twitter, which Sevanen (2001) highlights as a condition of operational closure.

In providing information for protestors in Pittsburgh, Madison's Tweets exhibit characteristics of self-referential, operational closure (Luhmann 1995: 9) in that they were intended to be part of the communication that happens within the system of Twitter. Madison was communicating within a system using information that was intended to be received and understood from within that system. While Twitter as a system understood and accepted the information, once it was judged outside the boundary of Twitter and was regarded as communication within the system of mass media – from where the law judged the information – it was no longer deemed as acceptable.[13]

The Chambers case in England echoes the issues surrounding self-referential, operational closure that are apparent in the Madison case, but it also allows questions concerning the autopoiesis of Twitter to be addressed. Chambers' original Tweet was posted on his personal account, one that at the time had 690 followers (guardian.co.uk 2010),

which would appear to be rather a large number, marking Chambers as a very active user.[14] Although it is no longer possible to assess the Tweets surrounding his original posting (due to the previously cited limitations on the number of publicly viewable Tweets per user), it would seem safe to assume that Chambers' intention was to make a joke.[15]

The trail of Chambers calls into question the meaning of the Tweet, where meaning is something that participants, in this case of Twitter, are able to construct in the knowledge that its literal interpretation is only one actuality of a 'horizon of possibilities' (Lee *et al*. 2010: 143). Chambers' Tweet merely demonstrates the autopoietic nature of Twitter as a system, in that it is referential towards the codes and functions of Twitter alone and once taken as information in another system produces irritation. Indeed using the contextual system of Chambers' Twitter followers and his followees, one might be able to use systemic analysis to place the Tweet within the system of his Twitter network, or virtual community, distinct from the environment of Twitter, although in this case Chambers' Twitter network would be more accurately described as a differentiated subsystem of Twitter. Conceptually this further demonstrates the autopoietic nature of the virtual community of individual users, although it would suffice to call such a community a differentiated sub-system of Twitter.[16]

The two cases outlined above provide compelling evidence that Twitter fulfils the conditions of systemic formation in that it is operationally closed and is autopoietic in nature. This evidence is based on the analysis of two cases of Twitter users and their Tweets, although the people and the Tweets themselves are not critical to claiming that Twitter can be viewed as a system, or as a subsystem.

What is important in these cases is the flow of information and the self-referential nature of it. If we can view Twitter as a system and further analyse it as a system, where does it sit within society? In other words where are the system boundaries and what is the environment that it is differentiating itself from?

TWITTER, SYSTEMIC DIFFERENTIATION AND BOUNDARIES

During the aftermath of the disputed Iranian elections of June 2009, American literary magazine *The Atlantic* published on their website a series of blog posts by Andrew Sullivan titled *The Revolution Will Be Twittered* (Sullivan 2009). Although hyperbolic in title, only one post on the 13th June included a hesitant question mark, Sullivan was largely acting as a filter representing information from Twitter and to a lesser extent video hosting service YouTube. Content aside, the titles of the blog posts present an interesting circularity, where new media (blogging), supported by old media (a print magazine) is presenting newer media (Twitter) in an aggregated form for consumption though a mixed-media format (a website of a print magazine).

In the days immediately after the results of the election were announced, Twitter postponed – allegedly at the urging of the US government (reuters.com 2009) – scheduled maintenance 'because events in Iran were tied directly to the growing significance of Twitter as an important communication and information network' (Twitter 2009). Despite the impetus behind the change in schedule being contested, delaying the upgrading was alleged to ensure that access in Iran was not blocked during daytime in the country (reuters.com 2009). But, analysis of tweets from June 11 to June 19 shows that the percentage of postings relating to 'Iran Election' originating from the country itself fell from 51.3% to 23.8% (sysmos.com 2009). Indeed Twitter was at times 'rendered…almost useless as a source of information' (economist.com 2009) due to the volume of supportive tweets from British and American users.

While it is not within the scope of this paper to discuss Twitter as a tool for galvanising political action and disseminating information in defiance of alleged state censorship (reuters.com 2009; Sullivan 2009), what is salient is the tension between Twitter and other established mass media in reporting the situation in Iran at the time. One could

indeed see the reporting in the West of the elections and the proceeding demonstrations as a period where Twitter profoundly irritates mass media systems, so much so that the most comprehensive coverage has been identified as a hybrid of old and new media (economist.com 2009).

The case of Twitter in the aftermath of the Iranian elections in 2009 provides a useful example of identifying a system through the differentiation between the system and its environment. At least one of the two conditions for systems formation is also contained in the example.

Despite Twitter being highlighted as becoming useless at times by a mass media conduit (economist.com 2009), such uselessness is a sign that self-referential, or autopoietic, behaviour is evident. Supportive Tweets, responding to the information contained within the system are nothing if not self-referential.

However, describing the system as disintegrating to uselessness, or displaying entropy, is not evidence of instability within a social system. It is not the general efficacy of Twitter that is being questioned by *The Economist*. What is being challenged is the system's usefulness as a source of information that *The Economist* has previously relied upon to report as information within the magazine's coding. With Luhmann identifying that systems possess 'dynamic stability' where they may not return to a previous equilibrium after a disturbance (1995: 10, 45), such a claim of uselessness can be considered a dynamic evolution of the systemic function of Twitter where information or communication is no longer able to be processed by the system of the mass media (or in this case, *The Economist*).

It is in the hybridity of the reporting of the situation in Iran that Twitter, providing the mass media with novel information, that allows us to ask questions regarding the environment in which Twitter may be exhibiting systemic properties. The first question, particularly in light of the re-publishing of Tweets by journalists and aggregators such as Sullivan, is whether in this instance Twitter is differentiating itself as

a sub-system of the environment of social network sites, the web, the environment of the mass media or whether is it differentiating itself from society as a whole.

If Twitter is to be positioned as a social networking site, as Ellison and Boyd imply (2007), it could be proposed that Twitter is a component, or sub-system of the system of web 2.0 in the same way that the social networking sites Facebook and Myspace are (Lee *et al.* 2010: 139-141).[17] However, by following users and being a followee of other users within Twitter exhibits all three characteristics of a social network site as outlined by Ellison and Boyd (2007: 2).[18] The case of Iran in 2009 displays Twitter interaction not so much between the internal networks of users, but between Twitter and the environment. This environment could be said to be either the web or the mass media. In both cases, individual Twitter users do not have to have a declared network connection, providing a boundary of differentiation.

Whether the boundary of differentiation could be seen between Twitter and the web, or between Twitter and the mass media, the tension or irritation between the system and environment is highlighted by the aggregation of the information that flows between the two. By filtering content to be re-published on the web, Sullivan fulfils the role of a 'gatekeeper', presenting, or 'exploiting' information contained in Tweets in an opaque, unaccountable manner (Kirby 2009: 101-105).[19] This selective highlighting of information presents a tangible example of one of the founding principles of Luhmann's theory of the system of mass media, that of the 'doubling of reality'. A doubling of reality is key to differentiating the mass media system from other systems of communication, where 'first reality' is what happens and 'second reality' is the communicated observations of the mass media. Second, or the double of, reality is notable for its rather tenuous relationship with truth (Luhmann 2000b: 1-9).

By representing selected Tweets within an environment of a blog, Sullivan is presenting a trebling of reality, where Tweets relating to the

real events in Iran are the second reality, and through the process of aggregation, Sullivan presents a selected, self-referential third reality. This overt complexity implies that Twitter is a system that differentiates itself from its environment, where its environment can be either the mass media or the web, by successfully taking 'the media's chronic need for information into account' and providing 'new information for the necessary continuation' of its very existence (*ibid.*: 9).

CONCLUSION

This paper set out to assess the stability of Twitter as a communication-based social system, specifically by employing Luhmann's system-theoretical approach to sociological enquiry. By introducing the base concepts and conditions for system formation, then using focussed enquiry to test them in relation to Twitter, it is hoped that both systemic thinking and Twitter have been presented in novel ways.

The relative novelty of Twitter as a communication system and its rapid growth as a repository of information makes situating the service within a specific environment difficult. Although short-form messages have been part of the medium of personal communication for some time as part of SMS communication, Twitter builds on the familiarity of the private one-to-one or one-to-few technique, but places the ensuing messages in the publicly accessible forum of the web. The interaction between the service and more established communication media further blurs the position Twitter holds within both the web and other media systems.

Analysis of specific Tweets, and by extension of Twitter itself, provides evidence that the service fulfils the conditions of system formation through its display of autopoiesis and operative closure. With these conditions met, Twitter clearly exhibits systemic properties. If we are to assign systemic status to the service, new avenues for analysis concerning Twitter's functions and operations are opened using Luhmann's theoretical framework.

Utilising the basic systemic properties of differentiation between the system and its environment, the boundaries therein allow for positioning Twitter as a sub-system of a number of societal systems and sub-systems. This paper has been able to identify a number of possible systems within which Twitter could be said to exist, although its constant growth and development denies fixity, reflecting a core aspect of social systems, that of evolution.

What the above analysis contained shows is that as a system, Twitter has value for further analysis and investigation. Deeper systemic analysis, particularly employing concepts such as medium and form, coding, function and evolution would provide a more complete understanding of the role Twitter can, and speculatively will, play within society.

NOTES

1. The story of the beginnings of Twitter is told at http://en.wikipedia.org/wiki/Twitter, and replicated across the internet on many sites, with an engaging account by an employee involved in its development posted on http://www.140characters.com/2009/01/30/how-twitter-was-born.
2. The protocols for the Global System for Mobile Communication were standardised in 1985 with SMS length set at 160 characters
3. An ever-changing overview of a range of Twitter usage techniques is available at http://en.wikipedia.org/wiki/Twitter_usage.
4. Although it is not within the scope of this paper to provide a historical overview of systems theory *Sociology and Modern Systems Theory* by Walter Buckley (1967) provides an introduction to Parsonian systems theory as well as a comprehensive overview of other cybernetics-based theorists.
5. Twitter is included on the timeline of social networking sites proposed by Boyd and Ellison (2007) although at the time their influential article on social networking was written Twitter was very much in its embryonic stage and is not referred to or analysed otherwise.
6. Limits for data access and account activity are regularly reviewed, with the limits often set at round numbers such as 1000 messages per day.

7. Lee and Brosziewski have explored systems theory and empirical research in chapter 8 of *Observing Society* (2009: 205-217).
8. The motion and supporting lawyer's declaration are available through the Electronic Frontier Foundation at http://www.eff.org/deeplinks/2009/10/man-arrested-twittering-goes-court-eff-has-documen. These offer the most non-partisan account of the charges brought against Elliot Madison.
9. Further, deeper discussion of state sanctioned censorship and surveillance on the internet can be found in Rønning's (2010) *Tools for Democracy or for Surveillance?*.
10. Media reporting of both cases appears to be generally supportive of the defendants, although in the case of Elliot Madison reporting of the case post-arrest is difficult to find. The Chambers case has been extensively reported by the *Guardian* newspaper, if in a somewhat partisan manner.
11. As no conclusions have been reached within this article concerning the environment in which Twitter differentiates itself it is appropriate to acknowledge that it may be a subsystem of another societal system (or indeed sub-system) rather than a system that differentiates itself from society.
12. Manuel Castells provides a comprehensive overview of the role of the internet in accelerating social change and the potential for tension with the state in chapter 5 of *The Internet Galaxy* (2001: 137-168).
13. A more conceptual discussion of dissent in the mass media system occurs in chapter 13 of *The Reality of the Mass Media* (Luhmann 2000b).
14. Indeed Chambers was a very active user and an early adopter of the service. The destination of his flight was to see his girlfriend who he met through Twitter.
15. Across the media the case is referred to as the Twitter Joke Trial.
16. Virtual/imagined communities in cyberspace are elegantly addressed by Leila Green in *Communication, Technology and Society* (2001: 116-133).
17. An overview of web 2.0 by Leadbeater, including social networking sites, place within O'Reilly's web 2.0 hierarchy. Available at www.charlesleadbeater.net/cms/xstandard/Web2.0_OVerview.pdf.
18. The characteristics of social networking sites are: web-based services that allow individuals to (1) construct a public or semi-public

profile within a bounded system, (2) articulate a list of other users with whom they share a connection, and (3) view and traverse their list of connections and those made by others within the system.

19. Alan Kirby (2009) outlines a skeptical view toward web 2.0's democratic capabilities. See Kidd (this volume).

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Navigating digital publishing law without a ‘night lawyer’: an exploration of informal legal support networks

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ABSTRACT

Newspapers employ ‘night lawyers’, specialised legal professionals who check copy before the next day’s paper goes to press. But in a ‘new media’ age of blogging and communication through social media, writers and publishers with restricted budgets often operate without any legal insurance or paid-for legal advice. A survey of 71 small, independent online content publishers based in the UK, conducted in 2010, revealed that of 19 online writers who were contacted over a legal matter in the last two years, only seven sought legal advice, which was paid for in four instances. The remaining 12 dealt with it alone. This paper examines how the legal landscape is changing with the development of digital media; the uncertainty this causes for small online publishers with limited legal and financial resources; the growth of informal support networks; and why more research in this area is important.

KEY WORDS

social media, media law, blogging, legal support, digital publishing

INTRODUCTION

Large media organisations have control systems in place to safeguard them against legal action: in-house lawyers and even whole legal teams. National newspapers employ specialised 'night lawyers' to check copy at the last moment before going to press. 'Once on duty, their primary concerns are with defamation, reporting restrictions and contempt of court – specialist areas of law that they must know inside out', *The Lawyer* has described (Wade 2003). 'A shift usually starts at 5pm and should finish by around 9.30pm; after that, a night lawyer is on call for any late-breaking news or queries for as long as necessary' (*ibid*.).

With the development of digital publishing tools, news and comment increasingly comes from small, independent online content publishers with far fewer financial and human resources than large organisations, and perhaps no legal insurance.[1] Despite their restricted finances, blogs can be global, and depending on subject popularity and style, reach an online audience as large as a mainstream publication's. For the purposes of this paper, 'online publisher' refers to anyone who publishes their work online, whether on a blog, a social network, or other type of digital platform, under the wider umbrella of 'small media', a term discussed at the inaugural Small Media Symposium 2011.[2]

This paper seeks to identify cultural changes in the media law environment prompted by the use of new technologies that allow online social interactions. In the summer of 2010, I conducted a survey of online publishers who either published their own individual sites, or worked for online sites with 10 or fewer staff members (Townend 2010c)[3] and interviewed a number of online publishers in more depth. The results, as this paper will explain, show new cultural patterns forming and communities emerging as publishers seek to navigate their way around the new digital landscape of media law.

Charlie Beckett, director of the journalism think tank POLIS, has promoted the practice of 'networked journalism' in which the

audience increasingly interacts with the publisher, facilitating 'public participation in all parts of the news production process' (Beckett 2010: 17). Similarly, social media and other types of online technology have enabled publishers (including both professional journalists and part-time bloggers) increasingly to interact with lawyers and legal theorists in new legal support networks. My research results suggest that technology has created an opportunity for 'public participation' in parts of the legal process: respondents to my survey reported industry-specific cultural changes through the development of ad hoc networks. In some parts of the world, these networks have been formalised with projects like the Community of Information Technology Experts (CITE) in Singapore,[4] the Online Media Legal Network based at Harvard's Berkman Center[5] and the Media Legal Defence Initiative in the UK.[6]

LAWYERS ONLINE

Fifteen years ago Richard Susskind predicted the transformation of law by IT (Susskind 1996) and indeed, a great number of changes to legal systems have been made as computer and internet technology developed. Many lawyers, however, do not use social media, such as the growing microblogging service Twitter, as part of their technology toolset, as Susskind has more recently observed (2010: xxviii). 'Although created in 2006, Twitter was almost unheard of amongst lawyers as this book went to print in 2008', he writes:

> Most lawyers with whom I speak dismiss Twitter as yet another plaything for their children. Of what possible relevance, they inquire, could this possibly be for a senior legal practitioner? I reply that I know quite a few General Counsel and senior in-house lawyers who now use Twitter and regularly send out messages about what they are doing, what they are thinking, and where they are going; and if my clients were sending out regular updates on their news and views, I would want to be on the receiving end, even if the medium has a slightly silly name.

Many legal practitioners have been reluctant to use online media to communicate their work (see Rose 2010; Lind 2010). Many in the profession 'feel a scepticism about the use and incorporation of social media into the legal services business model', argues Stephen Kuncewicz (2010: xvi). He says that while social media users remain in the minority for now, that minority is 'vocal and growing'. Some legal firms have embraced the opportunity for online communication more enthusiastically than others. Struan Robertson, the lawyer who edited Pinsent Masons' site *Out-Law.com* from 2000-2011, said that his firm was unusual in its decision to put resources into a news site and make its content freely available to everyone (Robertson 2010). Since its birth in 2000,[7] *Out-Law.com* has grown – from 500 to 130,000 unique users a month. 'When I was hired to do this job, it was on the basis I would make the website my top priority', Robertson said. 'If it wasn't succeeding for us, we would have closed it down a long time ago. The benefit for the firm is that it raises our profile' (*ibid*.). The lawyers Robert Dougans and David Allen Green have also written about the rewards of online participation and 'wiki litigation', following science writer Simon Singh's successful High Court appeal on meaning, in *British Chiropractic Association v Singh* [2010 EWCA Civ 350] (2010).

While some legal research and discussion addresses the significance of social media for legal practitioners (see James 2008; Lustigman 2010) and the effect of online technology on media law (see Trevelyan 2009; Armstrong 2008), there is limited data or analysis available in academic scholarship. David Banks, the co-author of *McNae's Essential Law for Journalists*, has pointed out this gap in research. In an email interview he said (Banks 2010):

> The rapid growth in small online publications, such as hyperlocals,[8] has not been matched by attention in the academic community to the legal issues that might face such enterprises. While the simple answer may be that the same laws apply to them as to larger concerns, that in itself raises a question.

Banks suggested that the changing risks of digital media law 'deserves further study both for the small publishing companies and those who might be their targets' (*ibid.*).

LEGAL CHANGES AND DISCUSSION

While lawyers may be taking a while to adjust to the publishing opportunities afforded by the internet, discussion around digital media law is growing. We are in an era of mass online publication, but most laws governing UK media were written before anyone 'blogged', 'tweeted' or 'googled'. Parts of the existing laws are simply irrelevant; the lawyer and Index on Censorship board member Mark Stephens believes existing English libel laws are unsuitable for the digital age, for example (Townend 2010b). Case law constantly adapts to new technology – to hyperlinks, to blog comment moderation and to social networks – but it is not simple to follow and requires knowledge of existing statutes, which can cause confusion for publishers. As Ed Walker (2010), online communities editor at Media Wales,[9] has said, 'the web is moving quickly and with certain acts dating back to the last century, you won't find mention of Facebook in the legal statements'.

Many legal writers have observed it is an uncertain environment, especially in a global context (see Stromdale 2007) and journalists are only too aware that basic media law training does not safeguard them in a fast-changing digital landscape (see Townend 2010d). Barrister James Tumbridge (2009: 505) explained that blogs have 'added a new dimension to the considerations that all editors, authors and publishers must have when deciding what risk they face from an allegation of defamation'. The interactivity of blogs, Tumbridge argues, raises a number of uncertainties in defamation law, for example: who is liable for a defamatory comment; whether the online comment is libel or slander; and the problem of the multiple publication rule in English

law, which allows a defamation action to be brought whenever 'old' content is accessed, with no limitation period (*ibid*.: 505-507).

In 2009-10, the High Court made a number of rulings significant for online publishers and various defamation cases raised questions about the use of digital technology, including: *Kaschke v Osler* [2010 EWHC 1907, QB]; *Metropolitan International Schools Limited v Google Inc and Others* [2009 EWHC 1765, QB]; *Kaschke v Gray and Hilton* [2010 EWHC 690, QB]; *Islam Expo Ltd v The Spectator (1828) Ltd and Stephen Pollard* [2010 EWHC 2011, QB]; and *Flood v Times Newspapers Ltd* [2009 EWHC 2375, QB].

Research in the United States by the Media Resource Center has shown that libel cases against online publishers are on the rise (Abramson 2009). While it can be argued that the proportion of material resulting in English libel claims is not increasing,[10] UK bloggers might be more frequently targeted, as the digital medium becomes more established and is perceived to have greater influence. In his email interview, David Banks described some of the changes to digital media law that must be given attention: 'A legal system that has grown with the big beasts of publishing would seem on the face of it ill-prepared to tackle the nimble operators of the web, which might be to their [publishers'] advantage until they get big enough to be worth suing' (Banks 2010).

Active online debate around the Libel Reform campaign in November 2009[11] indicated a high interest in matters of media law by bloggers. Likewise, proposals for the Digital Economy Bill in 2010 excited and enraged many online producers, resulting in over 20,000 emails being sent to MPs, as part of an online campaign led by 38 Degrees and the Open Rights Group (ORG) before the Act was passed by Parliament (38Degrees.org.uk 2010). It was this high-energy discussion, observed via Twitter, Facebook and blog discussions that prompted me to survey bloggers about their legal experiences.

SURVEY FINDINGS

It is clear therefore that the legal landscape is changing rapidly in this new publication era. But what does this mean for small online publishers? I conducted a survey to find out how they are coping with these legal dilemmas. The findings confirmed anecdotal evidence that legal issues are at the forefront of many, if not all, UK online publishers' minds. The survey, promoted via Twitter and various media industry sites[12] and blogs, was conducted in August and September 2010 (Townend 2010c) and answers were collected using Google Forms. While working as a reporter for the industry site *Journalism.co.uk* from 2008–2010, I built up my own Twitter network of journalists and publishers and used them to alert people to the survey. Subsequently, the sample was likely to include people who read blogs about journalism and who were using Twitter.

All 71 respondents' answers were analysed. Respondents could supply their email address for further follow up, or participate anonymously. I was interested in their experiences as independent publishers and I did not ask them to classify themselves as journalists or non-journalists. In hindsight, the inclusion of such a question would have better informed the analysis. Respondents' answers indicated that many of them came from backgrounds in professional journalism; given my omission, future research might consider whether they have received legal training and how that might affect their understanding of the law. More in-depth interviews were also conducted with six online writers.[13] 46 per cent of the 71 respondents indicated they were dissatisfied with the number of legal resources available to them. This proportion grew to 68 per cent when analysing the small group of individuals (19 of 71 respondents) who had been contacted over a legal issue in the past two years. Some of those who were generally unworried by resources said they might feel differently should a legal incident arise from their work.

On the whole, the 71 respondents had avoided initiating their own legal disputes: only eight had made legal complaints to other publishers, seven concerning copyright matters and one concerning a spamming issue. Meanwhile, 19 online writers were contacted over a legal matter in the last two years (27 per cent). Of these only seven sought legal advice, which was paid for in four (21 per cent) instances. The remaining 12 dealt with it alone. Of the writers citing previous legal 'trouble', 68 per cent concerned defamation disputes; 37 per cent copyright; 16 per cent privacy; and 11 per cent data protection (some of these respondents had been involved in more than one type of action, so the total exceeds 100 per cent). While I did not ask respondents about their journalistic training (above), I collected information about their level of experience: three of the 19 bloggers had been writing online for between one and two years; the other 16 had over three years' experience – and of these, three had been writing online for over ten years. The legal disputes were not, therefore, limited to those with limited online publishing experience; the majority of affected bloggers had over three years' experience. Seven of the 19 cases involved local news online publishers; twelve involved bloggers covering specific topics including international news, consumer products, and 'off-beat news'.

While feelings about resources were mixed, a clear theme emerged: publishers are seeking legal information through informal networks and rarely by consulting a lawyer for a fee. Several cited their own knowledge or media law training as a resource and others named industry sites they regularly visited. Two respondents said they used paid-for advice; and several others cited informal, free guidance from helpful contacts, like this respondent who consulted 'friends and contacts within both the journalism and legal professions, on an informal, unpaid, unretained basis' (Anonymous respondent 37, 24/8/2010, 9:45:37). One writer said:

> I get a general sense of what I can/can't do by following the example of the bigger blogs and would be prepared to retract stuff if people

> get in contact with me. If I had a problem I'd Google it and see what advice other bloggers in similar situations had done (sic). (Anonymous respondent 59, 31/8/2010, 17:06:00).

LEGAL UNCERTAINTIES

The survey and follow-up interviews exposed areas of law in which online publishers feel particularly uncertain and identified the ways they sought new legal information. But it was not only the small publishers who participated in the survey who felt confused. Ed Walker (2010) described how his group on the media law refresher course provided by his regional newspaper employer were unable to decide the outcome for one of the scenarios presented: whether or not to moderate online comments left by users of their site. Similarly, one survey respondent said:

> I also write for my employer, and the legal advice available to us regarding online content is pretty useless as well, so it isn't just small publishers who are finding their way in the dark. (Anonymous respondent 61, 1/9/2010, 7:43:21).

Comments like these raise questions about how the digital age changes defamation and contempt of court law and, as a result, legal decision-making in the digital newsroom. It can have a positive, if confusing, effect for a defendant. While bloggers can more easily seek out information, they are also presented with varying interpretations of digital law, causing uncertainty about legal situations. Online media has changed the reporting culture in other types of cases; the way information about privacy actions is disseminated is becoming problematic, for example (see Telegraph View 2009). Widespread internet use makes reporting restrictions, such as anonymity orders, very difficult to control. For example, bloggers and social media users were the first to reveal Trafigura as the company that had taken out a so-called 'super injunction' against the *Guardian*, for example (see Wilson

2009). Would the mainstream media have broken its silence had it not been for the bloggers' initiative? We cannot know for certain. Court orders are also very difficult to control online. Not only are court orders difficult to obtain for non-journalists (Townend 2010a), bloggers and commenters can easily breach them through social media and other online platforms, intentionally or otherwise.

The question of liability is perhaps the most significant problem. If third party users can publish via your platform or blog, does the online publisher bear responsibility? In 2009, the High Court ruled that a blog owner could avoid liability if he or she did not check or pre-moderate the comments (Out-Law News 2009a). But how would the court view a breach of contempt of court law because of unmoderated comments? This is a crucial issue for mainstream organisations as well as small publishers. 'The risk of contempt of court remains a very real one for the online world even though to date there has been no specific example of a case which deals with the use of contempt sanctions specifically in relation to online content' (Kuncewicz 2010: 208).

Significantly, online users may be unsure how contempt of court law applies. In spring 2009 an unusual story consumed the attention of Britain's tabloid newspapers. *The Sun* (2009) reported that 13-year-old Alfie Patten had fathered the child of his 15-year-old girlfriend. A reporting restriction was then placed, preventing the UK media from reporting the results of a DNA test to find out whether Patten, who would have been 12 at the time of conception, was actually the father. Malcolm Coles, a former journalist who blogs about media and the internet on his personal site, took an interest in the hopeless nature of the restriction after witnessing online activity that breached the terms of the order (2009). Martin Belam, another media blogger, published screen shots showing that text captured in Google News defied the order (2009). Coles (2009) argued that because court orders forbidding publication of certain facts usually apply only to people or companies

who receive them 'there is nothing to stop bloggers publishing material that news organisations would risk fines and prison for publishing'. Coles reported:

> Even if a blogger knows there is an order, and so could be considered bound by it, an absurd catch 22 means they can't found [sic] out the details of the order – and so they risk contempt of court and prison. Despite the obvious problem the Ministry of Justice have told me they have no plans to address the issue. (*ibid.*)

Plans for the creation of a database containing court orders for media organisations never came to fruition, not least because of the costs involved (Townend 2010e). I submitted a Freedom of Information request to the Ministry of Justice asking about these discussions[14] and the department confirmed that they had been abandoned. *Out-Law News* (2009b) has further discussed the Patten case, with legal background: James McBurney of Pinsent Masons said it was a difficult area to police, but 'publishers and bloggers should take down material from a case once they find out that it is the subject of a reporting restriction'. A ruling in the Family Court in November 2010 [2010 EWHC 3221, Fam] decided that an anonymity order only bound media organisations notified in advance of the application, but the case indicated the ambiguity of the system.

Another key question to ask is whether journalists change their behaviour when writing for print versus online. Patrick Smith, a freelance journalist,[15] raised the problem of waiting for a response from another party, when there is no print deadline (Smith 2010):

> (…) I can't say that the medium I'm writing for has ever altered my approach to reporting. One thing it does change is the "reasonable" amount of time you should give someone to respond (in order to be fair and balanced, perhaps to qualify for a Reynolds defence).[16] With an industrial journalism process that involved printers and vans, this is easy: "Comment by 5pm or you don't get a say". But how does an entirely online business like paidContent:UK manage this problem?

> One hour? Two hours? This is an evolving area, but I can safely say it's never affected the make-up of my stories.

NETWORKED SUPPORT

My survey shows that for the most part these online publishers are tackling legal uncertainties by seeking out networked support rather than paid-for services. A couple of my interviewees talked about the need for, and development of, new support networks. The media blogger Jon Slattery discussed the differences between dealing with legal matters on a print publication and a personal blog (Slattery 2010). In his former position as a print journalist at trade publication *Press Gazette* he would have gone to the in-house lawyers for advice, in accordance with the publisher's legal insurance policy. Slattery supports the suggestion of additional legal support for small online publishers: 'I think it would be an excellent idea if there was a resource where bloggers could go to get good, free legal advice' (*ibid*.). He said:

> I think there is a lot bloggers should know about the libel laws. For instance, some do not realise the importance of reaching a full and final settlement as part of agreeing a correction (…) I think I'm fortunate because I have experience of dealing with libel lawyers over my time at Press Gazette but it can still be very intimidating being on the receiving end.

There are plenty more examples of the demand for networked support. One respondent to my survey said he or she would like support for a specific issue if one arose: 'if I were ever sent a 'serious legal letter' I'm not sure I'd know where to turn'. Other respondents said they used contacts or friends with legal expertise for advice. Richard Jones, of the local news site, the *Saddleworth News*, solved a legal problem when two lawyers offered free advice (Jones 2010). After he was accused of breaching copyright, he publicly requested help via Twitter:

> [A]fter I tweeted about the e-mail I'd received (…) various legal folks responded and confirmed to me I had nothing to worry about and directed me to the relevant pieces of law.

It seems then, that the online networking advocated by lawyers such as Kuncewicz, is paying dividends for some small publishers, who use this informal pro bono help as a substitute for an in-house resource. If Struan Robertson and Stephen Kuncewicz are right, lawyers might also benefit from this conversation in soliciting new business. But more research is needed on whether relying on the altruism of a few online-savvy lawyers is a satisfactory replacement for the 'night lawyer', those specialists with a well-trained eye for the sort of mistakes that could land a publisher in court. My survey results indicate that to some extent it could be, but with growing numbers of online publishers, this might not prove a sustainable solution.

RECENT DEVELOPMENTS AND POSSIBILITIES FOR FUTURE RESEARCH

In the time since this initial research and discussion occurred, a number of incidents revealed how the legal landscape continues to shift rapidly, and why more research in this area is important. Online conversation around Joanna Yeates' murder and arrest of the victim's landlord Chris Jefferies has raised concerns about online users' comprehension of the Contempt of Court Act 1981 (see articles linked at *Inforrm's Blog* 2011). The release of confidential US embassy cables by whistleblowing organisation WikiLeaks has prompted numerous discussions about international media law, with public attention on the activity of hackers and digital activists. Paul Chambers is due to take his case to the High Court for a second appeal in 2011 after he was found guilty of sending a menacing electronic communication via Twitter in May 2010.[17] The blogger and lawyer David Allen Green is part of Chambers' legal

defence team and has used social media to communicate details of the case. As numerous news outlets reported (see BBC News 2010a), thousands of Twitter users repeated Chambers' original message in solidarity, in what became widely known as the 'I'm Spartacus' campaign.

Additionally, the culture of court reporting in the UK is changing with technology, as shown by two recent episodes. In interim guidance, the Lord Chief Justice for England and Wales ruled that Twitter could be used by journalists in court at the judge's discretion, after it was allowed as a reporting tool at the City of Westminster Magistrates' Court for the bail hearing of the WikiLeaks founder, Julian Assange, in December 2010 (BBC News 2010b). It should be noted, however, that this was not the first reported use of Twitter in court: Ben Kendall, crime reporter for the *Eastern Daily Press* newspaper in Norfolk, is one known example and there may be others (Townend 2011). Even more recently, blogger James Doleman described how he used a standalone website to report details of the Tommy Sheridan perjury trial in Scotland despite having 'no formal legal training' (Doleman 2011):

> Not long into the case I had been taken out of court by the police and told I could not take notes as I was not a 'bona fide journalist'. The clerk of the court, however, intervened, and told the police that I should be allowed to take notes. Later on in the trial I did not even have to join the long queue to get into the public gallery, and was allowed to sit in the press section. Lawyers and journalists began to give me background information.

There is plenty of material and impetus for future research about the continually changing media law landscape, the limited resources of small publishers, and the growth of networked support. Building on the findings of this study, future research could ask whether the newly emerged networks sufficiently perform the role of the 'night lawyer' and whether they are sustainable if the number of smaller publishers

continues to grow. Further academic attention also needs to be given to online publishers and their legal interactions. There is opportunity to collect more data about publishers' legal resources and discussion about media law should consider the smaller players as well as large media organisations. Lawyers, journalists, and UK legal authorities should acknowledge the legal difficulties and ambiguities felt by independent, ill-resourced publishers, such as the ones described in my survey. The legal subject matter of this paper is wide-ranging; but defamation, contempt of court and reporting restrictions are issues that every online publisher should consider on a regular basis. The informal legal support networks, and social interactions developed in the absence of the 'night lawyer' and facilitated by fast-changing technology, should be further scrutinised and supported by academics and lawyers alike.

NOTES

1. This project did not ask publishers about whether they had legal insurance or not, but it would be a useful point to consider in future research exercises.
2. Held at the School of Oriental and African Studies, London, 8-9 April 2011. Organisers used the term 'small media' to include what others have called 'alternative media, participatory media, and social movement media'. More information at <http://www.smallmediainitiative.com/call-for-abstracts>, accessed April 2011.
3. In a time before online technology, many small niche print publishers also managed without the resource of large media organisations, and future research could examine their survival strategy, as a useful comparison.
4. Available from <http://www.sirc.ntu.edu.sg/Services/CITE/Pages/About_Us.aspx>, accessed January 2011.
5. Available from <http://omln.org>, accessed January 2011.
6. Available from <http://mediadefence.org/index.html>, accessed January 2011.
7. A history of *Out-Law.com* is available from <http://www.out-law.com/page-304>, accessed September 2010.

8. The description ‘hyperlocal’ is used by many media writers to describe small, generally independent, online sites covering local news and issues (e.g. sources).
9. The regional newspaper group that publishes MediaWales.co.uk
10. For example, by Jaron Lewis, a media partner at Reynolds Porter Chamberlain, as reported by Mark Sweney for Guardian.co.uk, 2009.
11. Initiated by Index on Censorship, Sense About Science and English PEN.
12. It was featured on the sites: *Fleet Street Blues*; Jon Slattery’s blog; *The Media Blog*, *Journalism.co.uk*; *One Man and His Blog*; *CurryBet*; *Talk About Local*; and my own site *Meeja Law*.
13. Those quoted by name in this paper gave their permission to be cited.
14. Available from <http://www.whatdotheyknow.com/request/query_re_ministry_of_justice_web>, accessed September 2010.
15. Smith formerly reported for UK trade journal Press Gazette and the media industry site paidContent:UK.
16. BBC College of Journalism explains Reynolds Defence at <http://www.bbc.co.uk/journalism/law/reynolds-defence>, accessed September 2010.
17. The conviction was upheld in an appeal in November 2010.

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Power struggles in Korean cyberspace and Korean cyber asylum seekers

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ABSTRACT

This paper is part of a larger project to re-evaluate the 2008 Korean Candle Light Demonstrations and their aftermath by focusing on the activities of Korean internet users following the demonstrations. The unprecedented ability of ordinary citizens to organise themselves through online communication during the demonstrations led the South Korean government to plan new policies designed to gain control of cyberspace. They arrested famous, anti-government netizens and accused them of disseminating false information. Korean web portals followed the government's request to delete anti-government postings from their websites and even handed over personal information about their users. While these oppressive measures worked to muzzle Korean internet users temporarily, the limitations of domestic internet regulation were revealed when global corporations, such as Google and YouTube, refused to comply with the restrictions. As a consequence, Korean internet users abandoned Korean-based portals for US or globally-based service providers in a mass movement known as the 'Korean Cyber Asylum Seekers Project'. This paper explores how these Korean internet users opened up a new landscape in Korean cyberspace and exposed the hypocrisy of the power holders in Korean society.

KEY WORDS
2008 Candle Light Demonstrations; internet governance; mobilization; cyber asylum seekers

INTRODUCTION

This paper will explore the aftermath of the 2008 'Candle Light Demonstrations' in relation to South Korean cyberspace. These Demonstrations were the most significant expression of popular discontent against government policies in South Korea after the re-introduction of democratic government in 1987. They were also the first mass demonstrations in which internet-mediated organisation played a key role, and therefore prompted the imposition of a series of repressive internet regulations by the Korean government. Some scholars engaged in the discourse of internet regulation (Goldsmith and Wu 2006; Hague and Loader 1999) view cyberspace as a battlefield between the public and governments. Similarly, studies relating to the aftermath of the 2008 Candle Light Demonstrations mostly focus on internet governance, but in doing so they neglect one highly significant aspect of the Korean-language internet. More than 80% of Korean internet users use Korean web portals such as Naver or Daum as gateways to access the internet (KoreanClick 2009). Critical discourse has so far failed to consider this particular characteristic of Korean internet culture despite the fact that it became an issue following the 2008 Candle Light Demonstrations. Once the South Korean government realized the political significance of cyberspace and attempted to regulate it, these Korean web portals, along with regular internet users, became a central object of the government's attempts to gain control of the online sphere.

For this reason, the aftermath of the 2008 Candle Light Demonstrations provides an important example for the study of internet governance, and this paper will examine how the Korean state tried to control cyberspace through the implementation of new policies

following the 2008 Demonstrations. However, the reactions of both the web portals and ordinary internet users are also significant, especially in moving debate beyond the issue of who controls cyberspace. Indeed, Korean internet users reacted to the top-down strategies of the government by migrating *en masse* from the Korean web portals to global internet platforms such as Google and YouTube. Therefore, this paper will address the case study through the following research questions:

1. How did the Korean government react to the 2008 Candle Light Demonstrations?
2. How did Korean web portals react to the government's actions?
3. How did Korean internet users respond to these two institutions' actions?

Before moving on to these questions, it is necessary to flesh out the details of the 2008 Candle Light Demonstrations to explain why this event become such a significant milestone in Korean internet culture.

BACKGROUND: THE 2008 CANDLE LIGHT DEMONSTRATIONS

Throughout the summer of 2008 huge anti-government demonstrations broke out across South Korea, and these became known as the 'Candle Light Demonstrations,' because demonstrators congregated around City Hall in Seoul and in other open spaces with lit candles. The demonstrations were started by the people who were against the new Korea-US Free Trade Agreement that allowed the import of US beef without health inspection by Korean customs authorities. The agreement extended to the import of US beef from cattle aged over 30 months old, which raised public concern about the possibility of

health risks and mad cow disease, especially following broadcasts from a television station, M.B.C., on the issue. The public was frustrated by both the government's neglect of public health and its lack of political power to protect the Korean people from suspect US imports. However, the South Korean government's reaction was to ignore the initial malcontent and to maintain the validity of their position through public announcements in the print and broadcast media.

The catalyst for much of the ensuing public outrage seems to have been an online open-community called Agora (http://agora.media.daum.net). Agora is hosted on the web portal Daum.net, which is the second biggest in the South Korean portal market (Kim Y. J. 2008: 32). Nearly all content in Korean cyberspace is in the Korean language and very little English language content is posted. Perhaps for this reason, the great majority of Korean internet users, some 85%, use Korean language web portals such as Daum.net and Naver.com as their gateway to the internet. These portals dominate the Korean internet market, and are a characteristic institution of Korean cyberspace. One of their key functions is to provide space for internet communities in which Korean internet users with common interests can upload and discuss posts on topics ranging from daily trivia to political issues. Agora is one such community.

According to KoreanClick, a Korean research centre dealing with the internet business sector, page views per day on the Agora website increased by 160.5% from 119.58 million in April 2008 to 317.29 million in May. (Lee H. N. 2008) This was the period when the issues of the US beef imports started to attract increasing public attention in South Korea. The reason for this dramatic increase in page views on Agora is thought to be the easy access it provided the public to participate in online discussion of the US beef import issue and the 2008 Candle Light Demonstrations.

Agora's role in initiating the demonstrations of 2008 is fairly well established. The online daily, Media Today, cites Agora as the original

source of all internet debate concerning the import of US beef and concerns about mad cow disease (Song H. J. *et al*. 2008: 18-19). Agora was certainly a key site in which opposition to the Free Trade Agreement were organised, and online and offline activities in South Korean appear to be closely interwoven in terms of social issues. Indeed, traffic on Agora peaked at the height of each stage of the offline demonstrations, for example, on May 2nd when the demonstrations first started, and when they escalated dramatically following the government's neglect of public opinion and the announcement that US beef was to be imported in its official gazette on the 31st of May. On these occasions, respectively, 170,000 internet users signed a petition demanding the 'reform of the negotiations with U.S.' that was hosted on Agora, while 630,000 netizens later signed a similar petition demanding 'the impeachment of President Myung-Bak Lee' (*ibid*.).

Like other online communities, Agora facilitates postings in which information is selected and distributed by users, but it also has the advantage of providing information networking services such as RSS and Track-back systems (Song K. J. 2008: 175). This allowed discussions to be shared with other small internet communities, such as Soul Dresser, and 82Cook.com, as well as with other social organisations on the ground. Further internet-mediated dynamics saw user-created content websites, such as Afreeca.com, broadcast live footage of the demonstrations on the web, which was then hyperlinked to by small internet communities and forums, which boosted online discussion across Korean cyberspace.

With such a high degree of online activism, the demonstrations spread fast and attracted wide participation from men and women of all age groups. However, the police started to arrest demonstrators and used water cannon to disperse the demonstrators. Despite this, the Demonstrations did not die down. The government finally realised the seriousness of the situation and the President made special public announcements to apologise for his government's decisions. When

this failed to quell the discontent, the police continued to arrest demonstrators and the government started to put legal pressure on the media to reframe their coverage of the protests.

After a hundred days the demonstrations finally ceased. In all, some 700,000 participants took part in the Seoul demonstrations, with more than an additional million taking part in other cities across the country (You 2008; Yonhapnews 2010). The demonstrations left 2,500 wounded, while a total of roughly 1,500 demonstrators were detained by police, out of which some 30 were arrested (Kim G. I. 2009) The 2008 Candle Light Demonstrations show not only the dramatic expressions of public outrage, but also the repressive nature of the Lee government. However, while the demonstrations were unsuccessful at the international level and Koreans are still eating US beef today, their main significance was that the unexpected explosion of popular discontent did eventually affect government policy and brought about some limited concessions to public opinion in renegotiations of the Korea-US Free Trade Agreement (Woo 2008).

Be that as it may, there remains considerable debate concerning the significance of the demonstrations in Korean academic discourse, which can be summarised as follows: Ho-Young Lee sees the Candle Light Demonstrations from the perspective of a digital phenomenon, decentralized as a consequence of the advent of the network society, through which the public's resistance to elite-driven cultural political modes of production could be expressed (2008). Sang-Bae Kim argues that the public and demonstrators of the 2008 Candle Light Demonstrations should be understood differently from those resisting exploitation during South Korea's industrialization during the 1960s and 1970s, and those who fought for democracy during the 1980s, because they were neither the subject(s) of control by political parties nor struggling in the pursuit of macroscopic justice (2008: 122). Yong-Chul Kim highlights the power of organisation through decentralized networks in the absence of any dominant group guiding

the 2008 demonstrations (2008: 127). While, for Ho-Ki Kim the main significance of the demonstrations lay in the progressive expansion of public political awareness as the demonstrations went on, as a consequence of which the public became aware of certain negative aspects of the current regime (Kim H. K. *et al*. 2008: 9).

ANALYTICAL APPROACHES TO THE AFTERMATH OF THE 2008 CANDLE LIGHT DEMONSTRATIONS

The topic of this paper comes under the heading of theoretical debates relating to internet governance and internet user activism. I would like to raise the possibility of going beyond the debate over 'who controls cyberspace' by demonstrating how Korean internet users were able to evade the limitations of nationally bounded cyberspace. However, it is appropriate to start with a summary of the main issues and theoretical debates within which this paper develops its argument.

Goldsmith and Wu argue, debatably, that territorial government is still the most influential factor for internet development (2006: 180). They cite the Chinese government as an example, because it invests tens of billions of dollars with the aim of having 'the fastest and most sophisticated information network in the world' for 'totalitarian control'. As a consequence, they argue that China 'creates its own sphere of influence' (2006: 100-101). They go on to claim that the internet is 'a global network (that) is becoming a collection of nation-state networks' marked by 'Internet Borders'. This is due to three factors: the reflection of local differences in the provision and consumption of the internet; national differences in technological development (e.g. bandwidth distribution); and the enforcement of national law (2006: 149-150).

Goldsmith and Wu's view that state control of the internet media through regulation is possible is supported to some extent by the example of the Korean government's recent attempts to implement regulations in Korean cyberspace (KCC 2008). In a similar vein,

McChesney sees little hope of the internet fostering either a free market or democracy, because the internet is usually developed by government subsidy (1996: 108-112). Similarly, Mosco argues that the media's promise to increase the power of its users or consumers is just a 'myth' and that the internet is no exception. However, while the myth of the internet's ability to empower its users must be treated with caution, Mosco emphasises the necessity of taking into consideration the power that such myths exert in the popular imagination (2004: 22-31). Applying Mosco's logic to the debate over the internet, it is clear that internet users' belief in the possibility of their empowerment through cyberspace will affect the way they use it. Therefore, despite the imposition of internet regulations, people will traverse cyberspace in completely unexpected and novel ways that vary considerably from those inscribed in regulations. Consequently, trajectories of researchers need to be focused on illuminating the changing logistics (and resources) of ordinary people in the era of ICTs. This point in more fully developed in the work of Marianne Franklin (2004, 2007, 2009).

Franklin draws on the analytical framework developed by Michel de Certeau (1984, 1997) to understand cyberspace and internet culture. She argues that the activity and 'liveliness' of internet users needs to be considered 'more seriously' along with the dominant issue of power-holders in cyberspace (Franklin 2009: 226). She states that:

> Without incorporating these imminent "nonstate actors" into the scenario in what is an age of digital human "embeds", effective responses to *Return of the State* accounts can overlook how cybernetic organisms, artificial intelligences, may well end up overriding the manual controls thereby rendering state, market, and civil society obsolete.

Franklin calls for discourses on government or global corporate intervention in cyberspace to be assessed in conjunction with discourses

on the activities of internet users. She deploys this framework to criticise the 'strategies' of ICTs as the power-holders' desire to possess cyberspace, and argues (*ibid*.: 224) that:

> The Internet and its constitutive practices and structures need to be construed not just as-a-technology but also as-an-idea, integral to the 'scriptural economies' that reproduce the 'modern mythical practice' of the Westphalian Imaginary and its representational regimes-machineries. The Internet, its so-called governance or control is integral to such meaning-making practices, and vice versa.

For this reason, Franklin seeks to examine the way internet technology is used by people who are excluded from the main discourses of ICT development. Overall, the main implication of Franklin's detailed analysis is that discourses on both government and global corporation intervention in cyberspace must be assessed together with the discourses around the activities of internet users. This article adopts precisely this approach. Internet governance and internet users discourses, these two seemingly different stories are not two sides of the same coin but are, in fact, a Mobius strip within which the twin dynamics are mutually affective. This standpoint allows the objective evaluation of the extent to which consideration of the notion of 'powerless' Korean internet users' ability to act beyond the constraints of state-controlled cyberspace takes us beyond reductionist debates about whether states (i.e. governments) actually should control cyberspace. An engagement with stories from the aftermath of the 2008 Candle Light Demonstrations from the perspective of a tripartite inter-relationship between the South Korean government, Korean web portals and Korean internet users allows me to develop a theoretical perspective concerned with the power of the powerless on the internet.

THE AFTERMATH OF THE 2008 CANDLE LIGHT DEMONSTRATIONS[1]

The following diagram maps out the chain of events in which the government, web portals and Korean internet users reacted to each other's activities following the 2008 Candle Light Demonstrations.

TIMELINE		
2008	17 Jun	The President's 'Infodemics' speech posted on the Internet
	1 Jul	Daum.net deletes 58 postings at the request of KCSC
	22 Jul	KCC publishes Internet Information Security Comprehensive Countermeasures
		The Ministry of Justice announces the planned implementation of the Cyber Defamation Law
	18 Aug	Sales revenues of Daum.net & Naver.com reported to have decreased
2008 to 2009	29 Dec to 7 Jan	The Prosecution requests Daum.net to reveal the personal information of Agora user ID: Minerva
		Daum.net complies, leading to the arrested Minerva
2009	19 Apr	YouTube and Google refuse to comply with the Real Name System.
	20 Apr	Minerva found not guilty and released from prison
	3 Sep	The web portal industry launches the Korean Internet Self-Governance Organization (KISO)
	22 Oct	KISO publishes guideline to clarify which governmental institutions can request the deletion of web postings
2010	26 Mar	KCSC requestes the deletion of postings related to the sinking of a South Korean navy ship
		KISO rejectes this request

REVIEW OF GOVERNMENT POLICIES ON KOREAN CYBERSPACE SINCE THE 2008 CANDLE LIGHT DEMONSTRATION

As the chart above shows, the government attempted to introduce a number of measures designed to tighten control of cyberspace, and while most of these legislative proposals were not passed by the National Assembly, the announcement of their intended implementation sufficed to effectively muzzle protest on the Korean internet.[2] My reading of the government's announcements and policy documents confirms that the government justified the harshness of its reactionary reform bills as a necessary reaction to the strength of anti-government hostility voiced on the internet. Furthermore, the subsidiary governmental bodies, such as the Korean Communications Commission and the Ministry of Justice, abused their legislative power. Two examples of this abuse will be discussed in detail below, starting with policies announced by the South Korea's telecommunications and broadcasting regulator, the Korean Communications Commission (KCC).

The KCC's response followed rapidly after the demonstrations died down in July 2008. The Commission announced a set of 'Internet Information Security Comprehensive Countermeasures,' the main thrust of which can be summarized into four areas: 'A safe and wholesome user environment;' 'Personal information protection and strengthening risk management;' 'The blocking of the Internet as a harmful environment;' and 'The construction of a framework for information security.' Among these, the third area concerning the 'blocking of the Internet as harmful environment' was the most contentious, because the KCC planned to reform existing legislation and introduce new laws to enforce social responsibility on the part of web portals and internet users with three key measures. The first would ensure that portals could be punished if they failed to delete postings when requested by concerned parties. Secondly, the 'real name system,' under which users were required to log in under their real

names to make postings, was to be extended to all websites, whereas it had previously only applied to large websites with more than 100,000 visitors a day. Finally, the web portals were required to monitor all the websites and communities they hosted twenty-four hours a day (KCC 2008).

The reasons for these measures rested on the KCC's insistence that web portals should be held responsible for all content posted on their sites. The portals, then, were required to police internet content to avoid the 'circulation of the illegal information' (*ibid.*). The KCC also argued that freedom of expression should be limited by the rights of parties injured as a result of possibly libellous postings or defamation on the internet. Therefore, as an interim measure while appropriate legislation was being prepared, web portals were put under pressure to delete any postings that could be regarded as defamatory. KCC further argued for the necessity of provisions to impose penalties for negligence of these content-policing duties as part of the planned reform of the Telecom Networks and Information Law. The Ministry of Justice took similar measures to those of the KCC, which were announced at a cabinet meeting on the same day that the KCC countermeasures were published. The Ministry of Justice planned to implement a new 'Cyber Defamation Law' which aimed to prevent defamation and the circulation of false information in cyberspace (Jung Y. I. 2008).

Overall, these government measures exemplify tensions between the promise of freedom of expression and the necessity of regulating cyberspace to protect public interests. However, the timing of the government's countermeasures, which followed directly after the demonstrations died down, suggests political motivations beyond protecting public welfare. Indeed, the government's proposed internet reforms were felt to be primarily aimed at threatening ordinary netizens and oppressing their freedom of expression (Inews 2008). As noted above, criticism of the Lee government in Korean cyberspace was a dominant theme throughout the 2008 Candle Light Demonstrations,

therefore, the real intention of the government's internet reform measures could well have been to control and limit the efficacy of Korean internet users' political activism.

The veracity of this view is supported by my findings from interviews I conducted with South Korean government officials. One such official at an internet-related government body stated that:

> The preconception of the policy maker is that if the law is established and the regulation starts to be implemented, the outcome is spontaneous. ...By the same token, I think that the Ministry of Justice (and other government bodies) announced that the stronger regulations were going to be implemented in advance, because this would work more effectively. There was no time for them to listen to public opinion, because it was an important time when they had to show positive results to a V.I.P. (Here 'V.I.P.' is referring to President Lee).[3]

The extent of government control of the media in South Korea was established in a 1999 essay by Myung-Jin Park, Chang-Nam Kim and Byung-Woo Sohn. At that time democracy was relatively new in the country and the situation might have been expected to have changed for the better since then. However, my analysis of policy documents and interviews with government agents explicitly shows that South Korean government intervention since the 2008 Candle Light Demonstrations has sought to control the domestic internet sector. Clearly, in contemporary South Korean society, even in the context of the new and potentially freer communications environment promised by the internet, the agencies of power continue to overwhelm the system. In other words, no matter how the political system may have changed, those with power become agents of surveillance. Indeed, provisional findings indicate that the Lee government's response to activism in Korean cyberspace can be compared to the reaction of the country's authoritarian military regimes in the 1980s to public demonstrations. Although legal measures were deployed instead of direct physical

violence, as in the 1980s, the government's aim was nonetheless to silence the voice of public dissent.

One shocking example of the implementation of the government's tighter internet controls occurred in January 2009. An Agora user, who logged in under the ID 'Minerva' was arrested on the grounds that he had disseminated allegedly libellous information and had breached the Telecommunications Basic Act. Minerva had posted an article on 20 December 2008 in which he claimed that the government had posted an emergency order which banned seven major financial agencies from buying dollars in order to control the exchange rate. The prosecution considered this to be libellous information, and claimed that the two billion dollars had been lost a result of Minerva's posting. Beyond discussion about how a single posting by an ordinary internet user could influence the decisions of eminent bankers and damage the economy, the real issue of debate was how the prosecution could have arrested Minerva so easily. Daum.net, the web portal that hosted the site on which the article was posted, handed over Minerva's personal information to the prosecution (Son 2009). However there was much debate about whether due legal procedure had been followed or whether Daum had been pressured into leaking the information. This is a clear indication of the extent to which web portals had lost the ability to resist government control of their activities (Jung J. O. 2009).

Overall, my research finds that the Lee government employed two main strategies to control Korean cyberspace: they attempted to silence the voices of individual internet users and they tried to force the internet portals to police user-generated content and activities on their behalf. The first strategy was achieved through the arrest the internet users who posted articles critical of the regime, which was designed to instill a sense of fear into average netizens. The second strategy – taming the internet portals – was accomplished through the announcement (rather than successful legislation) of the Cyber Defamation Law, and the KCC's measures requiring the compulsory monitoring of

community notice boards by web portals. Despite the lack of legally enforceable measures, the web portals chose to maintain their position in Korean cyberspace by complying with the government's requests. In doing so they revealed not only their hypocrisy as institutions which had once claimed to champion free speech, but more significantly, demonstrated the power of hierarchical relationships in South Korean society that underlie and go beyond those legitimate relations enshrined in the constitution.

HEARING ORDINARY PEOPLE IN KOREAN CYBERSPACE

Cyber Asylum Seekers

Following the 2008 Candle Light Demonstrations, while the government's actions ushered in a newly regulated Korean cyberspace, they also resulted in both a considerable loss of popularity for the government and a loss of faith in the Korean web portals. The government's actions were not without reaction from internet users. Indeed, the 'Cyber Asylum Seekers Project' can be seen in this context. The Cyber Asylum Seeker's Project refers to a popular movement on the Korean internet in which users established online communities, or 'cafés', on Korean web portals that encouraged the movement of new communities to websites hosted on U.S. registered domains, in order to be free from Korean government surveillance. My analysis of this reaction, below, is based on interviews conducted both face-to-face and online with internet users involved in this movement.

One such site was *ExileKorea*, which was created during the Candle Light Demonstrations to archive postings from Agora after the host, Daum.net, began to censor postings under pressure from the Lee government. One administrator of this site, whose ID is Jonathan, was interviewed and stated that the motivation of opening *ExileKorea* was to avoid the government's repression of Korean cyberspace, particularly

that of open access online forums. He added that he wanted to archive the postings that were being deleted to preserve the flow of the online discourse for users. His concern about the deletion of postings is also borne out by other users who posted to *ExileKorea* complaining that their posts on Agora had been deleted without permission. Several other postings on *ExileKorea* feature users' complaints of injustice when their posts on Agora left them susceptible to the accusation that they had breached the defamation law.

However, it was not only Agora users who were oppressed by the government. Users who joined other online communities or 'cafés' related to Agora were also targeted, as the following excerpt from an interview shows:

> User ID 'Live with modesty' set up the 'Agora Justice Forum.' However, the police visited his workplace. He was very worried about his family and the risk to his social position, so he gave up his role in the café. The current administrator, WooGongLeeSan, (then) took over the position of administrator.[4]

This interviewee, who is a member of the Agora Justice Forum, went on to express her own anxieties, "I did not feel any real pressure until Minerva was arrested. His arrest clearly showed that personal freedom of expression was being repressed." This illustrates the impact that fear of reprisals had on Korean internet users, especially following the well-publicised arrest of famous internet users. Many users ended up leaving their favourite online 'places,' with the result that their voices on the internet were silenced and contained. This is the context in which the Cyber Asylum Seeker's Project needs to be understood.

Ultimately, however, the government's oppression of internet based criticism was successful. The political activism of Korean internet users could no longer be maintained either on the internet or offline when the users' economic interests and social positions came under threat. My findings from other interviews indicate that personal safety and

economic interests came to overwhelm political interests. Another member of the Agora Justice Forum explained how this prevented him from more active participation:

> I could not officially take part in the 2008 Candle Light Demonstrations, but attended them unofficially in my personal capacity. I was worried about the company where I worked (a well-known newspaper). If my presence in the demonstrations were revealed, my company's image as press company would be damaged. Apart from 'Minerva' and 'Boredom Window' who were arrested early, I have seen some others being arrested by the police. I have intentionally avoided doing anything that could have a (negative) effect on the company that I used work for… So, there was a disparity between my obligation as an employee and my private life.[5]

For this and other reasons, attempts by the Cyber Asylum Projects to establish thriving new platforms hosted on overseas servers did not succeed. As time went by, the court found Agora user Minerva not guilty and a number of Cyber Asylum Seeker Project-related websites lost their momentum and went into decline. My analysis of postings and interviews related to this suggests that attempts to make a new web portal failed due to the changing characteristics of user activities, which became overly political and hierarchical and consequently moved further away from everyday life concerns. However, despite the closure or decline of communities following the failure of the Cyber Asylum Seekers Project, the Project itself did produce some positive effects. It alerted Korean internet users to the possibilities of using other, non-Korean cyberspaces, and increased their awareness of the scope of government surveillance in Korean cyberspace, and of the web portals' complicity. Moreover, the testimony of the 'underground cyber asylum seekers' tell a different, more positive story.

GLOBAL INTERNET SERVICES & THE KOREAN WEB PORTALS

While the Lee government's 'reign of terror' worked to silence Korean internet users, its attempts to control the internet were not completely successful, and faced four significant setbacks. The first of these came from global corporations, such as Google and YouTube, which refused to follow the restrictions imposed on the Korean internet. The South Korean government lacked the power to control them, because Korean legislation did not apply to them, and their internet reform bills are only compulsory for South Korean websites and their users. As a result, a significant proportion of Korean internet users migrated their email accounts and other daily cyberspace activities away from Korean portals and started to use global portals and other services. Therefore, as a result of the aftermath of the 2008 Candle Light Demonstrations the Korean web portal industry's previously exclusive control of the market was weakened as their market share fragmented. According to KoreanClick, unique visitors of Daum.net and Naver.com dropped from 22,920,000 to 22,190,000 from 26,590,000 to 25,630,000 respectively. In contrast, UV (Unique Visitor) and PV (Page View) of Google in the Korean domestic market had significantly increased from 5,360,000 to 6,410,000 and from 190,800,000 to 280,000,000 respectively, which represented approximately up to a 60% increase in one year (Kim H. S. 2008).

This movement of Korean internet users away from Korean web portals to global web services prompted stakeholders in the Korean internet industry to define themselves as victims of the 2008 Candle Light Demonstrations. An official in the internet industry states that:

> We are also a victim of Cyber Asylum Seeking. Last year, Gmail was no.1 (in the Korean market) in terms of time duration. What this signifies is that people, who use email, actively moved (away) from our company to Gmail. After the email account of the writer of the TV programme *P.D. Note* was scrutinized by the government, our email

> service usage rate dropped significantly. It is worrying… If people leave, because the quality of our service is bad, then we should be able to attract them back again by upgrading our service. If not, something is wrong.[6]

As Korean internet users changed their behaviour, the power-holders at the Korean web portals took note and changed their attitudes toward the ordinary people. This prompted the second blow to the Lee government's attempts to control Korean cyberspace. In a significant move, the web portal industry launched the Korean Internet Self-Governance Organization (KISO) in 2009 in an attempt to redefine the relationship between the government and Korean internet enterprises (Jung H. S. 2009). KISO published its own guidelines for the regulation of web portal activities, thus signalling the industry's ability to self-regulate. The self-governance organization soon came to blows with the Korean Communications Standard Commissions (KCSC) over postings related to the sinking of a South Korean navy ship on 26 March 2010. The KISO rejected the KCSC's request to delete postings uploaded by Korean internet users relating to the incident. Nothing like that had ever happened before. An official in the web portal industry stated that:

> The government wants to deal with this matter through the law, because the jurisdiction is flexible depending on the government's interpretation. KISO acts to protect users. If the Korean web portal did not have power, the postings would be deleted. We had a reason to resist the government.[7]

As the South Korean government faced opposition from both global and domestic web portals, a third blow to its attempts to control cyberspace came when the net activist Minerva was freed after four months imprisonment on 20 April 2009. This verdict was widely interpreted as indirect criticism of the Lee government's attempts to regulate and censor the Korean internet. This was not the only

legal setback the government was to face. Despite announcing its intention to pass its 'Internet Information Security Comprehensive Countermeasures' into law back in mid-2008, it has not been successful to date. Most of the relevant legislation is still pending and has been held up in the National Assembly. Indeed, no progress has been made on the compulsory monitoring of websites or the Cyber Defamation Law, and only the Real Name System extension and a revision of the Press Mediation Law to cover online news services have been formally implemented to date.

Overall, despite these setbacks, the Lee government's internet measures, although they may still lack legislative power, were successful in threatening Korean internet users and Korean web portal enterprises for almost two years from July 2008 until May 2010. Most significantly, however, the government and the web portals' logics of operation over this period were not approved of by the majority of Korean society and the Cyber Asylum resulted from the devaluation of theses institutions.

The South Korean public has come to regard these institutions with considerable distrust, and this may signal serious problems for them in the future. As illustrated above, Korean internet users utilised the global websites as deliberate tactical resistance to the hypocrisy of the power-holders in Korean society. These global websites became the new medium by which Korean internet users began to create the new landscape of Korean internet culture.

CONCLUSION

This paper has explored the aftermath of the 2008 Candle Light Demonstration from the perspective of a power struggle between the Lee government, the Korean web portals, and Korean netizens. The significance of this case is that both the government and web portal sectors changed their systems in response to the changing ways in which ordinary Korean internet users came to view them. Furthermore, despite

the announcement of new internet regulations, the South Korean government was not able to control Korean cyberspace, largely due to the ability of global portals to refuse or circumvent South Korean domestic internet regulations. This effectively empowered Korean internet users to migrate their email accounts and other internet activities away from Korean-based web portals and utilise global internet resources. The consequent fall in Korean web portal profits led the domestic industry to take collaborative action to self-regulate in an attempt to protect themselves, and to secure the interests and privacy of their users. Therefore, this case study clearly demonstrates the power of ordinary Korean internet users to affect changes in other internet stakeholders through their traversal of global cyberspace beyond the domination that existed at the national level. The availability of resources beyond the scope of the Korean-language internet provided concrete choices to Korean internet users, which they exploited as a tactic to subvert the power of the government and the Korean web portals.

While the dynamics of this case derive from the particular characteristics of South Korean internet culture, there must be other stories in other places around the world that can illuminate internet users' ability to act beyond the constraints of 'national cyberspace,' and that can take us beyond the debate about who controls cyberspace. Therefore, further research is needed to bring to light hidden stories, such as the case narrated above, in order to explicate the power of the powerless.

NOTES

1. The data for this paper has been collected in three ways. Information about the Lee government's response to the Candle Light Demonstrations was collected through policy analysis documents published on various government websites between 01 July 2008 and 31 December 2009. Face-to-face and online interviews were

also conducted with participants in each of the major groups covered in the study, including employees at government bodies and at Korean web portals, members of online communities, and ordinary Korean internet users. Finally, online participation-observation was conducted on two online communities relating to the Korean Asylum Seekers Project.

2. My analysis of the South Korean government's response to the Candle Light Demonstrations is based on a review of various policy documents published since July 2008 on a number of governmental web sites.
3. Base on the interview with an official at an internet-related government body, a Café near her office, on 22 July 2010. N.B. All the interview materials are translated by myself.
4. Based on the interview with manager of online café 'Agora Justice Forum', a restaurant, on 08 September 2010.
5. Based on the interview with member of online café 'Agora Justice Forum', a café, on 08 September 2010.
6. Based on the interview with an official in the internet industry, at her office, on 03 September 2010.
7. Based on the interview with an official in the internet industry on 06 September 2010.

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INTERVIEWS

8 September 2010: Interview with manager of online café ‘Agora Justice Forum’, at a restaurant in Seoul.

8 September 2010: Interview with member of online café ‘Agora Justice Forum’, at a a café in Seoul.

3 September 2010: Interview with an official in the internet industry, at an office in Seoul.

22 July 2010: Interview with an official at an internet-related government body, at a café in Seoul.

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Designing scripts and performing Kurdishness in diaspora: the online-offline nexus

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ABSTRACT

In this paper, I highlight everyday life concerns occupying the minds of the younger generation diasporic Kurds and how they find new ways, at the intersection of the online and offline communities, of solving issues that intimately are connected to who they are. Theoretically, I place myself outside the debates stuck between views on online and offline as either contradicting or mirroring each other, and argue for a nexus that is productive and creates new possibilities. Through operationalisation of key concepts from feminist studies (performativity and scripts) I display how participants in the online forums on Viva Kurdistan delve into questions of Kurdishness, and in the exchange of personal experiences and opinions new understandings within the context are produced that ultimately induce transformations of the self. Theoretically this is of interest because we see how these spaces intertwine when we look at driving forces behind the seizure of the qualitative qualities that new media offer.

KEY WORDS

new media, performativity, diaspora

INTRODUCTION

This paper, drawn from an ongoing research project,[1] presents new ways of articulations and performativities by young Kurds in diaspora, and is located at the intersection of online and offline environments. The dynamic reviewed here is how 'Kurdish discourses' are influenced by the processes of settling in new countries, and by the impact of exposure to 'new' media upon Kurdish youth, Kurdish identity, and transnational belonging.[2]

Generally speaking, it has become commonplace in existing theoretical debates on diaspora and new media to discuss (strong) transnational links to origin countries and the internet's exploitation of time and space to reinforce national identities across distances and unite scattered populations (i.e. Miller and Slater 2000, 2006; Eriksen 2006). Simultaneously, identity has been put forward as fluid and 'always under construction' (Hall 1993: 362), yet has remained fixed and unchangeable within much academic writing. Media use by diasporas, and diasporas' transnational links to the 'origin', have been overly explained by the 'displaced' or 'uprooted' immigration character. This creates not only an invisibility of diasporic dynamics in the given settlement society, but also an essentialisiation and a dichotomy between immigrants and non-immigrants, as recognition of heterogeneity has been overlooked, even in the post-internet era. What it means to be a Kurd depends on the locality under analysis, and while experience prior to migration or exposure to the internet[3] are important, other factors influence being 'Kurdish' or describing 'Kurdishness'.

My first argument proposes a link between people's way of expressing themselves through a particular generation of media and the understanding of our 'selves' and our performances. The article therefore goes well beyond the debates of whether new media and social communities matters or not. They *do*, but *how* they matter is critical. My second argument implies that there is a nexus between online

and offline environments, whereby neither is contradicting nor a pure reflection of the other.

The paper is structured as follows: after a brief explanation of the conceptualisation of 'performativities' and 'scripts' employed in this work, some key empirical themes will be presented. The first strand deals with extracts from online discussion threads on the website Viva Kurdistan.[4] The second strand includes material from face-to-face interviews.[5] The task then is to comment on how desired elements and sometimes obligations of performance change perceptions of Kurdishness when they travel between online and offline.

TRANSLATING IDENTITY: PERFORMATIVITY AND SCRIPTS

In my work I discuss identity as 'free-floating and not connected to an essence but instead a performance' (Butler 1990: 6), and as repetitions of what we do and express. The theorisation of performativity is inspired by Judith Butler, who approaches this mainly from a feminist tradition, highlighting how gendered identity can be done as well as undone by repetition of practices and discourses (*ibid*.: 45). In her definition, '[p]erformative acts are forms of authoritative speech [...] statements that, in the uttering, also perform a certain action and exercise a binding power [...]' (Butler 1993: 225). Viewing (gendered) identity as performative then means that identities are constructed by the 'very 'expressions' that are said to be [their] results' (Butler 1990: 45). The concept of performativity, which allows me to see what someone does at a particular time rather than 'who' someone is, can show multiplicity and hybridity within the diasporic context as well as within ways of communicating. However, in order to understand the 'very expressions' that are the 'results' of who one is, the performative power of illocutionary[6] acts rests upon encounters of the online (what they say) and the offline (what they do). The moment of performativity is thus, in Butler's words, 'condensed historicity' (1997: 36). It should be noted

that, in contrast to Butler's focus on gender, my emphasis shifts gaze to other dimensions such as ethnic and collective aspects of diasporas.

Script Making

A way of penetrating the performative power of illocutionary acts is to make use of *scripts*. My use of the term is derived from Butler's metaphor: 'Just as script may be enacted in various ways and just as the play requires both text and interpretation, so the gendered body acts its part in a culturally restricted corporeal space and enacts interpretations within the confines of already existing directives' (Butler 1988: 526). While Butler draws parallels between acts and performativities of gender identity and theatrical acts, I use the concept of script, designed before arriving to the scene (online community) as well as during the online-ness, as a methodology in how they are acted upon in the performativities of Kurdishness with particular interest in expressions of culture, language, generation and class. The conceptual outline can be regarded as psycho-social in that 'the script survives the particular actors who make use of it; but which requires individual actors in order for be actualized and reproduced as reality once again' (*ibid*.: 526).[7]

ARRIVING TO THE ONLINE SCENE: DELVING INTO IDIOMS OF KURDISHNESS

> Where are you from? If you receive that question in a normal situation, it is common that you answer that you are a Kurd. What happens if you ask that question to yourself? Do you see yourself primarily as a Kurd? Can you see yourself as an individual without any categories? Who are you? (*Where are you from?* SF, 20 July 2010)

This post from a discussion thread[8] on Viva Kurdistan frames to a large extent the essence of my research, which also intersects and departs from previous work on issues of identity construction (i.e.

Franklin 2004; Miller and Slater 2000). It touches upon the defining dichotomy of the identity discourse – namely, the constructionist versus essentialist approach. While the questions posed in the extract above can be understood as intertwined with the physical and non-physical characteristics of a person, they can also refer to the context in which one is asked the questions. A 'normal situation' can thus symbolically reflect milieus of the online and offline, in which discussions about these issues indeed fluctuate dependent upon the setting and the company in which we find ourselves.

Based on the online postings, the following sections aim to show just a few of the many scripts that are designed by the participants online. What are of interest in the context of this paper are the divergences in scripts and subsequently the understandings of what constitutes Kurdishness. These divergences both resource and distance Kurds vis-à-vis the Kurdishness they enact in offline environments. The script extracts below address three themes of demonstrated interest to the forums' participants: i) political affairs, ii) cultural capital, and iii) gender and sex roles.

Script I: 'The Kurd is Political'
Viva Kurdistan – A site of resistance

Firstly, I have identified Viva Kurdistan as a site of resistance.[9] The community is an important place where young Kurds can go and deliberate issues that concern them. Using this space to express views and opinions on political affairs is among the strategies diasporic Kurds have for maintaining a link to their home country.[10] Based on my analysis of the postings, there are reasons to argue that the community of Viva Kurdistan enables itself to constitute a site of resistance and can open up liminal spaces from which participants can challenge, criticise and resist regimes, and engage in external or internal power struggles. Here, the context of internal issues, which is not as prevalent on the ground (i.e. in daily offline experience) or in other social networking

sites, is where this work departs from earlier understandings of Kurdishness and the role internet forums can play in its construction and articulation. In the selected themes, I will discuss the mechanism of *internal othering* and illustrate how different attachments – political, social, economic, linguistic, etc – beyond ethnicity can influence and regulate acts and practices of an individual.

> I call you turk and half turk because I know your hate against barzani/pdk/alarengin.[12] (*Historical perspective: Abdullah Öcalan and Massoud Barzani cooperation!* SF, 28 February 2010)

Previous research has mainly dealt with *external* issues, such as the relationships between Kurds and authoritarian states, or how Kurds have found ways to build unity and a sense of national and ethnic commonality. The above extract shows the *internal* othering. Name calling – such as "non-Kurd", "traitor", and "Turk" – is a practice of exclusion challenging the existence of a single unified "Kurdishness". This othering takes place in different layers, as will be shown in later excerpts. The mechanism of internal othering[11] serves as a way of responding to perceived degrees of Kurdishness, and influences the scripts that participants then implicitly (or explicitly) design for how to operate in order to be identified as an 'authentic' Kurd.

Script II: 'You are not Kurds if you don't know your language'

> As a Kurd in Sweden it is natural that we follow the Swedish norms, traditions, that one becomes "pretty Swedish". I don't see this as a problem, no Swede has ever denied the right to my culture, my language and my history. What is tragic is those Kurds living in Sweden that talk Turkish, and watch their TV programs and become their cultural client. [...] You are not Kurds, if you do not know your language. (*It's not "just", it is more important than the armed struggle*, SF, 20 June 2010)

Language is viewed here more as a way of maintaining a link to history and of refusing to give in to the forced assimilation strategies of authoritarian states, and less as a means of communicating with other Kurds. The offline interviews I conducted with site participants confirmed this; some of the interviewees do not have the opportunity to speak Kurdish on a regular basis. Some might even have difficulties with the mother tongue as it is constantly challenged by other languages. However, not forgetting the Kurdish language appears to be important, intertwined as it is perceived to be with culture and a sense of belonging: a certain richness of connection to the 'origin' is lost when a person is unable to speak the language of their ancestors.

As the extract shows, the Kurdish language is often situated in opposition to its 'antagonistic languages' (such as Turkish), and with reference to the past as well as present oppression of the Kurdish language by various national regimes. In that sense, language is not merely a position from which one speaks, but it is also an absolutely necessary resource in what one has to say and how one is defined.

Script III: 'Is it OK?' Marital obligations and Gender Roles

This section explores how issues of gender roles and sexual concerns are being negotiated on Viva Kurdistan to challenge the stereotypical thinking of Kurdish women and men. These homogenous categories are being re-negotiated at the intersection of Western and Orientalist discourses. When the participants discuss marital duties, the fixed notions of – predominantly – women also appear deeply linked to notions of the nation.

Growing up in Sweden or the UK, these young Kurds are influenced, whether through school, media or other institutions in society, by elements in culture and traditions that are different from their parents'. Thus, in thinking through some of the topics, such as sex and gender roles, these online discussions engage predominantly those young Kurds who are presumably 'stronger' carriers of a consciousness of the

different cultures and norms. As my interviews corroborate, the online community has created a greater opportunity to explore these questions.

The following extracts can be found in between the discourses of Westernness and 'civilization' on the one hand, and 'Third World' and 'backwardness' on the other.[13]

> To all who criticize her for showing double moral, she is not to blame, but the system's mentality that permeates the Kurdish culture. The culture hinders people to be free to pursue individual ambitions. It's not her fault that she cannot be honest about her sex life (Kurds have obviously not yet reached the sexual renaissance). Change the culture, liberate yourself. (*Western individualism and sexuality*, SF, 26 April 2010)

Participants draw on the intersections of gender and ethnicity, producing different kinds of categories and articulating alternative norms. In these threads, young women converse about themselves as objects of Kurdish historical and cultural traditions. They reflect on their status as subjects of Western societies that challenge existing categorisations of Kurdish women vis-à-vis the Western vision of femininity and autonomy and vis-à-vis Kurdish men and their individuality.

Related to the sex and gender role scripts, and their influence on feeling Kurdish, is a more strategic approach towards marriage articulated by some site participants. Discussions around mixed marriages are based on ethno-cultural arguments, and resistance to marriages to other collective groups is based on both historical experience of forced assimilation and future imaginations of the nation. Online discussions of marriage become linked to the national struggle in which the parents of site participants were involved and, in a gesture of long-distance nationalism (Anderson 2006), the Viva Kurdistan members continue this struggle in the diaspora.

> That girl would be a traitor if she would marry him.[14] (*Love and enemy*, EF, 9 July 2010)

> It is a shame that we mix ourselves with other people and that the Kurdish nation dies [...] (*Kurdish girl and a black guy*, EF, 9 May 2010)

The comments above reflect the double standards of nationalism and feminism with regard to sexuality. Kurdish women become the symbolic indicator of the failure of the Kurdish struggle: having sexual encounters or marital intentions with the 'wrong type' are the pitfalls that that a Kurdish woman ought to avoid. Marriage and the woman's role are indeed intimately linked to the (imagi)nation and the *mother*land, and the picture of this struggle is tied to family, gender and sexuality. Any marriage to the 'enemy' is a divorce from the homeland.[15]

OFFLINE DELINEATIONS

This section presents segments from offline interviews with Viva Kurdistan participants. The interview topics correlate with the site's online discussions themes, and I discuss below how the interviewee comments offline either confirm or depart from the discussions online.

A window to the world

My online ethnography and offline interviews together show how some young Kurds, presently growing up in Europe, face challenges to their sense of national identity. At home they are told to be a certain kind of Kurd; then they go to school and are met with the settlement country's social, cultural, and symbolic norms; and then, when they go online to the Kurdish community Viva Kurdistan, these two different discourses often converge and clash.

> My dad, he is the one that fuelled my nationalism and he is the one that really made me feel Kurdish etc. But then, his views are so different from mine, his views towards women especially, whereas my Kurdish friends here have the same views as me. We…me and my friends feel much more comfortable around a group of English

> people than we would around a group of Kurds from Kurdistan. (Male, 19, UK)

Previous research (e.g. van Bruinessen 1992; Eriksen 2006) concludes that the internet has become an important medium for strengthening collective identities and that Kurds appear to be one of the most active nationalistic groups online. However, a generational shift, in which younger generations also identify with and develop nationalistic sentiments towards their (or their parents'/parent's) settlement country, seems to have been overlooked.

Online, Kurds envisioning a 'united Kurdistan' is a common encounter. However, this sense of the 'imagined community', which Anderson (2006: 6) speaks of in the context of broadcast media, can be envisioned not so much because people will not meet or know each other as Anderson explains, but precisely because people now actually can meet online and be exposed to diversity. New media has exposed the diversity that print and broadcast media concealed. Therefore, I argue that the 'imagined community' needs to be redefined in the context of new media. One interviewee explains this diversity aptly, reflecting on how Viva Kurdistan serves as his window to the world and especially to Kurdistan:

> On Viva Kurdistan, you see a lot of splits with Kurds, sort of microcosm of countries. [...] Because I was fed with that, as Kurds we are one. As Kurds we should instinctly click together, and we should instantly be friends. Viva Kurdistan is a portal that I could see that it wasn't like that, that we were different, we did feel different, we had different thoughts. (Male, 19, UK)

The community has opened up to the potential of understanding what the differences among Kurds might involve. Nonetheless, this is not only about discovering the character of that diversity, but also about how this is changing participants' perceptions of the nation, the self, and the personal relationship to Kurdish diasporas.

> I would definitely say that Viva Kurdistan had an influence, made me think it's larger than just being Kurdish, we are all human beings. I could get on with a person who is English much better than I would with a Kurd, but Kurdish nationalism dictates when in a fight, if the Kurds and the English are fighting; I should back up the Kurds. And I just thought, what sense does that make? Our blood is not the same; however we want to say it... (Male, 22, UK)

This extract suggests that Kurdish nationality precedes other nationalities. This is a view shared by many young Kurds. In just a couple of cases, interviewees explicitly argued that Viva Kurdistan has actually changed their understandings of nationalism.

> Kurd as Kurd, no matter how it looks or thinks. One's nationality can never be changed, it's nothing you can convert to. It's one's skin colour. (Female, 19, Sweden)

> [...] That's why I'm very cautious with my Kurdish even if I know that I'll never forget it. I do home language, I listen a lot to Kurdish music, I read Kurdish poetry. And if there is a Kurdish festivity, I'd like to attend. (Female, 19, Sweden)

While many participants initially spoke of Kurdishness as essentialistic and fixed, it became more obvious, as the second extract demonstrates, that certain strategies were indeed calculated in the practices of everyday life. The maintenance of Kurdishness had more to do with *doings* rather than *beings*. One of these doings, just as the online debates have already shown, is linked to the aspect of language skills.

> Another thing is the language. I feel more that Kurds who don't speak Kurdish are more detached from the culture. They are detached from it, because, if they can't watch the tv, they don't understand what the music is about. (Female, 25, UK)

While language use has been identified as a strong performance of Kurdishness by all site members I interviewed, maintaining it in the

diaspora has its difficulties:

> They [parents] talk with me in Kurdish, I respond in Turkish or Swedish. But I try with Kurdish when I can. When I was younger I could speak, but somewhere along the way it disappeared. (Male, 23, Sweden)

Many of these young Kurds were either born or grew up in diasporas, and many of them have never even been 'back' to their origin countries. Indeed, the empirical material shows strong nationalistic sentiments towards the origin, but has simultaneously shown how these are contested by new belongings that need to be examined in studies on diasporas and their use of the internet and computer-mediated communication.

> I say that I'm Kurd. But at the same time it feels, you know… I'm born here anyway, have lived here all my life..so, I'm Swedish too. (Male, 23, Sweden)

CONCLUDING REMARKS

This article has explored how offline and online communities interconnect and make way for exploring Kurdishness in a way that has not been perceivable in the pre-internet era, and has been only marginally discussed in internet-era academic research, which focuses overwhelmingly on diasporic formations as homogenous. The themes highlighted have been of importance to the young participants in my study, and have travelled between the online and offline spheres. I have used the concept of 'performativity' rather than 'identity'. Although the latter is often dealt with in a post-modern constructionist way by academics, too often 'identity' continues to connote fixity grounded in biology. I have also used the concept of 'scripts' as an extension of discussion 'threads', allowing me to discern elements that are crucial for these participants to include in their acts and performativities.

By focusing on individuals' points of view, this paper has made the online-offline nexus visible by going beyond the features of a physical crossing point and into the multifaceted structures of interpersonal interactions that take place in both spaces. This is of interest theoretically because, by looking at the qualitative characteristics that new media offer, it allows us to see *how* these spaces interlock. This has to do with technological features as well as the acts and representations by users of new media. Having shown the overlapping experiences between on- and offline, individuals have been allowed to make their own re-definitions on their own terms. Although these domains are discussed in two distinct terms, the boundaries have become increasingly blurred. It is relevant to highlight three concluding comments at this point.

First, the concepts of performativity and scripts have been useful in distinguishing how changes in social acts and attitudes can be kicked off by the diversity offered by computer-mediated communication. Against the repertoire of political, social, and cultural concerns that permeates day-to-day undertakings by Kurds in diaspora, the vital role of a shared online community has been shown. Second, the online community serves as a place where participants are exposed to divergence that otherwise would not have been seen offline. This diversity is not negative; it is an aspect that has been explored in relation to aspects of belongingness and commonality among diasporic groups. The diversity of visitors to the online sites has to a great extent changed *what* and *how* Kurds discuss, enabling varied and dynamic debate, as opposed to offline environments in which what is discussed is much more dependent upon who is present. This precisely complements what the participant in the initial extract presented in this paper suggested: *who you are* is influenced beyond defining factors (physical features) of ethnicity, and (nonphysical features) political affiliations, and includes the milieu and those surrounding you. The online community does not offer an alternative or an extension to the offline community, but

is rather *a part* of life that intersects with offline experience. Here, the significance of Viva Kurdistan is calculated not only by reference to frequency of log-ins or day-to-day use, but by how the site assists its users in meaning-making and self-definition.

Third, and lastly, the online community works as a site for designing scripts, and how these are either counter or support offline norms. The stories of the participants show multifaceted experiences. The participants, whether have become more radicalised, essentialised or distanced in their Kurdishness, have all been influenced in an intense way that has changed their perception of who they are.

NOTES

1. This chapter is part of my PhD research 'Old Diasporas-New Performativities? Being a Kurd in diaspora'. The comparative study explores how younger generations of diasporic Kurds, in Sweden and the UK with reference to the homeland populations, re-articulate their Kurdishness, firstly at the intersection of online and offline environments, and secondly at the crossroads of new belongings of settlement countries and old belongings of origin countries. I suggest that by looking at the online interactions, by young diasporic Kurds in a close up study, we arrive at a more complex view of concepts of identity and diasporas, which in turn has implications for senses of belongingness and questions of citizenship.
2. The Kurdish people, estimated up to 30 million (van Bruinessen 1992), with a history characterised by oppression, division of a homeland, and malicious attempts to assimilate or delete the Kurdish national identity, find themselves in an exceptional situation in a political context and therefore make an important case to look at in terms of new media, internalisation of 'the Kurdish question', and diasporic identity transformations. Furthermore, Kurdish diasporas are often included in other 'ethnic' diaspora which creates an invisibility that occurs in the present academic context in which Kurds are conflated with the wider categories of 'Turkish speaking' (Aksoy and Robins 2003: 367). Generally, in current discourses, different versions of diasporas can be discerned, e.g. labour and economical migrants, political refugees, etc. (Tölölyan 1996). These groups, with regard to their different motives for dispersal have different influences on their diasporic and transnational activities, which furthermore

affects the construction and behaviour of diaspora, which in turn connects to the methodological matter in what reality-status people are ascribed. This research argues for a contextualisation of ‘diasporas’ that takes push and pull factors into consideration.

3. It is widely discussed that broadcasting has been very central to the development of national societies and communities within Europe, how it has produced a national imaginary (Anderson 2006) and has made people feel a part of the same national community. Among Kurds this was especially possible with the birth of the internal satellite channel MED-TV, which was a major successful project that crossed and blurred boundaries in terms of uniting Kurdish populations in diasporas, followed by numerous transnational activities. The channel has established relations horizontal between Kurds and they were viewed not as audience members but as citizens of a Kurdish state (Hassanpour 1995: 82). Kurdishness has in that regard been viewed homogenously vis-à-vis external and suppressing authoritarian states (Turkey, Iran, Iraq, and Syria).
4. This transnational and text based community with audio-visual features, created more than five years ago, is composed of eight forums representing different European countries/languages, including the Kurdistan-based forum. Depending on what kind of parameters are set, the figures of the amount of members varies (Franklin 2003: 468), if by number of accounts, then over 60,000, if by Google Statistics, then around 25,000 (Interview with Amer Salih, founder of Viva Kurdistan, 24 June 2009). Three forums have been studied in a close-up approach- the Swedish and the English, with reference to the Kurdish forum. The age range of participants is 18 to 30 years old.
5. The methods employed in the research is based on a triangulation of online ethnography, online survey and in-depth interviews with the participants those country/forums. The participant observation online spans at least one year of regular visits between January and December 2010, and a pilot research started July 2009. The interviews include 18 participants from each forum. 23,600 posts were collected in total during my online ethnography, and the selection from that are based on key words related to the research questions and their frequency and thickness. As a participant observer I therefore kept track on what people have said about issues of Kurdishness. The techniques for analysing the conversations follows those of other ethnographic methods (Ignacio 2005: 11), in this case content analysis: repeated readings, coding, writing memos, and discovering themes.

6. Referring to the multiple meanings in a speech act; to act when saying something and oriented to reach consensus.
7. While I also refer to the term 'thread', which researchers (i.e. Franklin 2004; Ignacio 2005) have employed in their online ethnographies, as a description of the structure of the discussions, I use the concept of 'script' to extend the mere discussions beyond exchange of information and instead illustrate how the performances of Kurdishness are intrigued by these scripts of acts. For instance, the announcement of attending a Kurdish event, concert or demonstration can be included in these scripts of how to perform Kurdishness. The task then becomes to scrutinize and elucidate the ways these are being transformed at the crossroads off online and offline worlds.
8. A thread starts with an initial post and as participants respond in the thread, the messages are grouped into a thread (Franklin 2004: 207), and since a thread is differentiated by topic (Ignacio 2005: 18), I have categorised the threads according to these topics (e.g. Kurdish language, politics/election in home country, Islam/religion, etc.). All excerpts have been reproduced precisely as they appeared on the screen. The quotes presented here are followed by thread title, abbreviated forum name (SF for Swedish Forum, EF for English Forum), and finally the date. Based on ethical considerations and with respect to participants' anonymity, nicknames have not been included in the postings. I adopted an overt role as a researcher, participants and founders of the community were informed about my intentions in order to gain their consent and assure them confidentiality.
9. In this context it is worth mentioning that the aspect of anonymity, many times linked to the lack of sophistication in these online settings and the debates of 'virtual and actual' worlds, has played a role in so far that the participants have been able to discuss sensitive topics that they would not have offline. In this respect, anonymity has worked as a catalyst for the many free spoken discussions to take place.
10. Political topics (discussions dealing with for instance General elections, which took place in all different settings during the online ethnography, Sweden, the UK, and Iraq) has been by far one of the most repeated and 'thick' themes on Viva Kurdistan.
11. In my work I talk about external and internal othering. External refers to the construction of being a Kurd against non-Kurds (mainly Turks, Persian, and Arabs), while internal othering is based on inclusion

and exclusion among Kurds themselves. This has recently been discussed by Barzoo Eliasi in his thesis (2010), based on interviews with young Kurds in Sweden. However, this work departs in terms of comprising different layers of othering and within the different themes from the online discussions.

12. Massoud Barzani is the president in the Kurdish region of Iraq, and also the leader of the political party PDK. Ala Rengin is the official flag, it is questionable though if Kurds in the Kurdish region of Turkey acknowledge the flag.
13. Within postcolonial studies (i.e. Spivak 1999), feminists have criticised the view of 'Third World' women and state that Western supremacy is constantly confirmed by victimizing women in 'Third World'.
14. 'Enemy' here refers to Turks, Arabs, and Turks, which stretches beyond political aspects and also is including sexual involvement.
15. i.e. Yuval-Davis (2001: xi) talks about women as 'bearer of the collectivities'. While the bureaucracy has been mainly displayed as the producer of the nation, Youval-Davis (2001: 2) highlights the important role of the woman as reproducing the nation biologically, symbolically, and culturally. A reason explaining this is that the woman and the family has been located within the private sphere and therefore has not been viewed as politically important.

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Are new media democratic?

Jenny Kidd, PhD
City University London

ABSTRACT

This paper – which was presented as a lecture to students at City University in 2010 – aims to give an overview and critique of the claims being made for new media in relation to their democratic properties and potentials. It (perhaps crudely) presents two distinct narratives, both of which are 'true' according to current debates, statistics and developments, asking readers to question their own use and understanding of digital media in terms of democracy, and to think again about the language that may have been naturalised around their use.

KEY WORDS

new media, democracy, empowerment, media history

'No questions are more difficult than those of democracy'
(Williams 1976)

INTRODUCTION

> E-democracy aims for broader and more active citizen participation by the Internet, mobile communications, and other technologies in today's representative democracy, as well as through more participatory or direct forms of citizen involvement in addressing public challenges. (Wikipedia 2010)

This paper gives an overview and critique of some of the rhetoric surrounding digital media at this time. Specifically, I wish to question some of the claims being made about the democratic properties inherent to such media, and that are being naturalised in discussions about their use.

Notwithstanding difficulties in defining 'new' media (and questioning the wider rhetoric of 'new'ness which can be unhelpful), the central goal of this paper is to present two narratives of digital media, and to prompt the reader to think about – even position – their own understandings and uses of the media within (or outside of) those narratives. More will be said about the technical qualities of new media, and their implications, as we proceed.[1]

When we talk about democracy, (itself of course a contested term, as Raymond Williams reminds us above), we are mindful of a number of themes, structures and processes, not least popular power, electoral systems and mandates, open argument, equality, and representation. Even though these things are rarely in stasis – they are fluid, sometimes oppositional to one another, manipulated and contested – they remain a useful start point in this discussion.

The big claim being made for the digital media with regards to democracy is that they 'amplify the political voice of ordinary

citizens' in a multitude of ways (Hindman 2008: 6). For example, in increasing access to information, inspiring participation, foregrounding transparency in political and other processes, rendering censorship useless, and galvanising support around the issues of the day. The advent of the new media have been seen as a way of widening the discourse about what is possible and even what is desirable within our cultures and communities.

One of the key facets and facilitators of democracy is of course free and open discussion between citizens, something championed in ideas of the public sphere,[2] yet which has remained allusive over time; no doubt due in part to a monopoly of elites who have prioritised and legitimised certain debates over others, and sought to manage the flow of information. This is nowhere more apparent than in the continuing concentration of ownership of the means of production of our news media (not only in the UK).[3]

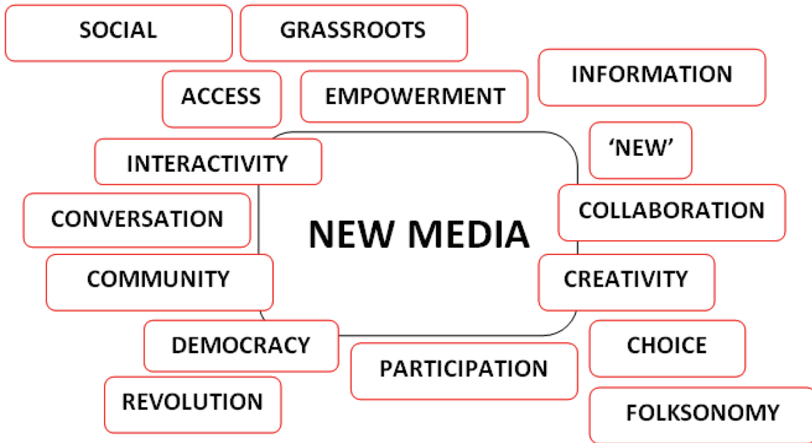
What follows is an articulation and exploration of digital democracy presented as two narratives. One argues *for* the new media as a tool for democracy, the other argues *against* such media as a radical or useful way of understanding and enacting democracy in practice. These narratives may seem poles apart, but are both 'true' to the information and evidence about the new media that we have at the current time. They are purposefully provocative in voice with neither comprehensively representing the views of the author.

The narratives explore a number of themes: How (indeed whether) the technology underpinning the media opens them up in terms of access to the media and participation through the media. Do they represent an opening up of decision making processes? Or even a platform for increased activism?

In summary, each narrative will expose the persistent rhetoric and language which are used subtly (or otherwise) to configure and articulate the very use of the media. It is then for the reader to decide how, if and where they position their own use and experience of the

media within those narratives, and to anticipate – indeed enact – a future for this debate.

NEW MEDIA ARE DEMOCRATIC…



In this narrative, democracy emerges as encoded into the very mechanisms of digital media; in both their conception, and their manifestation as infrastructure.

The World Wide Web was originally conceived in 1989 by Tim Berners-Lee (the inventor of the Web and not the internet – this distinction becomes important later in this paper) and then given, *not sold*, to the world in the 1990s. This was a technology that could have made Berners-Lee billions, but instead, was built on a philosophy of open information exchange; a hippy ideal and aesthetic. This philosophy continues to underpin the World Wide Web Consortium's work on Web standards and accessibility, as can be seen in the consortium's ongoing concerns:

1. Web for All – promoting the importance of internationalisation, device independence and Web accessibility
2. Web on Everything – accessing the Web as easily as possible through a variety of media

(adapted from W3C 2009)

The inherent qualities of the digital media (with their origins in code) actually favour access, malleability, reproducibility and sharing. As all data are converted into numeric forms which can be read and conveniently stored on computers, they become more transportable, connectable and less geographically and materially centred with an authentic 'original'. As information is de-materialised, it can be compressed in smaller spaces, accessed at high speed and in non-linear ways, and, can be manipulated. Encryption and database management mean information storing, access and sharing are possible.

Consequently in the infrastructure of the Web, it is as if 'information wants to be free'.[4] It is incredibly hard to block websites (although of course it has been tried in a number of countries in recent years), as able hackers quickly find ways around the encryption and into hidden information. People tend to work around censorship blockages, if of course they have the know-how, which makes controlling what people see (and say) hugely problematic in the online environment. This is only possible because no one person or state 'owns' the internet and can decide what it will be 'for'. No-one has the power to turn the internet on and off.

The movement of information in cyberspace is then, very different to that favoured and enabled in and through other media. Think of the qualities inherent to broadcast or print media for example. If I 'own' such media, I can choose its emphasis, frequency, tone, voice and politics. But I must have a radio frequency, a television channel, a newspaper, and this means significant financial investment.

There is a hierarchical value chain in operation. New media are an entirely different proposition of course, one where that value chain is dramatically altered or, as Sven Birkerts has written, 'bent into a pretzel' (Birkerts 1994: 5).

On the Web especially, everyone has a potential voice, a platform, and access to the means of production , especially with the advent of 'Web 2.0'. The Web has developed into a many-to-many conversation rather than a top-down, 'broadcast' model. That means that if we have an issue that we want to gather people around (say climate change), we can find and reach those people with an ease and speed that we never could before. Perhaps even move them to direct action. It is a low cost, high reach model.

Increasingly then, the possibility of 'reach' is demonstrable. The statistics for internet access, readily available online, are (at last) starting to look impressive:

- The number of world internet users has doubled between 2005 and 2010.
- In 2010, the number of internet users will surpass the two billion mark, of which 1.2 billion will be in developing countries.
- A number of countries, including Estonia, Finland and Spain have declared access to the internet as a legal right for citizens.
- With more than 420 million internet users, China is the largest internet market in the world.

(ITU World Telecommunications/ICT indicators Database 2010)

The claim is that increasingly we are becoming a part of a 'global village (first anticipated by Marshall McLuhan in the 1960s) where distance shrinks; we begin to recognise ourselves according to our

commonalities rather than differences; and we can take part in global conversations about issues of importance. Simultaneously, patterns of production and consumption become blurred.

In short, power is potentially shared across society in ways that have not previously been possible:

> When people can express themselves, they will. When they can do so with powerful yet inexpensive tools, they take to the new-media realm quickly. When they can reach a potentially global audience, they literally can change the world. (Gillmor 2006: xv)

New technologies thus empower their users, and the opportunity to 'do' or 'act' can be taken if one has the means and the motivation, as Clay Shirky has said:

> In the 20th Century if you had something to say in public you couldn't. Period. If you were a civilian, a citizen, but not a media professional you could not broadcast a message. No matter how hard you tried. People who went out of their way to spread messages through amateur channels were widely regarded as being off their rockers. That change is enormous. Anyone who wants to participate at least has the means to participate. (Shirky on BBC 2010)

Participation then becomes all the easier – and can take many forms, not least:

- Writing a blog. Blogs are now very much mainstream: On 23rd November 2010 the number of blogs being tracked by BlogPulse was 151 million, there had been 42,738 new blogs registered in the last 24 hours

- Commenting on a news item or political announcement or taking part in a consultation

- Starting or joining a campaign with like-minded individuals (such as at www.38degrees.org.uk)

- Crowdsourcing or crowdfunding a project/event/campaign. Perhaps the most obvious crowdsourcing example is www.wikipedia.org. Examples of crowdfunding projects are numerous, but include www.wedidthis.org.uk, www.kickstarter.com and www.sponsume.com
- Making and distributing creative content with a message (such as anti-ads, culture hacking or jamming)

People are more able to express their politics directly, and can choose to by-pass traditional electoral politics completely if they wish (and we have seen in recent months how disillusioned many people feel with party politics in the UK).

Increasingly also, the tools of social media have become a part of the conversation about democracy (even presented as a 'solution'). What happens when the conversation is happening un-moderated and un-mediated in spaces completely outside the reach of the 'big media'? In such spaces, the 'promise' of the Web as a space for collaboration, sharing, openness and conversation is perhaps being most interestingly realised.

But it's not just about the flow of information. With the advent of tools such as PayPal, increasingly we are even seeing a global currency, the free movement of small or large amounts of money around the world that gives people sovereignty over their money in ways that they have never had before. This means that people can more easily play a part in funding culture and politics. In the first Quarter of 2007 Obama raised $5.77million worth of contributions under $200 from sites such as Justgiving.com (Wikipedia 2010b).

New media have also encouraged transparency in political processes (think for example of the expenses scandal in the UK and the amount of information that was – and continues to be – published about our MPs online as a result) and, where transparency has not been forthcoming, have given people the space and the impetus to put sensitive information into the public realm (think for example of the Wikileaks project).

One example of how these issues of politics and participation have recently played out is in the example of the use of Twitter in Iran.In June 2009, in the aftermath of the Iranian election, there was huge opposition to an election many people believed to be a fiction. There were riot police in the streets and a ban of any media reporting in the country ensued. On an unprecedented scale, over the next 18 days, the protestors turned to Twitter. There were no less than two million tweets from Iran by 500,000 people. At the height of activity there were 200,000 tweets an hour (BBC 2010).

In the UK, individuals were distributing the tweets, consolidating and linking protestors with the outside world, and passing information back to them; 'I've just got news that they are arresting people on such and such a road, tell people to go the other way' (Oxford Girl, speaking on BBC 2010). Then videos started appearing on YouTube.

The Iranian Government tried to block Twitter and YouTube with filters ('Access Denied') but many worked around that blockage in ways that were secure and encrypted; with no chance of being found out. Information continued to change hands unchecked through the new media:

> When people in their moment of need wanted to do something co-ordinated they could suddenly lay their hands on these tools in a way they hadn't been able to before. (Shirky on BBC 2010)

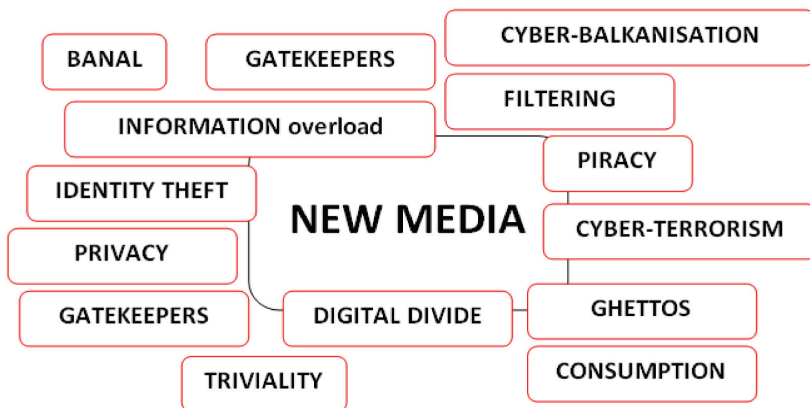
Summary

The Web maintains illusion, remains allusive, resists one rule of 'order', works outside of the jurisdiction of any one country and beyond state control. It is resilient. It is unmediated, interactive, global, uncontainable, mobile, and operates in real time (as in Iran). It prompts real and instant reaction.

In this narrative, action is facilitated from the bottom up not top down, empowerment is real, direct democracy is renewed. Digital media's style of operation is the antithesis of what we have grown

accustomed to. Governments don't set the agenda, we do. New media are nothing less than a revolution.

NEW MEDIA ARE NOT DEMOCRATIC…



In this narrative, the Web emerges as a dangerous, limiting and reductive space, or, at best, a banal incoherent rabble. It shows the claims of the previous narrative to be vastly inflated and misleading:

> All this boosterism and herd-like affirmation is bizarre because the internet is a new mode of convenience, nothing more, nothing less. It has not made society more egalitarian, it has not made modern democratic politics more 'transparent', it has not made us happier. Rather, it has made our appetites more impatient to be satisfied, devised new, speedier ways of satisfying them, and created more sophisticated methods of monitoring and controlling our private lives. (Siegel 2009)

In this history, the eventual use of the technology itself is shaped by the nature of people. In the final analysis, our desires, greed, weaknesses and fears will come to provide a more honest account of the development of new media than any inherent technological qualities.

The internet (to note: not the Web) was conceived in the 1960s as a response to the launch of Sputnik. It constituted a global network of linked computers designed to keep information safe in the event of an attack. It was categorically not about open, democratic, sharing of information across the globe. It was the politics of fear that gave the internet shape in its formative years.

Years later, the Web (Tim Berners-Lee's creation), although founded on openness and information, was swiftly colonised by businesses seeking to make money resulting in the dot.com boom of the 1990s. It was then the interests of Capitalism that gave the Web shape in its formative years.

As much as we might imagine that the infrastructure of the internet and architecture of the Web has allowed for the free flow of information and access to all, there remain some significant structural issues that quietly order our experiences of the Web along rather traditional lines. Gatekeepers emerge as hugely important on the Web, a means of filtering the masses of information that we are presented with, and making sense of it. In terms of everyday activity on the Web, there is only one web browser (Internet Explorer), one search engine (Google), one social network (Facebook), and one shop (Amazon) that matter (BBC 2010). There is a new 'big media' to worry about online.

Online audiences are often no more decentralised than audiences for traditional media (that is, they go to a same type and number of sources over and again), meaning that there is no more chance of being heard in cyberspace than in the 'offline' world, and that those who do get heard are far from an accurate representation of the public (Hindman 2008: 8). This makes extremely problematic those claims about participation that we encountered previously.

> If we consider the architecture of the Internet more broadly, we find that users' interactions with the Web are far more circumscribed than

> many realize, and the circle of sites they find and visit is much smaller than is often assumed. All of this changes our conclusions about how much room there is online for citizens' voices.' (Hindman 2008: 15)

Matthew Hindman's research into the democratic potential of online communications resulted in some stark findings; that political traffic is a tiny portion of Web usage, that the link structure of the Web limits the content that citizens see, that much search engine use is shallow, that some content is expensive to produce, even in the digital world and that, very quickly, social hierarchies have emerged online. Consequently, 'It may be easy to speak in cyberspace, but it remains difficult to be heard' (*ibid.*: 142).

This problem is amplified when it comes to looking at the issue of access. The seemingly impressive figures that were outlined previously relating to internet use in fact represent a mere 25 per cent of the world population. In 2010, 75 per cent remain offline. In the UK 9.2 million adults have never accessed the internet (ONS 2010). What we begin to see from a close study of the statistics is that real world inequalities are being replicated in the online environment. The digital divide as it has been termed is a matter of geography, technological literacy, language, wealth, education, age, and, not least, politics – the democratic divide – those that can use the internet to participate in political activity and those that simply cannot. In actual fact, it is mobile phones that we should probably be talking about more in society if we are interested in digital democracy.

Because of the structure of the internet, not all choices are created equal. If we look at the 'science' of Google ranking systems, it becomes immediately apparent that not all voices are treated equally; how can they be? Google have come up with a system for rating pages based on 'relevance' and 'authority' (which is a necessary diminishment and open to manipulation): as van Alstyne and Brynjolffson have said, 'filters, even sophisticated electronic filters, must be selective in order to provide

value' (van Alstyne and Brynjolffson 2005: 852). Thus, certain contacts, ideas, or both, will be screened out. This is a natural way of making sense of the 'noisy communications' which take place online (*ibid.*).[5]

It is no surprise that the top Google results are overwhelmingly the only ones that matter – people cluster around surprisingly few sources of information in their day to day use of the Web, and tend to use simplistic and unsophisticated search mechanisms and criteria. It is then the same old voices that get heard online; the small group of white, highly-educated male professionals who are vastly over-represented in opinion making (Hindman 2008).

Many of us of course don't just use the Web for finding 'new' information, we use it also as a means of consolidating what we already know; confirming our world views, and seeking contact with people who think and feel like we do. This is no more true than when it comes to politics where people stay overwhelmingly 'on message', rarely looking at alternative points of view; especially, it turns out, if they are politically active (Hindman 2008). For those that are inactive, the problem is amplified; those who are disenfranchised and disengaged from political systems tend to remain so online.

So, the technology can only do so much. In actual fact ideology and inequality are so ingrained that the claim of 'democracy' and openness is necessarily a spurious one. Not least in terms of the extent to which participation is possible.

In the new media space, our participation is principally defined through our round the clock consumption; gambling, gaming, watching movies and 'interacting', whilst all the time we are shadowed and evaluated, our data 'gathered' (Chester 2008). In 2010, the money spent on Web Analytics – the science of our individual web use – is staggering. The reason: learning more about us so that advertising can be targeted more effectively. It can then be personalised and hit us at exactly the time we feel like spending. Social media spaces are increasingly being colonised by marketers and the 'cost' of 'free'

content (in information terms) is growing all of the time, that is, the information which we need to give about ourselves so that we can access free content and later be targeted for sales.

Advertisers are one of the key beneficiaries of the race to digital: leading to lack of privacy, saturation of brand messages, and technologies being developed to 'track, analyze and persuade' (Chester 2008). Marketers are connecting the information being collected about our movements online with information readily available for sale by data-mining warehouses. The kinds of information: about our families, our communities, our car purchases, house purchases, credit card bills, occupations, tastes, fetishes, habits. Much of this information we give unwittingly.

The marketers know what we click on and how we relate to it, how we arrived at it, where we go next, how likely are we to become 'buyers' of a product. Did we run our mouse over an ad? Did we interact with it? For how long? Do we watch videos? Do we pause or stop them? Do we tend to go for smaller or larger adverts. They know if there are times when we are more receptive to messages. And whether we are likely candidates for an upsell.

This is the kind of information people are interested in about me online; not what I might have to say in the content of my blog.

One place where the Web's commercial potential is being most enthusiastically explored is in China where more people are online than anywhere else (253 million) but where the Web is also seen as being a huge threat to the state. Censorship is very much alive on the Web in China where it is claimed 30,000 people are paid to secretly police the Web full time (BBC 2010). There is ongoing analysis of social media networks in order to police certain beliefs, and the Government employs a number of official bloggers to work across the internet in support of the official party line. There are as many as 300,000 '50 cent army' commentators in China today (BBC 2010). Thus, the battle for freedom of speech is not yet won on the Web.

Another form of participation online is of course anti-democratic activity. Shock videos are released on the Web by the Taliban and Al Quaida every day. This kind of activity is (unlike our shopping habits) very difficult to track, predict or trace, in part because of the use of cybercafés. The Web lets people talk to like-minded people representing what has been called by Lina Khatib a 'Portable homeland' (Khatib 2003). The Web replaces geographical borders with more mobile and fluid ones. Meanwhile, the threat of a cyber-attack looms large (an example being the attack on Estonia in 2007).[6] All the more threatening because it is a more cost-effective way of waging war.

All of this smacks of a form of cyber-balkanisation – the selective use of the Web in order to re-inforce our pre-existing ideas:

> Advances in technology can make it easier for people to spend more time on special interests and to screen out unwanted contact. Geographic boundaries can thus be supplanted by boundaries on other dimensions. (van Alstyne and Brynjolffson 2005)

According to van Alstyne and Brynjolffson, an emerging global village is only one of a range of possible outcomes of new media. The Web can also create silos, or 'ghettos' where troubling kinds of conversations and activities flourish: think for example of adolescents who go online to discuss and compete in their eating disorders, to make suicide pacts, or those who exchange pornographic images of children. What counts as legitimate activity and what does not is of course not always clear.

But this rather relies on the Web as a hive of activity we might deem troubling. Perhaps a far greater hindrance to democratic action is the trivial nature of much online activity. The distraction of the mundane and banal is a much greater threat to democratic action, conversation and community than anything else. In this view, 27.3 million tweets per day is not a sign of a healthy democracy but an obsession with the trivial. The 350 million people on Facebook are unlikely to rally for a common cause any time in the near future. 4 billion photos on Flickr

represents participation of the lowest order. 1billion YouTube views per day says more about an unhealthy obsession with dancing cats and watching X-factor re-runs than changing patterns in the organisation of people.

Summary

The coming of new internet and multimedia technologies was heralded as the dawn of a more democratic media system where control was everywhere and the public would become 'empowered'. This is however, a grossly simplified scenario, and one that is not supported by research findings. To assert that a public is empowered is to assume not only that they have access to the means of making and distributing media, but that they are actively engaged in seeking that empowerment (not just using those avenues opened up to them). As Hamelink (1995: 12) asserts:

> Human rights imply both entitlements and responsibilities. This means that empowerment cannot be passively enjoyed, but has to be actively achieved and guarded.

There are also difficulties with the assumption that more voices being heard within the media would naturally lead to a more democratic system of representation. Structuring changes at the very core of ideology and society would be necessary in order to make such an assertion.

FINAL CONSIDERATION

And so, as we come to the end of our narratives, a number of questions remain. Which of these narratives of the new media is the most 'true'? Which rhetoric the most convincing? Can digital media be and allow for all of these things simultaneously? And, crucially, just how fragile is our relationship with the new media?:

> Our creation of an electronic broadband media system will be viewed by future generations as one of our society's most significant accomplishments. Will it be seen as one of the highest achievements for a democracy, a place in cyberspace that helped enrich the lives of many and offered new opportunities for an outpouring of cultural and civic expression? Or will it be seen years hence as a new version of what the late scholar Neil Postman aptly described as a medium even more capable of "amusing ourselves to death"? We hold that decision in our hands. (Chester 2007: xxi)

NOTES

1. Particularly pertinent here will be discussion of the Web, but this is by no means seen as synonymous with 'new media'. For definitions, please see Manovich 2002; Creeber and Martin 2008; Lister *et al*. 2008.
2. In Habermas 1962, and more recently in Toulouse and Luke 1998; Crossley and Roberts 2004; Dahlgren 2009; Salter 2010.
3. Demonstrated in recent discussion about ownership of BSKYB in the UK.
4. A cry we have heard numerous times in recent months in relation to the continuing WikiLeaks revelations.
5. See Halligan and Shah 2009, for more on Google rankings.
6. A Distributed Denial of Service attack as recently used against companies who withdrew support for WikiLeaks. Such attacks involve taking control of computers to bombard a site with requests simultaneously so that it cannot function. The threat is that it is hard to know who or where the attacker is.

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Reading the stranger in the age of social media

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ABSTRACT

This article attempts to locate the Subject articulated by and through social media technologies. Drawing on the speculative phenomenology of Georg Simmel, I argue that the mediated Subject is best understood as a resurrection of Simmel's 'stranger' (1908) – a figure characterised by paradox and existential crisis. Herein, the mediated stranger is defined through ambivalence, objectivity, the dialectic of mobility, and the coexistence of belonging and exclusion. On one hand, this framework challenges conventional understandings of strangeness as a purely menacing quality. On the other hand, it suggests that the mediated stranger – codified in digital templates and driven by database logic – is the basic unit of online sociality.

KEY WORDS

Georg Simmel, social media, stranger, belonging

INTRODUCTION

This paper interpolates the 'new' through the 'old' as a way of engaging with the social media paradigm and delineating the Subject to which it gives life. I argue that via their mobilities, structures, and ontological efficacies, social media produce a figure defined by existential contradiction, as an entity positioned between exclusion and belonging. Social media – to be approached strictly as the hyphenation of media technology and social relations – actively engender a Subject who 'is an element of the group itself… [but] an element whose membership in the group involves both being outside it and confronting it' (Simmel 1971a[1908]: 144). This is to say, the mediated Subject is a core constituent of a community to which she can never fully belong.

Social media articulate ways in which the mediated Subject manifests within the contemporary ecosystem of techno-social being. While destabilising conventional binaries of belonging, the mediated Subject remains marked by the demands of presence and absence, of rejection and inclusion, of nearness and distance. This paradoxical framework is herein explored through the mechanisms and operations of social media. Through these, I develop a meditation on the interdependencies and disjunctures between media, technology, and being. It is thus suggested that the mediated Subject can best be understood as a resurrection of Georg Simmel's 'stranger' (1908).

Along with delineating the mediated Subject, this article also challenges conventional perceptions of the stranger as a purely threatening or foreboding figure. Instead, I propose that a more useful and adroit definition ought to acknowledge the stranger as a figure of ambivalence, objectivity, and mobility.

En route to a richer understanding of the mediated stranger, this discussion begins with a critical analysis of Simmel's original conceptualisation, outlining the stranger's formal characteristics and subsequent implications for his position within the territorial

community. From there it becomes possible to sketch links between Simmel's early twentieth century figure and today's mediated Subject. To close, trajectories for future research are proposed.

SIMMEL'S STRANGER

Simmel's impression of the stranger endures. In this section, I explore themes through which Simmel's stranger is articulated in order to establish the concept's contemporary salience. I also distinguish the stranger from other wanderer archetypes, including the traveler, nomad, and flâneur. Ultimately, this analysis suggests the stranger's unique utility for parsing the social media discourse.

Writing at the start of the twentieth century, Simmel frames the stranger in territorially embedded terms, with the prototype represented by the trader. This is a figure – and per Simmel, an explicitly male figure – living in a particular community but always attendant to an elsewhere (1971a: 144). The trader succinctly captures the stranger's relationship to spatial polygamy and social belonging, circumscribed by 'factors of repulsion and distance [that] work to create a form of being together, a form of union based on interaction' (*ibid*.). The trader is the mediator of spatialities and socialities, bridging the territorial source of his goods with the market for them. He occupies a plurality of spaces at once, yet he belongs firmly in none. What emerges here is the irreconcilable cohabitation of distance and closeness, of being together while being apart (see Turkle 2011). Herein lies the stranger's essence.

Simmel writes that '[i]f wandering, considered as a state of detachment from every given point in space, is the conceptual opposite of attachment to any point, then the sociological form of "the stranger" presents the synthesis, as it were, of both of these properties' (1971a: 143). The stranger is thereby positioned as paradox, tied to a theoretical spatiality navigated by distance-as-belonging. The stranger's movement through space functions as a metric by which social engagement can be

measured, and the dialectic of mobility thus frames his relationship with others. As Simmel explains, 'spatial relations not only are determining conditions of relationships among men, but are also symbolic of those relationships' (*ibid*.). Mobility can thereby be viewed as an influential logic driving social relations, negotiating the stranger's corporeal and symbolic spaces of belonging.

Guided by the stranger's appropriation of movement, stasis, and socio-spatial belonging, we can distinguish Simmel's figure from that of the nomad, traveler, and flâneur. In anthropological orthodoxy, the nomad is defined through what James Clifford (1997) calls 'dwelling-in-traveling'. The nomad's home is movement. The traveler, meanwhile, is typically approached as a seeker of leisure, excitement, or 'authenticity' whose temporally limited quests are pursued outside his community of residence (see Rojek 1995; MacCannell 1999, 1973; Urry 2001). For the traveler, the necessity of return implies the idea of home, while for the nomad, home is the journey. But the stranger-as-trader sits awkwardly between home and away, not belonging fully to either. For him, there is neither a right of return nor a demand for constant movement. Meanwhile, Baudelaire's flâneur is a bourgeois poet who walks the streets in order to understand the city's essence (see Tester 1994: 2-3). Simmel's stranger is involved in no such artistic project of deliberate exploration.

Despite these provisional distinctions, a common thematic for the nomad, traveler, flâneur, and stranger revolves around the notion of home. For the stranger, it is precisely the dwelling that contributes to his existential crisis. 'Man's relation to locations, and through locations to spaces, inheres in his dwelling. The relationship between man and space is none other than dwelling' (Heidegger 1971: 157). But dwelling is itself configured through social systems, so that man's (and woman's) relation to space must be conceived as a consequence of relations between selves (and others). The stranger's link to the social can here be approached through the framework Jacques Rancière (2009)

proposes for the collective experience of looking at art. For Rancière, this is a project of 'being together apart' (*ibid*.: 53) where the viewer is bound to her fellow viewers through contemplative separation. In a similar configuration of communality and metaphysical remoteness, the stranger is spatially proximate to his neighbors but cognitively apart, and it is through this paradoxical togetherness that the shared dwelling of the community is constituted.

This axis of distance endows Simmel's stranger with certain advantages. Perhaps most interestingly, Simmel posits that through his bifurcated identity as foreigner-local, the stranger acquires indefatigable objectivity. 'Because he is not bound by roots to his particular constituents and partisan dispositions of the group, he confronts all of these with a distinctly "objective" attitude' (Simmel 1971a: 145). Put another way, the stranger's lack of rooted belonging endows him with an uncompromised, and seemingly uncompromisable, impartiality. For Simmel, such impartiality is a largely positive (and achievable) relation that develops by virtue of the stranger's crisis of belonging. The stranger's outsider-insider role relieves him of all communal normativities, and trust is thus generated: he 'often receives the most surprising revelations and confidences, at times reminiscent of a confessional, about matters which are kept carefully hidden from everybody with whom [the local] is close' (*ibid*.: 145). It is as if the symbolically unbridgeable distance from those nearby imbues the stranger with an infallible rationality, and through rationality and observation comes truth.

Through the irreconcilable merger of nearness and distance, the stranger is rendered objective. But rather than reifying this preternatural association with impartiality, we can suggest that his alleged objectivity positions the stranger as a mere consumer of signs. He emerges impervious to affect, a sort of sterile *übermensch*. His agency becomes intrinsically tied to observation, and both place and social relations are thereby reduced to series of snapshots. Therein, the stranger becomes

enclosed in what Susan Sontag calls a 'chronic voyeuristic relation to the world' (1977: 11). The stranger is objective because all he can do is look.

In closing, the core of Simmel's stranger is defined along the dialectic of social belonging and distance. For Simmel, the stranger is an objective figure whose essential Otherness generates trust. He is also a mediator of spatialities, though significantly, he remains firmly rooted in his community of residence. In the next section, I explore how the stranger's territorial fixity is complicated in the global 'mediascape' (Appadurai 1990) and focus on modalities of being through the so-called 'social media'.

THE MEDIATED STRANGER

Social media are constellations of technology, sociality, and spatiality driven by internet infrastructure, network logic, and the fusion of production and consumption. These vectors flow into and from each other, and the resulting intersections and fissures help configure notions of the mediated self and the Other. For Simmel, the stranger is understood primarily through the intersections of spatial and social relations but as technology thoroughly penetrates the conventions of living (as well as the academic study thereof), it becomes intellectually profitable to consider how social media challenge, reinforce, or otherwise affect the stranger archetype.

Indeed, social media represent the socio-spatial dimensions that concern Simmel but they also invoke theoretical consideration of the increasingly techno-oriented dimensions of human practice. Social media, in their structural interpolation of the social and spatial through the technological, therefore offer ideal mechanisms through which to make out and reassert the contemporary relevance of Simmel's stranger.

At their most abstract, social media represent a circulation of signs, a wasteland of transient code. They herald a bringing together of geographies, technologies, and subjectivities through a process of de-

differentiation whereby the user's virtual self is constantly on the move through and as packets of data. In this configuration, social media are structures concerned principally with mobility and flow, and such a vortex of data effectively precludes the user's complete belonging in any one place. Simmel stipulates that '[t]he appearance of…mobility within a bounded group occasions that synthesis of nearness and remoteness which constitutes the formal position of the stranger' (1971a: 145). Mobility – both corporeal and imaginary – thus bridges the psycho-temporal space between home and away, and furnishes a dialectical economy of distance that articulates and produces the stranger.

Unlike Simmel's figure, the mediated stranger is intimately linked to hardware. As a technological subject and object, her being is (re) constructed by the apparatuses of digital movement (and vice versa), and it thus becomes possible to position her alongside the cyborg. As Donna Haraway (1991: 152) posits:

> Late twentieth-century machines have made thoroughly ambiguous the difference between natural and art)ficial, mind and body, self-developing and externally designed, and many other distinctions that used to apply to organisms and machines. Our machines are disturbingly lively, and we ourselves frighteningly inert.

Agency is therein transferred, at least in part, from human to machine. While I do not mean to suggest that the technological necessarily overpowers the human, I do want to highlight the techno-social interactivity by which the mediated stranger is constituted as both insider and outsider. Her relations to space, to self, and to others are constantly subject to redefinition through her links to the machinery of mediation. Indeed, as Deleuze and Guattari (1983) suggest, '[t]here is no such thing as either man or nature now, only a process that produces the one within the other and couples machines together' (in Fuery 2009: 65).

Social media thus situate the Subject within a circular logic of production while simultaneously articulating the growing interdependence between human and machine. Bruns (2006) proposes the term 'produser" to describe this mediated constituent (cf. Toffler's (1980) 'prosumer'). By merging production and consumption, the agency with which one helps create the media one consumes boomerangs and enables those very media to constitute the user within various micropublics. The maker is thereby made and remade by that which she creates, without end. Forever on the move, the mediated Subject is perched on the pendulum between belonging and estrangement, swinging to and fro.

Social media platforms – from Facebook to Twitter to Digg – position users as dwelling interlopers. The user is the intruder who can never permanently belong, yet she helps constitute the very community that produces her existential ambivalence. This is digital replication of the host communities Simmel describes, spaces in which the stranger is a formal element of the group but 'by his very nature no owner of land – land not only in the physical sense but also metaphorically as a vital substance which is fixed, if not in space, then at least in an ideal position with the social environment' (1971a: 144). There is no land to own in cyberspace, only the vestige of place constituted by profile pages, URLs, and inboxes. Significantly, this transient form of residence exists only in so far as it is visited. Recognition begets existence, as it were.

The demands of recognition thus underwrite online sociality. The mediated Subject evaluates others based on displays of information: collections of online friends, photo uploads, listings of favorite books, movies, music, and so on. Through this referential yet decontextualised scaffolding, social media foster relations between *information*, between de-differentiated signifiers. The web browser renders affect code, and communication through social media assumes a veneer of Simmel's objectivity in as much as the user engages with information rather than with a more organic community, with its normative claims and

obligations. This is not to ignore 'netiquette' in online communication. But in a space defined by flows of decontextualised data exchange, normativities are easily eschewed and redefined.

For both Simmel and social media, it is through distance that '[o]bjectivity can also be defined as freedom….[a] freedom, which permits the stranger to experience and treat even his close relationships as though from a bird's-eye view' (1971a: 146). Closeness helps constitute remoteness, and this highlights a particular dimension of the stranger's ambivalence: he is neither pure menace, nor entirely a non-threat. Operating along the axis of distance, social media perpetuate similar relations of and between ambiguity. By virtue of her being both close and remote, the Subject lurking in our mediated midst is somewhere between friend and foe, defined by an irresolvable existential paradox.

As Simmel makes clear, the dialectic of distance becomes a pathway toward de-differentiation and ambivalence. De-differentiation online produces relations based on information-as-objectivity. With relations in cyberspace reduced to exchanges of data between simulacra of selves – between semi-formed templates of digital being – social media perpetuate a sort of social and symbolic leveling, rendering everything (and everyone) more or less the same (i.e. reducible to data), and therefore *interchangeable*. Through the language and mechanics of data, social media engender difference through sameness.

In relation to this leveling property, we should consider Simmel's observation about singularity vis-à-vis similarity:

> A similarity so widely shared could just as easily unite each person with every possible other. This, too, is evidently a way in which a relationship includes both nearness and remoteness simultaneously. To the extent to which the similarities assume a universal nature, the warmth of the connection based on them will acquire an element of coolness, a sense of the contingent nature of precisely *this* relationship – the connecting forces have lost their specific, centripetal character. (Simmel 1971a: 147, emphasis original)

When being is reduced to a template, as in social media, it is easy to establish bonds based on shared preferences. Yet because of the general nature of these bonds, they cannot garner the warmth of singular ties. Instead these bonds are based on a database of commonality, an indexical logic of sameness. This is the essence of the database, and as driver of social media practice, the database must be understood as a manufacturer of weak (and therefore cool) ties based on the structural negation of individuality. What is most general and most common is valued, and therein the stranger achieves recognition as the basic unit of online sociality.

With systemic privileging of the universal over the singular – codified in templates and the database – social media become aggregators of sameness. Here, the bounded terrestrial community offers an instructive conceptual parallel. As a group whose constitution is linked to a set of shared values, practices, and histories, the bounded community produces a particular collective Self that is counterposed to the general Other. But in social media, there is only the loose notion of self which is forced into relation with a collectivity of Others. What is shared is Otherness. Lucas Introna and Martin Brigham propose that it is '[v]irtual interaction…[which] reconstitutes proximity such that Others – strangers – are simultaneously those far away and near us' (2007: 168). But this rearticulates the us/them binary, and the point I am trying to make here is that the 'us' in social media is not in opposition to any particular or generalised 'them' because in social media there is only Otherness. It is sameness through irreconcilable difference, as much as it is sameness through interchangeable data. 'Them' equals 'us' and the Other becomes indistinguishable from the self.

What is shared in the online community is both sameness and strangeness. In this respect, social media users are able to experience the full spectrum of belonging: to constitute themselves as part of an ideologically homogenous group while performing the role of the outsider. This schizophrenic ontology of belonging is:

> caused by the fact that similarity, harmony, and closeness are accompanied by the feeling that they are actually not the exclusive property of this particular relation, but stem from a more general one – a relation that potentially includes us and an indeterminate number of others, and therefore prevents the relation from having an inner and exclusive necessity. (Simmel 1971a: 148)

Herein social media emerge clearly as producing relations engendering both nearness and remoteness, creating a sociality built on paradox.

Such an existential and operative crisis of belonging allows us to underscore that Simmel's work leads toward an understanding of social media not merely as technological mechanisms but as socio-spatial practices with wide-ranging implications for issues of identity, politics, historiography, and beyond. Social media are fundamentally linked to a multi-sited ontology. They are about the place one visits as much as the place from which one departs; they are about the here and there, the home and away, belonging and interrupting. Online, such dualisms are complicated by the paradox of virtuality. The mediated stranger is connected to myriad machines and cyborgs through a single machine, and therefore to myriad places through a single place. But place itself is never single. As in offline ontology, place cannot be considered in the singular for it always constitutes and is derivative of a series of spatial vectors. These can be approached in the language of the local, national, regional, and global. What virtuality does is perform a duplication of materiality's inherent polyspatiality.

The mediated stranger, therefore, exists not only at her kitchen table but also in the 'living room' of a particular web page. She exists in her country and also in the nation of the social network site. She lives in the world and also in the whole of cyberspace. We can thus say that in the online context, the stranger's existence and spatialities are doubled. Abdemalek Sayad described the migrant as 'double absent' (1999), and the mediated stranger is indeed twice absent but she is also twice *present*.

She is twice absent because her essence, like the migrant, is that of mobility – of movement between belonging, between recognition. She is twice present, meanwhile, because he is a subject of both the virtual and material worlds, though not identical in them. And she belongs to both through her very not belonging fully in either, as 'a foreign body in our existence which is yet somehow connected with the center; the outside, if only by a long and unfamiliar detour, is formally an aspect of the inside' (Simmel 1971b: 188).

CONCLUSION

Research in the humanities and social sciences is increasingly concerned with social media development (e.g. Turkle 2011, Lister *et al*. 2009, Yoo 2009, Ito *et al*. 2010). One reason for this uptake may be recognition that social media represent an accelerated conglomeration of technologies of the past with subsequently complicated reverb for present-day social relations, spatial practices, and cultural productions.

Simmel's work on the stranger offers a rich conceptual framework from which to engage with this discourse. I have attempted to outline several theoretical modalities through which the contemporary stranger is articulated, and to highlight how media technologies help extend the relevance of Simmel's important construction. Future research could examine interplays between the mediated stranger, online surveillance, and self-disclosure; it could also investigate connections between inclusion, exclusion, and mediated politics.

Throughout this discussion, technologies of mobility have been presented as mechanisms by which human forms, subjectivities, and socio-cultural practices move between cartographic and imaginary spaces of belonging. In this context, the stranger is caught in the paradox of mediated homeland, trapped within a spatial plurality defined by pure flow: velocity and movement.

Social media's theoretical and structural entanglement with the dialectics of distance and mobility underscores the crisis of mediated belonging. To understand the mediated stranger as the embodiment of paradox is to acknowledge that exclusion from the group brings with it a particular kind of belonging. In the terrestrial sphere, 'the consciousness of having only the absolutely general in common [with others] has exactly the effect of putting a special emphasis on that which is not in common' (Simmel 1971a: 148). But online, database logic gives rise only to commonality. In the digital community, the stranger represents a conflation of 'us' and 'them' and a triumph of code over affect.

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