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Citation for final published version:

Hintz, Arne 2009. At the margins of internet governance: grassroots tech groups and communication policy. *International Journal of Media & Cultural Politics* 5 (1/2) , pp. 23-38.

Publishers page: <http://www.uta.fi/cmt/opiskelu/kurssimateriaalit/t...>

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At the margins of Internet governance: grassroots tech groups and communication policy

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Abstract

This article examines grassroots tech groups as civil society media (CSM) actors marginalised in the communications policy debate. We aim to insert these key providers of information communication technology (ICT) infrastructure into discussions on enabling CSM policy agendas. The article maps their policy objectives, traces their connections to broader Internet governance mechanisms and explores their potential roles as policy stakeholders. We conclude that grassroots tech groups, while operating largely outside of the debate, offer unique perspectives and contributions to multi-stakeholder policy dialogue, challenging norms of inclusion and representation.

Keywords

Internet governance
grassroots tech groups
media activism
Internet service providers
communication policy
multi-stakeholderism
civil society

Introduction

'Summit Breaks New Ground with Multi-Stakeholder Approach' headlined the official press statement published at the end of the preparation process for the first World Summit on the Information Society (WSIS) in Geneva in 2003 (ITU 2003). Focusing on process innovations rather than thematic outcomes was symptomatic for the summit debates which stretched for more than five years and during which the question of participation of non-state actors often displaced discussions on information and communication issues. The main summit organiser, the International Telecommunications Union (ITU), had promised a 'new kind of summit' based on the 'full participation' of 'new' actors, particularly business and civil society.¹ Expectations were high that an entirely new form of global governance would be tested, with non-state actors participating on equal footing with government delegations. However, while some sections of (organised) civil society were included in the process, others remained outside, lacking the resources, the organisational structure or the will to participate (Hintz 2009). WSIS served as a laboratory for multi-stakeholderism (Raboy 2004), but it lacked 'significant participation from those working directly at the grassroots in initiating and implementing ICTs' (Gurstein 2005a).

In this article we will look at some of these actors: grassroots media activists, radical tech collectives and alternative Internet Service Providers (ISPs). As typically loose and fluid civil society networks with a precarious

1 In this article we refer to 'civil society' as the non-governmental and non-commercial sector, that is, a social sphere beyond state and business, and we thus follow recent definitions used within the United Nations (Cardoso et al. 2004: 13).

- 2 Adilson Cabral from Fluminense University, Brazil, contributed valuable comments and participated in the drafting of this paper. We wish to thank him for his important contribution.
- 3 This definition is to be intended as analytical tool which tries to incorporate procedural and identity aspects which are relevant to our study, and to be as inclusive as possible. A recent People's Global Action (PGA) meeting on communication infrastructures identified alternative ISPs as 'organisations running a server to support movements for political change to get direct access and participatory access to the web and media' (People's Global Action 2007). The 'group' is seen as 'functional units that can make decisions' (idem).
- 4 Examples include the Spanish SinDominio (www.sindominio.net), the Italian Autistici/Inventati (www.autistici.org), the German Nadir (www.nadir.org), the Dutch ASCII and PUSCII (puscii.squat.net), the North American riseup.net, and the open-publishing platforms of the Indymedia network (www.indymedia.org).
- 5 The following list draws from interviews with grassroots tech activists and analysis of website content (mission statements and calls for action).

financial basis, these groups are likely to face challenges with regards to their inclusion in forums of policy debate. The emerging field of Internet governance offers a test case for the participation of these grassroots actors in policy-making. Such groups have contributed substantial innovations to the development of online infrastructure (see, e.g. Kahn 2004) and are immediately affected by policy changes, thus it would seem reasonable that their policy concerns are reflected in relevant debates. As a core post-WSIS policy arena, the Internet Governance Forum (IGF) offers opportunities to trace the development of 'multi-stakeholderism'.

This article presents the results of online interviews that we conducted with members of grassroots tech groups. We identify policy preferences and attitudes towards a policy space such as the IGF, and develop a broader perspective on the relation between grassroots activists in media, communication and policy arenas. First, we clarify what we mean by 'grassroots tech groups', point to the multi-stakeholder experiences at WSIS and IGF, then summarise and analyse their responses on policy objectives and governance structures. Finally, we extract challenges and suggestions for the development of participatory media governance.²

Grassroots tech groups

Definition and role: running servers for social change

In using the term 'grassroots tech groups', we refer to groups providing alternative communication infrastructure to civil society activists and citizens on a voluntary basis through collective organising principles, with the aim of counteracting commercial as well as state pressures on information content, media access and the privacy of media users.³ Grassroots tech groups usually offer web-based services such as website hosting, e-mail and mailing list services, chats and other tools such as anonymous re-mailers and instant messaging; or provide platforms for self-production of information.⁴ Common elements amongst these actors include⁵:

- Autonomy and emancipation: Developing self-organised alternative infrastructures is a means of emancipation from predominant providers of information and communication channels, and from over-arching business and government control.
- Direct action: Implementing an alternative production mode, they reject capitalist logic and government intervention. Their cultural and political backgrounds include anarchist thought, do-it-yourself culture and cyber-libertarianism. Such perspectives overlap with the values of early Internet pioneers who advocated minimal state regulation and maximum freedom for technical experts and civil society actors to develop infrastructures according to their needs.⁶
- Collectivism: They are often organised as collectives of equals working on a voluntary basis, with horizontal consensus-building and a rejection of formal leadership and representation – in the words of one activist: 'free, networked collaboration and shared production' (Interviewee 1 2007). The sustainability of the projects depends on the voluntary contribution of knowledge, skills, time and financial support.

- Service for, and members of, social movements: They seek to empower activists and civil society actors by providing communication infrastructure and information exchange tools: 'our tech activism involves spreading voices so that they can't be shut by authorities' (People's Global Action 2006). Supporting other struggles, they constitute a form of 'meta-organisation activism' (Interviewee 8 2008). At the same time they are an intrinsic part of social movements, and contribute to their agenda-setting by raising awareness of privacy protection and knowledge issues, 'rejecting the globalising cultural and mediatic censorship of imagination and the attempts to sell us pre-digested dreams' (Autistici/Inventati 2002). Members are often active also in other fields, such as environmental politics, anti-racism and anti-fascism.

A typical radical tech collective would consist of half a dozen volunteer media activists who are often, but not necessarily, based in the same town. Some have weekly meetings for strategic discussions and decisions, some even operate a computer laboratory or an Internet cafe, but most communication and work takes place online via e-mail and chat. Daily tasks include managing web servers and list-servs, larger projects may include developing software tools, such as content management systems or encryption programmes that other civil society activists can use for their communication and campaigns.

They become more visible when they step out of cyberspace. Radical tech groups have established media centres at major protest events such as those against G8 meetings. Indymedia UK, for example, have set up tents with computer equipment in the middle of actions and action camps to allow other activists to write and upload reports directly from the street. The group Nadir once transformed a countryside barn in a remote North German village into a high-tech media hub that provided thousands of environmental activists with sophisticated communication infrastructure, enabling them to send out their reports on a protest against nuclear waste shipments to a global audience.

Grassroots tech groups and civil society media

Within the increasing academic interest in community media (Howley 2005), alternative media (Atton 2002; Coyer, Dowmunt and Fountain 2007), radical media (Downing 2001) and citizens media (Rodriguez 2001), as well as the emerging interest by policy-makers in these media (European Parliament 2007; Lewis 2007), grassroots tech groups have received little attention. The prime concern of these studies is with the production of content and thus with radios, newsletters, community TV stations and websites as content providers, not with developers of communication infrastructure.

However, we do believe that grassroots tech groups are an integral and crucial player in the broader field of civil society media as defined by Hadl and Hintz (2009). They adhere to the main characteristics of the sector, such as civil society ownership and control; non-profit, social objectives; democratic and participatory structures; and most of them either provide alternative content or assist others in doing so. Furthermore, they bring in

- 6 Based on Dave Clark's famous creed from 1992 – 'We reject kings, presidents and voting. We believe in rough consensus and running code' – cyberlibertarians oppose state interventions into the innovations and the creativity of individual developers (Barlow 1996), civil society-based creators of information technology and small businesses. In the rare cases in which state regulation is considered, it should be based on the prerogative: 'First, do no harm' (Cerf 2004: 13).

7 In their WSIS evaluation 'Much more could have been achieved', civil society participants of the WSIS process expressed the urgent need to develop 'clearer and less bureaucratic rules of recognition for accrediting Civil Society organisations in the UN system' (Civil Society Plenary 2005: 15).

new perspectives on access to, and participation in, media-making, connect with more recent innovations regarding free software, user-generated content and individualised media production, and thus provide an important link between the organisational and political approaches of 'older' civil society media and newer technological as well as social developments.

Multi-stakeholderism at WSIS and beyond ***World summits and civil society***

The nation state-centred world, in which sovereign states represented the basic units in the international system and international policy-making based on inter-state diplomacy, has increasingly been challenged by, amongst other factors, the growing capacities, power and resources of transnational business and civil society. Accordingly, the concept of global governance has gained prominence, focusing on systems of rules and interdependent problem-solving by a diversity of actors on a diversity of policy levels. Control has become more dispersed, and capacity for decision-making and implementation more widely distributed, forming 'layers of governance spreading within and across political boundaries' and transforming 'sovereignty into the shared exercise of power' (Held and McGrew 2003: 11).

The world conferences of the 1990s offered construction sites for global governance. They invented a 'new dramaturgy of world politics' (Messner and Nuscheler 2003: 4) by going beyond the diplomatic exclusivity of states. The UN Conference on Environment and Development (UNCED) in Rio de Janeiro in 1992 set a precedent, and a series of summits on core concerns such as human rights, cities, gender and development followed.

The preparation process towards the World Summit on the Information Society (WSIS) promised further progress, with private sector and civil society to be recognised as 'partners' and to be treated 'as peers and equals to nation-states' (Ó Siochrú 2004: 334). A large number of NGOs and other civil society actors came to participate and created effective mechanisms for lobbying and thematic exchange. However, they also faced serious obstacles in accessing the summit stage and in participating meaningfully, particularly with regards to accreditation, funding and exclusion from negotiations.

The requirements for receiving accreditation for the WSIS process were geared towards formal NGOs and failed to consider the structural background of those civil society actors that are organised as loose grassroots groups, non-hierarchical networks and temporary coalitions.⁷ The registration process for the summit involved privacy infringements (Bendrath and Panganiban 2003), which discouraged some civil society activists from participating. Several groups, such as Reporters Sans Frontiers and Tunisian human rights groups, were not allowed to participate at all. Financially, effective participation in WSIS preparatory conferences involved covering flight tickets and two weeks of hotel accommodation, food and drinks in an expensive Swiss city – several times a year. Little funding was provided for civil society delegates by the WSIS organisers. Again, only larger NGOs, which could mobilise sufficient funds, for example

through established contacts with potential donors, could cope with this restriction. Finally, and despite the initial promises by summit organisers, the new non-governmental 'stakeholders' were reduced to the status of 'observers' (WSIS Executive Secretariat 2002) who were allowed to attend only 'public' (WSIS Executive Secretariat 2002) sessions and who were excluded from actual decision-making processes and spaces. Only the Working Group on Internet Governance (WGIG) came close to a true multi-stakeholder design (WGIG 2004).

Broad participation?

Participants and observers agree that WSIS has helped to open previously closed spaces of inter-governmental debate to organised groups of citizens and activists. Civil society groups praised the 'innovative rules and practices of participation' established in some areas of the WSIS process and highlighted WGIG as a particularly innovative format 'where governmental and Civil Society actors worked on an equal footing' (Civil Society Plenary 2005: 7). The high degree of formalisation of civil society involvement in WSIS as well as the autonomous structures created by civil society participants, argues media scholar and WSIS observer Marc Raboy, 'form the basis of a new model of representation and legitimization of non-governmental input to global affairs', and as a result, 'the rules and parameters of global governance have shifted' (Raboy 2004: 349). However, access by non-state actors to the negotiation process 'was fragile, was frequently challenged and regularly withdrawn' (Ó Siochrú 2004: 338). Insufficient opportunities for participation risked to reduce multi-stakeholderism to a 'rhetoric exercise aimed at neutralising criticism through the adoption of an unproblematic consensual understanding of political life' (Padovani and Pavan 2007: 100).

Such lack of participation concerned the North-South divide, leading to an overall European dominance in civil society attendance at WSIS (Cammaerts and Carpentier 2006). Yet, it also concerned the separation in established NGOs, on the one side, and broader social movements, on the other, which has characterised recent institutional processes. Many of those who were building the information society in their everyday practices were either missing or participated in alternative events outside the summit compound. Few autonomous media practitioners, free software developers and creators of grassroots communication infrastructure, such as citizen-based community wireless networks, attended the summits. Community informatics researcher Michael Gurstein noted that 'while there has been a very considerable degree of "talking about" ICTs for Development there has been remarkably little "talking with" those who are actually doing the job on the ground' (Gurstein 2005b), which would then lead to the question of 'how to provide a meaningful and effective voice for this "larger civil society"' (Gurstein 2005a).

Internet governance forum

The most prominent outcome of WSIS has been the establishment of the Internet Governance Forum (IGF), a new forum for a multi-stakeholder dialogue on Internet policy. Its mandate has been to 'discuss public policy

- 8 For a comprehensive historical overview from the WSIS to the first IGF, see Shtern 2007.
- 9 However governmental and institutional delegates do retain a slightly more prominent role at IGF, for example in the IGF advisory group, see IGF (2006b).

issues related to key elements of Internet governance in order to foster the sustainability, robustness, security, stability and development of the Internet' (IGF 2006a) and to involve all relevant stakeholders in this debate. The IGF does not have a decision-making role and cannot negotiate binding agreements but it can set policy agendas.

The first meeting of the IGF took place in Athens, Greece in 2006. It followed in the footsteps of WGIG⁸ by allowing for open debate, advancing WSIS practices and moving closer to 'full participation'.⁹ One innovation has been the establishment of 'Dynamic Coalitions' in which members of all stakeholder groups discuss specific Internet policy sub-themes – such as spam, privacy, freedom of expression, linguistic diversity – and try to find common positions. However, despite these progressive steps, several of the above-mentioned access challenges persist. A large number of NGO representatives have participated in meetings and debates, but grassroots tech groups, as we define them, are missing. Internet governance researcher Elena Pavan (2007) has criticised the predominance of Western views in IGF deliberations and the lack of representativeness of civil society actors.

Methodology

In collecting data for this article we adopted a qualitative approach, conducting e-mail interviews. E-mail interviewing is a specific form of online interaction, consisting of an asynchronous exchange of questions and answers (Kivitz 2005). We chose this method because radical tech groups are typically online-based and we believe that the researcher should relate to the object of inquiry according to the ways 'in which social practices are defined and experienced' (Hine 2005: 1). Interviews took place over a period of several weeks around the IGF 2007. Activists were asked to provide details about threats and obstacles to their activities, values underlying their activism, their vision on Internet regulation, their attitude towards policy fora and more specifically the IGF. Interviews were conducted in English, Spanish and Portuguese. One third of interviewees asked to submit their answers encrypted with the widely-used encryption programme Pretty Good Privacy (PGP) or similar tools.

The interviewees were members of eight different radical tech groups based in Europe. Occupational and class backgrounds were diverse, ranging from information technology (IT) professionals, academics and freelance programmers to students, temporary workers and unemployed. Age varied between early twenties and early forties, gender was predominantly male. A first group of interviewees were asked to reply as individual members of a group or as individual Internet activists. In this, we assumed that individuals reflect a group culture. A second set of interviewees replied collectively following an internal group debate. This was time-consuming but appropriate, since, as one of our interviewees put it, 'alternative ISPs are collective enterprises and by contacting and making questions to individual people you are breaking down the collective dimension' (Interviewee 3 2007).

To protect interviewees' privacy, they are identified in this text only as 'Interviewee', followed by a number. Several radical tech collectives have faced serious repression due to their vital support for social and dissident

movements. Connecting their names and/or the names of their collectives directly with particular activities or political statements may increase the risk of repression and would expose information about particular groups and individuals – information that can potentially be used against them.

Internet governance and grassroots tech groups: a missing link?

This section will analyse the perceptions and attitudes of grassroots tech activists towards institutional policy processes. It draws from the interview transcripts to specify what these groups consider as threats to their projects and values, and which aspects of the Internet should be regulated in which way from their perspective.

Threats: state repression and corporate interventions

Grassroots media activists identify state repression as a primary threat and obstacle to their work. As most of the projects operate on a local or national basis, state intervention ‘is the most immediate repressive frame’ (Interviewee 7 2007), despite the supposedly global and borderless nature of the Internet. Grassroots media projects are facing surveillance and harassment in many countries, including Western democracies. In Europe, some have been targeted with anti-terrorism charges (e.g. SO36 in Germany and Autistici/Inventati in Italy) and had their equipment confiscated and members’ flats raided by police. According to one interviewee, governments increasingly seek to ‘intimidate members of the group’ as ‘they see us as part of a dissident movement’ (Interviewee 2 2007). In some countries (for example, Oaxaca, Mexico), activists are facing arrests, disappearance, rape in custody and even death (Interviewee 4 2007). Some claim that state repression has included ‘political attack against our websites’ (Interviewee 7 2007), that is, technical sabotage.

Interviewees see a major threat in national policies and supranational regulations, particularly as they concern increasing state surveillance, for example through new legislation in many countries on data retention, which ‘forces us to disclose information about our users to the government’ (Interviewee 2 2007). This places tech groups ‘in a severe ideological dilemma between having to accept the law and power, and at the same time guarantee the right to the privacy of our users. Whenever we refuse “to collaborate” with the judicial authority, we must face a judicial process, which, financially, is very expensive for activist projects’ (Interviewee 7 2007). A second tier of obstructive legislation is seen in intellectual property regulation, which contrasts the groups’ objectives of enhancing free knowledge exchange with obligations to limit such exchange. Corporate interventions constitute a further obstacle, as business players interfere with the operations of grassroots tech groups through technological means (e.g. domain name filters provided by telecommunication companies) and legal means. Several interviewees report libel cases against small media projects that do not have the resources to defend themselves in court and therefore have to obey and/or pay compensation charges, placing a heavy burden on their scarce funds – even when the legal situation is unclear. Finally, the dominant role of major political and corporate

actors in standard-setting and policy formulation is seen as a more general obstacle, as it leads to unfavourable policy priorities and shapes the Internet in a way that is problematic for media activists.

Overall, the actors who are seen as the major source of threats are also seen as dominating transnational policy processes – governments and large businesses. There is less reference amongst interviewees to North-South divides than there was amongst NGO members at WSIS. The interviewees regard both Northern and Southern governments as threats and as potential (or actual) censors, and they mistrust ‘democratisation’ agendas that involve governments.

The best regulation is user-based self-regulation

With regards to policy objectives, interviewees emphasise freedom of the Internet and freedom of information. According to most interviewees, all policy and regulation should be geared towards this primary aim. While generally sceptical of regulatory measures, they consider regulation compatible or even necessary in two areas: anti-monopoly regulation and privacy protection.

Anti-monopoly measures are important to check and balance business power, ‘assuring that the Internet remains a free space for communication’ (Interviewee 3 2007). For the same reason, open technological standards are to be supported and preserved. Privacy and rights protection are seen as crucial means to limit excessive state surveillance and protect the right to anonymity and the rights to political dissent.

However, interviewees are highly sceptical of the notion that transnational policy dialogue can achieve progress in these areas: ‘I am not convinced at all that any major institution or international body would try to regulate, or create policy, in a way that it would not favour states and corporations’ (Interviewee 4 2007). Regulation would necessarily ‘defend concrete ideological interests’ (Interviewee 7 2007) that are diametrically opposed to the interests of social movements. Therefore, most interviewees emphasise a ‘hands-off’ approach in sensitive areas such as content, freedom of expression and privacy. The ‘basic rights of the Internet user: privacy of communications, right to anonymity, right to freedom of expression and to political dissent’ (Interviewee 7 2007) should be ‘unregulated’ in a way that ‘we reject any regulatory attempt by the state or supranational institutions on these issues’ (Interviewee 7 2007). Content ‘should be regulated only by the end users themselves’ (Interviewee 2 2007). Internet-specific legislation is seen as a particular threat. ‘If fraud is a crime it is equally a crime on the Internet and should be pursued but not by introducing additional regulatory or control procedures’ (Interviewee 3 2007). Also, ‘intellectual property should not be a regulatory principle since there is just no sense of property if the goods are infinite (no regulation of human oxygen intake is needed if there is air for everyone)’ (Interviewee 3 2007).

Interviewees suggest self-regulation by those who are actually developing and using the Internet. This includes ‘non-binding standards that gain popularity based on their quality, usefulness and ease of use/implementation’ (Interviewee 5 2007). Most importantly, any regulation should be

done with the maximum possible degree of plurality and inclusion of the 'Internet community' (Interviewee 7 2007). One interviewee argues, 'democratically chosen groups of technical experts that operate in a very open and transparent way are the best approach for this kind of regulation' (Interviewee 3 2007).

'In principle, no': criticising policy-making arenas

The immediate answer of most interviewees to the question on whether they would get involved in policy-making processes if invited to is a strong 'no'. Most suspect that that civil society participation is just 'decorative' (Interviewee 3 2007), that the actual decisions are taken elsewhere, that is by corporate and government actors, and that 'the invitation would be just for the record, so the institution or the body would gain political and cultural capital' (Interviewee 4 2007). Participation, in that sense, would 'legitimize the decisions taken by other agents (corporations, governments, lobbies, etc.)' (Interviewee 3 2007). Therefore, 'we want to maintain a certain distance from this institutional and falsely "democratic" internet [regulation]' (Interviewee 7 2007).¹⁰

Furthermore, the interviewed media activists stress that their focus is on creating actual communications infrastructure, rather than on advocacy. One interviewee: 'I don't think we need to focus in "asking" or "having a voice". I think we have "to do", "keep doing" and keep building working structures and alternatives that are diametrically opposed to the ways capitalism forces us to function in our everyday lives. Our job, as activists, is to create self-managed infrastructures that work regardless of "their" regulations, laws or any other form of governance' (Interviewee 4 2007).

The scarce time and energy available to media activists (all interviewees work as volunteers), is 'better spent building alternatives outside the system' (Interviewee 1 2007), whereas policy-making processes are seen as 'distraction' (Interviewee 4 2007) that would keep activists away from their core activities. Connecting the practical focus with the policy level, one interviewee says: 'Any policy which does not come from the spontaneous understanding of the people or the personal dedication of a group of individuals is unworthy of developing' (Interviewee 5 2007).

Lack of interest in the WSIS debate was due to different priorities combined with a perception that the process 'look[ed] too complicated' (Interviewee 2 2007). The hurdle of procedural complication mirrors the hurdle of technical understanding that many WSIS participants were facing. The WSIS process, in the view of media activists, compromised its legitimacy by assembling actors with procedural but not necessarily technical skills. It created a perception that, at policy fora such as WSIS, 'stakeholders who have decision making powers demonstrate their utter ignorance of the systems that they are supposed to govern' (Interviewee 5 2007).

The aspect of 'norm change', which is usually seen in the social movement literature as core motivation and strategy of civil society actors participating in policy processes (Sikkink 2005), does not play a major role for the media activists that were interviewed. There is no trust in norm change through participation in policy processes, but only through practical deeds and the development of concrete alternatives.

- 10 One of the possible risks is the cooptation of activists by comparably 'friendly' governments. For example, the government of Brasil which raised a strong voice in favour of progressive values, such as access to knowledge and free software, in the WSIS process, seeks to incorporate media activists in its programmes of 'digital inclusion'. The resulting dislocation of activists (and their expertise) from the grassroots to governmental initiatives can weaken grassroots projects and create tensions within the broader social movement and civil society networks.

11 Interviewee 3 2007.

12 Only one activist declared interest in the IGF but 'my personal aim is to prove scientifically the futility of the process in terms of direct practical outcomes' (Interviewee 5 2007).

IGF, that Big Unknown. And, by the way, 'is there really any power there?'¹¹

Awareness levels of the details of policy debates at the Internet Governance Forum are generally low.¹² The reasons given overlap with the responses to the interest in transnational policy-making, and develop around two claims: (a) marginal impact of the process, (b) the need to focus on practical work at the expense of advocacy. Policy fora such as the IGF are believed to have little actual impact and there is deep distrust in their outcomes and in the usefulness of engaging with them. Civil society participation is not expected to lead to substantial change. As one of the respondents put it, 'it is a puppet theatre, internet governance is being decided somewhere else (Microsoft, Cisco, IP international regulation . . .)' (Interviewee 3 2007).

Moreover, interviewees lay the focus of their activities on practical work and on the local or national level: 'I guess in my case it is a matter of time more than a lack of interest. I would not mind knowing more about it, but then again, as I said, our focus is to "keep doing", and to learn and develop by doing so. To put it in a crude example: if I have to choose between debating issues of governance, or setting up a Public Access Point at the No Border Camp for example, I'm afraid I'll chose the second' (Interviewee 4 2007). There is more trust in achieving change through practical social and technological development than through advocacy: 'by the time the governance forum arrives to any conclusions, we will have moved on anyway' (Interviewee 4 2007). However, there is also little understanding on how the IGF differs from WSIS and other UN-based fora.

Multi-stakeholderism revisited

If a policy process is to be fully legitimate, the preferences of a broad range of actors would need to be included into policy agendas, and fundamental access barriers to global governance arenas would need to be lowered. This section will provide some considerations on reviewing multi-stakeholder governance and summarise issues that may need to be strengthened in media policy debates.

Policy objectives

As the interviews have shown, members of grassroots tech groups question the need for extensive regulation. They only accept regulatory action where it maintains and enhances the freedom of the Internet and user/citizen/civil rights, by preventing excessive interventions by powerful private and state actors. Open technological standards, the right to anonymity, network neutrality, privacy, freedom of expression and the free flow of knowledge and information (and thus the absence of both direct and indirect restrictions, such as censorship and intellectual property rights) would constitute core demands, but interviewees doubt that these can be enforced in government- and business-led policy arenas.

They put more faith in developing technical by-passes around policy challenges, in self-regulation by end-users, and in non-binding standards that allow the best solution for a particular problem to flourish. They, thus, show connections with anarchist thought but also with a cyberlibertarian

belief in openness, transparency and the power of users and of technical experts, and they uncover links with the demands for self-regulation by the private sector. Grassroots tech groups create an 'autonomous zone' which needs protection from the threats coming from outside that zone, threats which originate from the business sector and the state. Yet the means of protecting that zone is technological self-defence, rather than advocacy and participation in policy processes.

This roughly-sketched agenda is consistent with the more elaborate policy goals developed by media activists around the WSIS process, particularly at the alternative series of events WSIS?WeSeize! that took place parallel to the first WSIS summit in Geneva. WSIS?WeSeize! promoted the development of autonomous and civil society-based media infrastructures, highlighted openness as a practice to counter state- and business-led policies of privatisation and control, criticised state censorship and surveillance as well as the privatisation of ideas through intellectual property law, and discussed the exploitation of immaterial work and information-alised labour. WSIS?WeSeize! participants questioned underlying power relations in the current arrangement of global governance, particularly at global summits and in international institutions, and they rejected WSIS as an illegitimate attempt by business and state elites to regulate (in their view: control, repress and appropriate) processes which had been initiated in the civil society and grassroots realm (Hintz 2009).

Obstacles to participation

Members of grassroots tech groups point to a variety of reasons why they do not participate in policy processes such as WSIS and IGF:

- Time and resources: As voluntary activists, they lack the time for advocacy. Financial resources to pay advocacy-related salaries may theoretically ease time pressures but would be seen as a contradiction to the voluntary, collective and non-hierarchical character of the projects.
- Focus on practices: There is a strong priority on setting up grassroots infrastructure and establishing alternatives to mainstream content, infrastructure and organisational models. Some think this is the only way to achieve change.
- Scepticism towards policy processes: Institutional arenas and policy debates are criticised for their deep imbalances, with certain state and business actors setting the agenda.
- Core values: This scepticism, furthermore, is consistent with the core values that all interviewees highlight as a foundation of their work, particularly autonomy and diversity, thus a rejection of centralist decision-making.

This brief overview suggests that the most straightforward remedies which were identified, for example, around the WSIS process – such as providing financial assistance and changing rules for registration and accreditation – may be necessary preconditions but would not be sufficient for involving a broader set of actors. A policy forum such as IGF would also need to respond to structural challenges which grassroots tech groups highlight

13 Using similar terminology, but leaving the 'territory' of national concepts further behind, the Indymedia UK network which consists of several local groups all over the United Kingdom uses the abbreviation 'UK' for 'United Collectives'.

and to transform the policy process more fundamentally. We will point to some of these challenges and transformations in the next section.

Towards participatory governance

Grassroots tech groups (and, generally, a growing number of social movements, civil society groups and citizen initiatives) are structured in a way that is incompatible with current institutional processes. As collective enterprises they regard consensus decision-making and consultation of all members as a foundation of their work, and they therefore reject traditional forms of representation – both political representation through election and organisational representation through leaders, chairs or CEOs. Assigning decision-making power to a representative, for example to one member participating in a policy forum, conflicts with collective organising principles. Moreover, time-consuming collective decision processes make it difficult to rapidly respond to policy deliberations and to quickly-evolving document drafts at, for example, UN summits. The latter, therefore, offers no suitable space for non-representational collectives.

A different yet related challenge concerns the role of individuals in information/communication activism. Informal online movements, temporary 'tactical media' (Garcia and Lovink 1999), individualised online campaigning and the emergence of technological developer-activists have all changed the face of civil society and have diversified the latter beyond the classical formally-established non-governmental organisation (NGO). If policy institutions are serious about including 'civil society', they need to create mechanisms to accommodate such informal and individual activism. Some media developers and activists have thus proposed to transform the NGO-oriented civil society participation models into 'a free assembly of women and men, each equal to each other' (Bertola 2005) that allow 'people to speak for themselves in the forums in which decisions (. . .) are made and not require that they act through artificial proxies' (Auerbach 2005). This would certainly conflict with the collective approach favoured by grassroots tech groups. However, both approaches point to the disintegration of traditional forms of formal organisation, which affects both organised civil society and inter-national (inter-state) policy-making.

Developing a response may require 'a new logics of politics' characterised by 'non-representational democratic models of decision making' (Lovink and Rossiter 2005). Concepts such as 'organised networks' (Lovink and Rossiter 2005) and 'United Constituencies' (Kleinwächter 2005) relate to this challenge. 'Constituencies' have emerged as an important social category, which identifies members not according to citizenship and geographical territory, but according to common interest, a common history, and common language. 'Constituencies', thus, take note of the 'reconfiguration of social space' towards 'relative deterritorialization' and growing 'supraterritoriality' (Scholte 2000: 46, 50).¹³

A 'new logics of politics', however, may not stop at the 'United Constituencies' replacing or complementing the United Nations. The concept of 'unity', and thus centralist regulatory measures, may be equally

out-dated. From the perspective of grassroots tech groups, a united global summit or forum increasingly looks like a dinosaur that belongs to another era. Rather, these groups speak to a radical decentralisation of global governance and to a bottom-up approach to policy-making, which places those that are directly affected by policy measures at the centre of governance efforts. This may not just imply an increased involvement of civil society actors but a restructuring towards a more decentralised network of interrelated policy clusters.

Conclusion

Grassroots tech groups offer an interesting perspective on the relation between civil society media and policy. They not only contribute a distinct policy agenda that centres on privacy, information rights, openness and self-regulation, but they also favour a praxis-focused approach over policy advocacy. Developing alternative infrastructure and technological 'bypasses' around laws and regulations is valued more than participating in policy dialogue with governments and the private sector. They largely operate 'beyond' policy processes, that is, they do not interact directly with the policy level, and thus they differ from both 'insiders' who pursue a cooperative strategy of active engagement in institutional processes, and 'outsiders' who adopt confrontational forms of protest (also see Milan and Hintz 2007).

Their political agenda enriches the debate on civil society media policy, but it also leaves a few question marks. Their strong focus on self-regulation by users and technical experts shows overlaps with cyber-libertarian myths and the policy preferences of the private sector. They also display limited concern with structural factors that interfere with free self-regulation. Such factors would include the uneven distribution of technical knowledge and thus the concentration of influence amongst a small number of technical experts, and North-South dimensions that may require different policies (and a different governmental role) in the global North and South to deal with fundamental and long-lasting disparities.

Grassroots tech groups provide us with a view on the deficiencies of current multi-stakeholder global governance. They highlight the importance of considering broader parts of civil society, in addition to established NGOs, if transnational policy-making is to be democratic, participatory and thus legitimate. At the same time they show that it would be insufficient to just invite those broader sets of actors to existing policy debates. The concept of 'inclusion', which has been so prominent at WSIS and elsewhere, is a double-edged sword. An 'inclusive' process that continues to be led by the 'old' powers of the governmental and inter-governmental realm or the 'new' powers of the business realm will remain unacceptable for many of 'those working directly at the grass roots in initiating and implementing ICTs' (Gurstein 2005a, see above). 'Inclusion' is not the only – and, arguably, not the main – challenge for participatory and legitimate governance; but 'creation' of new governance mechanisms that reflect the aspirations, skills, roles and organisational structures of all actors that make a relevant contribution to the further development of, or are affected by, the issues that are at stake.

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Suggested citation

- Hintz, A., & Milan, S. (2009), 'At the margins of Internet governance: grassroots tech groups and communication policy', *International Journal of Media and Cultural Politics* 5: 1&2, pp. 23–38, doi: 10.1386/macp.5.1&2.23/1

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