

Lurking About in Hyde Park With The Disembody Politic
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Abstract

The communication revolution in Cyberspace is characterized by the disembodied extension of human consciousness into the ether and by corporate control over access. By leaving the body behind, citizens are able to redefine their personal context for experiencing public discourse, even to the extent of creating a whole new persona. These avatars join a public space which has been hailed as the ultimate free-marketplace of ideas. Meanwhile, the private ownership of the access to this marketplace offers the opportunity for corporate efforts to thwart the free exchange of ideas. This essay evaluates this conflict and the broader phenomena of the extension of our consciousness beyond our bodies to assess whether Cyberspace offers a true free-market of ideas and whether such a free-market is the surest route to the truth.

Throughout history, democracies have provided a forum for the body politic to discourse. Venues like the Agora of Athens offer the people an official forum, while venues like Hyde Park provided an unofficial forum for those who wished to make their voices heard. Today, a new venue is emerging on the Internet. This forum is distinct from the older for a because the participants are disembodied. It is further distinguished because this venue is primarily gated by private corporations who are free to control the flow and content of public discourse. This essay will explore the implications of these two distinctions upon public discourse.

Extending Human Consciousness

During the mechanical ages we had extended our bodies in space. Today, after more than a century of electric technology, we have extended our central nervous system itself in a global embrace, abolishing both space and time as far as our planet is concerned. (McLuhan 1964 p.3).

In the 35 years since McLuhan extended these thoughts to the world we have seen a virtual revolution in electric communication technology. When originally written, our consciousness was predominantly extended by means of two-way audio transmission via the telephone, one way audio broadcast over the radio, and one-way audio-video broadcast over television. Today, cyber-technology allows us one-way, two-way, and N-way communication using text, audio, and video messages. We can carry these communications with point-to-point, narrowcast, and broadcast distribution models. Compared to the world McLuhan was describing, our consciousness has not only been extended, but it has been nearly set free.

In William Gibson's novel *Neuromancer*, the protagonist Case succeeds in freeing the Artificial Intelligence (AI) Wintermute from its corporate and hardware bonds. Wintermute is a being of pure information, and, as Gibson teaches us, information wants to be free. In *Count Zero*, the sequel, years have passed and Case has become a legend and Wintermute has become a spirit, even a god to some, that lives in cyberspace. It is everywhere at once, throughout the net, as god is believed to be everywhere.

In keeping with tradition, human civilization is following the path of Wintermute. We extend our minds into cyberspace by E-mailing, chatting, messaging, posting, hosting our expressions in cyberspace and hence all over the world. Once released on the world via the Internet, our ideas are free for the taking, for they exist in a digital commons. Unfortunately, the digital commons are not truly commons. Internet Service Providers (ISPs) charge fees for access to this forum. The largest of these ISPs, America Online (AOL), has created a virtual pen to practically enclose over 40% of the online population. They provide a full menu of content in a dumbed-downed version of the Internet. Only the rare bold users venture outside of AOL's

confines. In a reversal of the grazing fee logic of the vast American west, the public is now paying fees to ISPs in order that they may graze on the commons.

Redefining Personal Identity

In part because our ideas are set free in Cyberspace, many people enter the domain under assumed identities. Participants in the digital Agora seem emboldened by anonymity, perhaps because they feel protected from close scrutiny. As much as 40% of the online population falsify their personal information while online (Rosenblatt 1999). In her book, *Life on Screen: Identity in the Age of the Internet*, Sherry Turkle offers findings from her in-depth psycho-analysis of several people who go online under several distinct identities. While such behavior in the real world is often an indication of a severe psychosis, Turkle finds that these people are well-adjusted, normal individuals who use various persona online to entertain themselves and help them to explore different role expectations. In actuality, she suggests that this behavior is healthy and constructive.

The idea of entering into a public discourse under an assumed identity is hardly new. One of the most important statements on the formation of the United States under the Constitution, *The Federalist Papers*, was written under the pseudonym Publius (Wills 1982). Influential in a perhaps more insidious way, the novel *Primary Colors*, by Anonymous (1996), stirred the cauldron of the debate over President Clinton's extracurricular activities. These examples strongly suggest that hiding one's identity has long been part of the evolution of politics.

Yet the new opportunities to enter public discourse in Cyberspace under assumed identities offers a few new twists. First, while it is technically possible to trace the identity of a

person online, it requires some technical expertise and the trace can be thwarted at many points. Second, since the online population is quite large and growing, there is a great possibility that these assumed identities may forever escape scrutiny. Third, the Internet offers participants the opportunity to recreate their identities over and over, creating a moving target that further undermines attempt to trace identity. Finally, though tracing is possible, there is a sense among people who go online that they will be able to maintain anonymity if they want to.

These new conditions for anonymous participation in public discourse should provide a different dynamic of interaction than the activities of Publius and Anonymous. While these older examples of public participation with hidden identity were the product of deliberate thought by the authors, the immediacy of participation online suggests that much of the anonymous, or falsely identified activities will be far less deliberate, less reflective, less evidence, and less reasoned. Further, these earlier examples fit the one-to-many communication model. The anonymous discourse online is fully interactive.

Creating Identities Online

There are several fora online where citizens can participate in a community discussion. These include Newsgroups, Chat, and E-mail. Newsgroups (message boards, bulletin boards) are places where people can post comments that are stored on an host server. Participants access the host server and click on any posting that catches their interest. Typically, postings are organized into threads, where they are indented and listed below the previous comment in a particular stream of discussion. These posting are generally submitted by email on Usenet Newsgroups, though the more recently developed Web-based message boards provide a form at the bottom of the message board page that can be used to post directly to the discussion.

Chat rooms are places where users can come and participate in a continuously scrolling real-time discussion. It is also hosted on another server. Unlike bulletin boards, the content of the discussion is not generally publicly archived (though the host may keep an archive of the discussion). Users log onto the chat using client software (software specifically designed to access a particular format of chat), choose a chat room, and begin conversing. The classic chat interface is Internet Relay Chat (IRC). Many companies make IRC software and there are many computer networks hosting IRC chat. These include DALnet, IRCnet, Auslink, Brasilnet, and many others that can be accessed by connecting to any of a number of host computers. Once connected, the user can join any chat room on that network. IRC chat is also hosted by individual Websites, as well as networks. These sites provide a set of chat rooms to a more select group of users, primarily those accessing through a particular Website, for example Yahoo! or Netscape.

More recently, other chat interfaces have emerged. Chat client software like ICQ, AOL Instant Messenger, Yahoo! Pager, and PowWow allow users to connect to the Chat client's computer and participate in chats within their own system using their customized interface. Many of these chat clients allow easy one-to-one chatting and file exchange. Some of these clients offer real-time audio/video chat, as well. These include CU-SeeMe, ICUII, and NetMeeting. Some of these chat clients can be integrated directly into a Web page, so users do not have to open a separate application on their own. Some sites will combine a chat application on the same page as a streaming video feed to create a Web-based equivalent to the video chat client applications. In all of these examples, the user is free to choose their own name and many offer the opportunity to fill out a user profile. Some even allow the users to post pictures of themselves.

The use of E-mail as a public forum often takes the form of a LISTSERV or mail group. A LISTSERV is a subscription service. Users sign up, and receive in their own E-mail, moderated postings from members of the LISTSERV community. Responses to these postings are sent to all subscribers through the moderator. A little less formal in its membership structure, many people will create a group in their own E-mail software of several people and send postings to all people in the group. Responding to all participants after reading one of these messages allows participants to emulate a LISTSERV without having to register and manage it. Without moderators, mail groups become a haven for chain letters, spam, and rumors. The key difference between a LISTSERV or mail group and a Bulletin Board is that the messages for the former are stored on each and every participants computer, while with the latter, the postings are all centrally stored.

To participate in any of these fora, a user needs access to the Internet and the appropriate software, a Web Browser, E-mail reader, and/or a chat client application. Most of these are free or very inexpensive. The user's identity in these fora is generally indicated by their E-mail address and profile. Sometimes, the user has a homepage that provides more identifying information. Beyond that, how they describe themselves and their "voice" in their posted content also help to identify the participant (Donath 1999).

At each of these points of identification, there is an opportunity to invent an identity. The emergence of Web-based, free E-mail services (HotBot.com, Yahoo.com, Hotmail.com, Lycos.com, Postmaster.co.uk, etc.) offers users the opportunity to have many E-mail addresses. Users can create a separate identity for each of these E-mail addresses. Thus, they can create an identity, fill out a user profile on one of the chat client applications, and tie that profile to a unique E-mail address. Add to this the option often available in these applications to hide the

user's IP address (the number that identifies the computer used to access the Internet), and the user can give birth to a new online identity.

It should become obvious at this point that the participant in online discussions are not always who they say they are. In addition to individuals having multiple identities online, some computers and E-mail addresses are shared by more than one person. Debate over the impact of the Internet on politics often focus on the empowering of people to access information and communicate with others. In a sense, these discussions refer to a marketplace of ideas as the means of empowerment.

Free Market of Ideas

The myth of the marketplace of ideas runs rampant in discussions about the Internet. The myth goes something like this: the Internet provides a forum for anyone, and everyone to participate in political discourse. It also provides seemingly unlimited informational resources. Together, this marketplace of ideas will efficiently produce the best solutions to the problems facing us all. This is the power of the free market as applied to ideas.

Two questions arise from this myth. First, can the free market model really be applied to ideas, which differ in significant ways from goods and services? Second, is the Internet truly a free market of ideas? Let us take these questions in turn.

Ideas versus Goods and Services. With respect to applying the free market model to ideas, we should begin by realizing the difference between intellectual property and tangible property. While free market models have historically been applied to tangible property (like land, labor, raw materials, manufactured goods, and capital), ideas are intellectual property. The primary

difference is that unlike other property, intellectual property is not inherently exclusive. A second person can use another person's idea without excluding the first person's use. The marketing of all other types of property are based upon scarcity, they are finite. But an idea can spread throughout society like a virus, leaving copies of itself in the minds of those it touches as it spreads on to the next person. Intellectual property can only be made scarce through the use of copyrights, patents, and guilds.

Political ideas, however, are inherently unprotected by these monopolistic tools. Freedom of speech, particularly political speech, is a principle right under the *United States Constitution*. That means that we are all free to express our disagreement and our agreement with our political leaders and government. This guarantees our right to parrot any political expression we wish. Ironically, as the government continues to privatize its information dissemination activities, many of these private firms are trying to exert copyright privileges over their menu of public documents (Schiller 1996; Bettig 1996). This irony aside, the preservation of our democracy, both in principle and in its deliberative practice, depends upon free political public discourse (Publius, in Wills 1982).

If the magic of the free market is to produce an efficient allocation of property, then what happens when everyone can possess a piece of intellectual property simultaneously? Efficiency refers to division of labor, division of ownership, division of resources. Ideas cannot be divided, they replicate as they are distributed. In a sense, equilibrium in a marketplace of ideas would be achieved when everyone possesses the idea.

The Internet and Free Markets. But is the Internet truly a free market of ideas? While it is true that, at least in principle, the Internet provides an information forum to all, at least up to now

there are only a minority of the population online. Before we can effectively assess whether or not the Internet is a free-market of ideas, we best identify the assumptions of a free market.

There are seven key assumptions that must be met for a market to be considered free. With regard to competition, we make three assumptions. Consumers are assumed to possess "perfect information" regarding prices and costs. They are supposed to shop amidst "perfect competition," which means new producers should be reasonably free to enter the market. Further, consumer, labor, and capital, the essential factors of the economy, should have "mobility."

With regard to behavior we make four assumptions. Producers seek to "maximize profits." Consumers seek to "maximize utility." Firms seek to "maximize their profit." Preferences are set "exogenously," or put otherwise, "there is no accounting for taste." Finally, the free market assumes that there are no significant "externalities," unintended effects of market transactions - good or bad (Kuttner 1997).

As discussed earlier, the ability of users to hide their identity would appear to violate the assumption of "perfect information." When dealing with ideas, the identity of an individual serves to help establish the credibility of the information and helps us assess value. While each articulated idea can be judged on its face in terms of its validity, the soundness of the idea is far more problematic. Aside from the syntactic structure of the idea, soundness requires some assessment of the empirical truth of the premises. Knowing a person's identity lets us assess the authority of the source, if their name is recognized. Though an individual can establish credibility anonymously by establishing a reputation for articulating coherent ideas (Donath 1999), anonymity places at least two additional burdens on the assessor. First, the assessor must be familiar with the history of comments made by the anonymous discussant. Second, without

knowing the individual's identity, the assessor is unable to ascertain hidden agendas due to prejudice or conflict of interest that that individual may have.

Additionally, the Internet hosts are collecting and disseminating much information about those that attend their servers. Much of this is done without disclosure, further compromising the assumption of perfect information. Some is done in full view of the public.

With regard to perfect competition, the jury is still out. The current anti-trust action against Microsoft is based upon the premise that since the vast majority of computers in the world run the Windows operating system, Microsoft has the ability to raise barriers against producers seeking to enter the market. AOL's dominant position in the ISP market raises similar concerns. Both companies have employed market strategies that either bully competitors or place enormous start-up costs on them. Microsoft's policy of not releasing its source code for Windows means that competing Web browsers (i.e. Netscape) can never hope to integrate their product into the operating system as well as Microsoft's own Internet Explorer browser. AOL's strategy of creating a simplified online environment separate, but connected to the Internet, reduces the likelihood that its users would consider any other ISP.

Despite these concerns, the possibility of market displacement from newcomers and existing players remains possible. If the Web model prevails long-term then each user may ultimately connect to any other server via a Web browser and become a smart terminal. Operating systems would become transparent, equal possible to interface with any host. In that environment, niche operating systems might flourish, and increased competition would emerge. This would increase user access options and reduce the concentration of private control over information and communication.

As for mobility of economic factors, it seems abundantly clear that the convergence of communication and information processing technology, labor becomes incredibly mobile. Ideas, intellectual capital, are utterly mobile. In many ways, land is of little consequence. Telecommuting is becoming more and more common as bandwidth increases and information processing becomes more extensive in the economy.

Ironically, the non-bordered nature of the Internet may provide too much mobility for a free market of ideas. Participation in a democracy generally requires citizenship. Participation in online discourse does not. This reality allows citizens of other countries to become part of the debate. In this case, perhaps we do not want a free market of ideas if those ideas are free to come from potential enemies of the state.

Another irony of the Internet is that anonymity, which may be the bane of perfect information, allows users to maximize their utility in virtual reality in ways that were unlikely in reality. As the joke goes, "On the Internet nobody knows if you really are a dog." Anecdotes of women becoming emboldened on the Internet in academic discussion groups suggest that the removal of stigmas associated with a person's physical characteristics are muted, perhaps even eliminated online.

While it is true that firms need to maximize their profit, the network economy has demonstrated very slow start-up profitability, with a sudden, huge upswing (Kelly 1999). Though considered the darling of Wall Street and the dominant online presence in information retail, Amazon.com has still not shown a profit (Streitfeld 1999). Thus maximizing relationships and connections become the primary goals for reaching the ultimate goal of profit maximization (Shapiro & Varian 1999).

Perhaps the weakest of all the assumptions of the free market is that preferences are set exogenously. If there is "no accounting for taste," then why do we spend billions of dollars on advertising (Ewen 1996)? Amazon.com uses specialized best-seller lists to shape the demand for information. By offering top ten lists of what people in a single company are reading, they increase the likelihood that others in that company will buy the same books (Streitfeld 1999). Drawing people into public discourse can also be spurred by news coverage of major political events. Along with campaign commercials and public appearances by candidates, voter preferences are shaped. Candidates seek to control the flow of information about themselves by packaging themselves for mass consumption. In general, the malleability of public opinion, and thus public discourse has been well documented (Margolis & Mauser 1989). The Internet provides us with the tools to take this marketing down to a one-to-one level (Peppers & Rogers 1997).

Finally, the assumption that there are no externalities is nearly impossible to meet. Each advance in communication online adds convenience and power, but a loss of privacy. Counter-acting security measures create inefficiencies by literally curtailing the free participation in the market, undermining both free entry of participants and their mobility was inside. In a sense, the network economy is all about externalities (Kelly 1999; Shapiro & Varian 1999; Peppers & Rogers 1999).

Private Control of Public Discourse

While much of the public policy focus on the Internet has concentrated on commercial aspects of the digital medium, serious issues are emerging regarding the role it plays as a forum for public discourse. Despite accolades calling cyberspace the great digital town meeting, the

reality is that it is an environment wholly owned and operated by the private sector. Private corporations, led by America Online, have proprietary rights on citizens E-mail addresses, Internet access, and Internet content storage. Other companies, like Amazon.com, mine data on those that shop at their sites and use very personal information about users to increase sales and revenue. These, and other examples, raise the disturbing question, "Can true public discourse exist in private space?"

Though we would never think to allow our government to freely censor our discourse, we seem to have little concern for private sector censorship. Most particularly, we should examine the case of America Online. This company provides online access to as much a 42% of the online population. These users are drawn to AOL, in part, because it promises an easier experience than connecting directly to the Internet. AOL offers its members direct access to the AOL community, with chat rooms, email, and a wide range of content. AOL offers indirect access to the Internet. Users enter AOL's environment, then the click through to the Internet. While they boast fast connections, these are primarily connections to AOL. The conduits from AOL to the Internet are much more limited. As a member of AOL, users must agree to their Terms of Service (TOS). These terms include limits to their rights of free speech. If a member violates these terms, AOL has the right to block that user's access to all AOL services, including their E-mail.

It is precisely because AOL, and other companies, can figure out who users are that citizens gravitate toward anonymous use. Currently, it seems, the user's grasp on anonymity is slipping as private firms use ever-evolving technology to strip away all their camouflage. Meanwhile, many continue to assume they are anonymous when in fact they are not. Overall, the market for the exchange of ideas is becoming something far different from the idealized free-

market of ideas. These deviations, as free-market theory goes produce inefficiencies which yield the opportunity for the consolidation of power in the hands of institutions outside of our official system of checks and balances. This is hardly the image invoked by the "empowering free-marketplace of ideas."

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