

info

ISSN 1463-6697

The following article was published in **info** Vol 1, No 4, August 1999

© 1999 Camford Publishing Ltd

For more information:

<http://www.camfordpublishing.com>

conditions of use

Single copies of this article may be printed for personal use as allowed by national copyright laws. Permission of the publisher/copyright holder is required for all other uses.

article:

communication and the end of sovereignty?

Andrew Calabrese

The prospect that technological and social innovation in the use of communication and information technologies are bringing about an end to sovereignty has been a source of optimism, pessimism and ambivalence. It has captured the popular imagination and it can be found in the anxieties of national leaders about the mingling and collision of cultures and cultural products within and across their borders, and about growing awareness that environmental threats bow to no flag. According to much of this discourse, national governments are becoming increasingly powerless in their battles against real or imagined plights of cultural imperialism (and sub-imperialism, that is, cultural imperialism within states) and capital mobility, as well as in their efforts to effectively exercise political control through surveillance and censorship. The end of sovereignty is a theme in political discussions about new pressures brought on by global regimes of trade and investment, and by unprecedented levels of global criminal networks for drug trafficking, money laundering and trade in human flesh. Social movements and non-governmental organizations (NGOs) have reflected this by recognizing the need to match the scale of the problems they confront with appropriately scaled collective action. This article examines the discourse about the end of sovereignty and the rise of new institutions of global governance. Particular emphasis is given to how advancements in the means of communication have produced the ambivalent outcomes of threatening the democratic governance of sovereign states, and serving as foundations for the assertion of democratic rights and popular sovereignty on a global scale.

Andrew Calabrese may be contacted at the Center for Mass Media Research, University of Colorado, University of Colorado, Campus Box 287, Boulder, CO 80309, USA (Tel: +1 303 492 5374; fax: +1 303 492 0969; email: andrew.calabrese@colorado.edu)

This article is forthcoming in Simone Chambers and Anne Costain, eds, *Deliberation, Democracy and the Media*, Rowman and Littlefield, Lanham, 1999 and is printed here with permission from the publisher.

In the age of CNN, twenty-four hour financial trading, and Amazon.com, there is a growing consensus, whether justified or not, that the limits of culture, commerce, and political action are defined less today by the territorial boundaries of the nation state than they were in the past. Whether facile or not, talk of 'globalization' is everywhere, although the idea of the twilight of sovereignty is not reducible to that of globalization. The roots of the discourse on what I have termed 'post-sovereignty' arise not only through exogenous pressures from activities and identities beyond the territorial boundaries of the state. The pressures that are seen to be eroding the principles of sovereignty are also endogenous, as numerous accounts of weak or broken cultural foundations of multinational states can now illustrate.

The discourse of the end of sovereignty has many faces. It is a source of optimism, pessimism and ambivalence. It has captured the popular imagination and it can be found in the anxieties of national leaders about the mingling and collision of cultures and cultural products within and across their borders, and about growing awareness that environmental threats bow to no flag. According to much of this discourse, national governments are becoming increasingly powerless in their battles against real or imagined plights of cultural imperialism (and sub-imperialism, that is, cultural imperialism within states)¹ and capital mobility, as well as in their efforts to effectively exercise political control through surveillance and censorship. The end of sovereignty is a theme in political discussions about new pressures brought on by global regimes of trade and investment, and by unprecedented levels of global criminal networks for drug trafficking, money laundering, and trade in human flesh.² It can also be found in the fact that social movements and non-governmental organizations (NGOs) have recognized the need to match the scale of the problems they confront with appropriately scaled collective action.

The means of communication, particularly the internet, have come to be viewed as foundations for the transgression and redefinition of the boundaries of political space among many who embrace 'the twilight of sovereignty' as an emancipatory discourse. In a world of deterritorialized or virtual space, the argument goes, the limits of national governments are constantly being tested and increasingly found to be lacking. According to some emancipatory themes, the means of communication have paved the way to a world in which democratic freedoms are enhanced dramatically by the creative destruction of political limits imposed by sovereign states. In turn, the new communication and information technologies have become tools for political organization, and they have become the basis for strengthening the global exercise of the principle of publicity, all of which has enhanced the prospects for the advancement of truly cosmopolitan democracy. Today, the well-established mass media and the 'new media' of converging communication and information technologies have become the basis of optimism, and ambivalence, towards the prospects for revitalizing democracy at the national level, and for enhancing the prospects for transnational, cosmopolitan democracy.³

Almost by definition, the cultural, economic, social, and political dimensions of sovereignty, or assertions about its decline, cannot be adequately explained from within the limited confines of a single academic discipline. My aim in this article is only to describe and evaluate particular themes in that discourse. In particular, I highlight the importance of debates about how social movements have been redefining the meaning of the political beyond the limits of institutional politics. Social theorists generally highlight the anti- or extra-institutional nature of social movement politics, an emphasis which implicitly, and sometimes explicitly, challenges the idea of the nation state and national governments as defining the limits of legitimate politics. Politics 'from below' is how the domains of social movements are sometimes characterized.

1. John Tomlinson, *Cultural Imperialism*, Johns Hopkins University Press, Baltimore, MD, 1991.

2. Manuel Castells, *The Information Age: Economy, Society, and Culture*, Basil Blackwell, Oxford: volume 1, *The Rise of the Network Society*, 1996, volume 2, *The Power of Identity*, 1997, and volume 3, *End of Millennium*, 1998.

3. Andrew Calabrese and Mark Borchert, 'Prospects for Electronic Democracy in the USA: Re-thinking Communication and Social Policy', *Media, Culture and Society* 18, April 1996, pp 249–268; Andrew Calabrese, 'The Welfare State, the Information Society, and the Ambivalence of Social Movements,' in *Communication, Citizenship, and Social Policy: Re-thinking the Limits of the Welfare State*, eds, Andrew Calabrese and Jean-Claude Burgelman Rowman & Littlefield, Lanham, MD, 1999.

Increasingly, innovative uses of communication and information technologies are seen as essential to these politics. It is the relationship between social movements and the prospects for democratic collective action, on the one hand, and the means of communication on the other, that is my chief concern.

I focus below on the discourse on post-sovereignty (and, implicitly, sovereignty) rather than on nationalism and post-national identity, although of course these subjects overlap considerably. With that caveat, I am mainly concerned in this essay with the political-administrative structures that define the meaning of sovereignty, and with how they are seen to be challenged by developments in the means of communication. That inquiry begins with a definition of sovereignty, followed by a description of the discourse on how social and technological innovation in the means of communication is seen to be bringing about the twilight of sovereignty.

The sovereign state as the space of politics

The idea of the sovereign state is often traced to the political philosophy of Jean Bodin, whose *Six Books of the Commonwealth*, first published in 1576, focused on the power of the sovereign, who holds supreme power over citizens, to make laws.⁴

While Bodin's views on sovereignty favoured monarchy above aristocracy or democracy, modern definitions tend to be grounded in democracy. In David Held's treatment of sovereignty, he begins by describing the 'inescapably anarchic' system of states that is articulated well by Hobbes. This model derives from the state system that has existed continuously since the time of the Peace of Westphalia in 1648, which brought an end to the German phase of the Thirty Years War and of the Holy Roman Empire. This system lasted through the end of the Second World War, in 1945. Two of the chief features of the Westphalian model are the treatment of cross-border wrongs as private matters, and the resolution of conflicts between and among states by the use of force.⁵ Departing moderately from the Westphalian model is the United Nations Charter model. The major innovation in the latter is the recognition of single persons in international law through war crimes tribunals, the Universal Declaration of Human Rights, and other instruments. While there continued to be an emphasis on 'political and strategic (state) affairs', greater emphasis was placed on the 'general welfare of all those in the global system who are able to make their voices count,' thus increasing the number of trans-state actors (eg, United Nations, World Bank, International Monetary Fund, Food and Agricultural Organization, World Health Organization). Ultimately, Held argues, the UN Charter model does not break fundamentally from the Westphalian model, in that it respects the primacy of sovereign states.⁶

While Held proposes a third model of global governance, premised on ideals of cosmopolitan democracy (discussed below), in practical terms the UN Charter model's version of sovereignty holds primacy today. In articulating what constitutes a contemporary sovereign state, Held cites four basic characteristics: *territoriality, control of the means of violence, impersonal structures of power, and legitimacy*.⁷ These characteristics, particularly the first two – territoriality and control of the means of violence – are familiar in most contemporary definitions of sovereignty.⁸ A state cannot be said to be sovereign if its territorial

4. Jean Bodin, *Six Books of the Commonwealth*, trans. R. Knolles, ed. K.D. McRae Harvard University Press, Cambridge, MA, 1962.

5. David Held, 'Democracy: from city-states to a cosmopolitan order?' in *Prospects for Democracy*, ed. David Held, Stanford University Press, Stanford, CA, 1993, p 29; see also David Held, *Democracy and the Global Order: From the Modern State to Cosmopolitan Governance*, Stanford University Press, Stanford CA, 1995.

6. Held, 'Democracy...', *op cit*, Ref 5, pp 33–36.

7. Held, *Global Order*, *op cit*, Ref 5, pp 48–49.

8. See, for example, Anthony Giddens, *The Consequences of Modernity* Stanford University Press, Stanford, CA, 1990, pp 70–71.

boundaries, and its right to defend them, are not recognized by the state system. Sovereign control of the means of violence includes control not only of military forces, but also of domestic police forces and the administrative structures that are needed to run them. However, although territoriality and violence are necessary for the construction of sovereignty, they are not sufficient, for states also need legitimacy, which cannot be sustained indefinitely by force. Rather, legitimacy depends on means other than violence, particularly the means of communication.

For better and for worse, the legitimacy of sovereignty depends at least in part on a common sense of national identity. In an emerging European system of sovereign states, the printed word played a great part in shaping such identities. Following the introduction of the movable-type printing press by Gutenberg in 1455, the spread of this technological innovation was rapid, and its political impact was significant. From this invention, Bibles no longer had to be produced by the hand of scribes, and thus were now increasingly available not only to priests, but to a greater segment of the emerging bourgeoisie. Concurrent with this development was the secularization and spread of literacy, which helped speed along the Protestant Reformation. Indeed, Martin Luther once waxed rhapsodically, 'Printing was God's highest act of grace.'⁹ By many accounts, the 'press of protest' on which Protestant reformers relied represented a marriage of technological and religious revolution.

Printing and literacy are historically and politically significant not only for their role in spreading the word of God, but also for the forging of early modern European nation states. By the end of the sixteenth century (roughly 150 years after Gutenberg), the market in Europe for texts published in Latin, the universal language of print, was more or less saturated. Gradually, publishers sought to create new markets for books by consolidating linguistically similar geographic areas into single markets for publications printed in standardized vernacular languages. Thus, through a slow process of defining the geographic boundaries of linguistically unified markets, national literatures and elements of national cultures came to be reinforced and territorialized.¹⁰ While no claim is being made here of which is cause and which is effect, as the printing press spread throughout Europe, the number of literate people grew, and what began as a strategy for developing new publishing markets became in effect a means of unifying the reading publics of national bourgeoisies. Literacy was profoundly important for the circulation of political ideas in the time just before and during the French revolution. The availability of political newsletters and broadsheets was vital to the emergence and consolidation of political power by the French bourgeoisie.¹¹

The steady rise in literacy throughout Europe, the USA, and most of the world, in part due to various forms of state intervention, has shaped a common sense of national culture, not only by the homogenization of markets for newspapers and magazines, but also later through the establishment of post, telegraph, and telephone systems, and through national radio and television broadcasting systems. Notwithstanding various accommodations made in some countries for cultural minorities, or struggles for cultural autonomy or revolutions in the name of national sovereignty by subnational groups, there is no denying that industrialized cultural production has served as a means of creating images, if not always realities, of national cultures. In social democratic Europe, 'public service' radio and television in the post-World War Two era was a step in the modernization of efforts to preserve and maintain national cultural identities. Through charter or statutory protection from state editorial control, European public broadcasters have sought to serve as beacons of national culture up to the present, although their viability has been threatened

9. Quoted in Elizabeth L. Eisenstein, 'Some Conjectures About the Impact of Printing on Western Society and Thought: A Preliminary Report,' *Journal of Modern History*, 40, March, 1968, p 34.

10. Lucien Febvre and Henri-Jean Martin, *The Coming of the Book: The Impact of Printing, 1450-1800*, trans. David Gerard, New Left Books, London, 1976.

11. Elizabeth Eisenstein, *Print Culture and Enlightenment Thought*, [The Sixth Hanes Lecture], University of North Carolina Rare Book Collection, Chapel Hill, NC, 1986; Jürgen Habermas, *The Structural Transformation of the Public Sphere*, trans. Thomas Burger, MIT Press, Cambridge, MA, 1989; R. Censer and Jeremy D. Popkin, eds, *Press and Politics in Pre-Revolutionary France*, University of California Press, Berkeley, CA, 1987; and Jeremy D. Popkin, *Revolutionary News: The Press in France, 1789-1799*, Duke University Press, Durham, NC, 1990.

increasingly by competition from domestic and foreign commercial sources. Indeed, variants of public service broadcasting – many relying on the British Broadcasting Corporation (BBC) as their model (some certainly more faithful than others) – now exist throughout the world, in Japan, Australia, Canada, among the post-socialist countries of Central and Eastern Europe, and elsewhere. Today, there are many examples that can be given of former totalitarian regimes that have moved toward creating public service broadcasting systems, and of cases where leaders have simply cosmetically created the appearance of having done so. To be sure, just as the idea of a ‘democratic government’ seems to be infinitely malleable across the globe, a parallel pattern can be found in the employment and meaning of the term ‘public service broadcasting’.

In summary, since before the Peace of Westphalia, the idea of a national culture has been edified by the construction of national systems of communication. Furthermore, in the process of constructing such systems, the principle of national sovereignty has been supported, since the means of communication function as a primary means of securing *legitimacy* of laws and governments. However, it is not necessarily the case that legitimacy will be derived democratically. This is illustrated by the fact that the means of communication are so heavily and often used in ways that are antithetical to the principle of publicity, particularly the goal of subjecting political power to public reason. As Norberto Bobbio notes, the Enlightenment principle of publicity originally was advanced to render visible the hidden power (*arcana imperii*) of the absolute monarch. Bobbio also notes that the principle has no less currency today:

*Similarly, the practice of concealment has never entirely disappeared because of the influence public power can exercise on the press, because of the monopolization of the means of mass communication, and above all because of the unscrupulous exercise of ideological power, the function of ideology being to veil the real motivations which act upon power (a public and legitimate form of the ‘noble lie’ of Platonic origin or of the ‘permissible lie’ of the theorists of *raison d’état*).*¹²

Echoing Bobbio, John Keane notes that this condition has become chronic in modern democracies: ‘Unaccountable power has always been regarded as scandalous in democratic countries, and yet those countries are now faced by a permanent scandal.’ More importantly, Keane writes, the motivation to conceal power is often justified in the name of national security, a form of concealment that is enhanced by the complicity of the mass media.¹³ Today, such efforts are challenged increasingly not only by movements within states, but also by ones that extend beyond the reaches of territorial states. However, movements for democratic communication are not the only forces challenging state sovereignty.

Perhaps the most influential voice behind the idea that sovereignty is in decline comes from the political theory of market liberalism, particularly in its views toward the modern welfare state. Market liberals argue that the

welfare state does greater harm than good for society by discouraging independence, innovation, and initiative. Through excessive taxation the welfare state discourages entrepreneurship and investment, and it cannot sustain the heavy financial burdens that it has created. The market liberal view is that the welfare state is uneconomic, unproductive, inefficient, ineffective, despotic, and it denies individual freedom.¹⁴

The solution, market liberals have argued, is to roll back the welfare state, and to open markets, not only nationally but globally.¹⁵ The means of communication are seen to be instrumental to this process of creating open, more perfect markets. Not only are the mass media – particularly television – seen by many of globalization’s ideological defenders as bases for a new and harmonious ‘global culture’. The growing density of the telecommunications infrastructure that blankets

12. Norberto Bobbio, ‘The great dichotomy: public/private’, in *Democracy and Dictatorship: The Nature and Limits of State Power*, Minneapolis, University of Minnesota Press, 1989, p. 21. Bobbio also reflects on the surveillance of citizens through the use of computer databases: ‘The new prince can get to know far more about his subjects than most absolute monarchs of the past.’ *Ibid.*, p. 21.

13. John Keane, *The Media and Democracy*, Polity Press, Cambridge, 1991, pp. 94–95, 113.

14. Christopher Pierson, *Beyond the Welfare State? The New Political Economy of Welfare*, 2nd ed (Pennsylvania State University Press, 1998, pp. 45–47.

15. *Ibid.*, pp. 62–65. See also Teeple, *Globalization and the Decline of Social Reform*, Garamond Press, Toronto, 1995.

the earth has been cause for optimism towards prospects for the friction-free movement of information and capital for trade and investment. In place of the territory-bound sovereign state is the deterritorialized and sovereign consumer who reigns freely across virtual space. In the political theory of the market liberal, consumer sovereignty is not reducible to economic functions, the buying and selling of goods and services. Rather, the consumer is also able to exercise political power on an ongoing basis through the plebiscite of the pocketbook. As one market liberal states, 'Markets are voting machines; they function by taking referenda.'¹⁶ In so doing, the story goes, markets bring discipline, efficiency, and quality to the performance of the state, and the means of communication are a necessary feature in this development. As another writes:

*By providing efficient, integrated global data connections, telecommunication companies now offer voters the ultimate shopping experience: shopping for better government... In the past you had to vote with your feet. Now you can vote with your modem, too. The Web supplies an instant global storefront... With cyber power all physical distances are roughly the same. And with this kind of global production system in place, a manufacturing company can move jobs and capital around like pieces on a chessboard, shopping continually for the best-priced labour – and the best labour laws... Competition improves the quality of everything else; it will improve the quality of government, too.'*¹⁷

From this point of view, national sovereignty is an anachronism, given a world wired for electronic commerce and culture, one that respects no boundaries.¹⁸

Of course, the common sense about the inevitability of a global economy that is beyond the control of sovereign states is a social construction that generally is left unexamined. Conventional wisdom ignores the use of political will and coercive state power in the negotiations for global and regional trade regimes such as the GATT and NAFTA, or in the development of the International Monetary Fund's structural adjustment policies. These regimes clearly demonstrate that the political will exists among heads of state to construct and implement universal policies of trade, investment, and property protection. However, it is not nearly as evident that equal will exists among those same leaders to create transnational regimes for policies that recognize various social needs, cultural differences, and human rights.

It is not that there has been a lack of efforts to pursue visions of a post-sovereign world that is governed by the principles of publicity, popular sovereignty, and respect for human rights, rather than by the mobilization of capital and other enabling forms of unaccountable power. Furthermore, such efforts rely increasingly on the same means of communication as are used by the forces to which they are opposed, an issue discussed below.

16. Walter B. Wriston, *The Twilight of Sovereignty*, Charles Scribner's Sons, New York, 1992, p 45.

17. Peter Huber, 'Cyber Power', *Forbes*, December 1996, pp 142–147.

18. Ithiel de Sola Pool, *Technology Without Boundaries: On Telecommunications in a Global Age*, Harvard University Press, Cambridge, MA, 1990.

Social movements and the means of communication

For all of its widely publicized deficiencies, the welfare state has not only been viewed by its defenders as providing a minimal safety net of protection against market failure. It also has been seen as a force in the advancement of the effective exercise of citizenship rights.¹⁹ But this position is a matter of considerable dispute across the political spectrum, from market liberals and communitarians to feminists, Marxists, and postmodernists.²⁰

Of course, it is not necessary to romanticize the welfare state in order to recognize that its fundamental contradictions have included enabling the creation of social citizenship, as Claus Offe has demonstrated. Offe challenges the widely held view, often attributed to T. H. Marshall, that social citizenship is a deliberate design feature in the Keynesian welfare state. Rather, Offe makes a more compelling case that the capitalist welfare state should be understood as 'a pre-condition for the commodification of labour power.' By absorbing some of the costs and risks of social reproduction – such as health systems, schools, and housing authorities – the welfare state not only makes a contented and productive labour force possible. In the process it also 'decommodifies' labour by generating within labour competencies that are not specifically geared to the demands of market rationality, but that are in fact potentially useful in the exercise of political freedom. In other words, welfare ends up functioning to reproduce the social conditions necessary for the smooth functioning of a capitalist economy – a factor of production that Offe sees as irreversible (because it is a necessary cost in reducing political and economic conflict). However, at the same time it *undermines* capitalism by creating the (partly decommodified) conditions for autonomous social and political movements to exist.²¹

Offe's thinking about this contradictory tendency within welfare states to subsidize the competencies of movements that challenge their authority is reflected in a similar line of reasoning advanced more recently by Ulrich Beck:

One can even say, the more successfully political rights were fought for, pushed through and concretely realized in this century, the more emphatically the primacy of the political system was called into question, and the more fictitious became the simultaneously claimed concentration of decision-making at the top of the political and parliamentary system.²²

The social forces that have called 'the primacy of the political system' into question are described by Beck as 'sub-politics', which emerge through the 'unbinding' of the political system and rising demands for a 'new political culture' outside the limits of institutional politics.²³ In describing what he terms *reflexive modernization*, Beck charts a departure from the instrumental rationality of industrial society to the ambivalence of what he terms the 'risk society'. Reflexive modernization is defined as 'self-confrontation with the effects of risk society that cannot be dealt with and assimilated in the system of industrial society – as measured by the latter's institutionalized standards.'²⁴ This confrontation, and the liberation that results from it, is taking place within the general context of the industrial welfare states of the West, moving politics outside (although not necessarily against) the arenas of 'duly authorized agents: parliament, political parties, trade unions, and so on.' Challenging 'those who unambiguously equate politics to the state, the political system, formal responsibilities and full-time

19. Martin Bulmer and Anthony M. Rees, eds, *Citizenship Today: The Contemporary Relevance of T. H. Marshall*, UCL Press, London, 1996.

20. Claus Offe, 'Some contradictions of the welfare state,' in *Contradictions of the Welfare State*, MIT Press Cambridge, MA, 1985; Andrew Calabrese, 'Creative Destruction? From the Welfare State to the Global Information Society,' *Javnost/The Public* 4(4), 1997, pp 9–14.

21. Claus Offe, 'Reflections on the welfare state and the future of socialism,' interview in *Contradictions of the Welfare State*, pp 263–5.

22. Ulrich Beck, *The Risk Society: Towards a New Modernity*, trans. Mark Ritter Sage, London, 1992, p 191.

23. *Ibid.*, p 185.

24. Ulrich Beck, 'The reinvention of politics: towards a theory of reflexive modernization,' in *Reflexive Modernization: Politics, Tradition and Aesthetics in the Modern Social Order*, by Ulrich Beck, Anthony Giddens and Scott Lash, Stanford University Press, Stanford, CA, 1994, p 6. Beck also uses the term 'media and information society' to refer to the risk society. See Beck, *op cit*, Ref 22, p 46.

careers,' Beck draws from the feminist wisdom that the personal is political and observes that 'the political constellation of industrial society is becoming unpolitical, while what was unpolitical in industrialism is becoming political.'

While Beck does not suggest that the state has been rendered irrelevant in light of the growth of reflexive sub-politics, he does see the state as taking on a new role that requires it to be more tolerant of ambivalence, and more responsive to politics 'from below'. Beck describes a transformation of the state as it shifts from 'the authoritarian and action state' to 'the negotiation state', the latter of which 'arranges stages and conversations and directs the show.'²⁵ Elsewhere, in defining the practical meaning of authoritarianism, he argues against the model of the political leader who operates on the assumption that being elected is the only or final test of democratic accountability. 'If this were so, we would be living in a dictatorship that elects its dictator, but not in a democracy.'²⁶

Beck is not the first social theorist to offer an articulate account of the contemporary 'unbinding' of the political system and the emergence of sub-politics, although his theme of the borderlessness of risk – best exemplified in his detailed reflections on politics of ecological risk – is of particular value in considering the relationship between sovereignty and sub-politics. In that regard, he treats the mass media as one of the 'central forums of sub-politics,' a view that is tempered by his recognition that 'media publicity can obviously never anticipate the political decision; and it remains for its part connected into the economic, legal and political presuppositions and concentrations of capital in the news business.'²⁷ However, an issue that is under-developed in Beck's account is that of the *scale of politics*, specifically in terms of its relation to the means of communication. If the scale of the social problem or risk is transnational, then the corresponding space of appropriate political action must also have the flexibility to be transnational.²⁸ Arguing this point with reference to communication systems, Nicholas Garnham states, 'the problem is to construct systems of democratic accountability integrated with media systems of matching scale that occupy the same social space as that over which economic or political decisions will impact.'²⁹

Beck sees the means of communication as necessary tools of publicity in reflexive sub-politics, but he does not address the issue of scale raised above. Specifically, he does not attend to the use of new and old means of communication in *transnational* sub-politics. While Beck's concerns lie elsewhere, those for whom these issues are more central include Manuel Castells and Alberto Melucci, the latter of whom has made a particularly valuable contribution to an understanding of the relationship between social movements and the means of communication.³⁰ Beck has made a theme of

the claim that we are witnessing the transformation from one epoch to another – from unambiguous modernity to ambivalent, reflexive modernity³¹ – and that an essential characteristic of sub-politics is their 'irreducible ambivalences'.³² Not unlike Beck, Melucci sees ambivalence as an intrinsic characteristic of the impact of the new means of communication on contemporary social movements:

*On the one hand, there can be observed a concentration of power, with very few core centres that control the world in terms of the world-wide transmission and distribution of ideas, languages, programmes, and the like; on the other hand, we can see emerging symptoms of resistance to this trend, manifest in, for example, the action of hackers, information pirates, self-managed networks, and so on.*³³

In observing this ambivalence, Melucci argues that transformations in information technology and the processing of information contribute both to concern over the destabilization of political space and optimism about the opening up of new

25. Beck, 'Reinvention,' *op cit*, Ref 24, pp 7–41.

26. Beck, *op cit*, Ref 22, p 233.

27. *Ibid*, pp195–198.

28. Andrew Calabrese and Barbara Ruth Burke, 'American Identities: Nationalism, Media, and the Public Sphere,' *Journal of Communication Inquiry* 16, Summer 1992, pp 56–57.

29. Nicholas Garnham, 'The Media and the Public Sphere,' in *Habermas and the Public Sphere*, ed, Craig Calhoun, MIT Press, Cambridge MA, 1992, p 371, emphasis added.

30. Castells, *The Information Age* 3 vols, *op cit*, see Andrew Calabrese, 'The Information Age According to Manuel Castells,' *Journal of Communication* (forthcoming, Summer 1999); Alberto Melucci, *Challenging Codes: Collective Action in the Information Age*, Cambridge University Press, 1996.

31. Beck, 'Reinvention,' *op cit*, Ref 24, p 17.

32. *Ibid*, p 12.

33. Melucci, *op cit*, Ref 30, p 194.

political spaces in unpredictable and uncontrollable ways. However, he suffers no illusion about the power of the concentrated world media system, which he refers to as 'the manufacturer of master codes at the world scale,' nor about 'the deprivation over the constitution of meaning.'³⁴ Under these dubious conditions, we might ask whether movements are able to see and realize any emancipatory potential in the uses of the new means of communication, particularly in recognition of the fact that these communicative structures have been developed to further expand the circulation of capital and extend the commodification of culture. Lest we romanticize the emancipatory potential of the new social movements, or their use of the latest means of communication, note David Harvey's sobering observation that, 'movements of opposition to the disruptions of home, community, territory, and nation by the restless flow of capital' fight under circumstances not of their own choosing. 'In so doing, they necessarily open themselves to the dissolving power of money.'³⁵

The relationship between the means of communication and social movements is very much an open one, but it is not a novel one. As a number of studies have illustrated, movement actors have made two primary uses of the media, namely:

- in efforts to gain access to 'mainstream' media in order to publicize oppositional politics and gain wider sympathies to their causes, not unlike what is suggested by Beck;³⁶ and
- in efforts to sustain networks of those already committed to the movement.

In the latter category, there are numerous examples of uses of so-called 'alternative' or 'radical' media that have served, either by design or by default, mainly as means of communication within a movement, functioning in the process to serve needs of organization and coordination.³⁷ While much of the literature on alternative media focuses on print, film, video, and even radio, since the early 1980s there also has been a steady stream of research and speculation about the uses of computer-mediated communication in the service of progressive politics.³⁸ Recently, attention to this latter trend, which began well before the explosion in popular use of the internet in the mid-1990s, has led to optimistic speculation about a new dawn of progressive, transnational politics.³⁹ Given the historical tendency in welfare states for organized labour politics to be restricted to national corporatist negotiations, involving representatives of the state, corporations, and trade unions, a particularly welcoming view seems to have been taken towards visions of a new, 'labour internationalism' that can rely on the internet as means of organization, coordination, and publicity.⁴⁰ Much of this discourse treats the internet as a revolutionary tool for direct action politics because of the enhanced prospects for globalizing the scale of political action across a wide array of movements. Because of such activity, the internet is viewed increasingly as an essential infrastructure to support the ideas of a global civil society and a cosmopolitan democracy, the subject to which I now briefly turn.

34. *Ibid.*, p 182–195.

35. David Harvey, *The Condition of Postmodernity*, Blackwell, Oxford, 1989, p238.

Another reason for caution and skepticism toward uncritical romanticism about the emancipatory potential of social movements is that we should always recognize that grassroots action is not necessarily morally defensible action. Many hateful causes are advanced by the use of the tools of communication that are touted by utopians as new means of creating progressive grassroots politics. Such tools also are used in carefully constructed top-down political campaigns that are designed to appear as authentic expressions of 'grassroots' action. Sometimes referred to as 'astroturf', alluding to the artificial grass used in indoor sports arenas, such campaigns are common tactics in well-funded political lobbying efforts.

36. Todd Gitlin, *The Whole World is Watching: Mass Media in the Making and Unmaking of the New Left*, University of California Press, Berkeley, 1980; Kathryn Montgomery, *Target, Prime Time: Advocacy Groups and the Struggle Over Entertainment Television*, Oxford University Press, New York, 1989.

37. John Downing, *Radical Media: The Political Experience of Alternative Communication*, South End Press, Boston, 1984; and Thomas Waugh, ed., *Show Us Life: Toward a History and Aesthetics of the Committed Documentary*, Scarecrow Press, Metuchen, NJ, 1984. Also significant are the quarterly *Alternative Press Index*, published since 1969 by the Alternative Media Center in College Park, Maryland, and the *Utne Reader*, a widely circulated Minneapolis-based bi-monthly magazine that has served since 1987 as a sort of reader's digest of the alternative press.

38. Timothy Haight, Robert Rubinyi and Anna Lucia Zornosa, 'Uses of Computer and Communication Technologies by Grass-roots Community Organizations,' in *Proceedings from the Tenth Annual Telecommunications Policy Research Conference*, ed, Oscar H. Gandy, Jr, Paul Espinosa and Janusz A. Ordover, Ablex Publishing, Norwood NJ, 1983; Michael Goldhaber, 'Microelectronic networks: a new workers' culture in formation?' in *The Critical Communications Review*, vol 1, *Labor, the Working Class, and the Media*, ed, Vincent Mosco and Janet Wasko, Ablex, Norwood, NJ, 1983; and Tom Athanasiou, 'High-tech alternativism: the case of the community memory project,' in *Radical Science 16: Making Waves: The Politics of Communication*, ed Radical Science Collective, Free Association Books, London, 1985.

Governance without government?

According to Derek Heater, the cosmopolitan idea of governance, 'either as an alternative to state citizenship or as a complement to it', has existed in Western thought since the ancient Greeks.⁴¹ One of the most inspiring expressions of it can be found in Kant's *Perpetual Peace*, published in 1795, in which he wrote that 'the idea of cosmopolitan right is not fantastic and exaggerated, but rather an amendment to the unwritten code of national and international rights, necessary to the public rights of men in general.'⁴²

Foreshadowing much of contemporary discourse about media and globalization, in 1887 Ferdinand Tönnies suggested that the ultimate aim of the press could be 'to abolish the multiplicity of states and substitute for it a single world republic coextensive with the world market, which would be ruled by thinkers, scholars and writers and could dispense with the means of coercion other than those of a psychological nature.'⁴³

More recently, David Held has advanced a normative model of international governance that he calls 'cosmopolitan democracy'. This model emphasizes global interconnectedness through commercial arrangements, networks of transport and communication, and international relations:

What is new about the modern global system is the spread of globalization through new dimensions of activity – technological, organization, administrative and legal, among others – each with its own logic and dynamic of change; and the chronic intensification of patterns of interconnectedness mediated by such phenomena as the modern communications industry and new information technology. Politics unfolds today, with all its customary uncertainty and indeterminateness, against the background of a world shaped and permeated by the movement of goods and capital, the flow of communication, the interchange of cultures and the passage of people.⁴⁴

The cosmopolitan model Held calls for explicitly recognized issues fundamental to liberal democratic thought, particularly in the form of impediments to human need and dignity. By casting his arguments in terms of the harm principle, he argues for 'empowering rights' (contra 'citizenship rights') which transcend the nation state, and which are designed to cultivate and support civic competence in a variety of ways, not least of which is the creation of media and cultural cooperatives. As to how such a scheme will be funded and sustained, Held does not venture an opinion.

Such thinking has attracted criticism on a variety of grounds, including the argument that politics cannot exist without a state,⁴⁵ and that the idea of a 'world constitutional state and a transnational democracy capable of promoting peace, guaranteeing rights and protecting the environment' is a somewhat facile 'globalist ideology'.⁴⁶ While opposing the idea of a world state and arguing that the 'doctrine of the withering of the state... must be decisively opposed,' Danilo Zolo refers to the idea of cosmopolitan citizenship as 'empty rhetoric'.⁴⁷ Furthermore, he has no greater optimism toward the idea of a global civil society, citing the expulsion of immigrants and 'the negation of their status as civil subjects' as more accurate reflections of the sentiments that prevail in the affluent Western societies from which the discourse of cosmopolitan democracy arises.⁴⁸ Zolo does not dismiss the feasibility of increasing

39. Peter Waterman, 'A new world view: globalization, civil society, and solidarity' in *Globalization, Communication and Transnational Civil Society*, ed. Sandra Braman and Annabelle Sreberny-Mohammadi (Hampton Press, Cresskill, NJ, 1996); Eric Lee, *The Labour Movement and the Internet: The New Internationalism*, Pluto Press, London, 1997; Andrew Herod, 'Of blocs, flows and networks: the end of the cold war, cyberspace, and the geoeconomics of organized labor,' in *An Unruly World? Globalization, Governance and Geography*, ed. Andrew Herod, Gearoid ÓTuathail, and Susan M. Roberts, Routledge, London, 1998; and Peter Waterman, *Globalization, Social Movements and the New Internationalisms*, Mansell, London, 1998).

40. Quoting from *Le Monde* – 'Workers of all countries, click here' – Herod notes the playful and serious aims to view these developments within the historical legacy of socialist internationalism. *Ibid.*, p 189.

41. Derek Heater, *Citizenship: The Civic Ideal in World History, Politics and Education*, Longman, London, 1990, p 8.

42. Immanuel Kant, 'To perpetual peace: a philosophical sketch,' in *Perpetual Peace and Other Essays*, trans. Ted Humphrey (Hackett Publishing Company, Indianapolis, 1983), p 119.

43. Ferdinand Tönnies, *Community and Society* (Gemeinschaft und Gesellschaft), ed and trans, Charles P. Loomis, Harper & Row, New York, 1957; originally published in 1887), p 221.

44. Held, 'Democracy...', op cit, Ref 5, p 39.

45. Jean-Marie Guéhenno, *The End of the Nation-State*, trans Victoria Elliott, (Minneapolis, University of Minnesota Press, Minneapolis, 1995. Guéhenno, French ambassador to the European Union, asks 'If solidarity can no longer be locked to geography, if there is no longer a city, if there is no longer a nation, can there be politics?' *Ibid.*, p 17.

46. Danilo Zolo, *Cosmopolis: Prospects for World Government*, trans David McKie, Polity Press, Cambridge, UK, 1997, p 130. See also John S. Dryzek, 'Transnational Democracy,' *The Journal of Political Philosophy*, 7(1), 1999: pp 30–51.

47. Zolo, op cit, Ref 46, p 133.

48. *Ibid.*, pp 137–138. Zolo considers it naïve of Held (and Richard Falk, who argues along similar lines), to think that NGOs 'will gradually point the way towards planetary social integration and thereby constitute the premise for the construction of a world constitutional state and a transnational democracy capable of promoting peace, guaranteeing rights and protecting the environment.' *Ibid.*, p 130.

capacities for 'governance' through 'international regimes' that are capable of coordinating responses to global problems by national, transnational, and international actors. However, he argues, such coordination does not rest on the notion of drastically reducing the complexity of the world political environment, which is what he claims is done by Held and others who are focused on visions not of governance, but of government.⁴⁹

In contrast to Zolo, Michael Walzer does hold a vision of a global civil society. With regard to questions of governance, while recognizing the reasonable grounds for euphoria about the rebirth of civil society from the ashes of totalitarian states, he warns against 'the antipolitical tendencies that commonly accompany the celebration of civil society,' which he presents as a justification for the continued presence of state power as a moderating force.⁵⁰ In his view, the 'radically unequal power relationships' that civil society can generate can only be challenged by state power. However, because of its capacity to function transnationally, 'civil society also challenges state power,' an observation which Walzer uses to justify an appropriate scale of institutional response. He then argues that the best means to constrain multinational corporations lies in 'collective security, in alliances with other states that give economic regulation some international effect.'⁵¹ This vision bears resemblance to Zolo's notion of governance through international regimes, although it is not clear if it is opposed to or in favour of Held's notion of a more formalized set of standing bodies for global government, or aspects thereof. Although we do not seem to have anything close to a 'world government', and I do not wish to suggest that one is desirable, we *are* witness today to ever greater levels of the trans-state coordination and institutionalization of governance functions in the arenas of trade and investment, and in military affairs.

Following the 1993 ratification of the General Agreement on Tariffs and Trade, and the establishment of the World Trade Organization (WTO), the WTO's Director-General, Renato Ruggiero said in a speech, 'We are writing the constitution for a single global economy.'⁵² Although we might not wish to characterize them as efforts in global state-making, developments in the WTO and in other transnational institutions are reflective of gradual process, both administrative and discursive, that Foucault termed 'governmentalization'.⁵³ Whether we wish to refer to the outcome of this process as governance or government, the reality is that standing institutions that are gaining in authority and enforcement capabilities have taken on the appearances and functions of government institutions. Such institutions as the WTO and the World Intellectual Property Organization (WIPO)⁵⁴ are concerned precisely with global government in circumscribed arenas, and they are indeed expressions of political will and the capacity for enforcement. In light of the undemocratic and exclusionary practices through which such institutions are governed, it would appear that a necessary, if not the only or best, means for monitoring the activities of such institutions will be through a global civil society, as the following example illustrates.

49. *Ibid.*, p 134, p 138.

50. Michael Walzer, 'The Idea of Civil Society,' *Dissent* (Spring 1991), p 301. Later published as 'The Concept of Civil Society,' in *Toward a Global Civil Society*, ed, Michael Walzer, Berghahn Books, Providence, RI, 1995.

51. *Ibid.*, p 302.

52. Renato Ruggiero, Director-General of the World Trade Organization, in a speech presented to the UCTAD Trade and Development Board on 8 October 1996. Quoted on the Public Citizen Global Trade Watch web site at: <www.citizen.org>.

53. Michel Foucault, 'Governmentality,' in *The Foucault Effect: Studies in Governmentality*, ed, Graham Burchell, Colin Gordon and Peter Miller, University of Chicago Press, 1991.

54. The existence of the World Intellectual Property Organization (WIPO) long pre-dates the establishment of the World Trade Organization (WTO). WIPO's origins as an intergovernmental organization date back to the 1886 *Berne Convention for the Protection of Literary and Artistic Works*. Following a series of developments in the international protection of intellectual property, WIPO was established in 1974 as a UN agency. See World Intellectual Property Organization, General Information, <<http://www.wipo.org/eng/main.htm>>.

Hiding power in transnational governance

The rhetoric of the political irrelevance of the state is a powerful means to legitimate market liberalism's economic policies. From this perspective, the state is too weak to sustain domestic social welfare policies while at the same time it is absolutely essential as an instrument to create and sustain transnational regimes of trade, investment, and property relations. Hardly rendering the state irrelevant, in practice, market liberalism requires the backing of state violence to see to its requirements for labour discipline and other forms of 'political stability'. The highly interventionist quest for harsh state-imposed sanctions and enforcement mechanisms against violators of the principles of the proposed 'Multilateral Agreement on Investment' (MAI)⁵⁵ represents how low the bottom line of market liberal practice can sink.

The Uruguay Round of the GATT talks, which resulted in the establishment of the WTO along with new developments in other international governing bodies focused on global trade (such as the WIPO), have led to even more intensified efforts to establish a stable and growing regime of international trade and investment. Along with these efforts has come opposition by a variety of groups. Most prominent among them have been human rights, environmental, and labour groups. Recent efforts spearheaded by the Organization for Economic Cooperation and Development (OECD) to ratify the MAI were abandoned after the negotiations that were underway became public. The agreement has gotten very little press attention in the USA, but it has provoked considerable collective action in many other countries, particularly Canada, New Zealand, and France.

The MAI was abandoned in December 1998 after the French government, responding to pressures from France's cultural industries, refused to participate.⁵⁶ Although the MAI had been under negotiation in Paris since 1995, the treaty, which is considered to be 90% complete, did not become politicized until a year later, when a photocopy of it was obtained by activists and later circulated around the world via the internet. The MAI has been called 'stealth MAI' by its critics because of the secrecy under which negotiations were conducted, and because of the strong emphasis on corporate investment rights, minus any emphasis on corporate responsibilities.⁵⁷ US leadership efforts in pushing forward the MAI ended after the release of the text worldwide by a number of citizens groups, and following the derailling of 'fast track' trade negotiation authority to the Clinton Administration, which would have permitted the President to sign such an agreement without Congressional amendment. According to Lori Wallach, director of Public Citizen's Global Trade Watch (founded by Ralph Nader in 1971), the US Congressional committees with direct oversight authority over international trade and investment were never consulted or informed about the US State and Treasury Departments' efforts to spearhead US representation in MAI negotiations.⁵⁸

Among the main concerns by the MAI opponents is its language regarding 'barriers to trade' and 'expropriation and compensation'. As the argument goes, it would be possible for foreign investors to sue a national government in an international tribunal (probably administered by the WTO) if it were felt that the conditions of investment in the host country threatened (expropriated) future earnings, and a judgment could be made that would force the government of that country to obtain compensation on behalf of the plaintiff.

55. The full text of the draft treaty is available at: <<http://www.essential.org/monitor/mai/contents.mai>>. See also Michelle Sforza, Scott Nova and Mark Weisbrot, 'Writing the Constitution of a Single Global Economy: A Concise Guide to the Multilateral Agreement on Investment.' Available at the Preamble Center web site:

<www.preamble.org/MAI/maihome.html>

56. Joe Taglieri, 'Pressure from citizens' group kills trade treaty for now', *National Catholic Reporter*, 29 January 1999. Available on Nexis-Lexis Academic Universe.

57. 'International Coalition Launches Campaign Against the MAI: A New Stealth Investment Agreement,' Press Release from Public Citizen, Friends of the Earth, and the Sierra Club, 12 February 1998. See also, 'The MAI Shell Game,' available at the Public Citizen site: <www.citizen.org>.

58. Lori Wallach, 'Multilateral Agreement on Investment: Win, Lose or Draw for the USA?' Written Testimony Presented to the House International Relations Subcommittee of International Economic Policy and Trade, 5 March 1998. Available on Nexis-Lexis Academic Universe. See also Lori Wallach, 'Multilateral Madness,' *Tikkun*, 15 May 1998. Available on Nexis-Lexis Academic Universe.

Examples of US companies suing the Canadian government under NAFTA rules have been cited as precedent.

Concern about the MAI arose in the US Congress in March 1998, when the House Committee on International Relations' Subcommittee of International Economic Policy and Trade held hearings on it. Among the issues raised in testimony is that the MAI threatens states' rights and US sovereignty by making it possible for MAI rules to pre-empt state and federal laws, something that many European and Japanese investors wish to achieve. Detailed testimony by Georgetown Law Professor Robert Stumberg points out that the MAI effectively would work as an amendment to the US Constitution, and in essence aims to reinvent the terms of US sovereignty, given the many ways in which it would re-order jurisdiction over domestic trade and investment.⁵⁹

Opposition has arisen in non-OECD countries as well, where it is feared that the establishment of such an investment regime would threaten the sovereignty of all countries by forcing them to become MAI signatories in order to attract or retain foreign investment. Human rights, environmental, and major labour unions uniformly oppose the MAI because it is feared that it will induce a multifaceted race to the bottom, requiring national governments to use force against their people in order to comply with MAI rules on behalf of mobile capital. On 12 February 1998, a 'Joint NGO Statement' was released on behalf of more than six hundred organizational signatories, including leading human rights, labour, environmental, and consumer groups from more than seventy countries. In addition to complaints about the secrecy and exclusiveness of participation in the MAI negotiations, the statement also notes that the MAI takes no account of the differences between investment needs in OECD and non-OECD countries, and that the agreement conflicts with many existing international, national, and subnational laws and regulations in many arenas, all of which would potentially be subordinated to MAI discipline.⁶⁰

The implications of the MAI controversy are far-reaching, and the point of this brief overview is simply to highlight one particularly contentious issue in international law and policy that has become a catalyst for international collective action. The scale and speed of mobilization against the MAI would probably have been impossible had it not been for the use of the global internet as a tool of coordination and publicity. As a result of the rapid diffusion of information about the MAI, civil action, including large-scale demonstrations, took place in several European countries, the USA, Canada, Australia, and elsewhere.⁶¹ What is interesting is that rapid grassroots mobilization and publicity seriously undermined, at least for the time being, a major international trade and investment agreement. It is a story that gives heart to any vision of a democratic and cosmopolitan civil society, and optimism towards the potential uses of the means of communication in transnational political action. Of course, the story is not over, and it should be noted that the general view of MAI advocates is that the question is not one of *if*, but of *when* a treaty like the MAI will be passed,

which is most likely true. In December 1999, the WTO Ministerial Conference will meet in Seattle, and an MAI-like treaty is likely to be a major subject of deliberation. Microsoft CEO Bill Gates is currently advocating to the US Congress that President Clinton be granted 'fast track' trade negotiating authority (which he has been denied twice since November 1997), in order to enable Clinton to sign an MAI without permitting Congress to amend the agreement later, as it normally can.⁶² Various advocacy organizations, most prominently Ralph Nader's 'Public Citizen' group, have been lobbying against this development,⁶³ but the free traders have not given up on their efforts.

59. Robert Stumberg, 'Sovereignty for Sale,' Written Testimony Presented to the House International Relations Subcommittee of International Economic Policy and Trade, 5 March 1998. Available on Nexis-Lexis Academic Universe.

60. Available at Public Citizen site: <www.citizen.org>.

61. Martin Khor, 'NGOs Mount Protests Against MAI,' April 1998. Available at Global Policy Forum: <www.globalpolicy.org/soecon/bwi-wto/indexmai.htm>.

62. 'Gates Backs 'Fast Track' Power for Clinton,' Reuters, 26 February 1999. Available on Nexis-Lexis Academic Universe.

63. See Public Citizen: <www.citizen.org>.

Conclusions

The case of the MAI offers a compelling basis for concluding that there is something that might be called a nascent global civil society, and that the power of publicity by resourceful activists can have a significant effect on exposing what otherwise might be unaccountable government power, buried in arcane processes of transnational deal-making. The MAI case also illustrates the continued importance of the state as a means of leverage both for and against democratic processes in transnational governance. On the one hand, the Clinton administration and national governments acted in secrecy to establish an investment regime that threatens to undermine a wide range of rights currently protected under sovereign laws. On the other hand, that secrecy was exposed by transnational civic action that relied on the means of communication for purposes of coordination and broader publicity, resulting ultimately in demands by legislatures and parliaments for greater accountability from their executives. This case illustrates how such transnational action makes use of resources both within and beyond the scope of state power. Perhaps we might conclude from this that a new form of transnational governance is emerging, namely, one that makes effective use of principles of publicity and democratic discourse, but that it hardly signifies the abandonment of national politics in the age of a nascent global civil society. However, it should be noted that the anti-MAI mobilization was in reaction to powerful developments to institutionalize (or 'governmentalize') ways of thinking about a wide range of political and economic priorities, and in the process to pose significant ecological risks and threats to human rights. Such developments do not by themselves provide sufficient grounds for concluding that sovereignty has ended, although it is clear that national governments are playing an increasingly important role in sharing powers of global governance, but for and against democracy.

Many of the major events that provoke transnational civic action are made possible by forms of unaccountable power that hide within the jurisdictional interstices among nation states. One of the unique features of social movements discussed in detail above is their uncontrollable and unpredictable capacities to create new political spaces, now increasingly global in scale, to publicly challenge such power. However, in idealizing this virtue, we should not be deluded. Processes are taking place by which significant aspects of sovereign power are gradually being transferred to and consolidated within regimes of transnational governance, if not always on a fully globalized basis. Such consolidation is supported by the coordinated capacities to enforce these policies and to suppress civil disobedience through violent means, when necessary. In recognition of this fact, any utopian view that might arise about the means of communication providing a necessary infrastructure for a global civil society should be tempered by ambivalence.