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Democratisation of public relations: Levelling the playing field

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The democratisation of PR: levelling the playing field

Introduction

While democracy is undergoing a period of political reaffirmation around the globe, it nevertheless remains the subject both of popular ambivalence and extensive theoretical critique that challenge its relevance and efficacy. By opening the process of defining democracy, attention is drawn to the key role of deliberation in producing democratic interaction among citizens and the potential role for PR in assisting that interaction. Though PR is commonly held to be no more than empty posturing, this paper does some preliminary work in highlighting its persuasive, political and pedagogical facets to establish its role as a technical, strategic and ethical discipline. The proposition of this paper is that greater deliberative participation in existing representative institutions might be produced where citizens use PR techniques to turn the communication and organisational practices to their own purposes.

In particular, this paper wants to confront issues raised by the critique of PR in books such as *Toxic Sludge is Good for You* (Stauber and Rampton, 1995). While there is no doubt that governments and corporations use PR techniques to “to alter the facts through deliberate and reckless disregard for the truth” (Dilenschneider, 1998: 18), this is hardly a new complaint and, given the malleability of how humans have described facts at least since the ancient Greeks, perhaps PR practitioners are merely engaged in old-fashioned politics by modern means. What is the most efficacious response to this situation? To lament that this world has come to pass or to take up the battle of ideas which, in a mass society, means to use the mass media to mount one’s arguments which is most effectively done utilizing the techniques of PR. Thus we see the potential for PR to become a tool for democratization.

This paper questions the dialogue and the status quo by arguing that in reviewing democracy and PR together, PR can find new directions and purposes, first in the

context of an expanded public sphere, then at a more specific level within the third sector and, finally, at the micro-level of the citizen-hacker. It suggests that PR activity can, and does, permeate all these levels of democratic discourse and debate.

Defining Democracy

As Hirst (1988: 190) points out: "Democracy is the dominant idiom... Everyone is a democrat", a view echoed by David Held (1987: 1): "nearly everyone today says they are democrats..." But what is the nature of the democracy? Some apparently simple definitions of democracy continue to inform popular discussion: the rule of the many (Aristotle, 1946); the rule of the majority (Locke, 1966) and; "government of the people, by the people, for the people" (Lincoln, 1914) are three common formulations. The very simplicity of these definitions and the simple expectations they engender belie the fact that the practice of democracy in a complex world will always be problematic.

How can democracy be made to work in this global environment dependent on systematic alienation? How can it be re-conceptualised and re-tooled to allow for demotic participation despite the entrenched global interests that oppose such a move?

Democracy does not naturally occupy any privileged position in the hierarchy of governmental systems. It just happens to be a comparatively effective mechanism for reconciling individual and social needs, for maintaining popular support while allowing adaptation to developing conditions, in short, for ensuring a more or less civil society. Because democracy is a set of open ideas whose rationale depends on their practical functionality, the search for a definition of democracy is never concluded and democratic theory requires constant renewal as new conditions, social formations, technologies and complexities arise.

Simple accounts of democracy fail to reflect the dynamic and contradictory nature of its practice, including the fact that in the last two hundred years democratic institutions have both broadened (with the introduction of universal suffrage, the extension of government into economic and social affairs and greater protection of free speech) and at the same time narrowed (with the consolidation of the power of

parties, the focus on finding compromise between competing special interests and fewer opportunities to exercise effective free speech). These simple accounts of democracy in addition do not address the impact of the present period of rapid transition from an industrial to an information economy and the consequent challenge to the power of nation states by global economic and cultural processes.

The challenge is to find a definition of democracy that can confront these complexities and the ambivalence and cynicism they create by returning the citizen to the centre of the democratic process while acknowledging the complex nature of that process. This complexity arises, it is suggested here, from both:

1) the historical fluidity of the democratic concept which encapsulates a variety of institutional arrangements including Athenian direct democracy, authoritarian states, experimental communes and the various contemporary models of representative and participatory democracy, and

2) the dynamic potential within democracy itself to create change, to adapt to new situations and, most significantly for this thesis, to remake its own practice continually.

Thus the search for a definition of democracy can never be concluded, and democratic theory requires constant renewal as new conditions, social formations, technologies and complexity arise. Mouffe (1992: 14) argues in her preface to *Dimensions of Radical Democracy* that:

democracy can only consist in the recognition of the multiplicity of social logics and the necessity of their articulation... [with] no hope of final reconciliation. That is why radical democracy also means the radical impossibility of a fully achieved democracy.

However the impossibility of completing the democracy project is no reason for its abandonment. The incompleteness of the concept may indeed be the source of its strength because it allows for the malleability that lets democracy be responsive to change.

The origins of democracy can be traced to the processes of tribal consultation (Watson & Barber, 1990: 55-85). These consultations were typically governed by the principle of "egalitarian mutuality" (Maddock, 1974: 166) where each initiated member of the tribe had equal standing in the exhaustive discussion preceding collective action. These tribal consultations were formalised in early cities where political authority "rested in a assembly of the adult male members of the community" (Adams, 1994: 16) and developed into the consensual decision-making evident in Greece around 500BC, as city-states which experimented with forms of diffused decision-making (Held, 1987: 13-15). While the sexist and racist nature of these early forms of democracy is incontrovertible, it is important to appreciate how democracy arose out of conflict between the powerful rich and the poor *hoplites*, the self-armed and largely self-sufficient infantry that formed the backbone of Greek armies in time of war.

It is significant in terms of this discussion that, as Anderson (1974: 33) notes: "The precondition of later Greek 'democracy'... was a self-armed citizen infantry." Thus before democracy was a theoretical construct, it was an assertion of practical power by the citizenry. The political reforms that institutionalised the power of the *demos* into democracy flowed directly from the practical power of citizens to organise collectively and fight in their own interests, at first physically and then in participatory politics. Access to political forums was not granted to citizens; rather they created it. This militancy is a key theme in the following discussion.

Pericles' Funeral Oration is one of the few contemporary positive accounts of Athenian democracy that remains extant and it captures the notion that democracy is produced by the citizens when they insist on access to and transparency of decision-making processes. Democracy, Pericles argued, is something more than simple majority rule. The test of democracy is that "its administration favours the many instead of the few" (Thucydides 1952: s37) and it achieves this end precisely because it affords equal access and freedom to speak regardless of class or status.

Citizenship brought both rights and responsibilities. Liberty was not just freedom from excessive restraint but also a duty to participate. The significance of this duty is

apparent in Pericles' argument for democracy's effectiveness: the *polis* was strong, the quality of life improved because the democratic system required extensive deliberation before a decision was made: "instead of looking on discussion as a stumbling block in the way of action, we think it an indispensable preliminary to any wise action at all" (Thucydides 1952: s40). Broad-based engagement in democratic deliberation was the most efficient way to transform the multiplicity of interests and views in the society into effective action because full and free debate produced a wide commitment to the outcome.

Central to the Athenian model of democracy was a vigorously applied freedom of speech among citizens, particularly in the Assembly. It was more than a right; it was a responsibility required for the effective operation of the participatory democracy. Stone (1988: 215-230) identifies four different Greek words for freedom of speech: *isegoria* and *isologia* encapsulate the equal right to speak in the Assembly which was the basis of equality among citizens; *eleutherostomou* which comes from the theatre and suggests that a freely given opinion has greater moral force than a speech that is produced with inter-personal, economic or institutional constraint and; *parrhesia* which might be translated as a brutally frank and direct speech that was directed to revealing the actual substance of the matter under discussion.

To the Athenians, free speech was much more than a right to enunciate a position. It also concerned the citizen's rhetorical and ethical duties to conceive arguments for their position and to communicate their opinions clearly, concisely and effectively to a large audience, to overcome "stage-fright" and the fear of public speaking, to withstand personal attacks and insults, to stand up straight and speak out loud in order to communicate what he really thought and felt about an issue. It also involved a responsibility to listen, to consider the opinion of others and to moderate and adapt one's views to the flow of the argument. Having contributed to the decision-making process as best he could, the citizen was constrained to abide by the decision thus made. Militant free speech, in short, was an intellectual, emotional and physical exercise that bound the *polis* together. It is argued below that any redefinition of democracy aimed at improving its operations requires an account of the technical and ethical skills citizens require to exercise free speech in a mass society in order to

intervene in the deliberative processes currently available and to construct new processes that improve the quality of democratic deliberation.

PR, the public sphere and democracy

Habermas (1989) suggests "the public sphere" as the domain of social life in which public opinion forms. Habermas argues that the literary salons, political clubs, debating societies, coffee houses and newspapers of the eighteenth century provided the locus for a universalistic, liberal and rational political discourse. This dialogue flourished to produce an autonomous sphere from which the emerging bourgeoisie could criticise the state and civil society. Commercialisation of the press in the nineteenth century saw the transformation of the public sphere, and its newspapers in particular, from the journalism of private persons to "the consumer services of the mass media" (Habermas, 1989: 181) which privilege the private interests of owners and advertisers. By the twentieth century, Habermas argues foreshadowing *Toxic Sludge in Good for You*, public opinion is predominantly generated from above by manipulative publicity. Nevertheless he sees some potential for the recreation of the public sphere as "a public of organized private persons" engaged in the rationalisation of social and political power through mutual control of rival organisations which exhibit "publicness" in their internal structure and in their dealings with the state and each other (Habermas, 1989: 222).

Since Habermas popularised the term the "public sphere" it has been defined and re-defined. It is argued that the concept of the public sphere is difficult to delineate (Craig, 2004: 53) and that it constantly fluctuates (Polan, 1993), which may see it positioned within actual institutions or within a broader context of public life. Holub (1991: 11) develops a definition of the public sphere to incorporate access by all citizens:

The public sphere is a realm in which individuals gather to participate in open discussions. Potentially everyone has access to it; no one enters into discourse in the public sphere with an advantage over another...the bourgeois public sphere in its classical form, which is the central focus for the Structural Transformation, originates in the private realm; it is constituted by private

citizens who deliberate on issues of public concern. In contrast to institutions that are controlled from without or determined by power relations, the public sphere promises democratic control and participation.

Within the publicly-accessed space, there is an expectation of a common good coming from deliberation within the public sphere, and the ruling out of private interests (Fraser, 1993).

Since the rise of the public sphere depended on a clear separation between the private realm and public power, the penetration the public sphere into the private sphere was seen by Habermas to inevitably destroy it. But this merging need not inevitably be viewed as a negative outcome for democracy. Rather, notes Fraser (1993: 26), “any conception of the public sphere that requires a sharp separation between civil society and state will be unable to imagine the forms of self-management, inter-public coordination, and political accountability that are essential to a democratic society”.

As a result of this merging between the two distinct spheres, the role that the public sphere had played in the intellectual life of society is taken on by other institutions that reproduce the public sphere in a manufactured way, such as parliament (Holub, 1991). This, coupled with the rise and manipulation of the mass media, lead to what Habermas calls a “refeudalization” of the public sphere, where image and appearances outweigh true discussion and debate (in Holub, 1991: 6).

Through shifts in jurisdictions or by allocating societal organisations to take part in the political process, political decisions were now made within the new forms of bargaining or lobbying. These evolved alongside the older forms of the exercise of power: hierarchy and democracy, thus representing an expanded public sphere (1989: 196). Hence, PR became part of a broader public sphere. This expanded public sphere, now including PR, for example in the form of lobbyists, provided external forces with a legitimate role in pressuring governments on behalf of the community and other parts of the private sphere.

Habermas notes the positive role of the public communicator as facilitator of information when the demand for publicly accessible information became extended to

include not only organs of the state, but all organisations dealing with the state (1974: 55). In practical terms, just as the news media was personified in the reporter, so too was this role of PR personified in the public communicator. Habermas (1974) describes this responsibility as belonging to individuals who can participate effectively in the process of public communication, thus taking the place of the original public sphere. He argues (1974: 55): “Only they could use the channels of the public sphere which exist within parties and associations and the process of making proceedings public which was established to facilitate the dealings of organizations with the state”.

But while, the public sphere was thus seen to expand legitimately into lobbyists, within government and the corporate sector, Habermas’s analysis did not take into account smaller, less powerful publics. Indeed, Habermas came under criticism for his representation of a single public sphere, which excluded all groups other than middle class men (Fraser, 1993; Holub, 1991; Outhwaite, 1994). Access by all groups was both idealistic and inevitably unequal. The idea of the public sphere as accessible, with unconstrained dialogue to all is seen as “an obfuscation by and of bourgeois ideology, since it stands in contradiction to the empirical reality of the public sphere in capitalist societies” (Holub, 1991: 6). Furthermore, Outhwaite (1994: 11) notes:

Critics of *Structural Transformation of the Public Sphere* shared anxiety at Habermas’s rather idealized account of the bourgeois public sphere. Marxists pointed out its limitations in terms of class, and feminists in terms of gender...Feminists have pointed out that Habermas’s ‘sex-blind’ categories fail to thematize the exclusion of women from the bourgeois public sphere and of the gender dimension of the public-private split.

Because people were excluded from the public sphere on the basis of sex, status and race, it became a place for domination, for “emergent class rule” in contrast to the open and democratic position it was proposed to hold. “The official public sphere, then was – indeed, is – the prime institutional site for the construction of the consent that defines the new, hegemonic domination” (Fraser, 1993: 8).

Fraser (1993: 9) also questions four underlying assumptions of the public sphere:

1. That civil society and the state should be sharply separated;
2. That private interests are inherently undesirable;
3. That multiple competing publics are a step away from, rather than toward, democracy and;
4. That differing status does not afford equality in society.

The final two of these assumptions hold particular relevance to the discussion of democratisation. In questioning these assumptions, Fraser questions the ideal nature of what the public sphere might have been and repositions a series of public spheres more realistically within an imperfect world. In her review of Habermas's public sphere, she notes that social inequality resulted in a division between 'weak' and 'strong' publics and this in turn resulted in inequitable access to the public sphere. This meant there could be no, one, singular public sphere in any egalitarian, multicultural society: "That would be tantamount to filtering diverse rhetorical and stylistic norms through an overarching lens" (Fraser, 1993: 17).

Fraser raises two important points in her analysis of weak and strong publics. First is the issue of access and second is the idea of counter-publics. Fraser suggests that the existence of a pluralistic public sphere is consistent with the idea of people being members of more than one public; that memberships may overlap (1993: 18). If we accept that people may be members of multiple publics at once, it would seem likely that these might also come grouped into 'dominant', 'weak' or 'counter-dominant' publics. Access to one dominant public will lead to other strong or dominant publics, and the reverse will also occur with the system perpetuating itself. We would expect that multiple publics not only cross over between public and private spheres but also come coupled in groups. It therefore seems logical that access to these publics has clear implications when we consider the role of public information and open channels of communication which can lead to public opinion with dominant publics always staying in that position.

However, the counterpublic public serves a very real purpose in democracy: it is a counterweight to the strong public. Fraser refers to "subaltern counterpublics (that) stand in a contestatory relationship to dominant publics" (1993: 19). Thus, the concept of the counterweight has importance in providing balance. Weak or

counterpublics emerge in response to the exclusion they experience from strong or dominant publics and can serve two functions: either a spaces for withdrawal or regroupment or as training grounds for activities that are directed toward the stronger publics (Fraser, 1993: 15). However, Fraser (1993: 15) is realistic about the role in the counterpublic:

I do not mean to suggest that subaltern counterpublics are always necessarily virtuous, some of them, alas, are explicitly antidemocratic and antiegalitarian and even those with democratic and egalitarian intentions are not always above practicing their own modes of informal exclusion and marginalization.

As such, it is important not to romanticize the notion of the subaltern or counterpublic, but to consider this as both a balance or counterweight to strong publics and as having a rightful place in the discourses and deliberations of democracy, despite their own shortcomings. The counterpublic is neither universally better nor worse, more ethical nor less ethical, than the dominant public.

However, active counterpublics of any persuasion are more conducive to democracy than the alternative, the apathetic public. When this results in a passive, immobilised public sphere, democracy is placed under threat. Aronowitz (1993: 84) laments public apathy in democracy and its resulting effect on public sphere deliberations:

To the extent that mass communication and its culture have replaced 'face-to-face' communication, American democracy is, indeed, in serious trouble. For democracy is the same as community itself, where the idea of community entails participation among equals, at least for purposes of public activity.

And, as society becomes less mobilised, as passive rather than active consumers, it becomes less community oriented and more reliant on the mass media. As a result:

the public sphere is always a restricted space – restricted, in Habermas's model, to people like himself, those who have undergone the rigorous training of scientific and cultural intellectuals...For only those individuals who have *succeeded* in screening out the distorted information emanating from the

electronic media, politicians, and the turmoil of everyday life are *qualified* to participate in social rule. If all cultural formation is embodied and interested, however, then no such antidemocratic exclusions can ever be admissible (Aronowitz, 1993: 91-92).

While society's apathy is thus identified as a reason for the public sphere's downfall, another explanation may be seen in the lack of access to decision-making forums. So, if no access is granted to the decision-making part of the public sphere, the system may seem to inevitably render any access impotent or useless (Fraser, 1993).

Traditionally we would expect strong publics might have greater access to the opinion-making phase of the public sphere, and weak publics to be frustrated at the point of decision-making. In Fraser's discussion of strong and weak publics, she calls "sovereign parliaments" a strong public "whose discourse encompasses both opinion formation and decision making" (Fraser, 1993: 24). Ultimately, the force of public opinion is strengthened when a body representing it is empowered to translate opinion into authoritative decisions (Fraser, 1993: 25).

If, however a counter-public gains access, through lobbying or a growth in numbers, such as the environmental movement or the gay community, it could be seen to have moved from a weak or counter-public to a strong public. This has huge implications for PR, as what were once peripheral or marginalised publics, unable to gain access to the processes or positions of stronger publics, can reposition themselves from the outer to the inner realms of access, power and decision-making and can develop strategic coalitions with individuals or other subaltern publics which can move them from weak to strong.

The rise in the Third Sector

This power shift is now, arguably, well underway. The demarcation between Fraser's weak and strong publics has blurred as the third sector emerges in the traditional space once held by the strong publics of corporations and politic organisations.

Separate from the state and business sectors and operating largely with voluntary labour and a non profit agenda for the 'common good', the Third

Sector has experienced recent, rapid growth, at the same time diversifying in scale and size. (Demetrious, 2004: 249)

But before moving into an analysis of how this sector can, or cannot, adopt the process and outcomes of the other sectors, it should first be clearly defined. We define the third sector according to the Center for Democracy and the Third Sector at Georgetown University (Georgetown University, : n.p.) as:

The "third sector" encompasses those parts of civil society that are neither government nor business, including associations, non-governmental organizations, non-profit organizations, advocacy groups, citizen groups, social movements, as well as the cultures, norms, and social values that enable these social phenomena.

Demetrious argues that it is tactics such as activism that set this sector apart from government and the corporates. She divides the sector into Non Government Organisations (NGOs) and Community Action Groups (CAGs) (2004). In Fraser's terms, CAGs must be seen as those occupying the weak or counter-public place. These, explains Demetrious, are "characterised by short-term reactivity, a direct relationship to a specific issues, nascent 'legitimacy', decentralised 'organic', non-hierarchical organisational structures, informality and adaptability" (2004: 429). She notes that CAGS and NGOs relationship to PR is "balanced at a critical point". "They will represent articulate, vigilant and cynical publics who can organise sustained and effective action on diverse issues" (2004: 430). Central to their power will be access to new communication technologies, information, knowledge, understanding and management of communication. These associations, groups and individuals have thus moved to an increasing adoption of strategies and tactics once more commonly associated with more traditional organisations and associations.

However, not all analysts of the third sector see this movement as a positive one. While the third sector may have moved into a space that now competes with the corporate or political sector, Goodin notes that it would be counter-productive for non-profits to become synonymous with for-profits or political organisations. To do

so, he argues, would undermine the very strengths that the third sector is built on (2003). He notes:

Different sectors being accountable, each in its own complimentary way, can yield greater accountability across social institutions overall. But arrangements that straddle sectors (whether through partnerships or competition) inherently blur the distinctions between the sectors (2003: 3).

By forming partnerships with other sectors, or competing against them, the third sector's motivations turn to profit and organisational structures change to mimic the other two sectors. He argues that when non-profits and for-profits compete for the same tenders, they must compete by "doing the same things, in the same ways ... non-profits become for-profits in disguise, not out of a desire to deceive but out of necessity" (2003: 51).

Goodin argues that the third sector has qualities that the other two sectors do not have. For example, the third sector can form networks that "constitute a reference group for public policy makers: a font of information and advice; an evaluative touchstone for policy formation and transformation" (2003: 43). This networking potential is heightened by the cooperative ethos and lack of formal authority over each other that typifies the third sector (2003). He differentiates this from the idea of the 'lobby group' by arguing that lobbying is "essentially competitive", whereas in the network-based reference group it is "essentially cooperative" (2003: 44).

Another strength that Goodin argues would be lost by conforming to an even playing field is the potential for non-profits to "step in" where for-profits cannot (2003). Significantly, he notes that the risk with democratisation is that it tends to result in a "one size fits all" approach (Goodin, 2003: 36). Rather, differences should be highlighted:

Instead of holding each and every sector to the *same* criteria of democratic representation, we can democratize our institutions as a whole by holding each sector accountable according to some *complementary* sets of criteria. (2003: 37)

Like Fraser, Goodin argues that the third sector should not be romanticized or idealised. Problems of accountability and conspiracy can occur in the third sector, but, he points out, that they are less likely to occur than in the other two sectors (2003). Goodin also acknowledges, albeit briefly, that the political sector is in fact a non profit sector (2003). Thus, perhaps the three sectors are not as clearly defined as we may, on first consideration, believe. Furthermore, in Goodin's argument that the three sectors should not be grouped under the same "yoke" (2003: 3), there is an assumption of a sameness emerging. This is not our argument for democratisation. Indeed, democracy must be about differences and diversity. Our argument is about extending the **PR processes** – strategies, tactics and principles – to enhance these different voices with shared processes achieving very different outcomes. Democratisation of the third sector is thus about accessing these processes that, in a PR sense, feed into the discourse, debate and decision making process.

A 'SLAPP' to Democracy

Often, it is at this process level that inequalities are most noticeable. Disadvantage is seen in the notion of big v small, or in unequal power relationships due to money, knowledge or access. This can be seen in the development of 'SLAPP' actions, brought by large companies against individuals. Strategic Litigation Against Public Participation – or SLAPP – actions, which began in the United States in the 1980s and have been seen to emerge this decade in Australia effectively aim to silence activists through a legal order. Arco (in Beard 2000: 24) explains that SLAPPs are characterised as:

a civil lawsuit filed against private individuals or organisations that have spoken out on issues of public interest or significances ... the underlying strategy is aimed at intimidating an individual engaging in particular behaviour believed to be detrimental to the SLAPP filer.

SLAPPS have been documented in countries all over the world: England, Canada, South Korea, Singapore, Pakistan, France, New Zealand, as well as Australia and the U.S. (Ratcliff in Beard, 2000). In Australia, a campaign against a proposed

redevelopment of the White City Tennis Centre in Sydney in 2000 saw threats of such action (Beard, 2000: 23). The circulation of pamphlets, petitions and posters, resulted in members of the action alliance who had banded together to “Save White City”, receiving letters threatening personal legal action from the centre’s developers (Beard, 2000). Rhiannon (in Beard, 2000: 23) explains:

These people are used to getting their own way ... and when they come up against action by groups like those here today, they look at other tactics and the one that I am referring to is the intimidation ... the threatening letters”

Several points should be noted about SLAPP actions before we panic about their threat to the democratic process. First, they usually fail in court (Beard, 2000) (Beard, 2000). Rather, they achieve their aim by silencing parties into submission. Second, an anti-SLAPP movement has developed. In the United States, for example, 11 states now have anti-SLAPP laws (Beard, 2000). Third, SLAPPS are not common. Significantly, New South Wales amended its Defamation Act in 2002, essentially making it impossible for companies with more than 10 employees to sue for defamation (Pearson, 2004). In other states and territories in Australia, however, such laws do not exist. This has led to claims of “why companies are able to take defamation action in the first place and why their legal costs are tax deductible” (Burton in Beard, 2000). While clearly focussing on individuals who have a limited understanding of defamation law, and can thus be intimidated into silence, defamation laws in Australia could hardly be a more complex environment for SLAPPS to occur. With eight States and Territories, Australia has eight different defamation laws “formed by a bizarre combination of legislation and case law” (Pearson, 2004: 161). The complexities of such a disparate set of laws serves to hinder any lay-persons access to, and understanding of, free speech laws in Australia. This means that a person can sue successfully for defamation in one jurisdiction but lose the same action in another jurisdiction. The Federal Government is currently reviewing Australian defamation laws with a view to seeking uniformity across all jurisdictions, however proposals for reform have been put before and have come and gone without any change.

The best remedy for dealing with SLAPP actions, or any action that threatens free speech is access to information, knowledge and empowerment. Burton (in Beard, 2000: 25) notes:

Once people know that there have been a hell of a lot of legal threats against people like them, their view changes from personalised fear and insecurity to seeing it as a systematic action against a group of people. It shifts from a personal to a civil liberties question.

Ironically, discussion of SLAPPs themselves can even be seen as defamatory with the result that the issue has been “rendered invisible” (Burton in Beard, 2004: 25).

Several issues of the “Save White City” campaign can be highlighted to illustrate the PR overlap of corporate developers and activist opponents. First, pamphlets, posters and petitions were used by members to get their message out. Thus, the alliance used traditional PR tactics, coupled with speeches from a podium: all part of the PR process. Second, members of this action alliance were noted to have come from community groups: Federal Parliament, State Parliament and Local Government, with representation from The Greens, The ALP and the Liberal Party (Beard, 2004). This unusual alliance was made up of what might be perceived as members from strong and weak publics, and indeed, public and private sphere members.

This case can be seen as a merging of the sectors in both tactics and membership, the bridging of any division between the three sectors, weak or strong publics, public or private spheres, or indeed different “levels” of citizens. So, while SLAPPs rendered a significant power imbalance, elements of the democratisation process had occurred at these levels. By establishing a strategic coalition of members, the group drew on skills, access and power-bases that would be denied a more homogeneous group of individuals. We could term this loose cooperative a “hybrid group”, which in many ways can bridge the gap between weak and strong. Fraser (1993: 27) argues:

A postbourgeois conception would enable us to think about strong *and* weak publics, as well about various hybrid forms. In addition, it would allow us to theorize the range of possible relations among such publics, thereby expanding

our capacity to envision democratic possibilities beyond the limits of actually existing democracy.

While the “Save White City” campaign used traditional PR tactics, a close analysis of newer media tactics, most notably the internet, illustrate how these processes are indeed levelling the playing field for the individual seeking to enter the discourse.

Citizen Hack and Democratisation

When Derrida (1996) points out in *Archive Fever* that new communications technologies are systematically altering the analysis, communication and conservation of knowledge in ways that are changing the nature of knowledge, he is suggesting that there is a fundamental shift underway in how we structure human experience and shape our political relationships and realities. While new media technology is extolled by many including Leslie (1993) and Negroponte (1995) for its potential to improve the quality of democracy, Sardar (2000: 745) is convinced that “what electronic democracy offers is more of the same: more instantaneously mushrooming pressure groups, more fragmented politics, more corrupt public life”. There is the very clear concern that electronic media technology is no panacea for the decline in political discourse and is merely exacerbating the situation.

So what potential is there in the emerging information economy for the militant free speech that we identified as the cornerstone of democracy? One surprising space for the recreation of the citizen has been cleared by "the hacker", originally a computer programmer with a desire to so understand the intricacies of computing systems that they could move freely through machines and their networks to find obscure and hidden information. Hackers regard computer systems not as corporate property but as part the common wealth. In refusing to be bound by the constraints of the expanding command and control communication channel and the rule of corporations, hackers created the space for a free exchange of ideas down to the level of data. Like the militant hoplites of ancient Greece, they insist upon the space to debate the direction of human action in the world, it is just that that space has moved from the town meeting to the electronic infrastructure that encircles the globe and through which we communicate, do commerce and live our lives.

Hackers have, of course, got a very bad name. The image of the information age Robin Hood has been complicated by those producing viruses, stealing credit card numbers and spamming and scamming their way across the internet. Still the democratic spirit of the hacker lives on in all those with a militant attitude to working in the media flow. Hacking has developed beyond its “geek” origins to incorporate any approach to any media that seeks to use hidden potentialities and anomalies in that media to open interpretation and debate. Thus the work of “culture-jammers” in adapting billboards to carry anti-corporate messages is a kind of hack, just as is doing similar adaptation to a corporate web site. We may distinguish culture-jammers who work entirely in the media flow subverting and re-purposing software from “hactivists” who keep strong links to traditional coalition building in the real world as well as working with both hardware and software.

Whatever their approach, hackers are imbued with the cynicism of the machine, refusing to accept the "official" story at face value, always digging and exploring to find their own truth beyond the standard explanation. Living behind the screen, the hackers find the space to ride decoded machine languages to free the information. In this, they share the passion, humour, temerity and self-sufficiency of the hoplites and they have thus created the ethos on which a new stage of democracy might be built. Himanen (2001) summarises hacker values: passionate and free work; the belief that individual imaginations can create great things together; and a commitment to existing ethical ideals, such as privacy and equality. Wark (2001) captures the sense of possibility hackers bring: “...in any process of knowledge where data can be gathered, where information can be extracted from it, and where in that information new possibilities for the world produced, there are hackers hacking the new out of the old.”

While for Marshall (1964) citizenship was the product of national history, the tendency towards a global information economy suggests the opportunity for a new account of citizenship as the product of global history. In this context, the globalising effects of the mass media and the internet give rise to the possibility of what Hartley (1996) calls citizens of the media, giving their own subversive readings to Hollywood and CNN and participating in political campaigns by consumption.

Within the contemporary context, "citizens of the media " must expand their role beyond the passive reading of the public sphere to include the power to hack greater deliberative participation in democracy by increasing the democratic use of the mass media as a locus of debate. Just as citizenship in the classical model depended on a militant citizenry with the rhetorical skills and ethical attributes to make an impact in deliberative forums, the global citizen must acquire the PR skills (and appropriate ethical attributes) to intervene in, and hack, the "media game."

While the Athenian citizen could stand in the assembly to communicate a message to all interested parties, citizens of the global media must become skilled in hacking through all available gaps that come and go in the media monolith, creating their own niches in the public sphere, epitomizing the counterpublic, and producing meta-narratives that put their arguments to a variety of audiences, through a variety of media, in a variety of genres and that develop and respond to counter-arguments, all over an extended time period.

The pursuit of democratic deliberation in the emerging global society requires a creative approach that extends beyond the preoccupation with national institutions in order to produce the universal access to the exchange of ideas and opinions on which authentic deliberation rests. The renewal of rhetoric in the complexity of mass, global society presupposes the following PR skills:

- 1) a grasp of how media technology reproduces messages globally,
- 2) an ability to formulate messages with a view to engaging the global audience, and
- 3) an ethical commitment to participate in a broad-ranging media process to take part in on-going argument, debate and deliberation.

Hacking New Forums

The emerging global information economy does offer the chance for citizens to intervene as the continuing process of change in commerce, government and media

occurs. The citizen-hacker can harness the breaks and irregularities in power that such change produces and use new forms of media to foster democratic deliberation, at least until hegemonic control is established over those new forms. The deliberative potential of the global media rests in the willingness and ability of people to hack out a claim to global citizenship in order to pursue new debates designed to civilise national governments, international corporations and other forms of power that are not yet apparent.

The Green movement around the world has honed the art of the citizen-hack into a set of successful and on-going PR campaigns. Greens have long appreciated the importance of co-opting the media machine to make their case clearly and succinctly in order to build a grassroots organisation and to take their arguments with the wider community. Greenpeace has led the way in using the techniques of corporate media manipulation against corporations (Spybey, 1996: 146-7). Greens have built a number of campaigns on environmental issues and pursued them in a variety of media at local, national and international levels. Typical of their systematic PR approach is their practice of providing broadcast standard video of protests in remote locations to broadcast television outlets. As Barnett (1992: 9), a critic of the Greens, points out, they argue “with pictures and images rather than words and figures. They appeal to the hearts and to the emotion... Their determination, imagination and ruthlessness have enabled them to tap concerns held by a substantial number”. This critique captures the pro-active manner in which the Greens have utilised PR media opportunities to pursue a broad-ranging process of creative deliberation (see <http://cybercentre.greenpeace.org/>).

Another useful example of citizen-hack that has subverted a range of media management techniques to open new areas for deliberative consideration is offered by the case of the "McLibel Two." Two vegetarians wrote and published a small pamphlet critical of the environmental, health, industrial relations and culinary practices of the McDonald hamburger chain. McDonalds responded with a libel action which they only partially won. At the same time the authors of the pamphlet fought the case in the media and won the PR battle (Higgins 1997:17, <http://www.mcspotlight.org>).

The power of the citizen-hack is perhaps best seen as it confronts the globalisation process itself. At a very basic level the internet offers a range of low-cost organisational tools. See, for example, the use of the internet to distribute anti-publicity that calls corporations to account (<http://www.flamingfords.info>). Similarly, while the considerable resources of the international community have been used to campaign for support of the General Agreement on Tariffs and Trade (GATT), opponents use the internet to co-ordinate the case against GATT (see, for example, <http://www.rtmark.com/gatt.html>).

The Mexican Zapatista movement is another powerful citizen-hack that has ridden the media cycle, feeding it simple but eloquent images and co-opting it to spin a local dissatisfaction into a global story played not only in the mainstream media but also with a life of its own on the internet (<http://www.ezln.org/>). Consider also Belgrade Radio Station B92 which used the internet in 1999 to thwart Milosevic's censorship (<http://www.wired.com/news/culture/0,1284,19705,00.html>), the rise and rise of the cell-based Indymedia project (<http://www.indymedia.org>) and the success of net-savvy artists at etoy.com in fending off a bid to take their domain name by heavy-duty online retailer, etoys.com.

While these examples indicate the possibilities for marginalised and critical voices to utilise the emerging global information economy to extend the opportunities for deliberation, the shift from what Posters (1995) terms the "first media age" of centralised broadcast to the "second media age" of interactive communication does not of itself necessarily produce a shift to utopia or even a more participatory politics. The problems of ensuring access and limiting hegemonic control mentioned above point to the dimensions of the theoretical, and practical, difficulties confronting the possibility of a system of global deliberation. To these ends, the global citizen becomes the citizen-hacker who co-opts PR techniques and the strategies of the media campaign with an awareness of the ethical responsibilities inherent in the production of broad-ranging democratic exchanges.

Conclusion

Democracy can never be an end in itself. At its best it is the means to a better, fairer and more humane life for the whole society. But society is not a constant and by the time discussion and debate has achieved even the smallest democratic reform, new problems have arisen and new challenges present themselves. To confront this task which will never be completed, there is only the power of human reason and emotion communicated through language. To create greater deliberative participation in existing representative institutions and to recreate democracy itself by extending the possibilities for deliberative participation beyond representative institutions and onto the global stage, all sectors and individuals -- be they dominant or counterpublic groups, third sector or government, citizen-hackers or commercial enterprises -- must have access to contribute to the democratic environment.

Consider one last example: Irene, the lady who lives next door. She is a mum, a former postal worker and a sometime beautician who likes to take her own mum for a walk along the beach most mornings. The local municipality was planning to redevelop the beach area by cutting down a lot of trees and putting in a lot of concrete, so Irene started up an email group to oppose the development and, after a lot of work and a lot of poking around among municipal records on-line and at the council chambers and a lot of face-to-face local politics and some big meetings and stories in the local papers, she succeeded. So we would like to propose Irene as the prototype for the citizen-hacker of the future, using new wave PR techniques, hacking through information, hacking through the institution and hacking through the media, she might just save democracy from itself.

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