Chapter 42
The Internet as Public Space: A Challenge to Democracies

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Abstract Freedom of speech, freedom of information, freedom of association and pluralism are cornerstones of democratic regimes and thus part of the characteristics without which the threshold of democracy cannot even be reached. It would therefore seem that the recent and very substantial changes in information and communication processes, as introduced by new information and communication technologies (ICT), could only foster those freedoms and reinforce pluralism. However, the nature and amount of information, diversity of the actors involved and lack of regulatory framework raise many conundrums that challenge democracy itself. The article departs from a debate on the role of freedom for democracies. It then discusses both the opportunities and the constraints emerging from the use of new ICT. With reference to published data, internet freedom is addressed, in order to grasp information on how political power is reacting to this new and powerful tool of communication with and between the citizens, and both inside and across borders. In an era of debates on 'populism and demagogy', on 'illiberal democracy', and on 'digital authoritarianism', scrutinising the 'virtuous' and the 'vicious' uses of the internet, with reference to the integrity and the quality of democracy, is a necessary academic discussion, in order to understand what may lie ahead for democratic regimes.

Keywords Democracy · Internet freedom · Digital authoritarianism

Introduction

The panel in which this paper is inserted discusses the relation between democracy and the new technologies of information and communication, with the aim of disentangling the benefits of their use from the hindrances. In line with that debate, this paper addresses the internet as public space and its many challenges to the conventional public sphere.

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In the first part the relation between freedom and democracy is addressed, in order to explain how both became mutually constitutive in the context of Western (liberal) democracy. The outcome of this debate is the recognition that pluralism is a fundamental pillar for a regime that carries free choice in its core. The second part debates the impacts of the internet in the public space and the challenges it introduces to the creation of a democratic virtual public sphere. The text ends with a brief summary on the constraints and opportunities thus created for democracy.

The Public Space and Democracy

Freedom of speech, freedom of information, freedom of association and pluralism are cornerstones of democratic regimes and thus part of the characteristics without which the threshold of democracy cannot even be reached. Furthermore, for consolidated democracies, these freedoms must be kept inalienable and unlimited and pluralism must be a permanent underpinning of societal order.

Freedom is a foundational principle of Western, liberal, democracy [1]. Freedom may of course seem a slightly different thing seen from the perspective of philosophers or otherwise from the contemporary legal and political perspective. However, I would rather address freedom as historical construction, under the contingencies of space–time evolution.

Freedom, in the singular, emerged as an inalienable characteristic of the individual in the seventeenth century philosophy of natural law. It entered legal coda with the wave of 'liberal' revolutions of the late eighteenth and early nineteenth century and, ever since, was reified as part of a progressively growing number of citizens' concrete rights, later to be declared a 'universal' right [2].

An indirect indicator of a consolidated (liberal) democracy is therefore the fact that individual freedoms are taken for granted among the majority of the population of a given political community. Freedom and political authority are difficult to balance though. The individual freedoms of an isolated person can be theoretically unlimited but the human condition plunges each and every individual into social interaction and social integration and there, among the others, rules are required for social liberty to emerge while individual liberty is preserved. The dilemmas of individualism vs. communitarianism are well known and widely debated in political theory [3]. Democracy as a political regime does not necessarily equate with one or the other; it rather combines characteristics of both, with substantial space–time variation and thus, at times tending more to one or the other side, depending on historical circumstances and political choices.

What is conventionally designated as liberal democracy considers individual freedom as a pillar and therefore promotes a type of social and political organisation that maximises individual choice, notably for direct political decision-making or for the selection of representatives (the one person one vote rule). Some types of democratic theory will even consider that the political structure can be minimised to its tiniest expression, not to mention liberal anarchists, the theories of which rule out

democracy, since they deny the very necessity of the state (or other) political structure [4]. Even if the type of democracy applied is closer to egalitarian democracy, thus giving further consideration to issues of balance (to adopt a general designation) in between citizens, and therefore promoting political action capable of producing that equilibrium, the decision-making mechanisms of a democracy (based on self-government and the rule of law) are the outcome of citizens' free direct or indirect choice. Choice, free choice, hence is at the core of democracy.

In turn, being able to choose implies an array of options and this leads to pluralism. Democratic societies are adverse to monism, they require diversity and divergence, but also discussion and informed, well-argued decision-making. Individual freedom per se will not result in common grounds for solving shared problems. But arguing and negotiating can. A further step is required, that of meeting the others, in order to dialogue. The respect of individual freedom imposes the respect for equal statutory conditions in the dialogue. Choosing implies a vast array of possibilities and the capacity to assess them and to make informed decisions. Therefore it requires an ample and plural public space where opinions can be put forward, information exchanged, and debates held. This is, in democracies, the 'public sphere', a space of mediation, communication and decision-making that makes possible the effective connection between the governed and the governors [5].

Freedom of thought and of opinion is in this context not only an individual right but also a positive input to democracy, because individuals bring forward their perspectives on relevant topics of public discussion, in a political environment that is not repressive and actually values and makes use of the citizens' inputs [2]. Freedom of expression is therefore necessary, in order to feed the discussions with qualified information and abundance of standpoints. Individuals may argue independently, or instead decide to gather in groups, in order to support common ideas, in the public debate and for the purposes of political decision, a behaviour protected under the freedom of association right [2].

Democracies in practice may seem less liberal than theoretical liberalism, because they normally produce a regulated polity, where a collectively agreed form of government rules. Once established, the regime also requires democratic control, notably accountability and transparency, which in turn demand for information and communication tools. Seen from these points of view the emergence of new information and communication technologies and the creation of the internet as a powerful instrument of local, national, regional, global and transnational interconnectedness should be acclaimed as a precious toolbox for fostering democracy [6].

This is not always the case though and often we see established political powers, but also civil-society entities and individuals using these tools in a way such that hinders both common interest and individual rights. It is true that given the strength of those new tools it is risky to underestimate their impacts, which are not merely instrumental, since they touch the very substance of democratic communication. They are a revolution, but they can be a revolution 'for good', that very much depending on the way they are used.

What Are the Impacts of the Internet on the Public Space?

The internet as global electronic communication network enables a dense and complex pattern of communication across the world never seen before in the history of democracy. As such it substantially changes the conditions of the traditional public sphere by creating a complementary or alternative sphere, a 'virtual agora' [7] in which the exchange of information and communication among diverse and even unexpected actors is possible.

Howard and Hussain [8] address the new 'digital media' under three main dimensions: a new information infrastructure; a new type of content; and a new type of users. This tripartite analysis helps in understanding how the internet and democracy can be related, and thus is adopted below. A fourth topic on governance is added [9].

The Infrastructure

In spite of the fact that the material infrastructures required by the internet might seem too sophisticated to guarantee a worldwide coverage, the network of networks expanded rapidly and efficiently. According to ITU [10], "the global penetration rate increased from nearly 17% in 2005 to over 53% in 2019". There is of course a certain divide between the wealthier and the poorer countries, since its availability requires material equipments, markets and financial resources, internet providers, know how, but also legal and administrative provisions, hence a political authority, in order to set it to function. According to ITU [10], 86.6% of individuals are online, in the developed countries, while that percentage is only 19.1 in the least developed countries. As for ICT skills, and although data availability is not wide, ITU [10] shows that less than 50 per cent of the population possesses 'basic' computer skills in 40 out of the 84 countries for which data are available; and less than 50 per cent out of 60 countries, if 'standard' skills are considered.

As a network, the internet is transnational, multilateral and decentralised and thus makes several challenges to conventional political power as further addressed below. Nevertheless, authoritarian governments are sometimes resorting to internet shutdowns, or other physical or legal blockage systems, in order to interrupt access to information, which runs counter the previous idea on worldwide access [11, 12]. Therefore, unevenness, both due to economic and political reasons has to be considered.

The Contents

Contents are abundant, diversified and easy to access, hence from the point of view of the availability of information the internet has very much changed conventional

information circuits, has democratised access and has immensely broadened the diffusion of information. This creates a broad public sphere in which the participants can resort to a multiplicity of sources in order to construct their own opinions and to make choices. As such pluralism is reinforced. A problem, however, results from the huge amount of available information, since the users need to sort it, by establishing criteria on interest, relevance, reliability and freshness, among others. Public opinion formation and political choices to be made would need to be grounded on reliable information, which may have become more difficult to sort than in the past.

Furthermore, information may also be deliberately inaccurate. The issue of 'fake news' has invaded the debates on democracy and the internet, because those are creating substantial turmoil and hindering, instead of reinforcing, the virtual agora. Besides, depending on the origin and intention of faking, it can be part of broader strategies of counter-information, political instability and sabotage of democracy, as documented in Freedom House's index on internet freedom. Among other, the index measures manipulation and restriction of contents in terms of: the filtering and blocking of websites; censorship and self-censorship; manipulation of content; and the usage of digital media for social and political activism [11]. The V-Dem Institute [12] also presents relevant information on how governments and foreign governments disseminate false information on the internet.

The fact that information travels fast and is frequently updated can also weight on the positive side of the balance. Updated versions of previous pieces of information are regularly available. The adoption of a chronological criterion for sorting this type of information is also a simple process, which many people are able to adopt. However, because information is rapidly produced and rapidly consumed, it is quite often ephemeral and superficial. On-line mass media, for instance, may rush to provide their readers with the latest news without properly checking their sources and contents. Even worse, the flood of informal information exchanged across the network has no guaranteed accuracy. Furthermore, the dividing line between facts and opinions is often blurred, which may reinforce unfiltered adhesion or rejection of ideas, political standpoints and policy options [13, 14].

The Users

One of the major changes introduced in the public space by the internet is a shift in the origin of the information. No longer is this about reading or discussing together information originating from the conventional mass media, within their conventional mediation role between the people and political power. The overall layout of political communication has become a lot more complex.

First, the citizen, traditionally the receiver, moved central stage as also a sender and a producer of information himself. The success of social networks, or of blogging, for instance, testifies to this fact. Authorship is therefore much broader than in the past, but is also, often, rather undetermined, because there is a lot of word-of-mouth and storytelling running on the internet, with poorly or not even checked

sources. Deliberate and unintended mistakes also occur in this process. As a positive feature for the public sphere, the whole process has broadened public debate and has democratised opportunities of participation as never before. Yet, it remains for the citizen to progressively develop the necessary skills for assessing the quality of the information he reaches and diffuses, something that implies digital literacy but goes beyond it, into the fields of political culture and overall educational levels [15]. This idea is conceptually developed under the 'information literacy' label [16].

Second, the conventional mass media are also challenged by this major shift in the paradigm of political communication. They have had to adapt from the point of view of infrastructures (e.g. moving from paper to electronic supports), contents and style. Unlike the common citizens, they are under professional deontology rules, which urge them to check sources and to provide reliable information. Yet, they are also in the market of mass communication, where competition mounted in recent years, namely due to the aforementioned outsiders, a herd of amateurs that suddenly entered the media world in an informal but pervasive way. Major adaptation has therefore come along with the new technological environment and requires from the media enhanced capacities at the technical, professional and financial levels [13, 14].

Third, political institutional actors also discovered a non-mediated (or less-mediated) way to address the citizens. Amongst pressures for transparency in and accountability of the political processes, in political campaigns leading to elections or in public discourse backing major political decisions, politicians now have at their disposal the same tools that the citizens keep handy at home, or in their pockets. The process is tempting because it enables 'direct' communication, the stepping down from formal communication, press conferences and affected speeches, to 'tweets' and 'posts', in a familiar, abridged and often emotional language. The challenge is also enormous for advisory communication offices having to react ex-post facto to political utterances [17].

Political institutions also benefit a lot from these new tools of communication for purposes of transparency and accountability. Meetings (parliamentary, working groups, commissions, etcetera) broadcast live and directly made public via the internet, documents (official journals, reports, working documents, procurement procedures) published online, surveys and consultation procedures available on websites, all became common practice of governments and other organisations.

However, the same infrastructures of communication also serve populist purposes, in that they create the conditions to amplify demagogic discourses, which can in turn be fed by a more accurate perception of on-going online popular debates. From digital interference in elections to the manipulation of social media, many politicians and regimes are being accused of foul play on the internet, and a drift towards 'illiberalism' and 'digital authoritarianism' is pointed out by international research [11, 12].

Last but not the least, the interaction in between these three elements—citizens, government and the media—is more intense and more intricate than ever. Communication is not unidirectional it is multilateral and complex, but has substantially fostered the possibilities for intense interaction between the represented and the representatives. Furthermore, patterns of participatory and deliberative democracy

are reinforced with reference to the possibility of using this vast array of new tools, and contribute to relaunching debates on types of democracy and the quality of democracy. Horizontal and transnational communication is also substantially reinforced. Peer to peer communication between citizens and in spite of borders continuously happens, thus creating conditions for a transnational public sphere to emerge gradually. As a whole, the layout of communication is so complex that it requires innovation in governance too.

Governance

Internet governance for the purposes of managing a virtual public space on to which many democratic processes were transferred is a complex issue, given the intricate nature of its structure. Unlike conventional state-society relations where the vertical metaphor of political power applies and thus upwards and downwards movements can be identified, the internet structure is largely horizontal, transnational, decentralised and even non-hierarchical, hence escaping conventional power structures.

States naturally attempt to create management tools, from controlling the provision of infrastructures to managing contents and regulating the use. The regulatory practices are not necessarily undemocratic, quite on the contrary, they may relate to attempts to broaden access, or to protect rights threatened by illegal uses of the internet or to fight criminal behaviour (eg. privacy laws; fighting child pornography). However, a substantial number of provisions in several countries in the world were deliberately created for imposing limits to internet freedom [11]. A virtual and unbound 'territory' as the internet easily escapes conventional judicial control, and thus calls for further action, also at the international level, as expressed in the many international and regional instruments in place [18].

The international legal framework and actual capacity for managing the internet, with a view to protecting citizens' rights and democratic principles is nevertheless insufficient and flawed, as much research provides evidence of. Hindrances to basic freedoms emerge from these flaws. Freedom House, for instance regularly identifies violations of users rights such as restrictions on online activity, surveillance, legal prosecution, imprisonment, physical attacks and other forms of harassment [11]. UNESCO [19] also developed a comprehensive set of indicators on 'Internet universality', based on the following four 'R-O-A-M' principles, in which R stands for 'Rights', O for 'Open', A for 'Accessible to all' and M for 'Multistakeholder participation'. Under the Rights category, UNESCO measures: the overall policy, legal and regulatory framework for human rights and their relation to the internet; freedom of expression; the right to access information; freedom of association; rights to participate in public life; the right to privacy; and economic, social and cultural rights [19].

Freedom on the internet thus became yet another dimension of freedom and bears a major connection with the democratic functioning of political regimes. The fact itself is evidence of how the internet became so pervasive an element of the public sphere.

Final Remarks

Despite all difficulties emerging from the use of the internet as a public space—and some of them quite challenging, as are fake news, electoral interference or censorship—the fact that a powerful tool of information and communication entered the setting of democracies cannot be ignored, in its potential for fostering democracy.

Major challenges lie with the citizens, whose digital literacy needs to go beyond technical skills, into deep and critical analysis of the contents they access. Major challenges lie also with the mass media, which need to keep up to their task of informing, with quality and in an ethical manner. Last but not the least, a major challenge is for the politicians to be able to protect basic freedoms—among which internet freedom has won a place—in order to guarantee that misuses of the internet do not hinder its immense democratic potential. Internationally, it is also for organisations other than the states to stand for regulatory frameworks that foster the safe and ethical use of the internet. This way, it can become a plus for consolidated democracies and an opportunity for the democratisation of regimes in transition. The qualitative change the internet brought to democracies is basically the opening up of the public space into an expanded virtual agora. Critical citizens and reliable politicians are not an outcome of the internet, because the internet is only their instrument, not their master.

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