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Civil Society and the Global Market for Loyalties

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Abstract
My purpose in this chapter is to suggest a particular mode of thinking about media and global civil society: ways in which major groups that seek to mould opinion around the world interact with each other, with states and corporations, with domestic regulatory systems and with international organisations and structures. I start with an approach I developed in a book called Television, The Public Sphere, and National Identity (Price 1995) and expanded in Media and Sovereignty: The Global Information Revolution and its Challenge to State Power (Price 2002). There I described the existence of a ‘market for loyalties’, in which large-scale competitors for power, in a shuffle for allegiances, often use the regulation of communications to organise a cartel of imagery and identity among themselves. In the retrospectively simple state centred version of a market for loyalties, government is usually not only the mechanism that allows the cartel to operate, but is often part of the cartel itself. Management of the market yields the mix of ideas and narratives employed by a dominant group or coalition to maintain power. For fulfilling that process - or attempting to do so - control over participation in the market has been, for many countries, a condition of political stability.

Keywords
civil society, globalisation, communications technology, regulation

Disciplines
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CHAPTER 3

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Monroe E Price

Introduction
My purpose in this chapter is to suggest a particular mode of thinking about media and global civil society: ways in which major groups that seek to mould opinion around the world interact with each other, with states and corporations, with domestic regulatory systems and with international organisations and structures. I start with an approach I developed in a book called Television, the Public Sphere, and National Identity (Price 1995) and expanded in Media and Sovereignty: The Global Information Revolution and its Challenge to State Power (Price 2002). There I described the existence of a 'market for loyalties', in which large-scale competitors for power, in a shuffle for allegiances, often use the regulation of communications to organise a cartel of imagery and identity among themselves. In the retrospectively simple state-centred version of a market for loyalties, government is usually not only the mechanism that allows the cartel to operate, but is often part of the cartel itself. Management of the market yields the mix of ideas and narratives employed by a dominant group or coalition to maintain power. For fulfilling that process – or attempting to do so – control over participation in the market has been, for many countries, a condition of political stability.

Some version of this market, I contended, has existed everywhere and at all times. What differs in today's market is the range of participants, the scope of boundaries of relevant markets and the limitations on the regulatory bodies capable of establishing and enforcing rules for participation and exclusion. The question for this chapter is how to define a global version of such a market and the role of civil society players within it. Put differently, one may ask how a new array of global voices and forces seeks to arrange or manipulate law and technology so that their messages can reach target audiences and have a competitive edge.

Behind all this lies a significant factor that enables civil society to be 'global', indeed, may force it to be global: the changing nature of communications technology and practice. Transformation in communications technologies has always had implications for organisational strategies in the sale and consumption of goods, in the political process and finally in the large-scale formation of public attitudes. Changes in strategy are intensified when technology shifts are combined with large political upheavals, altered demographies and changed concepts of law. Satellites, the Internet and other methods of exploiting new production and distribution technologies are exactly the phenomena that undermine old cartels and are the predicate for forming new ones. Brands become global, films are conceived in a worldwide market, banks become massive and transnational, religions think of multi-state markets, nations see themselves in global competition for hearts and minds and even museums think widely across boundaries. Many groups – the International Committee to Ban Landmines and Falun Gong are examples that demonstrate the wide spectrum – increasingly have a global focus because they realise that a widely distributed consensus, among elites or among broader segments of society, is often essential for their growth and success.

All these actors in the global theatre, if they wish to deepen or expand allegiances, must determine how best to gain access to markets and how to have sufficient entry to exploit the shifts in communications technologies and policies that are taking place. Media globalisation and the accompanying growth of new information technologies shake up access to the political cartel by eroding existing barriers to entry. At the same time, these changes can yield a crisis of domestic law and policy, especially if the new entrants (or entrants who have been long repressed) present threats to control, stability, territorial integrity and national identity.

In this construct of a market for loyalties, the 'sellers' are all those for whom myths and dreams and history can somehow be converted into power and wealth – classically, states, governments, interest
groups, businesses and others. Increasingly and especially as the platform expands to the global, these include organised elements of civil society – transnational groups that exist outside the boundaries of a state but use new marketing mechanisms to enter existing but restricted domestic markets. Organisations of various political and ideological stripes fit into this definition. Environmental and humanitarian organisations, supporters and opponents of gun control, advocates of particular religions or ideologies, foundations committed to shifts in the availability and circulation of medicines: all these and more seek to extend their global reach and to transcend existing legal and technological restraints that limit their ability to reach potential audiences. These groups compete not only with traditional domestic sellers, such as political parties, but also with other experienced and talented purveyors of loyalties, including the civil society and interest groups already mentioned, as well as companies that, through traditional advertising and more subtle forms of persuasion, seek to reinforce the rising tide of commercialisation and consumption.

The ‘buyers’ are the citizens, subjects, nationals and consumers – recipients of the packages of information, propaganda, advertisements, drama and news propounded by the media. The consumer pays for one set of identities or another in several ways, including with their attention (an increasingly valuable commodity) and with other modes that are attributes of loyalty or citizenship. Payment, however, is not expressed in the ordinary coin of the realm: it includes not only compliance with tax obligations, but also obedience to laws, readiness to fight in the armed services, intensity of dedication to a particular cause and even continued residence within the country. Buyers also pay with their own sense of identity [Price 1994: 667-70]. In a globalised world these buyers are still often locked within a specific state, even as their available group of suppliers are transnational (and increasingly, as the power to produce and impart information is democratised, buyers also have roles as sellers).

**Pricing open the state-centered market**

It is easiest to understand the functioning of such a market for loyalties in the traditional context of a single state. One can make the general claim that much domestic broadcast regulation is an effort in a society to maintain or adjust the distribution of power among those who are dominant, with due recognition for subsidiary groups. In a state, re-regulation, or the incentive to change media law and policy, occurs when the cartel of political allegiances can no longer maintain its position of civil dominance. This may seem like a churlish description, especially of societies that pride themselves on free and open markets – the liberal ideal of a marketplace of ideas. But even in such societies, the process of opening and closing reflects ideas of dominance.

A contemporary example of this phenomenon is the slow rate of diffusion in the US of Al-Jazeera English (the counterpart to the original Al-Jazeera channel), which was launched in November 2006. Although the
broadcaster is, strictly speaking, not a civil society organisation, it is a platform for those, including civil society players, who seek to influence political attitudes and shape public opinion. In the US Al-Jazeera English has encountered enormous difficulty in being carried by cable providers, and is currently only available through satellite TV and the Internet. In Canada, the 2004 Canadian Radio-television and Telecommunications Commission (CRTC) ruling that approved the carriage of the Arabic-language Al-Jazeera placed onerous and exceptional conditions on the privilege of cable television systems to carry it (CRTC 2004). A market for loyalties analysis would ask what formal and informal efforts restricted pathways open to such a channel.

An older example dealing with a domestic seller in the market of loyalties and the question of access to mainstream television channels, is also suggestive. In 1970, the civil society organisation, Business Executives' Move for Vietnam Peace, complained to the Federal Communications Commission (FCC) that the broadcaster CBS had refused it the right to buy time to broadcast spot announcements expressing the group's views on Vietnam. The FCC ruled that a broadcaster was free to refuse all 'issue' advertising. An intermediate court reversed this decision, saying that 'a flat ban on paid public issue announcements is in violation of the First Amendment, at least when other sorts of paid announcements are accepted' (Columbia Broadcasting System v. Democratic National Committee 1973). The court remanded the causes to the FCC to develop regulations governing which, and how many, editorial advertisements could be aired. In a 1973 decision, however, the Supreme Court upheld CBS, ruling that an American broadcaster was not a 'common carrier' that had to accept messages that were the equivalent of paid editorial advertisements (Columbia Broadcasting System v. Democratic National Committee 1973). This decision maintained an institutional status quo that limited entry, and characterised an era of scarce channels and tight gatekeepers - a model that has far from disappeared.

Because every state provides a different, almost idiosyncratic model of the market for loyalties and different rules of access for new entrants, a comparative study is useful. Some countries, in their baseline approaches, have had highly organised plural approaches. The Netherlands and Lebanon are examples. In the Netherlands, a complex but aesthetically fascinating system built on pillarisation in society, including separate, publicly financed schools for those of different religious commitments. Radio, then television followed with separate producing organisations and public allocations of time for specific religious and social entities (Catholic, Protestant, social democratic and others). Shares of time on channels were allocated according to a complex formula and many were quite explicitly excluded. Belgium has a similar system.

In Lebanon, chaos and relatively free entry into the media sphere, characteristic of the civil war period, ended with a pacted agreement that allocated television channels (and the principal political offices in the land) on the basis of 'confessions' or plural power groupings (Maronite Christian, Sunni and Shiite Muslim) that still persists. Totalitarian societies have exercised near monopolies in the market for loyalties with calibrated modes of barring entry for any competing voice.

In states with a significant and autonomous public service broadcaster, the nature of access for elements of civil society has been different. Public service broadcasters have been more likely to seek out the viewpoints of civil society groups (though as monopolies, and because of their historic relationship to national power structures and their political sensitivities, they are hardly providing open access, or access available to all). In some states, public service broadcasting has sought a structured voice for civil society groups, sometimes through quota representation on the staff or in programming, and
sometimes through representation on a governing board, both forms of political pluralism. Because of these and other differences, variously constructed markets for loyalties have offered more or fewer opportunities for elements of civil society to enter and compete. Dominant players are always interested in preserving their share in the allegiances of audiences and citizens. Even where, as in the Netherlands, the voices heard and positions represented were finely calibrated and broadly inclusive, limitations and exclusions existed. A pillarised society that organised schools, media and other public goods along plural lines had to have a method for determining which entities would have entitlements and which would not. Rules and structures always provided a barrier to entry (see Humphries 1996). And these barriers have a tendency to collapse when, as in the case of the Netherlands, technologies of transmission made a mockery of restrictions. It is stating the obvious to note that where forces of preservation are in conflict with forces of transformation:

potential changes in power and control over the established electronic media – either as a result of new media or as a result of changes in the world surrounding the media – do lead to initiatives in favour of keeping the old pattern as well as to initiatives in favour of new patterns of power and control. (McQuail and Siune 1986: 16)

Finding new ways to engage audiences
When we shift from a focus on the state to the transnational, the question of how civil society engages with domestic and international systems emerges more clearly. We must ask how access to previously excluded spaces is achieved by global civil society organisations and movements. Specifically, what do these groups do, in fact, to break cartels or otherwise increase their capacity to be effective, and how do states and cartels respond? Put differently, how do such groups invoke laws (even if not authoring them), deploy useful new technologies (even if not controlling them) and muster force (even if it is outside their direct capacity)?

It is relevant that the market for allegiances is not a zero sum game. The buyer can absorb many loyalties with differing intensities. He or she can be loyal to the King, increasingly believe in democratic values, be a devout Muslim, wear blue jeans and love consumer culture. The issue here is not how the messages are received and gain adherence, but rather what steps are taken so that audiences have access. Guobin Yang, using Margaret Keck and Kathryn Sikkink’s analysis (Keck and Sikkink 1998), argues, ‘in information politics, advocacy networks generate politically usable information and move it to where it will have the most impact’ (Yang 2006). It is that effort to shift and achieve platforms for usable information that is the essence of the growth at the global level of this competition by civil society organisations.

In a globalised media world, efforts to gain access intensify as competition emerges among those who supply different ideologies or ideas, such as environmental groups and contrarily-minded industrial interests, or groups that have competing notions of economic justice, religious beliefs (Huntington 1993) or the use of small weapons (see Bob in Chapter 10 of this volume). From a perspective of control over competing ideologies, the rush for various states to have a satellite channel presence is evidence of this competition.

Invoking international norms, overcoming barriers
Laws are made at the national level, but norms and pressures increasingly come from the global. Tacit or
More recent, transnational 'neutral' intermediaries include Article 19, Reporters sans frontiers and the Global Internet Policy Initiative. International media development efforts frequently focus on developing the infrastructure - including technical capacity such as computers, websites and transmitters, as well as business structure - that will allow entry by global civil society and the increased dissemination of content. These efforts often rely on government funding for such work (Price et al. 2002).

As civil society groups think more and more about how globalisation affects their speech-related needs, they support changes in the infrastructure of communications that permit greater ease of multisite access. Intermediaries begin to foster and advocate, often under neutral auspices, policy structures that permit global advocates to be more effective in achieving their goals. Obviously, the new sellers favour a multichannel universe, one that expands the numbers of platforms locally because of altered technologies (such as satellite to home and satellite to cable). Over time, and accelerating with the arrival of satellite broadcasting, new technologies empower transnational sellers in the market for loyalties to reach domestic buyers. The globalisation of the media alters the locus and operation of the market for loyalties. Openness is expanded: old vehicles become more attuned to the opportunities available to the transnationalised civil society players and new vehicles are created to deliver a broader message. From a Western standpoint, the expansion of the BBC World Service, the support of BBC Online, the entry of France 24 and new uses of digital public broadcasting channels in Europe and globally are examples of such new entrants as vehicles for delivery. But channels to reach diasporic communities in Europe count here as well. These vehicles complicate the task of domestic gatekeepers and

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challenge government controls on the gatekeeper. Entities outside the state, such as multinational corporations, other states and identity-related groups, also participate in the market for loyalties when they advocate the use of technology or the adoption of international norms that would facilitate or require the expansion of members in the cartel of ideological or identity presenters. An example of this is the Kurdish diaspora’s efforts to pressure Turkey for increased respect for human rights and the protection of minorities through the EU as a condition of its accession the EU (Eccarius-Kelly 2002; European Commission 2005).

**Pressures for unimpeded access**

Civil society groups see themselves as committed to liberalising access and expanding the number of players in the market for loyalties. Except in specific instances (‘hate speech’ is discussed below), they do not perceive the need for a legal framework in which they can help to exclude competitors. For that reason (among others) an important technique for breaking cartels of sellers in the market for loyalties and allowing space for new voices comes through pressure for the strengthening of international free speech norms, such as the Universal Declaration of Human Rights’ Article 19. Civil society groups benefit from a global infrastructure that allows broader, less impeded dissemination of their messages, and access to important domestic platforms.

Without question, implanting free speech norms benefits a new cohort or those who have learned to take advantage of the altered legal and technological circumstances, as well as citizens promising (and perhaps delivering) access to a variety of information sources that constitutes enhancing the ‘right to receive’. By the same token, such norms provide opportunities for those disparate, dissenting and plural points of view from outside to have clearer opportunities to influence opinion (the ‘right to impart’). As part of this, global civil society groups promote a legal regime that compels the opening of media systems. Put simply, they do so on the proper belief that a more open system makes their voice more likely to be heard (Blanchard 1986). Take the global campaign of the great, prototypically global, civil society organisation, Article 19 [established to advance the Article of the Universal Declaration of Human Rights]. Article 19’s campaign is supported by global civil society advocates who hope for legal frameworks that would be more sanguine for their capacity to persuade.

**Inventing new platforms**

But reliance on law is cumbersome. Legal norms must set clear and enforceable limits on the restrictive actions of gatekeepers and enforceability must be effective. Devices in which civil society players have unmediated access have more appeal to these new entrants than does reliance on law. The use of direct mail efforts (in societies where mail is an inexpensive and unmonitored form of message delivery) is an example. And in the Internet world the capacity to establish a website, to enter chat rooms and to develop a presence on newly created platforms, provides another method of relatively (in many societies and, at least, for the moment) unmediated access. The increased number of satellite channels serves to expand opportunities, but the capacity of cable operators to select (where signals are so redistributed) means that there are gatekeepers who can pick and choose partly based on message.

In their relentless search for unmediated modes of delivering information and persuading audiences, global civil society builds new and powerful platforms to disseminate its messages. Woodstock was an early emblem of this mode, which was linked to global civil society by Sir Bob Geldof and Live Aid (and continued with Live 8). The event itself can become a medium: its link to celebrity is the means of circumventing the
normal obstacles to entry. The notoriety of the event becomes an argument, often compelling, for the message [embodied in the event] to be transmitted through traditional media outlets. Alternate modes of distribution, such as documentary film festivals, are another part of the armament for civil society groups seeking to more effectively enter the global market for loyalties. Here the work of Sundance Film Festival and the Sundance Institute in highlighting films that address global social issues should be noted.

**Hijacking platforms and piggy-backing**

In addition to creating new platforms, global civil society can appropriate existing platforms [the larger the platform, the more appealing] and turn the message from that of its sponsors to those of the global civil society groups. Daniel Dayan, co-author with Elihu Katz of *Media Events* (Dayan and Katz 1992), has called this a 'hijacking' of a platform. The 1999 World Ministerial Conference of the World Trade Organization was the hallmark recent event, exemplifying at least a piggy-backing on a platform created for one general narrative to convey yet another. Embedded in this idea are a variety of notions: that platforms [or certain platforms] provide opportunities for exposure, that there is some accepted narrative [even if this is illusionary] that is being crowded out or violated, and that it is possible to tell, sometimes in advance of the event, who the contenders are for the hijacking process.

The Olympic Games, and in particular the 2008 Olympics, are an important example of this phenomenon, offering opportunities for alliances among disparate groups that make up global civil society to alter allegiances. China is using the Games to influence public opinion at home and abroad; at the same time, environmental and human rights groups, both inside China and internationally, are using the occasion to alter this official representation [and, as a result, policies in China].

The Olympics offers opportunities to raise the profile of human rights and other groups concerned with China. With the raised profile come new opportunities to bring leverage to bear - Olympic boycotts at one extreme. Because of the platform, the Games provide an opportunity to characterise, to create representations and to alter the pressure points of global public opinion and the global public sphere [see Box 5.1 in Chapter 5 of this volume]. One dramatic example of this was an effort to 'shame' China into altering its UN Security Council position on UN troops for Darfur by raising the specter of labelling 2008 the 'Genocide Olympics'. A powerful Open Letter by Eric Reeves, a professor at Smith College and Sudan activist, set the tone:

It's time, now, to begin shaming China – demanding that if the Beijing government is going to host the premier international event, the Summer Olympic Games of 2008, they must be responsible international partners. China's slogan for these Olympic Games - 'One world, one dream' - is a ghastly irony, given
Beijing’s complicity in the Darfur genocide (see the website for China’s hosting of the Olympic Games at http://www.olympic.org/uk/games/beijing/index_uk.asp). The Chinese leadership must understand that if they refuse to use their unrivaled political, economic, and diplomatic leverage with Khartoum to secure access for the force authorized under UN Security Council Resolution 1706, then they will face an extremely vigorous, unrelenting, and omnipresent campaign to shame them over this refusal. [Reeves 2007]

Hollywood soon joined the pressure campaign. After urging from Mia Farrow, Steven Spielberg, who is serving an artistic advisor for the Games, wrote a letter to President Hu Jintao in April, urging him to use China’s influence constructively. The following week there was some movement in China’s policy, with a Chinese official visiting Sudan to press the government to accept a UN peacekeeping force [Cooper 2007].

Such versatility and experimentation become necessary qualities for global civil society as it copes with media transformations. To innovate effectively and circumvent existing barriers to entry in the market for loyalties, global civil society must creatively use new communications technologies, as well as heritage technologies. Audio-cassettes provided a means of entry for unpopular ideas to an otherwise closed market in Iran. An analysis by Ian Liston-Smith for BBC Monitoring [Liston-Smith 2006] addresses modes by which, in Africa, the introduction of mobile phone networks suggested new possibilities for receiving news unavailable via local media and helping coordinate activism by human rights and social justice organisations. SW Radio Africa employed mobile phone text messaging to overcome the blockage of news by the government of Zimbabwe; a station operated by a London-based group of Zimbabwean exiles was routinely jammed by the Zimbabwean authorities but they circumvented the barrier by text service. NGOs also used mobile phones more frequently for delivery of information.

Creating new barriers
Still there are cartels and efforts to limit those who can enter the market. Especially in Europe, governments are establishing rules that govern what channels, suspected of conveying hate speech, can be carried by European-based satellite providers. After the French regulatory agency, the CSA, determined that Al-Manar, the Lebanese Hizbollah satellite channel, should not be transmitted into Europe on Eutelsat (on the grounds that its programming was anti-Semitic), the EU orchestrated an elaborate system of cooperation to decide who would have jurisdiction to exclude channels [EUROPA 2005].

New technologies are also sites for the exercise of state efforts to exclude various proponents in the global civil society arena. Satellite receiver dishes are prohibited or limited in many states because of the government’s inability to control what information transmitted over them comes into the society. For similar reasons, the Internet becomes a site for surveillance and a target of sophisticated blocking or filtering manoeuvres.

Few modern and democratic governments or policy makers would articulate a policy of regulatory reform
saying explicitly that it was designed to keep them and their cohort in power. In contrast, an authoritarian society with a monopoly on information might have less difficulty marrying rhetoric to reality. Threats to the monopoly must be defeated; making that explicit may be part of the ideology of control. In 2000, Ayatollah Ali Khamenei ordered Iran’s reformist parliament to abandon its effort to change the country’s restrictive press laws, stating:

If the enemies infiltrate the press, this will be a big danger to the country’s security and the people’s religious beliefs ... I do not deem it right to keep silent ... The bill is not legitimate and not in the interest of the system and the revolution. [Abdo 2000]

While some states diligently and pervasively seek techniques to limit entry, partly to keep global civil society organisations at bay, not all states have the resources and organised intelligence to do this. One example is ‘failed states’ that lose control over their media space – and their ability to resist external views – as force is exerted against them. This is the case in Afghanistan and Iraq, where the US has used specially equipped military transport plans (Commando Solo) for radio and TV broadcasts [Allen 2003].

Conclusion

It is hardly the case that all developments in the globalising of the media are in the service of civil society. The impulse to allow new entrants into the cartel and to encourage a media that reflects an expanded set of suppliers in the market for loyalties is matched by an impulse to prevent destabilisation. Furthermore, powerful traditional players – states themselves, religious groups, elements concerned with economic issues – sinkingly seek to control entry into the market for loyalties (sometimes seeking to enter, sometimes seeking to block the entry of others).

One result is the domestication of the global broadcasting entities. States may prefer certain global suppliers of news and information because they may be less threatening than homegrown opposition channels. Theodor Adorno and Max Horkheimer (1972) long ago pointed to the political impact of assembly-line, standardised entertainment, arts and education. They recognised that a vast industrialised culture industry could benefit a ruling class by separating the masses from critical perspectives and socialist ideas. Commercialisation may undermine historic cultures, but it is less subversive and, in the short run, less destabilising and therefore more appealing than a market in which civil society messages are effective. A media space filled with commercials is thus often preferable, from the perspective of the status quo, to one crowded with opposing alternate identities, such as stations of Islamic fundamentalists in Egypt, Basque separatists in Spain, or Kurdish nationalists in Turkey. In this sense, in some circumstances, it can benefit the government to allow the gestation and entry of attractive commercial supply material, as the powerful influences exerted by this material may make it more difficult for competing national identities to emerge. In a similar vein, the measured inclusion of transnational civil society actors provides an image of openness and progress, and is not necessarily destabilising.

The world is engaged in a vast re-mapping of the relationship of the state to images, messages, and information within its boundaries. National governments, international agencies, multinational corporations, human rights organisations and individuals are involved in this process. All is under construction, yielding a thorough shaking and remodelling of communications systems. Global civil society, along with other actors, tests new and modified techniques aimed at shaping and regulating, if not mastering, the market for speech and allegiances while using or responding to forces that seem to undercut traditional patterns of sovereignty.

As imagery becomes a supplement to or substitute for force, the way media structures are shaped becomes a matter of multilateral and international concern. Global civil society has a stake in the ease of reception of messages around the world: this is why international speech norms are so much a part of their agendas. Pressure to affect public opinion regardless of boundary has always been a preoccupation of those holding or seeking power [Fejes 1986; Nordenstreng and Schiller 1993; Fisher 1987; Frederick 1986]. In these ways, the international media environment in which global civil society must act is an increasingly interdependent site for the development and application of formal and informal rules that shape common narratives. In this space ideologies compete and groups forge allegiances that ultimately help shape public opinion and determine
the course and very persistence of governments and nations themselves. Those involved in the competition for power and particular outcomes learn to exploit the interplay between conflict, instability and ideology.

In all of this, there is a shift away from the singularly inward forms of state control to outward-looking, regional or multilateral approaches, and away from law and regulation toward negotiation and agreement. The tentacles of influence by one state over the media of another are hardly new, but the process of interaction through treaty or agreement on the flow of ideas, information and sheer data, is every day intensifying. In times of conflict, bombs now supplement more traditional forms of propaganda and new modes of surveillance are enabled by sophisticated software. How states respond to the new media environment influences the profile and the capacities of global civil society. At the same time, state response is in some part a function of the actions of global civil society. One aspect of what makes civil society global is the accumulated set of understandings and the taxonomy of responsiveness to these roiling forces in media production and distribution.