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Moving the Needle, Filling the Streets

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Governments rise and fall, strengthen and weaken, in part because of their control of information flows. Militaries shift their attention increasingly to the impact of the media on their missions. Corporations prosper and blossom or are destroyed and wither depending on their mastery of the changed information technologies.¹ Civil society follows suit. New modes of affecting opinion, mobilizing populations and extending influence are developed, tested and measured for effectiveness. This race for new means for reaching populations – and the rise of new modes for assessing, influencing and regulating persuasion – becomes a massive exercise in what one might call “the new strategic communication,” one that is persuasive and encompasses disruptive technologies for reception and pervasive technologies for surveillance. We have always had strategic communication. But the combination of new technologies, new tools of surveillance and new techniques for analysis of ever more available data raises the consequences and possibilities of strategic communication to new levels. And the structure, ubiquity and potency of strategic communication accentuate concerns about the relevance of existing norms and institutions, the existing underpinnings and foundations for thinking about freedom of expression.

In a world of totalizing capacities to collect and analyze data, old views of what constitutes “autonomy” or what constitutes privacy have a quaint, reality-denying, archaic quality. The president of Brazil, in an immediate reaction to disclosures that conversations among her government officials or national leaders in Latin America were monitored, called for a redesign of the Internet to prevent key messages from necessarily being transported through servers under U.S. jurisdiction. The recognition seemed palpable that an

¹ See Harold Innis’s magisterial work, *Empire and Communications* (Toronto: University of Toronto Press, 1950).

observed society, whether observed by one's own government or a foreign one, will behave and speak differently from one that is unmonitored.

It is not just shifts in data collection and use that undergird or explain a new strategic communication environment. Cross-border efforts to persuade intensify. Two brothers in Boston wreaked havoc in 2013 using basic Internet-received knowledge to create homemade bombs. An immediate question was whether they were influenced by forces outside American borders; what was the role of an Imam in Yemen or of Salafist cells in Dagestan? Borders became significant markers for fathoming the depth of what occurred. And remedially, the issue was what mix of ideas, what pathways of education, what surveillance of speech would be necessary to prevent similar events from occurring in the future. There was nothing new in a distant group of dissidents reaching across boundaries to locate new recruits. Still, the wars of the twenty-first century seemed to be reshaping these efforts and certainly deploying new technologies in the process. The Boston Marathon bombing reinforced the high demand for intelligence information for preventative purposes in the post-9/11 world. Concern for general limits on government power were accompanied by a wish that benign governments would master information flows as a way of reducing risk. Events like these have intensified inquiry into patterns of discourse and efforts to understand how individuals and groups reach across swaths of physical and emotional terrain to dislocate violently the status quo.

The sense of disruption, of course, is not only about borders. Authorities fret about the gaps in their hold on quickly changing realities in processes of mobilization and disruption. In August 2011, British Prime Minister David Cameron momentarily called for consideration of special and sweeping powers in angry response to riots and looting in the streets of London. These involved new regulations to prevent the use of social media to encourage criminal behavior and endanger the social order. Cameron spoke of rules that would give government authority, in extreme circumstances, to shut down social networks locally or nationally.² Reactions to Cameron's remarks were harsh. What Cameron sought, critics around the world proclaimed, were just the kind of free-expression-threatening actions that were used that year by Mubarak,³ Assad,⁴ and

² See "London Riots 2011: David Cameron's Speech to Parliament," *International Business Times*, August 11, 2011.

³ See, for instance, Joshua Hersh, "Egyptian Activists See Hypocrisy In BART Shutdown, London Riots," *The Huffington Post*, August 16, 2011.

⁴ See, for instance, Marta Cooper, "Reaction to Cameron's Plans for Social Media Crackdown," *Free Speech Blog, Index on Censorship*, August 11, 2011.

their authoritarian ilk.⁵ Questions were raised, as well, as to whether Britain, or any other state, could enforce any such law, underscoring the breadth of new challenges to state management of a demanding and complex information environment.⁶

The substantial changes in technologies, geopolitics and the flows of information necessitate a wholesale reevaluation of the way in which states might think about their powers and their role. States (and other powerful entities in society) might rhetorically embrace a world of transparency while simultaneously seeking, if they can, to master the new environment, turning new technologies to their advantage. States experiment with ways to “move the needle” of public opinion among targeted populations utilizing advanced tools of communication and integrate the consequences in their theories of speech and conduct. Understanding the transformed spheres of communication in the modern world also requires appreciation of the expanding application of international human rights norms. The heroic efforts, particularly in the post–World War II era, to create a coherent body of human rights and a set of institutions that would support these rights included, of course, international norms of free expression. It is a commonplace, and a comfortable one, that principles of free expression form the bedrock of Western society and, aspirationally, of the world at large. But challenges exist as to the meaning of these principles and how they are adapted in places that have very different cultures, very different organizations of the state and very different ideas of the individual in society. Indeed, describing them as “principles” seems to place them above the area of ordinary debate, yet they are both hard won and always and everywhere delicate. The very assertions that advocates of free expression take for granted – that is, the interpretation of norms, such as Article 19 of the International Covenant on Civil and Political Rights (ICCPR) – remain subject to extensive debate in courts and in legislatures.

Max Weber famously observed that a necessary condition of being a state is that it has a monopoly on the legitimate use of violence.⁷ In the twenty-first

⁵ See, for instance, Jillian C. York, “Democracies Learn from Mubarak’s Example,” *Al Jazeera*, August 18, 2011. See also Uri Friedman, “Twitter Braces for U.K. Censorship Following the Riots,” *The Atlantic Wire*, August 11, 2011.

⁶ See Omar El Akkad, “Britain’s Musings of Social-Media Ban Fraught with Technical Difficulty,” *Globe and Mail*, August 11, 2011.

⁷ Max Weber, “Politics as a Vocation” (Munich: Duncker and Humboldt, 1919). This idea is also examined in Max Weber, *Economy and Society* (Berkeley: University of California Press, 1922). For a more recent exploration, see Hannes Wimmer, “The State’s Monopoly on Legitimate Violence. Violence in History and in Contemporary World Society as Challenges to the State” (paper presented at Transformations of Statehood from a European Perspective, Austrian Academy of Sciences Vienna, January 23–25, 2003), <http://homepage.univie.ac.at/johann.wimmer/Wimmer-AkadWiss.pdf>.

century, the Weberian formula is in the process of being amended. The argument will be more frequently made that for a state to be a state, even a democratic state, it must have greater sway over the legitimate use of information. This is an idea so apparently inconsistent with existing notions of global press norms and human rights that I want to qualify it immediately. As with Weber's idea of the monopoly on the use of violence, the state's command over information can be delegated. As with the monopoly on the use of violence, it can be bargained away by treaty or agreement. Many states that deem themselves to be democratic have, over centuries, engaged in this process, bargaining their power over information or limiting it by law or constitution or treaty. But what is implicit in this argument is that a state will seek to recover elements of its monopoly over violence that it has delegated, bargained away or lost through other means. Perhaps the same is true with respect to speech and the state's recuperative impulse.⁸

States – for good and for ill – are the mode for organizing national defense and national security. They are structures that define, enshrine and protect the political system evolved within their borders. They are the imperfect backstop for language and culture. They referee national identity. States are the vessels for what may be a vanishing commodity: notions of citizenship and loyalty. I list these characteristics because all of them depend on systems of information and the flow of images – systems that have a profound impact on how a state functions and performs for its citizenry. Access to information and internal modes of freedom of expression to provide for accountability become crucial elements of conceptualizing the state and systems of information within it. These are merely part of an overall system that incorporates the architecture, uses and deployment of speech and expression.

Transnational strategic communication coupled with new technologies challenges these capacities, rendering problematic any neat summary of speech, regulation and the state. Let me refine my Weberian suggestion. The point is not that a state ought in principle to have management capability over information flows. Rather, it is that major elements of such management are inevitable – and their scope somewhat locally determined. Put differently, in the constitutionally circumscribed areas where a government justifiably (and consistent with carefully restrictive international norms) has a proper role to play, it should have the implied capability of doing so, including through

⁸ Harold Innis developed the related concept of a “monopoly of knowledge” to describe how institutions (e.g., the clergy, scribes, guilds, merchants, etc.) were able to secure power through control over or unique mastery of communication and information. See, especially, Harold Innis, *Empire and Communications* (Toronto: University of Toronto Press, 1950), and Harold Innis, *The Bias of Communication* (Toronto: University of Toronto Press, 1951).

managing technical challenges.⁹ The new strategic communication capabilities often imply a search for an infrastructure of speech and society that shifts toward unencumbered speech but recognizes and honors an appropriate role for the state. This formula embraces responses to powerful states that abuse control of information and weaker states where the capacity to function needs buttressing.

ANXIETIES AND FREE EXPRESSION

How should those moved to think about expression in society consider the multiple impacts of the new environment on the rules of speech engagement? How can one freshly evaluate the stake that one state or society has in the media structure of another state or how the flow of information affects human rights and regional and global stability? What new institutions and new approaches will emerge from the current challenges? In struggling with these questions much of free expression jurisprudence will have to be reaffirmed so that its vital basic gifts are maintained. In some significant respects, that jurisprudence is pinned to a classic model of the diffusion of information in which deliberation and democratic processes establish a government that sets the rules (consistent with constitutional imperatives) about speech and its limits within the boundaries of its authority. International norms are an increasingly cited repository for foundational principles, but these norms, despite the huge efforts to ground them in practice, are themselves under scrutiny, the circumstances of their adoption put in question.

The ongoing processes of reexamination and reinforcement of free expression are the consequence of at least two major and disparate anxieties. Every day sees fear by those in power (governments, industry incumbents, long-established religions and others) that new technologies and new developments threaten their dominion. For these entities, particularly governments, the capacity to control information at critical moments becomes a defining element of stability and preservation of power. Disruption is basic to new communications capabilities, and disruption naturally leads to apprehension. And there is a sharply contrasting fear among civil society segments and others: deep anxiety about the future of freedom of expression itself – a haunting and often undeclared pessimism triggered by the feeling that these same potentially liberating technologies, the Internet and social media, have instead ushered in an era of surveillance and formal and informal government

⁹ Austin Sarat, ed., *Sovereignty, Emergency, Legality* (New York: Cambridge University Press, 2010) explores some related questions.

control, with concomitant containment of individual autonomy.¹⁰ These competing anxieties are backdrops for how states, civil society, corporations, religions and other organizations and groups seek to adjust and cope with a dramatically changing set of information-related realities.

Some states have migrated from exercising (often repressively) what seemed like a monopoly over information to being relatively weak in the face of sophisticated media organizations, corporations schooled in the arts of persuasion, a public empowered by information technology and, increasingly, media-savvy insurgent and rebel entities. Governments, rather than shaping their information environment, see themselves increasingly subject to the shaping processes of entities and forces (within and without the state's borders) over which they have little or no control.

These twinned and basic fears were on parade during the dramatic events of what is more nostalgically, ironically and quaintly called the Arab Spring. Events of 2011, 2012 and beyond in Egypt, Tunisia, Syria, Libya and Bahrain provided a new set of extraordinary examples for understanding the relationship of state power to free expression. Governments have been forced to engage with democratic protest or use brutal force to impair mobilization. States have been freshly confronted with the extraordinary strength of words and their combination into narrative – whether generated by social media, popular protests, neighboring polities, religious movements or reform and human rights organizations, domestic and transnational. One reality – and often a real shock across all states – is that at a critical moment the once overbearing state may turn out to be naked and powerless. States that prided themselves on their power to manage domestic narratives and influence international imaginings have found both talents in peril. In the era of WikiLeaks and the Internet, states have become ever more concerned about their ability to protect state secrets that in the past, even under the most restrictive notion of allowances, would have been protectable. In the United Kingdom, an exasperated member of parliament, commenting on social media's undermining of a superinjunction (a judicial order preventing newspapers from mentioning the name of a football player accused of peccadillos or even mentioning the existence of the order), said that Twitter made the “law look an ass.”¹¹ An essay in *The Guardian* made a similar point:

¹⁰ See, for instance, Evgeny Morozov, *The Net Delusion: The Dark Side of Internet Freedom* (New York: PublicAffairs, 2011); Joseph Turow, *The Daily You: How the New Advertising Industry is Defining Your Identity and Your Worth* (New Haven, CT: Yale University Press, 2012).

¹¹ Andrew Soar, “Ryan Giggs Named as Footballer at the Centre of Twitter Privacy Row,” *culture and life*, May 23, 2011.

Twitter may have been credited with helping topple Arab dictatorships. [But] . . . it is naive to assume that it, and other social media, are in essence benign, that their main political function since the Iranian protests of 2009 has been to aid revolutionaries in communication, although it is a point so often glibly made. What is accurate, then, is to see Twitter as an amoral, disruptive force.¹²

The architecture of speech in society is shifting and changing, then, and this intensifies anxieties of loss – loss of perceived past control – as processes of generating and diffusing information are moving into strikingly diverse paths simultaneously. I emphasize the double impact of these phenomena: the seemingly decentralized, disintermediated revolution in patterns of discourse called social media, and the consolidating relationship between information and power that can be called strategic communication. These two developments – each massive in scope – together place in doubt how societies, organized in states, come to think about images, words, power, borders and identity. These two tendencies – exemplified by increased use of social media and strengthened strategic communicators – seem oddly complementary in force and may converge. In its most typical instantiation, social media are deemed bottom up and strategic communication top down. But social media become invaded with power, and civil society becomes engaged in the power orientation of its more frequently strategic competitors. Together they can be cumulative in impact and challenge to the state. Social media – Facebook, Twitter, and the affordances of the Internet – create startling new networks of communication, expanding on person-to-person, person-to-group and group-to-person. The growth of strategic communication – heavily subsidized, usually transnational, engineered and often deceptive – can wreak havoc on traditional ideas of community realization and self-determination (for which speech is a significant element of making vital political decisions). As a result of the growth of social media and the expansion of powerful, cross-border engagements, the standard responses of states and their democratic adaptations are upended.

Speech rights have long been justified and ennobled as signals and aspirations of individualism, autonomy and informed self-determination; now, the tendencies are intensified for information and data flows to be captured by large-scale entities – corporations, states and others, a result contested by efforts to democratize access to knowledge and public rights to information. From a context in which speech, including speech of transnational origin, was

¹² Daniel Sabbagh, “Twitter’s Wild West Brings Politicians into Line,” *The Guardian*, May 23, 2011.

theorized as part of an ever-evolving mix for nurturing national identities, information flows are increasingly seen as overwhelming local cultures and undermining belief systems, thereby subverting traditional loyalties. From a context in which speech and its destabilizing capacity were often managed by all-powerful states, the borderless nature of speech flows now seems to present threats of random violence and conflict.

RETHINKING STRATEGIC COMMUNICATION

Each substantial technological and organizational breakthrough in information flows leads or should lead to revisiting and possible adjustment of the structure of free expression and the responsibility and privileges of the key actors, especially the state. In this book, I present a series of inquiries into global actors and the relationship between their information strategies and geopolitical impacts. The first half attempts to reframe the emerging world of information flows and reformulate the significant role of free expression concepts within it. In Chapter 2, I articulate specific definitions of “strategic communication” and “strategic communicators.” The term “strategic communication,” as it has developed, owes much to military vocabularies and uses, but the kind of interventionist approach that it entails spills over into the broader world of public relations, public diplomacy and intensive marketing. In Chapter 3, I turn to a specific strategic effort: organized advocacy of “narratives of legitimacy” as a way to provide moral and consensual bases for modes of governance. Governments seek to create temporary alliances or use other tools to produce or block such narratives with consequences that affect deployment of military assets, sanctions, preparation of shadow governments and mobilization of populations. Strategic deployment of narratives of legitimacy powerfully affects the success of large-scale multilateral approaches to conflict-ridden events, such as civil war in Syria or protests in Egypt and Libya. These narratives are often *performative*, designed to be effective in a way that ensures change, rather than merely to reflect it. Their target is a group of key actors rather than a mass audience.

An analytic turn is one indicator of what makes a communicator *strategic*. In Chapter 4, I introduce the concept of a “diagnostic” as a mode of analyzing information flows. The more the environment consists of strategic communicators, the more it will depend on increasingly scientific ways of understanding the context that various actors seek to change. In the “Long War against Terror,” an entire industry emerged as an effort to describe how certain ideas filtered into societies and gained adherents. There were already important notions of evaluating the way media may intensify movement to reshape

loyalties, enhance or diminish conflict or exacerbate or reduce deprivation of human rights and genocide. But this process is accelerating. No communications effort of scale and significance can be deemed strategic if it is not sensitive to the particular environment in which the information intervention takes place. No such communications effort can be strategic without an understanding of the increasingly elaborate techniques of competitors. The diagnostic approach outlined here arises from observations in the world of “media assistance” on the one hand and public diplomacy on the other, where fathoming the localized character of information flows is central to designing and implementing meaningful action. But all this is now supplemented by the transformation in gathering and analyzing “big data” to personalize, target and create new assemblages for persuasion.

The systemic efforts by which states attempt to produce and further strategic narratives, and the exploration of the different environments in which strategic communicators operate, emphasize the very different nature of the communicative strategies that all players now face on the ground level. In the last two decades, accentuating a long-existing condition, a number of *asymmetric* contexts of communication have emerged; these provide important clues into the rethinking of strategies of communication. Chapter 5 focuses on these contexts, in which innovation or unorthodox techniques and unethical uses of communications allow the weak or underestimated to threaten the strong and arrogant. These instances of asymmetry strike fear in governing authorities as “men in caves” purportedly do strategic battle with the historically triumphant keepers of Western public relations traditions. Asymmetric strategic players pit destabilizing communication efforts against more conventional approaches. The Internet may lend itself to asymmetric information techniques, both trans-border and local. Furthermore, the insufficiently examined area of shaping and funding circumvention techniques has elements of the asymmetrical. The process of designing, diffusing and encouraging the use of software that avoids state filtering and banning is an outcropping of potentially provocative intrusions on a state’s own management of its narratives of legitimacy.

To emphasize the connection between structure and principle, I turn, in Chapter 6, to “strategic architectures” – large-scale efforts to fix or stabilize the relationship of states and other major players to information flows. These wholesale approaches include active rethinking of communications structures by powerful states so as to maintain control over their own narratives and affect relevant communications systems outside their borders. These are designs not only of government but of the corporate empires for whom communication is key and certainly for the media companies themselves. For those who seek to

ensure a particular narrative – for example, of governmental legitimacy, religious authenticity or the advantages of consumerism – establishing an infrastructure they can control is significant. Globally and nationally, the efforts are many. In recent decades, debates over the means of designing broadcast systems, satellite systems, cable systems and, most recently, the Internet all involve these structural aspects of communications strategies. I use competing visions of Internet structures as an example of an exercise in strategic architectures of communication.

The second part of the book is composed of case studies. This includes inquiries into categories of strategic communicators, actors who work to expand influence and persuasion and manipulate or affect the rules of entry, and inquiries into the interaction among strategic communicators and system architecture (how any particular market is designed and structured). In Chapter 7, I use, as a case study, the perception by Iran (in the pre-Rouhani era) that its value system was being systematically attacked through information strategies of other states, particularly the United States. In this chapter, I explore circumstances in which external interventions are portrayed as “Soft War” as opposed to soft power. Media interventions that contribute – or are thought to contribute – to regime change are a trademark exercise of strategic communication, and their study allows the examination of important issues. This is a specific locus for understanding the key role of states as players in this strategic universe. Concern with information flows is a surrogate, in part, for concerns about general political attitudes in the market to be affected. Here, as advocate and seller in the marketplace, State A uses many tools – propaganda and public diplomacy, cultural outreach efforts and educational exchange, even force – to alter public attitudes in State B, State C and beyond. Chapter 7 also provides strong insight into competing ideas for Internet structure and how these ideas are framed for international discussion.

I do not include a chapter specifically on commercial entities, corporations and businesses as strategic communicators. They are vital players and pioneers, but much has been published about their history and continued role in defining transnational information flows.¹³ They are often the leaders, for better or worse, in readdressing the relationship between sender and recipient, through the extended science of data gathering and analysis. Instead, I include case studies of two other categories of strategic actors: religions and NGOs. Chapter 8 looks at the realm of strategic communication concerning religious

¹³ This has been the case for several decades. For two examples, see Armand Mattelart, *Multinational Corporations and the Control of Culture: The Ideological Apparatuses of Imperialism* (Brighton: Harvester Press, 1979), and Herbert Schiller, *Culture Inc: The Corporate Takeover of Public Expression* (Oxford: Oxford University Press, 1989).

entities. The chapter addresses how, often from outside a state's boundaries, such groups seek to shift the spiritual allegiances of a target population over time. Religions, as historic strategic communicators, use whatever new and old technologies are available. Religions compete with each other and with secular forces so the issues of "substitutability" emerge as well (who competes in what relevant market).

I turn to non-governmental organizations (NGOs) in Chapter 9. NGOs have become more significant players in the world of strategic communication as they seek to affect various publics. In tribute to the effectiveness of these creative entities, some governments (and not just those deemed repressive) dispute their roles in affecting a public sphere or competing to define rights and loyalties. These NGOs are in some ways creatures of modern opportunities. Many exist in a transnational space, but often have very specific localized targets and impacts. They may be less encumbered by local bureaucratic hurdles that impede thinking strategically about their objectives. Yet they are, despite their conveniently idealistic name, often supported by governments because they have this flexibility that may be denied to states themselves. I focus on NGOs involved in "democracy promotion," entities that seek to affect political reform and shape opinion and outcomes regarding media structures, including the structure of the Internet.

Chapter 10 is about an architectural feature of strategic communication that helps us understand competitive strategies. I discuss the concept of *platforms*, bases from which to proclaim and advance a brand, an idea, a film or a national identity. The objective is to show the struggle to seize such platforms as a zone for engagement in power. The platforms that are designed to project one narrative can be hijacked to produce quite a different one. I focus on the Beijing Olympics as a platform and the use of it by a variety of actors, each with its own strategic agenda. The platform (including the need for a platform, the effort to protect who gets to use the platform and the effectiveness of the platform) is fought over by many idea-related advocates. As the Internet becomes a site of immediate and viral platforms, with significant consequences for the debate of issues of public importance, the mode of creating, seizing and maintaining such platforms is important.

In Chapter 11, I look at the behavior of strategic communicators when faced with apertures created by new technologies and the complexities of an informal and uncertain governance structure. The case study is a challenging example – the world of delivery of channels through satellites – a mechanism for distribution that, in the past, has sidestepped sovereignty and sought to avoid content regulation. I have chosen this case study because of the significance of the story to the future of the Internet. It is a study that demonstrates

the painful efforts to adjust or modify governmental inclinations to control new technologies where barriers to entry are low. But it is also an example of the persistence of states, determined to exercise control where needed, to experiment with regulatory alternatives. New modes of regulation become a defensive response to new styles of entry – as was the case with the expanded use of cable distribution of information in a previous decade.

INSTITUTIONAL FOUNDATIONS, THE MARKET
FOR LOYALTIES AND FREE EXPRESSION

Looking at strategic communication through the lens of a “market for loyalties” will help in integrating all these ideas, in understanding how all the developments I have described, and the world as seen through the growth of the Internet and the strengthening of strategic communication and strategic architectures, affect issues concerning freedom of expression. In explicating these issues, I return to arguments I made in an earlier work, *Media and Sovereignty*. There I defined a market for loyalties as a context in which large-scale competitors for power use the regulation of communications to organize a cartel of imagery and identity among themselves. I wrote:

The “sellers” in this market 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. The “buyers” are the citizens, subjects, nationals, 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 that, together, we call “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, or even continued residence within the country. The buyer also pays with his or her own sense of identity.¹⁴

One can look at this idea of a market primarily within national boundaries, with government usually the entity that allows the cartel to operate and often part of the cartel itself. Indeed, the product of a stable market for loyalties could be a pragmatic version of “national identity.” When the state and those in power are efficiently managing this market, the result may be what I have called a “bubble of identity,” in which attention is paid, often censorial, to

¹⁴ Monroe E. Price, *Media and Sovereignty: The Global Information Revolution and Its Challenge to State Power* (Cambridge, MA: The MIT Press, 2002), 32. I also explore these issues in Monroe E. Price, *Television, the Public Sphere, and National Identity* (Oxford: Clarendon Press, 1995).

what is tolerated, encouraged and discouraged. It is this management of the market that yields what I call here narratives of legitimacy – the collection of ideas and narratives employed by a dominant group or coalition to maintain power. This market for loyalties approach has powerful explanatory force in a transnational form. Globalization involves, specifically, the desire by external strategic communicators to break or reinforce local cartels (depending on interest) and much of this book is devoted to showing how this happens. It is this process that creates opportunities for gain and anxieties for loss. In market after market, ideas of free expression developed with one set of “sellers” of allegiances in mind, only to see them replaced by others. And the replacements – those who succeed in breaking preexisting cartels – disturb and destabilize. What is significant is the scope and scale by which strategic communicators have succeeded in the process of cartel disruption and how home governments have responded.

For these reasons, the notion of the market for loyalties is a helpful prism for understanding what is “strategic” about strategic communication. Strategic communicators often understand that it has hardly ever been a single government alone that regulates or controls the nature of a market for loyalties within its boundaries. As strategic communicators increase, the market for loyalties within any state becomes the product of multiple interests – other states, transnational religious entities, NGOs and others. The idea of a market for loyalties, with competitors trying to enter or block others, also begins, in a new way, to reframe ideas of free expression. It is a roadmap for understanding strategic communication and strategic architectures for altering flows of information. Rules concerning the right to receive and impart information or otherwise enact free expression principles become instruments used by many, inside and outside the state, to help shape the market, in addition to serving as an overarching philosophy that should have a normative impact on the overall architecture of speech.

The market for loyalties analysis underscores how strategic communicators manifest the anxieties that come with increasing or decreasing power. The perception in the United States after 9/11 that it had inadequate knowledge or resources to affect the hearts and minds of Muslim youth led to a decade, at least, of efforts to alter patterns of communication, understand the impact of modes of communication and develop the relationship between communication and surveillance.¹⁵ Top-level communicators enacted different approaches to free expression norms depending on their particular position or role at specific times in the War on Terror. Aggressive strategic communicators sought

¹⁵ For a critique of U.S. diplomatic efforts to engage Islam internationally through use of social media, see Edward Comor and Hamilton Bean, “America’s Engagement Delusion: Critiquing a Public Diplomacy Consensus,” *International Communication Gazette* 74, no. 3 (2012).

to deploy free expression norms to break into markets; those with established positions, even dominance, often used their power in local, regional and national fora to guard their positions. These players were, of course, particularly susceptible to anxieties about the breakdowns in systems that have been relied on to maintain their defenses.

A next level of analysis involves methods of implementation, implementation for reinforcing or altering market shares in a domestic or target society that takes many forms. These include the use of law, the deployment of physical force, engagement in negotiations, adroit deployment of technology and creative use of subsidies. This kind of categorization can help demonstrate how societies are evolving by indicating which modes become more effective and which ones diminish. For example, one might track whether international norms (a form of law) have become more or less useful and in what contexts as a mode of affecting behavior and policing boundaries of persuasion. A related question would be the relationship of law to the use of force. Calling a means of implementation the exercise of law has different implications from characterizing the same or similar activities as an exercise of force. The order establishing the Iraqi Communications and Media Commission (inscribed by the U.S.-appointed Coalition Provisional Authority) has and had all the trappings of law.¹⁶ But the law was the ukase of an unelected officer who was acting under the authority of the U.S. military, a belligerent occupier. Characterizing the order as law satisfied the authority, but it was a subjective labeling. The United States considers the projection of Radio Farda and the Voice of America into Iran as the furtherance of free speech, while efforts to block the channels by the Iranian government through jamming are considered (from the perspective of the sending society) closer to the use of force. Many of the steps now taken to affect the entry of signals into a society are areas for disputed characterization. These include monitoring, denying licenses, pressuring lessors of satellite transponders, seizing control of transmitters to prevent conflict-producing media and even bombing of offending broadcasting outlets. Establishing standards for these actions remains elusive.¹⁷

¹⁶ Coalition Provisional Authority Order Number 65, "Iraqi Communications and Media Commission," CPA/ORD/20 March 2004/65. Order 65 mainly contains provisions that establish the Iraqi Communications and Media Commission. For an analysis of various rules affecting Iraqi media, including Order 65, see Monroe E. Price, Douglas Griffin and Ibrahim Al-Marashi, *Toward an Understanding of Media Policy and Media Systems in Iraq: A Foreword and Two Reports*, CGCS Occasional Paper Series, Number 1 – May 2007 (Philadelphia: Center for Global Communication Studies, Annenberg School for Communication, University of Pennsylvania).

¹⁷ One locus for debate has been the pro-genocidal journalistic efforts in Rwanda, made subject to the jurisprudence of an international court, the International Criminal Tribunal for Rwanda. *THE PROSECUTOR V. FERDINAND NAHIMANA JEAN-BOSCO BARAYAGWIZA*

One modern response of states to these concerns about power is to try to replicate the old system and assure that, to the extent possible, information is funneled through regulable intermediaries. This is often part of what might be called the “architecture of the infrastructure” of information flows. There is a hierarchy of control. If information leaks around intermediaries, the next step will be to try to regulate the content providers. But they, too, are elusive in the Internet era. In authoritarian societies, the result is an increased emphasis on regulating the ultimate user, a crude return to punishment of the consumer, the citizen, the subject. It is not difficult to find explicit examples of this progression from structure to regulation to surveillance to punishment. Does the state or do other strategic players resort to force because of an inability to define and effectively apply law as a means of entering or defending a market? Does this process relate to the weakening of law as a tool of regulation (or the absence of law in fragile societies)? Violence against journalists could be an example of this shift. From WikiLeaks to Ai Weiwei, arrests become a more standard mode for controlling the narrative. When insecure and repressive leaders consider even arrests insufficient, direct violence becomes prevalent. What, in any circumstances – proclivities, racial attitudes, deep-seated hate, lack of training, lack of resources – leads to the choice of one mode of implementation rather than another? As the more acceptable of these elements become more costly or impossible to deploy in an intensifying competition among strategic competitors, the state attempts to restructure the communication environment and restore its instruments of influence.

Ultimately, these approaches raise the general question: How does one rethink and reclassify the structure of information flows in a time of strategic communication and intense expansion of social media? In other words, how do states respond? The question becomes of greater significance if, as many believe, the functioning of states is, in any important way, a reflection or consequence of the media system in which they operate. This is the kind of question that Hallin and Mancini ask in their great *Comparing Media Systems*.¹⁸ Why do media systems look the way they do? Is North Korea only able to operate as it does because of its power to control patterns of distribution of information? Egypt’s Mubarak may have fallen for many reasons, but Mubarak’s inability to effectively control media was a contributing factor.

In these circumstances of regime or state survival (or anxiety about survival) in the face of changing information realities, historic definitions of and

HASSAN NGEZE, Case No. ICTR-99-52-T, International Criminal Tribunal for Rwanda, Trial Chamber I, December 3, 2003.

¹⁸ Daniel C. Hallin and Paolo Mancini, *Comparing Media Systems: Three Models of Media and Politics* (Cambridge: Cambridge University Press, 2004).

justifications for media regulation or limitations on these forms come under intense pressure. It is a question of the entire strategic model – namely how states and other players will organize the architecture of information systems, how they will diagnose the context for targeting messages and how they will execute these strategies. This takes us back to the role of international norms and their implications for competing models of regulating expression. Speech regulation is an integral part of governance and national identity, but the scope of such regulation was meant to be limited by these international norms. After World War II and the introduction of the Universal Declaration of Human Rights (UHDR), the idea was substantially advanced (based on Enlightenment traditions) that the right to receive and impart information should exist regardless of frontiers. But Article 19 of the UHDR, and its later embodiments in the International Covenant on Civil and Political Rights and the European Convention on Human Rights, Article 10, have built in the notion of law-empowered limits. This notion of rights and limits is central, but the meaning of the phrase is hardly well mapped or tested, and the search for the appropriate interpretation of limitations continues. A world in which a state has and exercises greater sovereignty over the flow of information within its boundaries is different from a world in which a state is obliged to allow its citizens access to information from any source, domestic or foreign. It is these underpinnings, these institutional foundations for the relationship between information and society, that are increasingly in question. Changing conditions may alter how the various participants – including states, religions, corporations, NGOs and others – perceive the virtue of particular norms.

Consider that, for significant historical reasons, freedom of expression practices have most systematically been demarcated and organized through geographical and other boundaries of state. It is these boundaries and the governance they imply that have enabled and permitted specific and localized approaches within the narrowly permissible restrictions clause of Article 19. Where these regularized rules for expression and communication can no longer be enforced – for example, because of technological impositions – doctrinal confusion ensues. It is here that the reputed revolution in social media is particularly significant. When institutions of law find it difficult to address technological advances, states may resort to surveillance, violence and other direct techniques for reassertion of their power. And where states do not possess control over coercive, violent force either (where irregular clusters take force into their own hands), they reduce their status as functioning states. Such states cannot control their narratives of legitimacy.

This book, then, is an invitation to a dialogue or conversation that recognizes shifts in the underpinnings of free speech frameworks. By studying

whether the bases of free expression are changing, it provides insight into possible remedial steps. By readdressing the response of states (and other strategic communicators) to shifts in information technologies, a better understanding of the dynamics of influence and persuasion is obtained. These two elements – a comprehension of rights and a description of institutional behavior – reflect anxieties that shape attitudes toward flows of information and the narratives of power.

Anxieties over information flows arise from collisions between existing patterns of regulation and radically changing patterns of dissemination and entry. Anxieties are intensified as ongoing events demonstrate the consequences of new modes of diffusion and control. Institutions change, indeed disappear, because of changes in information flows. Corporations have to change their strategies to survive. Systems of providing education transform. No wonder leaders quake; governments perceive such challenges as threats to their fundamental capacity to hold onto power. These anxieties lead to proposals to liberate and efforts to control, to advances in freedom of expression and defenses by those in power. Strategic communicators summoning such power as they have (and for many, it is considerable) use a variety of techniques to hold some competitors for control of narratives at bay and encourage others. How can one characterize the techniques of states to ban, channel, filter and otherwise control or affect the flow of information within their boundaries? How are those techniques changing over time? And how are such changes related to concepts of free expression?

The influence of strategic communicators is ubiquitous, as purveyors of allegiances seek to stake out zones of persuasiveness – to claim, as it were, real estate of potential loyalty. By examining this process, one might determine what new modes of thinking about communications in society are emerging – modes not always conveniently pigeonholed as authoritarian or promoting free expression, modes that take into account the great new dynamics of strategy and technology that each day intensify.