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Metaphors We Regulate By

Essay by Rikke Frank Jørgensen, October 28, 2009 in response to Framing the Net

Many of the celebrated possibilities of the Internet, such as the empowerment of civil society and the advancement of human rights, are presumably linked to the Net's public features, which potentially foster increased access to information and new means for contributing to the public domain of knowledge. It therefore becomes crucial how the Internet, or various domains of the Internet, are framed and regulated as public and private spheres. Unpacking the relationship between conceptual framings and policy choices is central for scholarly as well as policy debates regarding how Internet may best serve civil society.

In Internet policy debates, at both the national and international level, various actors often have different frames of reference when they approach the Net as a policy topic. Clarifying some of the links between policy choices and Internet metaphors might help us to clarify our understanding of the claims and assumptions that are at stake in specific policy negotiations. It may also illustrate how different metaphors signal different agendas and assumptions regarding how the Net may empower civil society.

I have found four categories to be dominant in both Internet-related literature, and in current regulatory battles at international level. The metaphors suggested are *Internet as infrastructure, Internet as public sphere, Internet as media, and Internet as culture*.

The *Net as Infrastructure* metaphor focuses on the Internet as a road system; a global network of networks, which promotes creativity and innovation due to its open and non-discriminatory architecture. Many of the international policy debates related to this perspective reveal an inherent tension between conceptions of the Net as a sum of privately-run networks, subject to certain regulation by the technical community, and formulations that frame the Net's technical infrastructure as a global public good, subject to public policy oversight. These debates include issues of "net neutrality", "management of root file", "domain name system", "critical Internet resources", or simply "Internet governance" in a more narrow sense.

The *Net as Public Sphere* metaphor draws attention to the Internet's role as a communications sphere, an extension of the physical public sphere, and a space for policy deliberations and civil society activities more broadly. This perspective is linked to democratic practices and civil and political rights, e.g. the potential for the Internet to empower civil society vis-à-vis increased access to society's decision-making processes. The public sphere perspective is often advocated by civil society groups, and linked to human rights issues such as access to information, participation in public/political life and freedom of expression. Policy debates related to this metaphor concern issues of "access," "freedoms," and "resources" necessary to participate in the public sphere.

The *Net as Media* perspective addresses the Internet as the latest newcomer in the media family, drawing on notions such as "content," "publishing," "archives," "audiences," and "text". The possibilities emphasized within this perspective are often related to citizen media, and the democratization of knowledge production and distribution. Whereas the public sphere perspective is somewhat spatial (the Net as a public space), the media perspective is more

textual (the Net as a symbolic representation). Policy measures that implicitly address the Net as a media issue focus on "content regulation," i.e. how to make an "Internet publication" a safer and more decent read, especially for youth audiences. Other measures include the archiving of the Net, in line with other publications; something one would not consider in a non-textual sphere, e.g. recording of all oral conversations in the public sphere. The media perspective has been applied by European policymakers as reason to restrict online content and install measures to protect younger audiences specifically, and the public interest more generally.

Finally, the *Net as Culture* perspective addresses the Net as a facilitator of new cultural practices based on openness and sharing as opposed to cultural regimes based on ownership. This entails notions of "online communities," "collaborative creation of public goods," and "the wiki way". Currently many of the regulatory debates related to the Internet concern "old" ways of regulating ownership versus new online practices of sharing and collaborating. These issues encompass policies and practices around free and open source software, alternative copyright regimes such as creative commons, and Access to Knowledge (A2K) vis-à-vis more extended copyright and digital rights management (DRM) regimes.

Metaphor	**Infrastructure**	**Public sphere**	**Media**	**Culture**
Civil society potential	Open, interoperable and non-discriminatory road	New modaliteies for public life and civic engagement	Democratization of knowledge production and distribution	Open and collaborative wa of creating public goods
Notions	"traffic" "transmission" "protocols"	"space" "conversation" 'participation"	"content" "text" "audiences"	"community" "sharing" "openness"
Policy debates	Role of ICANN Net neutrality Technical stability	Access Freedoms Resources to communicate	Media ethics Internet archives Content regulation	FOSS Creative Commons A2K

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