

## **Some reflections on Europe and digital culture**

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First, many thanks for inviting me to this fascinating and timely meeting. Second, I have long wanted to visit Tallinn, and you have given me the spur to do so. Third, I have been given a dauntingly broad canvas to fill. For a couple of months, I have asked myself: How should I tell my tale? With a broad brush or in fine detail? In the end, I decided to introduce three themes that are key to our discussion over the next couple of days. These are nationalism and the state of Europe; thinking critically about the idea of the ‘Internet of Citizens’<sup>1</sup>; and the underlying question of communicative power. These themes run through this lecture.

### ***Nations and states still matter***

Let me begin by talking about Europe from one specific angle, which is to consider the continuing importance of nations and states and the salience of borders. Where better to note this point than here in Tallinn? I could hardly be unaware that after initially declaring independence in 1918, Estonia finally achieved de jure international recognition as a state in 1920, following its war of independence; that it was annexed by the USSR in 1940 and then

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<sup>1</sup> Council of Europe, Recommendation CM/Rec(2016)2 of the Committee of Ministers to member States on the Internet of citizens.

[https://wcd.coe.int/ViewDoc.jsp?p=&Ref=CM/Rec\(2016\)2&Language=lanEnglish&Ver=original&Site=CM&BackColorInternet=C3C3C3&BackColorIntranet=EDB021&BackColorLogged=F5D383&direct=true#RelatedDocuments](https://wcd.coe.int/ViewDoc.jsp?p=&Ref=CM/Rec(2016)2&Language=lanEnglish&Ver=original&Site=CM&BackColorInternet=C3C3C3&BackColorIntranet=EDB021&BackColorLogged=F5D383&direct=true#RelatedDocuments)

under Nazi occupation from 1941, being reoccupied by the Soviet Union in 1944. Inside the Soviet Union, Estonia became a Soviet Socialist Republic. When the USSR collapsed, Estonia formally regained independence in 1991, and then in 2004, it joined the European Union and NATO.

It is a European story that is both singular and typical. Like other countries in the region, after being an independent state, Estonia became an unwilling part of the Soviet Union. It then opted to become a member state of the European union, which is not a itself state but a unique and presently unstable supranational political and economic formation.

I start with this example because the question of borders and statehood has preoccupied me greatly of late. My own recent political experience also provides a pertinent route into our discussion. This is not intended to be a narrow or unduly personal example because the point is to illustrate something general.

Since I accepted the invitation to speak, the UK has had a referendum on whether or not to stay inside the European Union – an event that has had continuing and ramifying consequences. The UK Parliament has been advised that a majority of British citizens voting in the EU referendum wish our member state to leave the European Union.

Although no formal process to leave has yet started, after the Brexit vote like many others I recognised that I would in future lose a valued dimension of my identity. European citizenship is a derived identity; it is a secondary not a primary legal affiliation; it is indirect and relates to a would-be polis; so it is not what political scientists call a ‘thick’ identity. But ‘thin’ though it may be, and heavily contested though it is, it does still matter to almost half of the UK’s citizens, not least if like me you have grown up with it. It matters particularly if you accord an historical and normative significance to the idea of European citizenship as constituting a positive response to devastating conflicts that have occurred on the continent, not least in the past two centuries. Although we may dispute precisely in what ways ‘Europeanness’ is a cultural attribute and identity as well as recognising that Europe is a complex and contested cultural space, it is hard to deny that it actually is such a space. If Europe in this contestable sense did not exist, the Council of Europe would surely not have a mission. Of course, CoE Europe is a different form of affiliation for member states from that of EU Europe.

After more than 43 years of belonging first to the EEC and then to the EU, the UK is set to leave. How that exit will occur, and precisely when, remain open questions. The British vote for Brexit has been widely welcomed in Europe by those who espouse anti-EU forms of nationalism. The action and reaction both point to a systemic crisis of great relevance for how we think of culture and diversity in Europe.

The UK's referendum revealed disaffection with political elites, the continuing significance of class differences, regional distinctiveness within the British state, and signally, resistance to EU migration sanctioned by the single market. Hostility to migrants and ethnic minorities trumped economics. Racist hate crimes and speech spiked after the referendum and while evidently declining in number are higher than before. The Brexit vote left the UK more unsure of its internal cohesion and its place in the wider world. Not usually named as such, it is a collective identity crisis. The impact on the European Union – and more widely on the UK's international relations – has still to be worked out. The contradictions of the EU project between the national and the supranational have been pushed centre stage and are at the heart of politics in member states.

But let me unwrap my package one layer more. Just over two years ago, I voted in another referendum: that on proposed Scottish independence from the United Kingdom. By a relatively narrow margin, Scots voted to remain in the UK, but the matter is not closed. So I also live in a nation in which, after 309 years of belonging to the Great British state, there is still active debate about whether or not to leave the United Kingdom and become an independent state, maybe within the EU.

To sum up: until 23 June 2016, like more than five million other members of the Scottish polity, my political identity was constituted by three separate levels: those of the Scottish nation, the British state, and the EU. Every aspect of this triad of relationships is now unresolved. This experience is certainly distinctive but it is far from untypical of other Europeans at this moment. Constitutional struggles, regional differences, border closures, growing international realignments – all of these are happening before our eyes across the continent. Trite though it may be to say it, we are on route to a reshaped political order.

The present reinforcement of defensive and exclusionary national sentiment in many states is highly relevant to any contemporary discussion of the role of digital culture. This is clearly so when we talk about processes of constructing national memories. Those who manage memories, or try to, are commonly faced with how to deal with competing views of what should count as a pertinent memory. It is increasingly obvious, too, that there are also implications for how we assess the respective roles of mainstream and social media in the increasingly complex construction of public spheres.

Fabrications employed during the Brexit campaign – most notably, that regarding the cost of the UK's belonging to the EU and how the money saved might be spent on the national health service – have underlined the present salience of what has been called 'post-truth politics'. This was described by *The Economist* (10 September 2016) as 'a reliance on assertions that "feel true" but have no basis in fact'. The 'post-truth' term was first coined during the climate change debate and concerned the denial of human effects on global warming. Mr Trump's US presidential campaign has been a noteworthy theatre for post-truth strategies. If expertise and evidence are discounted in democratic debate, that has direct consequences for how we think about political discourse and the future of public spheres as spaces for a common conversation in which it is actually possible to consider what might be a common good. It squarely relates to the production, circulation and uses of data, not least in respect of how data are interpreted through the everyday round of news reporting and analytical journalism. It concerns some of the uses of social media in often creating self-sustaining bubbles of like-minded exchange that produce enclosures, and also to how, at times, the aggregation of news through algorithms constitutes limiting agendas. Conspiracy theories, faked stories, and mere opinion being given truth value are all challenges to the possibility of a rational politics. Of course, rationality is an ideal that is not routinely realised in full but it is, nonetheless, an important aspiration.

The point is this. In principle, the flow of digital culture is boundaryless if the right hardware and software and rights regimes are in place, and there is unconstrained access for all to its production, distribution and consumption. However, like all culture, digital culture encounters political and economic boundaries. You do not have to have a Great Firewall *à la Chine* for cultural flows to be managed.

With unconscious irony, one hopes, the UK government has taken up the Chinese term and announced that there will be a Great British Firewall. If China has given the world a model of censorious intervention through surveillance, court cases, take-downs and trolling, by contrast the UK has played the card of national security and consumer protection by aiming to block malware. If each case, the simple lesson is that cyberspace may often be limited by political space.

Estonia, by repute the most wired country in Europe, became a global laboratory for security analysts after the three-week cyber-attack of 2007. Reportedly, the immediate cause was the relocation of the Bronze Soldier of Tallinn (the Soviet War Memorial first erected in 1947). This in itself offers a case study of contested memory about the meaning of the Soviet presence in Estonia. The country's experience of cyber warfare subsequently led Estonia to seek the establishment of offshore 'data embassies' to back up its systems and sustain a functioning state in the event of another attack. One irony is that when Brexit finally occurs, the UK – to date a favoured potential 'embassy' location for Estonia – once outside the EU might not legally be able to store Estonian citizens' data.

Culture, then, is diversely negotiated. Spaces that are deeply salient for citizens and publics in terms of their identity, official memories that are underpinned by states, popular memories deriving from diverse experiences, as well as the very stability of cultural boundaries, may be put in question by wider forces, or by movements within given states that seek transformed boundaries. A focus on the politics of communications is simply unavoidable for our discussion.

### ***The Internet of Citizens***

Let us turn to the Recommendation on the 'Internet of Citizens' adopted by the Council of Europe's Committee of Ministers in February 2016. This has set the agenda for our conference and I would like to take it seriously, knowing that all such Recommendations are the product of committee-driven compromises. That said, if they are to be workable, Recommendations have to have a certain coherence and feasibility.

The Internet of Citizens, the IoC, has been described by the Council of Europe as a 'people centered approach to the Internet, in particular to empower anyone who uses and relies upon it for their everyday activities. The term citizens is used ... in a general sense, meaning

people or persons, and not in any legal sense'. The Recommendation refers to citizens as 'aware of their rights and responsibilities'. The IoC idea followed on from discussion at the Baku Platform Exchange in 2014 and has become a taken-for-granted term in the Council of Europe.

One immediate observation is that if you strip away the *legal* status of citizenship and replace it with that of 'people' or a 'person', you are redefining political and civic agency in a particular kind of way. It is not '*a* people' that is talked about in the Recommendation. Had that been used, it might have been one way of referring to a nation or an ethnic group which may, or may not, have a state.

Conventionally, talk of citizenship positions us in relation to the state in which we reside or in which we ordinarily have rights of residence. Or, as in the case of the European Union, we may think of *European* citizenship as conferred by way of an individual's citizenship of an existing member state. Citizenship in this sense typically entitles us to register to vote and draw benefits from our recognised belonging to a political community. It also requires us to obey the legal order and contribute to the general welfare by paying taxes if we are eligible to do so. Citizenship is *par excellence* a political construct.

The concept of a person, by contrast, may address specifically what it is to be a sentient individual and, for instance, to consider how personhood as such is related to our consciousness and memory, or how it may be constituted and formed by membership of a wider community. But this is a different terrain. It could relate to a general notion of humanity, to the very quality of being human, one that in and of itself may be regarded as a self-evidently rights-conferring status. From this point of view, human rights are seen as something that we possess *beyond* any specific state-confined political order of which we happen to be a member or citizen. Human rights relate to the universal condition of being human in a way that is not limited by states' legal systems. This absolute criterion allows the practice of states to be criticised by reference to an exterior set of universal principles underpinned by conventions agreed by negotiation in an international legal order.

Appendix I of the Council of Europe's Recommendation On the Internet of Citizens makes precisely this kind of move by invoking a 'human rights approach'. It refers to the Convention for the Protection of Human Rights and Fundamental Freedoms as well as to the

Convention for the Protection of Individuals with regard to Automatic Processing of Personal Data; and it also refers to the 2005 UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions. The world of international governance is invoked as offering rights protections in counterpoint to the world of states, although the latter is necessarily presupposed.

It is important to note, therefore, that *both* the idea of Europeans as citizens of particular states *and* that of Europeans as individual bearers of human rights coexist in the Council of Europe's Recommendation. These two conceptions are often in tension because it is one thing for a state to sign up to a principle and quite another to actually uphold it. Realist schools of thought in international relations would hold that states are what matter most in organising our everyday lives – such as determining the scope of our public services, establishing our systems of security, engaging in warfare, ensuring cultural reproduction through education and, of course, policing the boundaries of collective identity. It is because of these everyday functions that so importantly constitute the texture of our world, and because states can and at times do repress their citizens, that a human rights order is so valuable, however perverse its consequences may be thought to be at times.

The Council of Europe evokes the idea of a 'European cultural space' when it proposes that '[a] publicly available and sustainable digital space ... be set up at the European level, making use of existing European spaces, portals and platforms, to enable cultural resources and cultural knowledge to be legally shared and accessed without restrictions of time and space'. Aside from the feasibility of setting up such a resource, questions arise as to its various uses and interpretations in a Europe that is experiencing deep cultural contradictions.

The obstacles to constituting a European cultural and communicative space are precisely the questions that are begged. For several decades, the EU's answer has been to use the formula of achieving 'unity in diversity'; relatedly, the CoE talks of 'united in diversity'. Such slogans may work as a commonplace way of surmounting differences in tranquil times but at moments of deep division, they do not. As the European Union presently experiences a backlash to migration, continuing economic crisis, concern in member states about the loyalty of all their citizens, and when the rise of the radical right and various forms of populism are evident in many states, with still unresolved conflict, as for instance between

Russia and Ukraine, the common space proposed by this model is simultaneously both necessary and highly unlikely.

In the end, it is the role of the Council of Europe's member states that is underlined in making the Resolution work: these diverse polities are asked to 'recognise digital culture as one of the key issues for modern cultural policy making' and to take the Recommendation on board. The radical expansion of scope in the state's government of culture that is involved in this move is striking. It encompasses everything from the consecrated institutions of high culture through so-called legacy media to the creative industries. What is presently untouched by digitisation? Not the streamed film, musical or theatrical performance; not the e-book; not the digitised gallery exhibition. Little would escape the digital in an exhaustive list of present-day cultural forms.

If this is the enlarged object of cultural policy, it has become as unlimited as digital culture itself – and that raises interesting questions about how such a conception of policy-making fits into existing government departments and systems of content regulation. During the the past twenty years, in which the creative economy has become a centre-piece of policy thinking, culture has increasingly been considered by governments everywhere from a predominantly economic point of view.

That is evident from the single most important intervention at the European level in creating conditions for a common digital space – the EU's proposal for a Digital Single Market, a DSM. The emphasis on the *market* is key. But that is not all. It is now largely forgotten that in 2010 the Green Paper drafted by Mario Monti underlined the fundamentally *political* purpose of completing the single market. This strategy was seen as providing a dual response - to nationalism inside the EU and to the challenge of globalization outside it. These rationales remain contemporary points of orientation – even more so, six years later.

In relation to the cultural and communications fields, the digital single market is conceived as creating a single regulatory space for electronic communications, overcoming the fragmentation of consumer legislation, offering a legal framework for online broadcasting and establishing a common framework for copyright clearance and management.

In September 2016, the European Commission unveiled its latest proposals for the DSM. It will be interesting to see to what extent these are implemented. There is a wide range of issues to address, which include who should benefit from the cross-border portability of online content, which exceptions should be agreed to copyright rules for educational purposes, who should be remunerated for copyright-protected works, and what should be the scope of the Audiovisual Media Services Directive when it deals with ‘TV-like services’.

Although the Digital Single Market is not first and foremost about building the conditions for a common cultural space, the evident difficulty of its construction, and the fact that it is a field in which many powerful economic and political interests are at play, is an important backdrop to any discussion of the CoE’s Recommendation. While this does not echo the creative economy thinking that has seized so much attention of late, it still raises some crucial questions.

For instance, the Internet of Citizens proposal reads like a parade of all the virtues. The IoC is premised on the expansion of democracy and the protection of citizens’ privacy, the security of their data and the curbing of hate speech. The call is for cultural institutions to be ‘modernised’ to take account of mass digitisation programmes for libraries, archives and museums, an expensive and complex proposition as current research shows. A shift from consumers to prosumers is proposed and citizens are to be creative; ‘multi-literacy’ skills are to be generally imparted.

While I applaud the aspiration, it is surely essential to consider the feasibility of an IoC. How do such ambitions relate to the political economy of the internet, and in particular, the boundary-policing role of states or the territory-transcending economic strategies of global players such as those grouped under the acronym GAFA: Google, Apple, Facebook and Amazon? The rapid rise of such ‘information intermediaries’ has created new forms of digital dominance, influence and power.

Is the idea of an Internet of Citizens – the IoC – beginning to take off? A crude empirical test is for anyone to join the IoC Twitter stream: as follower number 1,100 I found myself in very select company. A second test is to access the IoC Facebook pages. The posts encountered on dipping in hardly represent a new and distinctive Internet of Citizens: there is information about the digitisation of library holdings and 3-D printing reconstructions; a blog on the

novelist Jane Austen's musical collection online, along with the British Library making 300 works of twentieth century literature digitally accessible; news of a film festival in Sarajevo and of Harvard University's digitised Bauhaus collection, and so on. In essence, the well-known material of digital humanities is being advertised and promoted.

Standing back, this suggests that a new terminological space has opened up but it appears to be filled with familiar material. The challenge, then, is go beyond business as usual – to give the IoC some novel and distinctive content. Without this, it will not be a compelling proposition.

The idea of an 'Internet of Citizens' has been an explicit and self-conscious coinage. It is an alternative to that of an Internet of Things, the IoT. The IoC is described by the Council of Europe as a 'complement' to the IoT that 'promotes the human and cultural dimension of the internet'. The IoT, for its part, encapsulates a techno-utopian vision of 'advanced connectivity between people, things and places', in which intelligent systems will resolve the problems of everyday living and make cities, and eventually doubtless other locations, smart. But is there conceptual complementarity between the IoC and the IoT or rather, can we detect competition? There are good grounds for thinking the latter applies.

First coined as an idea at MIT in 1999, and steadily gathering steam in mainstream media coverage in the early 2000s, by the second half of the last decade, the IoT had become a consecrated term of the UN and the EU. The IoT idea has increasingly trended on Google since 2013. But what it means is not straightforward. The principle of connectivity is one thing but the assured interoperability of devices or the portability of data are quite another. As with all debates about connectivity, equality of access and the sheer affordability of services and products is an issue to be addressed; so too is transparency in pricing and the comparability of what is offered.

At a discursive level, moreover, the Internet of Citizens has to contend with soft versions of the IoT. For instance, one EC-funded project aims to develop a 'citizen-centric' IoT, based on trust, simplification and accessibility. Such initiatives do not seek to displace the IoT concept as such but simply to adjust its scope. If all desired conditions are met by such mollification, the underlying message is that business opportunities will grow. In short, the economy lies behind this idea, however you slice and dice it. Where the market-place is given prime

position, as in such instances, it may be difficult to maintain a *public*-oriented rallying call because the public interest is an add-on rather than a constitutive element.

### *Concluding thoughts*

The present state of Europe raises key questions about the content and circulation of digital culture and underlines present challenges to the very idea of a European cultural space. The sheer difficulty of constituting such a space is not new but has taken a distinct form in the digital age. Furthermore, the future of the EU project and the various forms taken by nationalism in different European states have wide-ranging implications for digital culture. Europe, moreover is a theatre of communicative power plays, many of these transatlantic. As such questions cannot be ignored, the Internet of Citizens, it appears, is still a slogan in search of a substantive story to tell. In this connection, the tension between a human rights perspective and state-bounded law is thrown into relief, as is that between the market and the public interest.

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