

Free speech at an intersection. Notes on the contemporary hybrid public sphere

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Abstract

This essay starts from the assumption that the notion of hybridity has become an increasingly influential part of the way we think about our societies. The chapter then asks: What are the consequences and lessons of this ascending “social imaginary” for our debates about free speech? This question is reflected on by taking a concrete, contingent moment in Paris, in December 2015 as a starting point. It offers an example of an intersection where terrorism, security and civic action for global climate change management came together. The chapter suggests that, in addition to the current boom of analyses of *institutional* and *technological* hybridization, understanding the challenges to free speech (and free speech theory) calls for more attention to be paid to the *political* dimension of hybridization in the globalizing contexts of conflicts. Some pressing challenges to uses of free speech in the context of politically hybrid problems are then suggested. Drawing from the example, such challenges relate, for instance, to the intersection of multiculturalism and security, the validity of evidence and witnessing, and the tension between the ideals and the material conditions of privacy.

Keywords: free speech, hybridity, public sphere, privacy, security, climate change, social imaginaries

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1 An intersection

It is a chilly November morning in Paris. A small children's playground on Rue Voltaire is packed with film crews and journalists. They are huddled in small clusters with representatives of indigenous peoples, who are giving interviews. This is the first global action day in the Paris COP21, the global summit that is supposed to deliver a shared roadmap for managing future climate change. We are not here by coincidence. The fringes of the park fence are covered with worn out flowers, pictures of young people smiling for the camera, small pieces of sad poetry and French flags. Across the street is *Bataclan*, a concert arena and a restaurant where 87 people died two weeks ago in a terrorist attack. The marquee still spells out "Eagles of Death Metal."

The media moment in the park is consciously planned to take place in this disturbing intersection of global terrorism and freedom, of security and the right to be heard. The fact that journalists are present shows that the plan works. At the same time, the emotional force of the mass murder suggests many associations, some of which are disturbing. Should I allow myself to compare the victims of the Bataclan murderers to the people living on islands in danger of being drowned by the rising seawaters? Or should I take this media-availability-act as a critique of the French government, which has reacted to the terrorism by declaring a state of emergency and forbidden public protests during the ongoing summit? Or both?

2 The rising imaginary of hybridity

Recent decades have been flooded with books and essays on the promises and warnings that come with the transformation of our communication infrastructures. Are we entering an era of increasingly pluralist, interactive, multi-modal, and richer public debate and new kinds of logics of civic action? Or is the seductively easy mobile Internet access luring us into locally redundant echo chambers inhabited by narrow-minded, redundant identities – that are being surveyed more effectively than ever? The answer, predictably, is not *either or*, but *yes*.

One conceptual shortcut for trying to make sense of this volatility is the notion of *hybridity*. Drawing from biology and the idea of "cross-breeding," hybrid creatures carry with them both the fascination of something new and the fear of breaking the "laws" of nature. Identifying and analyzing hybrid objects simultaneously both confirms the existing cultural order and threatens it. The downpour of neologisms trying to capture and promote the digital age – "prosumer", "netizens", "hackaton", "eThis", "iThat", etc. — is a constant reminder of this, as is the irritation these terms cause.

Theoretically, as Bruno Latour (1993) once suggested, the element of hybridity has always been a crucial but partially silenced element of the constitution of the Modern identity. In modern societies, he claimed, the general trend toward differentiation, and the subsequent work of keeping institutional boundaries and roles clear, feeds a counter force: a need to find boundary-transgressing practices. While this translation activity and hybridity is essential for the functioning of institutions, the public legitimization discourse of modern institutions – from science to journalism, for instance – has favored a language that emphasizes these boundaries. It has highlighted the autonomy of institutions and the importance of guarding their borders rather than celebrating those people, moments and locations where leaps from one institutional logic to another take place.

Thus, hybridity has not been as explicitly hardwired into our consciousness as some earlier modern social imaginaries, such as ‘objectified economy,’ ‘sovereign people,’ or the ‘public sphere,’ (Taylor, 2004). But the increasing sense of living in an intensively interrelated and more complex world seems to have offered some boost to hybridity as an influential figure of thought. Like other social imaginaries, it expresses itself in theoretical debates as well as in practical, everyday discourse. Latour’s own recent work (2013), for instance, seems to offer a suggestion for a new language that would enable social institutions to defend themselves in the current conditions of intensively felt hybridization and importance of boundary zones. Also, more generally and vernacularly, the idea of hybridization has become a powerful metaphor that shapes how we value what we do. By doing so, it may also be posing new questions related to what free speech means and how we think about it.

3 Hybridity of the ‘third kind’

There are several clearly detectable versions of the hybridization narrative. Obviously, a *technological* narrative of digitalization points to growing interactivity and complex proliferation of communication channels. New media forms and formats, when combined into a network infrastructure, have come to facilitate action and influence across previously natural, often materially structured, borders. The everyday wonders and incredible features of mobile digital Internet access have no doubt strengthened beliefs in the creative power and progressive potentials of hybridity in general. In recent analyses of media and politics, this technology is often claimed to facilitate – both materially and symbolically – creative transgressions of earlier logics, modes, practices and identities (see, e.g., Chadwick, 2013; Bennet/Sederberg, 2014; Carlson/Lewis, 2015; Russell, 2016).

Partly overlapping with the technological narrative, current uses of the concept of hybridity also have an important *institutional* reference. Institutional hybridity presents itself as heightened attention to the translation between familiar institutional borders. We increasingly celebrate the virtues and necessity of interdisciplinary work; we want to build new interfaces, and facilitate encounters as well as highlight the boundary work and contact zones as object of study. Intense interaction and communication – rather than detached autonomy – between institutions have become the desired goals and a necessity. A good institutionalized example of such a trend comes from the field of climate change, where the *Intergovernmental Panel for Climate Change* is a unique creature, not only as a distinctive *transnational* and multidisciplinary organ – but more to the point here – as an amalgam between science and politics (see Funtowitch/Ravetz, 1993; Hulme, 2009). As an institution of “post-normal science,” it exemplifies the need for institutional hybridity. At the same time the IPCC is symptomatic of an even larger, overarching and existential hybridization narrative of the Anthropocene, the global collapse of the imagined nature-culture distinction (see, e.g., Dryzek et al., 2013, p. 112-128, also Latour, 2013).

Such versions of hybridization serve well to locate interesting moments and developments that are reframing the way we think about the condition of free speech and public discourse. But a richer link between the changing landscape of social imaginaries and free speech could also extend the notion of hybridization further, to the actual *issues* that are at stake when we debate the question of free speech. It is in this connection that the 2015 November morning in Paris is a provocative moment. As a concrete, contingent intersection of *terrorism*, *climate change* and heightened *security measures*, it provides a clue to yet another kind of hybridity. For lack of a better term, I will call this “third kind” of hybridity *political*. In brief, and suggestively, *political hybridity* refers to the way in which concrete and contingent political problems converge in a given moment in a given context, and how that convergence produces new kinds of political alliances and associations. Such intersections, or politically hybrid moments, can also make us reflect on the current conditions of free speech and the ways we think about it.

4 Free speech and multiculturalism

It is impossible to talk about Bataclan without talking about Charlie Hebdo and the “Je Suis Charlie” meme, and hence, without talking about the Muhammad cartoons controversy of 2005-2006 – and consequently, without talking about Huntingtonian claims concerning the “clash of civilizations.” Indeed, during the past decade, the free speech vs. multiculturalism debate has increasingly

become a key factor in constructing and deconstructing political alliances in general. It has fed the rise of political populism in many democratic countries, and carried new parties into power. In the public sphere, and for our definitions of free speech, it has strongly emphasized a logic whereby *identity* comes first. The January 2015 spring meme, fittingly, was “JE SUIS” – I am.

The strong affective public outrage was not, of course, the wrong reaction to the mass murder in the Hebdo editorial offices. But while recognizing this, it is also important to see how the heightened security reach of the state in France was put into effect with the backing of this very same emotional energy – energy that was supposedly defending free speech.

Is this a paradox? Protecting free speech demands an effective surveillance of citizens? From a distance, the enhanced surveillance laws may indeed seem like an act against freedom. However, inside the borders and the logic of an identity-driven free-speech doctrine, a “strong” state easily claims a key position in free speech discourse. Such a state redeems itself as a necessary precondition of freedom, as a practical solution to the identity game. If you are one of us, you are protected and free to have a say. This may well give us a sense of clarity, but how much does it help us negotiate the pressing question of freedom and tolerance in a multicultural and complex world where differences are not disappearing? How much room is there for saying “I could be Charlie” or “You could talk me into being Charlie”?

5 Free speech, evidence and power

A second stream of meanings flowing through the Bataclan morning was, of course, the narrative about climate change. At first, it might seem a bit remote for a discussion of free speech. However, it should also remind us that *despite* identities and cultural constructions, we also live in a common material realm where problems are, well, *real* and materially shared – albeit not equally suffered from.

Reading the final Paris COP21 accord from December 2015, and the commentaries on it, makes it tempting to deride the celebrated global deal as mostly a complicated, acrobatic act of linguistic diplomacy. However, one can also think of it as a weak but positive example of the power of providing public *evidence*. What is relevant in the global climate debate from the point of view of free speech, then, is the – however partial – success of the strategies of the global civil society actors. It is worth noting that this struggle has increasingly been driven by claims that there is *both objective* evidence that demands action *and pressing value issues* that demand recognition. Keeping these two sides on

board has allowed their practice of *witnessing* (both as a record of experience and as an act of hearing the experience of others) to make a powerful, integrated claim about truth and justice.

It would be naive to suggest that the Paris agreement proves the strong power of witnessing in the transnational public sphere. The cruel fact is that while the COP process has, for a couple of decades, been tossing around the target of a 2-degree limit, the real carbon emissions have soared, and the current, actual business-as-usual trend is committing the world to a much more dramatically unpredictable future than the hopeful target. At a minimum, however, one can say that the pressure of evidence, produced both by hybrid, systemic institutions such as IPCC (integrating political power and claiming expert scientific evidence) and by the life-world knowledge from civil society (integrating facts of lived experience with claims to justice and basic solidarity), was able to create an opening from which to continue. The facts that the Paris accord commits to a 2-degree limit, that it recognizes a more ambitious target of 1.5 degrees, and that it embraces the idea of transparent monitoring of targets and achievements are, at this point, merely rhetorical. But potentially, the hard discrepancies between these commitments and future realities will also enhance the power to produce new, critical evidence.

6 Free speech, privacy and security

A third stream of free speech issues that was unavoidably present on that Paris morning was the intensified and intertwined debate about digital surveillance and security. Limiting public action in the name of security – as the Paris state of emergency during the COP21 did – opens up the core question of free speech, and exposes the collective trade-off between the state and its citizens. It also introduces the image of the enemies within our ranks, the potential need for mutual suspicion. It both highlights the issue of the *legitimacy* of the state and its power and asks almost baffling questions about free speech and *individuality* and privacy.

The legitimacy debate seems clear enough. Obviously, the state should not be able to know everything you do or say in private encounters, not even at the level of meta-data about where you are, when and with whom. We instinctively know that privacy, in this sense, is a constitutive element of the public (sphere): without the secrecy of privacy, publicity – in the modern sense in which we apply it – loses its representative claim of producing legitimacy. Protecting privacy, thus, is protecting the *possibility for the state to defend itself* discursively in public and the right of citizens to hold the state publicly accountable. Compromising privacy, in this perspective, undermines the possibility of the state to earn its legitimacy through the public.

However, when this figure of thought is set into the context of security and surveillance, problems and paradoxes surface: If security demands surveillance, can such surveillance – ever – be transparent? Would overall transparency even be a benefit to more benign institutions (see, e.g., Schudson, 2015)? Logically, there is perhaps disturbingly little solid ground for such arguments to stand on. Is it possible to have a public oversight mechanism of surveillance in general, and of digital, massively effective surveillance in particular? No wonder that in everyday conversations we are fond of detaching ourselves ironically from the whole issue (making fun of being watched) or by declaring, “I have nothing to hide.” As the figure of the deep state becomes apparent, it is best to think that you are too uninteresting for it to bother with you – or that it is indeed a benevolent deep state.

Beyond the oversight claim, there is yet another fundamental element of free speech that is exposed – and at stake – in the privacy-security debate. As we are more and more effectively digitally tracked and targeted and as we become increasingly aware of this (and willingly submit to it), the borderline between private and public becomes – again – porous and blurred. Whether we want to call this boundary activity yet another example of hybridization does not matter. What matters is that it does raise the possibility of individuality becoming a *less* plausible core ground on which a free speech theory can stand. Thus, exposing the effectiveness of the meta-data analysis of our choice can potentially also lead to an *eroding of the imaginary of individuality*. Indeed, the conditions in which we have thought that individuality – and its boundaries – is constructed and safeguarded are undergoing a fundamental structural change. The paradoxes of “transparency”, and the discrepant frames in which we come to solve them in the unfolding discussion about surveillance, are about to have their effect on your ways of thinking (see, e.g., Kunelius et al., 2016)

7 Lessons of political hybridity

We can take the three converging discourses above – multiculturalism, climate change and security-surveillance – as *examples*. As such, they underline the importance of not detaching free speech considerations from the substantial, political issues that activate them. A debate about free speech is always about *something* other than merely free speech – even when it claims to be only about free speech itself. Because issues in our increasingly interdependent world are more intensively co-present, it is becoming more difficult to formulate universal clarities. This is a good thing, as it requires more consideration and reflection. It is healthy to be reminded that when we declare free speech to be sacred, we are partly defending a worthy cause, but at the same time – in

some political estimations – we are also running the risk of giving the fundamentalists what they want: a world where identities rule and the demand for *conversion* replaces conversation.

We can also look at the three intersecting streams as *more than examples*, and read them as challenges to our theorizations about free speech. In doing so, at least three tasks emerge. I will end by sketching them in a slightly normative manner.

First, we need a notion of free speech that helps us live in a culturally and politically hybridized world. It must be possible to defend free speech and remain considerate to others and their values. If ‘others’ are represented within a securitization discourse, this becomes increasingly difficult.

Second, we need to defend the epistemological value of free speech, one that recognizes facts as constructions that can be defended with *evidence* as well as with value commitments. It must be possible to speak about incorrect arguments by claiming that evidence proves some facts as not being true or accurate, and that some speech acts are unjustified.

Third, we will need to develop a more nuanced understanding of the boundary between the private and the public. It is difficult to see how a theory of free speech could function without the political fiction about individuals being the essential building blocks of democracy. But it is equally difficult to see how any of us can sustain a belief on such a democratic fiction without a profound sense of irony. After all, we seem to have entered a world where you are told you must not protest because it might compromise the very values that you should protest for.

8 References

- Bennett, W. L., Segerberg, A. (2013) *The logic of connective action*. Cambridge: Cambridge University Press.
- Carlson, M., Lewis, S. C. (2015) *Boundaries of journalism: Professionalism, practices and participation*. London: Routledge.
- Chadwick, A. (2013) *The hybrid media system: Politics and power*. Oxford: Oxford University Press.
- Dryzek, J. S., Norgaard, R. B., Schlosberg, D. (2013) *Climate-challenged society*. Oxford: Oxford University Press.
- Funtowicz, S., Ravetz, J. (1993) ‘Science for the post-normal age’, *Futures*, 25(7): 739-755.
- Hulme, M. (2009) *Why we disagree about climate change*. Cambridge: Cambridge University Press.
- Kunelius, R., Heikkilä, H., Russell, A., Yagodin, D. (2016, forthcoming) *Journalism and the NSA revelations: Privacy, security and the press*. Oxford and London: The Reuters Institute for the Study of Journalism & I.B. Tauris.
- Latour, B. (1993) *We have never been modern*. Cambridge, MA: Harvard University Press.
- Latour, B. (2013) *An inquiry into modes of existence: An anthropology of the moderns*. Cambridge, MA: Harvard University Press.

- Taylor, C. (2004) *Modern social imaginaries*. Durham: Duke University Press.
- Russell, A. (2016, forthcoming) *Journalism, activism, power*. Cambridge: Polity.
- Schudson, M. (2015) *The rise of the right to know. Politics and the culture of transparency, 1945-1975*. Cambridge, MA: The Belknap Press of Harvard University Press.

Biography

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