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Selling On, Not Out, The Internet

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REAL LAW@VIRTUAL SPACE

COMMUNICATION REGULATION IN CYBERSPACE

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David Donnelly examines the commercialization of the Internet and considers the implications of the advertising applications of the Net. After noting the history of advertising on other media and the unique attributes of the Internet context, the chapter examines new marketing and promotion techniques available on the Net. The author suggests a set of safeguards that may avoid negative consequences of increased commercialization of the Net.

It is inconceivable that we should allow so great a possibility for service, for news, for entertainment, for education, to be drowned in advertising chatter.

So spoke Secretary of Commerce Herbert Hoover in 1922, commenting on the uses to which the new broadcasting medium radio might be put. Today computer-mediated communication similarly is in its early stages of development, and much the same thing is being said by early users of the Internet—that global interconnection of networks offers great promise for the future.
The onslaught of commercial activity threatens the vitality and nature of this new mode of communication. Given the momentum behind such commercialization, and the enormous public benefits at risk, the implications of current and future commercialization demand immediate exploration.

The way a new communication medium develops and evolves is a complex process that includes technological, social, economic, and regulatory forces. These forces interact, pushing and pulling an innovation into obsolescence or maturity. In the United States, this interaction is strongly influenced by a media philosophy that favors private ownership and commercial exploitation. The development of U.S. media, therefore, is not completely unpredictable, as the process is controlled by profit-driven entities with predictable objectives and desires. Although individual media are unique and their fate not ultimately predetermined, this reliance on commercialization and privatization helps direct U.S. media down a very specific path. Computer-mediated communication is the latest communication medium to enter this process of development.

In the United States, the Internet is no longer the sole domain of an elite group of researchers and scientists. The Internet has attracted great interest in the private sector. It is now widely employed by profit-driven organizations as yet another tool of commerce. The commercial applications of the Internet continue to multiply as corporations and individuals in the pursuit of profits have found new ways to sell, market, promote, and advertise goods and services via the Internet. Given the rapid expansion and significance of this recent commercialization, there are some important issues that require immediate exploration:

1. What might be the effect of this growing commercialization?
2. How will it impact the development and direction of the Internet?
3. Can the Internet be protected against the possible negative effects of excessive commercialization?
4. Will computer-mediated communication follow the well-traveled path of previous media, or is it somehow inherently or fundamentally different?
5. If overcommercialization refers to a situation in which the primary usage of a medium heavily favors the private interests of profit-driven corporations, to what degree will that situation obtain for the Internet?

This chapter addresses these questions and finds both reason for concern and cause for action. If proactive measures are
taken fairly soon, many of the negative consequences of overcommercialization may be avoided. This essay concludes with a set of suggested policies and safeguards that would alleviate some of the negative impacts. These safeguards would serve to protect the integrity of the online communications and help ensure that unprofitable yet important and beneficial uses of this new form of communication do not get "drowned in advertising chatter."

AND NOW "U.S. MASS MEDIA" BROUGHT TO YOU BY . . .

Unlike many nations, the media philosophy in the United States reflects a long-standing belief that "the media" and "the government" should remain distinct. Moreover, private ownership of media outlets is reflective of an economic philosophy favoring free enterprise. Although there exists a system of public broadcasting, it is fragile, constantly under attack, and increasingly dependent on private-sector funding. Thus, media in the United States are almost exclusively privately owned and controlled.

This reliance on private ownership and free enterprise is also based on a belief that competition in the media industries will produce a diversity of resources and information—a marketplace of ideas. This objective is frequently compromised, however, as media organizations tend to eliminate competition through consolidation and mergers to achieve greater economic efficiency. When a medium is young, there are many small, independent players. As it matures, there is increasing consolidation. Historically, such concentration has been followed by government antitrust action aimed at stemming such monopolization or oligopolization (for example: the Motion Pictures Patent Corporation or "the Trust" case, the Paramount decision, the splitting up of NBC and of the creation of ABC, the Modified Final Judgment and the split up of AT&T).

Recently, concentration of ownership has increased with considerable consolidation within and across media industries. Through horizontal and vertical integration, mergers, joint ventures, and buyouts, media behemoths are growing to unprecedented proportions, not merely in the United States but worldwide. Ironically, while consolidation has been on the rise, antitrust intervention has receded. There has been a shift to encouraging competition on a global rather than a national scale and to promoting large, strong, and secure U.S.-based companies. As the Internet represents new unconquered territory for these expanding entities, corporate consolidation and government deregulation are important contextual factors that promise to have a major influence on the development of the Internet within the United States and elsewhere.
Big or small, owners of U.S. media for the most part are permitted to employ whatever strategy they choose to generate revenue. The sale of “space and time” to other companies for advertising purposes has proven to be an effective means of generating generous profit margins for owners. Although not all U.S. media are supported by advertising, many are. Indeed, the line between those few media that are and those that are not has become blurred. Even the book publishing industry has sometimes resorted to an occasional advertising insert. The motion picture industry has also turned to nontraditional ways of supplementing the revenue generated by individual ticket sales. Commercials have made their way into U.S. theaters; on occasion they precede a feature released on a videotape. Indirectly, they appear in the subtle guise of take-home toys accompanying children’s fast food.

The history of U.S. media illustrates a parallel growth and increasing interdependence of the media and advertising industries. Newspapers in early colonial America were produced by printers, not journalists, and many even acknowledged the predominance of advertising by including the word in their names (Hiebert, Unguralt, & Bohn, 1991). Even the text of the Declaration of Independence, published in the July 6, 1776 edition of the Pennsylvania Evening Post, appeared alongside advertisements (Hiebert et al., 1991). The Penny Press in the 1830s, an idea that made newspapers an affordable mass medium, was driven by the then innovative strategy to increase circulation to attract sufficient advertising dollars to replace the money lost through the lower individual sales costs.

In the early days of broadcasting, the radio industry relied on sales of radio receivers as a primary source of revenue. As receiver penetration levels increased, this source of revenue began to dissipate. At the same time, audiences became more discerning, leading to increased production costs. The debate over radio advertising alluded to in the opening passage was short-lived. Advertising quickly became the accepted means of financial support for radio stations and networks. By the time television arrived, broadcasting had been heavily commercialized, and the same organizations that had profited handsomely in radio quickly moved into television, bringing with them their established system of commercial support. The pervasive commercial interruption became a staple of broadcasting content.

The rhetoric that surrounded the expansion of cable television in the 1970s promised a transformation of television and was based on the belief that it would provide an electronic forum that was both diverse and open to the public. Such optimism proved to be unwarranted. Public access channels have sat underfunded, underutilized, and generally unwatched, and the new channel
capacity did more to increase the quantity of television than it did to improve the quality. From an advertising perspective, however, cable offered a clear advantage: It delivered targeted and prepackaged audiences.

How has this reliance on advertising revenue affected the direction, development, and uses of existing media? Although it would be impossible to answer this question precisely, several broad generalizations can be offered. It should be conceded that advertising has affected U.S. media in several positive ways. For example, the sale of advertising time and space has helped to lower or eliminate the direct cost of information and entertainment to the consumer. By subsidizing costs, advertising has helped make the media more accessible. For example, “free” (advertiser-supported) television is universally available to all who own a television set. The U.S. system of advertising also supports an economic system based upon the promotion of competing goods in a marketplace.

The money generated by advertising revenues has also benefited the media by enabling the production of high-quality content. Ironically, it can also be argued that the increasing reliance on advertising has lowered the quality of media-delivered information and entertainment in several ways. In a hierarchy of artistic value, media that are dependent on advertising are placed several notches below those that are not advertising-dependent, that is, film and literature. With most advertiser-supported media, the emphasis traditionally has been placed on quantity of audience rather than quality of product, and these two do not always go hand in hand.

In serving two sets of masters—advertisers and consumers—media organizations often have placed their own interest in profits over the public interest. By providing a supportive environment conducive to the insertion of sales pitches, owners repeatedly have compromised the quality of media content. Perhaps the most concise and compelling summation was offered by Gloria Steinem (1990) in explaining the decision to hike the individual copy costs of Ms. magazine and publish sans advertisements. In sum, the optimism that has surrounded the early years of all U.S. media has been quashed by the negative influence of commercialism.

CYBERBUCKS AND ELECTRONIC ADVERTISING

The origins of the Internet have been recorded in many places by many people (see, e.g., gopher://gopher.isoc.org/11/internet/history). These historical treatises tell of a technology that began as a system designed by and for a select group of somewhat homogeneous early users. Developed originally as a vehicle to communicate and
exchange information for noncommercial purposes—primarily defense-oriented, scientific, and research data—it was not long before additional applications were found for this new "network of networks."

It is hard to document the very first time the Internet was used to sell a good or service. However, one particularly offensive commercial message stands out as mobilizing opposition of Internet users. In 1994, two Arizona-based lawyers, Lawrence Canter and Martha Siegel, posted a message advertising their legal services aiding applicants for the U.S. government green card lottery throughout the Usenet. The Usenet is basically a giant collection of electronic discussion groups. It is available through the Internet, sometimes confused with the Internet, but merely an application riding on the Internet.\(^1\) Though this commercial activity was not illegal, it came as a surprise to many Usenet users and violated an unwritten consensual community code.

Although others followed Canter and Siegel,\(^2\) there was no immediate onslaught of commercial pitches on the Internet. The text-only format of the Net had limited appeal for advertisers, and the early Net population was not terribly alluring demographically. Recently, however, the growth of the World Wide Web has prompted an enormous increase in commercial traffic. The Web provides companies with a glitzy multimedia format, and it has also attracted countless new users to the Internet. Because of the popularity of the Web, the Internet population has grown considerably. As of January 12, 1996, there were an estimated 46,523,158 people on the Internet (for a more up-to-date estimate, see http://www.netree.com/netbin/internetstats). Many different commercial applications of the Net have appeared. Advertising, both blatant and disguised, marketing, product promotion, and direct sales are but a few of the more prevalent forms of commercial activity. Many businesses exploiting the commercial applications of the Net have found the experience to be worthwhile and financially rewarding (see, e.g., ActivMedia’s report summarized at http://www.activmedia.com/Trends.html).

**THE NET AND OVERCOMMERCIALIZATION: THREATENED OR IMMUNE?**

To determine the future impact of this growing commercialization, one needs to understand the nature of the Internet itself. Such an examination will help determine the degree to which it is immune from or threatened by overcommercialization.

The "lexicon of cyberspace" offered by Steven Klines offers a set of descriptors defining the Internet as free, egalitarian,
decentralized, peer-to-peer, experimental, autonomous, and anarchic. To assess the accuracy of this characterization, each descriptor is addressed individually.

"The Internet is Free"

The word free has several connotations. The most common are "cost-free" and "free from regulations and controls." Anyone who characterizes the Net as cost-free must have their access subsidized. For example, many academics can surf cyberspace from their offices, unaware of the source of funds used to compensate for their use. Residential users, surfing cyberspace from their homes, are reminded when they pay their bills every month that it is not an entirely free service. Posting of information, even advertising, is comparatively inexpensive, but with indirect costs; it is not totally free either. Most of the information itself is currently available for free, but this will likely change as copyright holders seek compensation for their work. In terms of regulations and controls, the Internet has been relatively unencumbered, but this is changing, especially in the area of content regulation. The Communication Decency Act provides perhaps the most flagrant example of such attempted regulation.

"The Internet is Egalitarian"

For some, life on the Internet seems blissfully democratic and egalitarian. For others, many of the same sort of inequities that exist in real life are mirrored in cyberspace. Doubters might like to consult with women who experience the same sort of discriminatory harassment and inequities online as they do in face-to-face interaction (see, e.g., http://www.voyagerco.com/gg/intemetposter.html). Access to the Net world is not available in any sort of equal or egalitarian fashion. The largest gaps are socioeconomic and are even more glaring on the international level (see http://info.isoc.org:80/images/mapv14.gif; see also http://www.hfac.uh.edu/MediaFutures/Gap.html).

"The Internet is Decentralized"

Computer networking generally facilitates decentralization. For example, networks have helped to decentralize work (i.e., telecommuting) and education (distance education). In terms of organizational structure, many firms now favor horizontal arrangements over vertical hierarchies. Networks do not indiscriminately and universally decentralize; they do centralize certain activities. This is one of the paradoxes of technology that
explains why people can look at the same thing but arrive at differing conclusions (see Donnelly, 1995).

"The Internet is a Peer-to-Peer Means of Communicating"

Despite the intent of the designers that the Internet be used to access mainframe computers for professional and research purposes, the initial popularity became more personal in nature, primarily in the form of mail, discussion groups, and home-grown Web pages. Such material is now being supplemented by a flood of nonpersonal information. An enormous amount of material is posted by large, impersonal organizations and is accessed by a heterogeneous group of browsers. The Net still serves as a one-on-one form of communication, but it is also a one-to-many and many-to-many medium. Characterizing it solely as a peer-to-peer vehicle is inadequate.

"The Internet is Experimental"

The Internet, like all young media, is indeed experimental. Early Net users even bear a strong resemblance to pioneering radio amateurs. Several characteristics of the current experimental work on the technology of the Internet, however, are worth noting. A great deal of this experimentation is being driven by private interests that expect commercial returns on their investment. This experimentation will also make the Net more like other media in terms of the material it can handle (audio, moving video, etc.) and, therefore, a more attractive vehicle for commercial applications.

"The Net is Autonomous"

At the present time, there is no centralized control of the Internet. One does not need permission to post information on the Internet, and there is no single controlling government agency overseeing it. One does, however, need an access provider who establishes rules and regulations for users employing its technical capabilities. However, as public concern mounts over such freedom of expression and as corporations begin to battle over this new media territory, the autonomous nature of the Internet will certainly be partially compromised.

"The Net is an Anarchy"

Although the Internet does resemble a wild and free frontier in many respects, even those who use the word anarchy contradict
themselves by also insisting on adherence to netiquette—a form of self imposed regulation. As more users and more money becomes involved, the anarchy will likely disappear as civilization in cyberspace arrives online (see, e.g., the paper by Spar & Bussgang, 1996, "Ruling Commerce in the Networld").

In summary, these descriptors offer a questionable and incomplete characterization of the Internet in its present form and an even less accurate characterization of what the Internet will look like in the near future. Other terms have been offered to distinguish the Internet from other media. Many people have pointed out that the Internet is unique because it is a highly interactive medium. Many applications of, or places on, the Net are highly interactive. This sense of participation has helped popularize the metaphor "cybercommunity." Reading or sending e-mail, for example, is a personal and interactive activity. Discussion groups are a forum for dialogue, though there are often more lurkers than posters. In other applications, interactivity is limited to locating specific information. Net browsing is akin to channel grazing via the remote control, and most of the future activity on the Net will consist of this clicking around. The Internet is fast becoming, like other media, a place where most of the information exchanged is provided by producers and consumed by consumers.

The Internet is also characterized as unique because it is global in nature. The Internet does connect different national infrastructures, providing a somewhat seamless network enabling users to transmit and exchange material easily and cheaply across national boundaries. This phenomenon is unique and the basis for some "jurisdictional quandaries" for the legal community (see Branscomb, 1994). Legal jurisdictional differences aside, however, it should be noted that a great deal of other media material (i.e., television programs, recordings, films) is provided by and consumed by people separated by vast geographic distances. Hence, many media are built around global distribution infrastructures.

The feeling that the Internet is seamless and ubiquitous, unrestricted by geography, has prompted the overuse of another descriptor: cyberspace. Such a term posits online communication not as a thing, but as an intangible gathering place. What gets lost in the overuse of this metaphor is that such transactions take place within a specific context, be it the school room, the office, the bedroom, and within a specific nation.

Public concern over the distribution of questionable material illustrates that online transactions are not entirely removed from the real world. When compared to other media, the Internet is an interesting phenomenon because it is both like and unlike existing communication technologies. It is part telephone, computer, printing
press, bulletin board, brochure, mail order catalog. Soon it will possess many of the qualities of radios and televisions. Although such a hybrid is truly unprecedented, such overlap also makes it difficult to distinguish it as a radically new phenomenon.

The metaphors shape the way the users see the Internet. Much of the Internet community sees this medium as truly unique. In misunderstanding the nature of online communication, many users of the Internet have become complacent about the threat of commercialization.

For a more complete understanding of what online communication offers, it is helpful to reexamine the electronic environment from the perspective of advertisers. From their perspective, the Internet, and especially the World Wide Web, offers a new and different means of reaching potential consumers. Compared to other media, it has numerous advantages. It is cheaper. It can provide a direct link between a company and a consumer in ways that the media cannot. A wealth of information can be supplied. Audiences often come prepackaged around specific interests, or they come directly to the advertisers. The World Wide Web is not the perfect vehicle for marketing and advertising, but it is extremely well suited to some applications. In the end, the advantages make it an alluring and highly attractive vehicle for advertisers and commercial applications.

Given the antipathy of pioneer users of the Internet to advertising and the potential for exploitation by commercial interests now turning to online communications in great numbers, there is a potential for conflict that needs to be resolved so that the values of the pioneers might be preserved while still accommodating the needs of the new arrivals.

PROTECTING ONLINE COMMUNICATIONS FROM OVERCOMMERCIALIZATION

Identifying a potential problem is relatively easy compared to reaching consensus concerning its resolution. Typically problems are resolved though a group process of debate based on proposals articulated and offered by individuals, who best serve as discussion prodders. Thus qualified, there follows some specific problem areas along with solutions offered for debate.

There are numerous potential dangers that need to be monitored and protected by establishing formal safeguards. The following addresses two of the most pressing dangers: the possibility that commercial traffic will drown out public speech and limit the prosocial benefits of a much needed public forum, and the possibility
that commercialization will contribute to an erosion of the privacy rights of Net users.

It would be futile to attempt to stop advertising and commercial activity on the Internet. Advertising and commercialization should not be allowed to run rampant, however, to the detriment of noncommercial applications. The Net world offers vast areas, not just one cyberspace. Technically, it may be divided into different cyberspaces—some areas in which advertising and commercial traffic is acceptable and some areas in which it is not.

In the "real world" we have attempted to set aside areas in which advertising is taboo or discouraged, but our attempts have been ineffectual, and we have become increasingly tolerant of the encroachment of advertising into many public and private spaces. We must try and ensure that the demarcations drawn in the networld are more resilient. For starters, we must ensure that our electronic mailboxes do not become the overstuffed repositories of unsolicited junk mail that our sidewalk mailboxes have become.

Although few people seem to like junk mail, advertisers argue that it is an inexpensive and proven means of effectively relaying a message to potential consumers. In areas in which people pay to have their trash removed by the pound, however, it is more than a mere nuisance; people are paying for something that they did not seek and do not want. There is little legal control over the nature or the amount of commercial material that may be delivered into mailboxes. To prevent a similar loss of control over online communication, clear and enforceable lines need to be established placing electronic mailboxes off limits to unsolicited commercial solicitation. From a legal perspective, this issue is complicated as it involves privacy issues as well as First Amendment issues, both extremely murky legal areas. Nonetheless, an individual's rights to the sanctity of this private space should be preserved. A total ban on junk e-mail is unnecessary, for some might opt to receive it. Such an option might in fact help subsidize online access for individuals so inclined. For example, those who make their e-mail boxes available to commercial traffic could do so in exchange for reduced rates. Recipients, however, should not have to pay extra to stop unsolicited commercial e-mail, nor be required to take action to opt not to receive it.

The informal delineation of cyberspaces has already begun by users conveying the attitude that the Usenet is off limits to sales pitches. Guidelines have been set by netizens who have devised their own methods of enforcement and punishment. These techniques include boycotts, placement on an actual blacklist of Internet advertisers, engaging in fake e-mail dialogs, and cancelbots (for more information, see the Blacklist of Internet Advertisers at
http://www.cco.caltech.edu/~cbrown/BL/#what). The effectiveness of such harassment and self-enforcement is not clear. Although violators like Siegel and Canter dismiss such efforts as ineffective “objections from the same tired few” (see their interview with .Net magazine at http://www.futurenet.co.uk/netmag/Features/CnS/CnS.html [registration is required]), such comments could be a ploy to discourage further harassment. Such threats of retaliation have likely deterred some potential advertisers. Advertisers will not find it good business to alienate potential customers. The real test of such enforcement powers is fast approaching as a greater number of potential violators come online, and the pioneers who have established the informal rule may be overwhelmed by new users.

In the end, clever cyberpranks and technoterrorism targeted at violators may prove counterproductive, because they might be interpreted as violations of the rights of the advertisers. Influencing public opinion will be critical in establishing the broad-based support necessary to civilize cyberspace. Software designers as well as lawyers need to join forces with concerned users to establish consensual protocols for acceptable practices. In determining such practices, legal scholars would be especially useful as allies and “could engage in a useful public service if they would concentrate on defining these emerging legal boundaries rather than criticizing and rejecting the meager legal structures that currently exist” (Branscomb, 1995, p. 1673).

Establishing ad-free zones in the Net world and presentation of advertisements in an unobtrusive manner may accommodate the needs of users for autonomy over their own cyberspaces while facilitating online advertising. The prevalent mode of advertising on the Web; the clickable logo/link, provides a relatively benign means of conveying a commercial message. The information is physically unobtrusive, empowering consumers by giving them the option to click if they so desire.

Advertising may soon appear before the selected page loads, thus interrupting the content flow à la the broadcasting model. Aural sales pitches may appear during browsing. With more live events appearing on the web, users may be inundated with commercial interruptions (i.e., “We'll be right back after this brief download from Netscape . . . ”). The possibilities are alluring for advertisers, and disturbing for many users. Influencing how advertisements appear is an even more challenging task than trying to regulate where they will be permitted. Curbing unacceptable practices will depend on cultivating an ethos and ultimately a cyberlaw derived through a consensual process involving both users and advertisers.

As advertisers begin investing greater resources in online advertising as a vehicle to reach potential buyers, they will want
more information about who is seeing or reading what. The medium is built around an interactive terminal designed for entering data, a means of readily transmitting information, and a built-in computerized method of storing and interpreting data and could potentially provide the most effective and reliable audience measurement tool ever devised. What would be a tremendous gain for advertisers, however, would entail a considerable loss for consumers. Such a quest for information threatens both autonomy and anonymity and needs to be kept in check. It is important to reserve the option to not give away personal information without being informed how it will be used. Perhaps some will wish to cash in on the economic value of personal information and trade it for desired and expensive online content.

Whatever rules and laws are established, they will only be effective if they are enforceable. Without a manageable enforcement strategy, commercialization of online communication will run rampant. Such enforcement needs to be a shared responsibility. Although pioneer netizens are wary of any sort of government intervention, only the government has the clout to threaten legal enforcement. As many government agencies are undergoing budget cuts and downsizing, additional responsibilities are unwelcome. Moreover, the sheer volume of traffic and the privacy issues surrounding the monitoring of messages would make it impossible and inappropriate for a government agency to handle all the enforcement duties. Besides, not all the rules would be legally enforceable laws and under government jurisdiction.

Enforcement and monitoring duties need to be shared. An organization maintained in a cooperative effort involving private and nonprofit entities could be established online as a place where violations could be reported initially. Such a self-regulatory body, with a narrowly defined but widely agreed on charter addressing inappropriate commercial speech, would help police the Net world and empower cybercommunities by sharing the responsibility of control. Such empowerment will help to preserve the sense of community spirit or obligation that will make such enforcement manageable. Warnings to cease and desist a reported inappropriate activity could be issued by this group, and if applicable, repeat offenders could be reported to the federal government for legal action. Such filtering will help make the government's enforcement duties more manageable. The online enforcement activities need not be centralized. There can be numerous mirror sites. However, a tendency to decentralize may dissipate the effectiveness of the system. Some netizens would argue that widespread decentralization is preferable because it is more in keeping with the sort of decentralized anarchy they would like to encourage. However, it
would undermine the strength of the rules, leave the impression that there is no single agreed on policy regarding commercialization, and weaken compliance by advertisers.

Informing all users of what is and is not acceptable with regard to commercial speech will make potential advertisers aware of the rules restricting their behavior, and it would help them realize that posting inappropriate commercial speech is not just violating the sensitivities of a few but disregarding the values of many.

Informing everyone of the rules governing commercial speech and how they will be enforced will be tricky, and we will need to solicit the support of access providers. Presently, there is a great deal of competition in the provider area. Inevitably, we will see a shakeout and consolidation in this business that will make it easier to elicit widespread cooperation from these critical players. Some sort of consensual agreement and uniformity should be sought in contracts signed by users seeking access to the Internet. This will also help to publicize established rules.

Publicizing established rules is an extremely important part of the enforcement process. It will be especially challenging as U.S. mass media, the major vehicle for information dissemination in U.S. society, are owned by private companies who have a future stake in the Net world, and who have traditionally disliked obligations, especially those that affect commercial speech. On the Internet, it is easy to relay information, but the glut that exists makes it almost impossible to convey a small body of important information to the majority of users. (Who ever reads the READ ME FIRST files anyway?) Hopefully, the debate over the establishment of such rules would be public enough to generate awareness of both the specific rules as well as the logic behind them.

Ultimately, what a democratic society requires is an information agora. The word agora comes to us from the Greek and refers to an open square or community gathering place where merchants gather to sell their goods and citizens come to exchange ideas. Although the existing media are effective at providing a place for advertisers to gather, they are less effective as open and vital public forums. Advertising dollars are finite. As some of this money is allocated to online communication, the traditional media may be even more willing to make concessions to attract those lost dollars back or they may place more of the economic burden on individual consumers by increasing their direct costs.

Add to this the fragile status of public broadcasting and the lax enforcement and possible elimination of the public interest, convenience and necessity broadcasting obligations, as well as the tendency to allow the marketplace to solve problems, and the situation appears to be deteriorating. More than ever an effective
public forum is needed, not just within the United States, but worldwide. The Net world appears to be poised to provide such a global agora.

In sum, computer-mediated communication is not just a new technology. It is a collection of technologies as well as a new and important means of communicating. As a global medium, however, it still develops within different national contexts and is shaped by differing cultural values and varying media and economic philosophies. One can, therefore, think of its evolution both within specific national contexts, as well as on a global level. This chapter focused on the Internet as it is evolving within the United States.

The strength of a democratic society is based upon a vital and diverse communication system that ensures equitable access. Some netizens have seen the potential of the Internet as filling a huge public void left by market forces. These cyberleaders have spoken eloquently about the benefits of universal access, but less effectively about how such an objective could be achieved. Although providing equitable access to the infrastructure has remained elusive, that is only one step toward parity. There will always be some free information available on the Net, but its utility may be limited. The more useful and desirable information will be costly to collect, package, and post. The providers will undoubtedly and justifiably seek compensation. Some will be content paying for material, but others might prefer to see part of the burden shifted to advertisers. The beauty of online communication is its flexibility. Several varieties of presentations could appear; for example, “click here to pay for content sans advertisements,” “click here for the advertisement supported version.” Advertising, if unobtrusive and optional, could improve the accessibility, affordability, and utility of the content.

Advertising could become an ally in promoting the prosocial and democratic development of the Net world, but its potential to drown out beneficial uses and damage democratic governance must be recognized and curbed before its effects become irreversible. Users must recognize that they are not only consumers of online information but also netizens with responsibilities for self-government. How the new Net world will evolve will depend on how seriously netizens answer the call to action to mold the future in their collective public interest.

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1. For a lengthy clarification of the distinction, see http://www.fas.sfu.ca/cs/people/ResearchStaff/jamie/personal/use-inter.

2. For other examples, see the Blacklist of Internet Advertisers at http://www.cco.caltech.edu/~cbrown/BL/#list. The activity is prevalent enough to have earned a label "spamming." For more information on spamming and the related phenomenon velveeta, see http://www.cco.caltech.edu/~cbrown/BL/#spam.

3. For example, Whittle Communication’s Channel One has brought advertising into U.S. public classrooms; public sporting and concert events frequently bear the name of a sponsor; the Empire State Building was recently illuminated in blue to advertise new blue M & Ms. Advertisements appear inside and outside U.S. public buses, and they appear inside some public bathroom stalls as well. On PBS, sponsorship acknowledgments have essentially turned into short commercials.

4. Such control might be based on the ability to block commercial messages that would depend on a clear scheme of coding messages. Such a coding system also can be a major asset in searching for information. In searching for specific information, individuals would be better equipped to block out commercial hits and cites if they so choose.

REFERENCES


