

Evolution or Involution? A Question on Political Ethics

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1. Progress in communication?

Considering *The Evolving Media's Impact on Rhetoric and Society*, we can't avoid the question: Where are they taking us, these "media"? The question does not admit of a general answer, certainly not in terms of their function in human communication, that is, whether they are more or less adequate, or even effective means of communication. Human communication never occurs in isolation, of and for itself. It is never "individualistic" in the solipsistic sense; rather communication is always unavoidably embedded in social situations, hence also in the political. These situations, in contrast to the relative stability of the genetic code, have changed. But does this change constitute progress? It depends on what you mean by "progress": What is the starting point and who is progressing, that is, who is moving "forward" and not just "away" from the present. But even if we assume "forward," that simply means "not backward." After all, "forward" does not specify a destination, a goal. Thus, once again, the question is "where to", or in a more elegant mode, "whither?" What direction is being taken? (A direction has always been chosen, even if the choice is by default, i.e. unconscious.) Where is the goal? Is there any overarching goal? For the single life – the whole society – for mankind? Who is asking those questions? But this necessarily compels communication scholars such as ourselves to ask the basic question: *Does communication even have an ultimate goal?*

If we are not ready to content ourselves with commonplaces, we will have to ask further what the media mean for communication, not just for the acquisition of information, but rather and especially for a consensus-oriented communication that is based on and leads to action (Geissner, 2005, 19). Speaking and writing do not constitute the content of communication, even if it sometimes appears they do; they are

merely processes that transmit thoughts and feelings. Therefore, the development of this content is more important than the "nurturing" of speaking or writing. I propose the following motto: *What use is the best education in speaking and writing, if people have nothing to say?* With respect to television, Pierre Bourdieu made the following observation:

The exchange of commonplaces is communication with no other content than that of communication itself. [...] Because of their banality the commonplaces are common to both sender and receiver. Thinking, by contrast, is subversive from the start: it has to begin by breaking commonplaces down (Bourdieu 1998, 39).

2. Directions of progress

So, let's investigate some possible directions and look into the goals we might pursue "moving forward":

1. Away from the present
2. Quantitative expansion
3. Qualitative change
4. Attainment of goals

Let's look into what these four dimensions mean for communication:

2.1 *The fascination of the new*

It can probably be assumed that "forward" means a general striving away from a never-changing present, breaking out of the everyday. Fashion is always bringing us something new; even fashions of speech change: The ancients spoke of "bread and circuses" (*panem et circenses*) for the masses; these days, it is the demand for games that keeps growing. Enough

already of the “daily bread” of ordinary, boring modes of speech! Give us wordplay, verbal amusements! Escape from the customary, everyday, seldom entertaining entertainments, but also from the dismal seriousness of life: a game of poker in the fun-society, which mistakes itself for an information-society and mocks itself as a knowledge-based society.

2.2 Quantitative enlargement

Biologically speaking, the human being is a rather deficient species (Müller 1980, 712). To compensate, it has eliminated many of its deficits and faulty aspects *quantitatively* (Kittler 1986; 125) by technical means: eyeglasses, the wheel, machines, transportation by rail and car, telecommunications, experiencing novel and foreign situations through radio, film, long-distance eavesdropping, closing distances with tele-optics: the telescope and television. All these prostheses are uncontested in their usefulness and most of them are irreversible innovations, but have they led to a *qualitative* change? Apart from improved marketing options for Olympians - I mean Olympic athletes -, who is helped by the athletic maxim “citius, altius, fortius”? That is the official motto of the Olympics committee: “faster, higher, stronger.”

Does a Formula-1 racecar improve the engines in passenger cars? Although the Tower of Babel was toppled, the Tower of Dubai still stands, but it has by no means realized a utopia. If “time is money,” then saving time through increased speed is worth gold, but at what price and to what end? “Compressed speech” is at best useful for fighter pilots to convey their positions to each other. Machine power has reduced the strenuousness of work, but just how do workers benefit from increased production, homemakers from the lightening of their chores, communicators from speaking and listening machines?

2.3 Qualitative changes

Is it possible—now and then—that a quantitative change creates new qualities, even in communication? *Certainly there is no progress in art or in morality.* Giacometti’s “Walking Man”

recently changed hands for ninety-four million Euros, but it hardly represents an advance over, say, the “Discus Thrower” of Praxiteles; the cave paintings of Lascaux (Spain) bear witness to their times as Picasso’s “Guernica” does to ours. A pentatonic “stabat mater” is not to be viewed as backward relative to a twelve-tone requiem. And what about a qualitative change of morals? Do the new liars who drove whole nations into the Iraq War have more integrity or refinement than the old liars? Is a banker who inveigles his customers into the purchase of worthless derivatives a better betrayer than Judas for his thirty pieces of silver?

2.4 Completion of communication?

*Is a perfection or consummation of communication even possible? Can this mean any more than achieving a condition post mortem in which communication is superfluous? Whether it is “milk and honey in the heavenly gardens,” or eternal life in *Paradise Regained* or the utopian “topos hyper ouranios.” The time machine is no longer ticking. The thinking machine is getting rusty. The mouths and the communication machines stand idle. The electronic cloud seems to be gone with the wind. Decades ago McLuhan prophesied: *The computer [...] promises by technology a Pentecostal condition of universal understanding and unity* (1964, 79). Is this prophecy now to be fulfilled online?*

The condition of weightlessness that biologists say promises us physical immortality may be paralleled by the condition of speechlessness that could confer a perpetuity of collective harmony and peace (McLuhan 1964,80).

Human souls wafting through the heavenly fields, basking in the radiance of the divine countenance and singing “Hallelujah” with the angels — and nary a breath for words, no more talk of reason and rationale, and no “unforced constraint by the better argument” (Habermas 1973, 240). The contra-factually conceived “ideal speech situation” has been achieved; in fact, the inferred agreement is now a collective given, obviating any possible communicative exertion. *“The rest is silence.”*

3. The reality of communication

“Since, however, it is not so,” as Kafka once said, we must ask further about the goals of communication, both on- and off-line. Of course the media have changed people’s lives, including the way they communicate, but let us not forget that many technological innovations, considered revolutionary in their day, have since disappeared. Who still sends telegrams? How would you even do it? (Note from *Wikipedia*: Western Union ceased all telegram services in the U.S. in 2006). Who, especially among young people, still makes phone calls using landlines? Who sends a fax when it’s so much cheaper and easier simply to text someone? Who is not proud of his/her many Facebook-friends? (It would not be out of place to insert here an excursus on the transformations in communication pedagogy under the influence of such developments as audio-visual technologies, from the wire-recorder to the iPhone, from the slide projector to the digital projector.)

The greatest transformation was occasioned by the WWW, which brought us the possibility to “communicate” about anything and nothing globally and in real time with any and all who are online. Of course, it is always a question of whether this is “consensus-oriented communication based on action” or merely a one-sided, one-way downloading of information that accomplishes nothing more than to “dis-inform” the mind of the “user.” Users have the choice of identifying themselves or remaining anonymous. (Provided they are technically savvy enough to avoid cookies and spyware!) The electronic cloud obscures and hides. The Web and its countless data sources offer the possibility to find out about everything, even the most remote subjects, to access reports and images that are otherwise unavailable, to establish contacts the world over, to exchange messages with strangers in foreign lands and foreign cultures. By the same token, the Web offers the possibility, totally free of any recognizable form of control, to find like-minded people who share one’s opinions, political views (Selnow 1998, 75), religious practices, personal tastes (culinary as well as musical), passions (travel, theater) and even obsessions (compulsions, sexual practices), whether these be “honorable” or criminal.

4. Uncontrolled freedom?

The WWW not only enables the clandestine plotting of crimes (“alone or with others”), for example making bombs and planning attacks. It also enables the covert participation in crimes, a participation that makes the participant a criminal. A concrete example here - to demonstrate what is meant - is child pornography. There is probably a consensus that child pornography is criminal, as is its distribution and consumption that is, looking at the pictures and reading the texts. Actions that would be dangerous in the physical marketplace can be performed unobserved in the electronic marketplace, safely removed “from the eyes of the law.”

While among consenting adults vulgar pornographic practices, images, and films - so-called hard porn - are more a matter of taste than the penal code, the sexual abuse of infants, children, and adolescents is always against the law and subject to punishment. The suffering and damage that is inflicted by such acts, sometimes amounting to torture, is described in German by the word “Seelenmord”: murder of the soul. The victims are left with psychological wounds that will burden them for life, deprive them of sexual fulfillment, and in many cases lead to suicide. While the children (*infantes*) are free of any responsibility, the perpetrators are punishable, and so are the voyeurs, even if they “only” look at the pictures.¹ (This is not about pin-up girls and pin-up boys; this is about helpless victims, such as children, who fall a victim to a crime – child pornography.)

Since minor children cannot protect themselves from criminals, it becomes a duty of the state to legislate “laws for the protection of youth,”² in particular to guarantee the protection of minors. For this reason the German Federal government drafted a law against the abuse of children with the goal of blocking incriminated websites. The law was announced on television. A young woman (Franziska Heine) read outraged comments against the government’s intended law on the Internet, sent an online petition to the Minister of Family Affairs, and the next day, on Twitter, found a call for everyone to “sign this petition immediately.” It was her petition. One hundred thirty thousand people signed

the petition before the deadline. It is one of the largest mass petitions in the history of the Federal Republic of Germany.³ What is this about? The protestors fear a general censorship of “unpopular” sites.

The sites are labeled “unpopular” because they are the publicity organs of groups outside the mainstream. The protestors demand unrestricted freedom of the worldwide web based on the Federal Constitution, which states, “*There shall be no censorship.*”⁴ Just as in the 1960s when the APO or Außerparlamentarische Opposition (extraparlimentary opposition) fought against the ‘establishment’, in many cases formed of men who had positions during the Nazi government), a new extra-parliamentary opposition quickly takes shape whose goals in some respects resemble those of the newly founded “Pirate Party.”⁵ Almost 1,000,000 people voted for this party in the national elections of 2009, a political force to be reckoned with that represents almost two percent of the electorate. This new “movement” – we’re not talking about a flashmob getting together to drink themselves into a stupor – fights against the restrictions on civil liberties that began after the attacks of 9/11 and have not been limited to the U.S. In the mean, time it is certain that:

The very controversial Internet ban on child pornography, passed by the parliament last fall, will not become law. Thus, for the first time, the online community in Germany has shown its ability to fight (Welfing 2010, 10).

However, this also means that the online community not only furthered its own demands for freedom, but also provided protection for criminals and their crimes. The online community does not concern itself with what the constitution says about the “reservation of statutory powers”. The rights of freedom *find their limits in the provisions of general laws, in provisions for the protection of young persons, and in the right to personal honour.*⁶ To be sure, the Federal President has now signed a modified version of the law⁷ – “Don’t ban it, delete it!” (although it is in principle questionable whether the executive can substantially alter an enactment of the legislature.) But even this altered law reaches only to the national borders, at most to the borders of the European Union, even though the problem

and the WWW are global. We have no guarantee that the German government is strong enough to do what may be possible and to establish laws against child pornography on the Internet. The only thing we can hope for is that the law still manages to protect children.

5. Portentous consequences on political ethics of the media’s evolution

This issue is important because it shows what the media revolution can lead to. This is how the term “*involution*” found its way into this paper. In sociology, involution means, “decay of a social organism” or, more appropriately here, the *deterioration of democratic systems and forms into pre- or anti-democratic form* (Duden 1989, 778). What does this particular case mean for democracy, for the enforceability of law on the Internet?

With the evolution of technology, with its “seamlessly advancing development,” the Internet creates the possibility for people to come together, for them to demand their “right to the free use of the Internet,” but it also allows them to subvert the legislative authority of elected lawmakers, to “disenfranchise” the elected representatives, who have enacted a law to protect children.

The emerging ethical paradox is, in old-fashioned terms, a dialectical tension between freedom and order, between the state-controlled order of human beings living with each other on the one hand, and individual freedom on the other, of course within the bounds of orderliness, lest the living together become “chaotic” (that is, “disorderly”) or “anarchistic.”⁸ The overarching question is in my mind:

How much order is necessary in order to provide for how much freedom?

or, conversely,

How much freedom can co-exist with how much order (Geissner 2008, 24).

It would be anachronistic to measure contemporary democracies against the Attic prototype. Even back then there were various types of democracies, but as Aristotle says: “The basic form of the democratic state is freedom” (Aristo-

tle 1996, 203). A further characteristic of democracy is “that one can live as one wishes.” Therefore one “does not allow oneself to be ruled,” but even if one does, it is only in a “sense of equality,” that is, “all rule over each and, by turns, each rules over all” (204). And yet even the most useful and most unanimously accepted law is pointless unless citizens have become accustomed to the constitution, have been “raised on it,” so to speak. When they act unconstitutionally, then this is because “they improperly understand the concept of freedom, for obedience to the constitution is not to be understood as subjugation but rather as saving the constitution” (187). Democracy is when “all deliberate about everything, for such equality is what people strive for” (157), but even in a fully achieved democracy there is much that is “tyrannical” (195).

What was true of the democracy practiced in a city-state two thousand five hundred years ago by a few thousand male citizens (foreigners, slaves, and women did not have the vote in Athens) cannot simply be taken as a model for a state with millions of citizens, women and men. Speaking realistically, there is no reason to idealize the *Agora*: viewed as the scene of legislative assemblies, rules of voting and exclusions were in strong force; viewed as a commercial place, an assizer controlled the business transactions. While, in the democratic Athens of the fourth century BCE, at least in the *symbouletic* assemblies in the *Agora* “everyone could deliberate about everything,” this is clearly not possible in a “representative” mass democracy. There is no “marketplace” for all, and thus it is not surprising that referenda and elections are taken as the “essential” hallmarks of democracy. (One often hears, when a controversy arises, “Let’s take a vote! This is a democracy, after all!”) But who is truly “free” in their electoral decisions? Not dependent on traditions, on professional or economic interests? Who is not dependent on religious influences, on clandestine constraints of one kind or another? Years ago Stan Deetz came to the conclusion that, “*Voting and free expression, which gives voice to that which is not one’s own, makes democracy an invisible but effective tyranny*” (1990, 95).

It would be illusory to assume things are different in the global market of the Internet. The struggle between order and freedom is both central and omnipresent. It is more than a marginal phenomenon of communication. But even when it is understood as a marginal phenomenon, then this very marginality shows that it is not the achievement of dialogical communication. While the global enforceability of laws is a question for courts and legal scholars, this struggle between freedom and order remains an enduring challenge for communication theorists.

6. A precarious balance

In contrast to the genetically determined animals, human beings, with their general freedom to choose, are not constrained to respond according to their genetic programming or merely to follow rules. However, again and again, freedom runs into boundaries in which the all-too-often ignored dominant position asserts itself, the dialectical relation between subjective freedom and social order that I mentioned above.

The more people submit to the imposed order, the more stable will become the authoritarian system, but also, the more mechanical will become community life. The more people make use of their freedom, the more precarious will be the states in which they live together, but also the more human these will become. But even then there are abuses in both directions. The more people submit to the established order, the more inhuman the system becomes; the more people make unprotected use of their freedom, the more vulnerable they become (for example, to mobbing on the Internet, and to slander and libel). There can be no lasting “contra-factual” solution to this problem, even if it is troublesome that it often entails the unquestioned execution of blind power. What remains factually is only the never-ending challenge through conflict and the daring attempt to endure the tension, to “democratize” the paradox, that is, the collaborative attempt to create at least a precarious balance between order and freedom.

In concrete terms then: It is important not to leave communication to the un-dialogical power plays of the mighty. This means not only interrogating power claims as to their legitimacy and resisting restrictions on freedom, but also using persuasive arguments in respectful conversation to try to inform each other about the contemporary situation, and, even more important, to inform each other about the goals and paths of future action. But aren't these, too, in "view" of the Internet, "contra-factual" views? No amount of situational attempts to ascertain will produce lasting certainty. There are no generic arguments that are valid in all countries of the world. Even convictions do not fall from the sky; they only arise and take shape in the mundane world, in one's experiences during the span of a human life, or, as Wittgenstein puts it: *Our speech only acquires meaning through our other actions* (Wittgenstein 1970, 63).

7. Epilogue

The things we have learned about in life include –to return once again to this issue – criminal acts against children, the exploitation of these crimes by Internet users, and the fact that, since the abused individuals often do not come forward until years later, the statute of limitations makes it impossible to prosecute the offenders. A concrete, even constitution-friendly possibility for communicative intervention might be for the members of the new "Movement for the Free Use of the Internet" not only to look after their own rights, but also the rights of the abused, and to rally around an effort to rescind the statute of limitations on these crimes.

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Notes

- ¹ Urteil des Oberlandesgerichts Hamburg 15.2.2010
² Grundgesetz Art. 5. 2
³ Die ZEIT v. 27.08.2009
⁴ Grundgesetz Art. 5. 1, Satz 3
⁵ Piratenpartei. See: Wikipedia.com

- ⁶ Official translation published by the Bundestag. Berlin, 2008 <https://www.btg-bestellservice.de/pdf/80201000.pdf>
⁷ Gesetz zur Bekämpfung der Kinderpornografie, 23.02.2010
⁸ Plato. *Republic*. IX, 575 ("ohne Herrscher keine geordnete Regierung")

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