

MA MAJOR RESEARCH PAPER

# TERMS OF RESTRICTION

*An examination of how online  
media cover the debate about  
commercial control of the Internet  
and the possibilities of public  
spheres online.*

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## Introduction

Initially developed by universities and the military, the speed at which the Internet was embraced by the general public during the mid-nineteen-nineties took governments and commercial interests by surprise. It allowed for a new form of discourse, where anyone could log-on and, at no additional cost, enter into conversations and debates with millions of other Internet users. This new medium for communicating information allowed individuals to overcome existing financial and spatial barriers and thereby engage in new forms of critical political dialogue. Internet communities have flourished and existing corporate media companies, experienced at producing and distributing content to audiences of consumers, have had to adapt to audiences that increasingly demand the right to create and distribute content themselves.

Many governments, Canada included, have chosen to leave the Internet and its infrastructure largely unregulated, believing that existing legislation would suffice (Canadian Radio-television and Telecommunications Commission. *CRTC Won't Regulate the Internet*). In contrast to traditional media enterprises already dominated by commercial interests, the Internet seemed to be a medium where commercial and public interests could successfully coexist, and where individuals could engage in critical dialogue, share ideas, and shape discourse and opinions offline as well as online.

Internet users have been taking advantage of new technologies to communicate in new ways. Email has allowed individuals to communicate instantly, and at little cost, with others anywhere on earth; online markets such as eBay and Amazon provide virtual retail outlets where almost anything can be bought and sold; and the low cost with which anyone can



create and host their own website or weblog has meant that opinions and culture can be shared in ways never before imagined.

New technologies have allowed for the development of online communities where individuals can interact and share in new, and unexpected ways. Facebook, MySpace and YouTube provide tools to make friends, share links and media, and communicate individually or in larger groups. These communities also make it possible to engage in critical political discussions that can impact and shape the opinions of thousands, and sometimes millions of other Internet users, as well as non-Internet users, in ways Habermas could not have imagined when he first conceived of the Public Sphere.

This paper is founded on the belief that Public Spheres, whether manifested in the real world or the virtual, are critically important to a healthy civil society. The Internet holds the promise of manifesting Public Spheres more powerful and widely accessible than previously possible. But this promise assumes that certain, critical foundations for Public Spheres remain intact and are not undermined by commercial actors.

Commercial interest in the Internet has been intense. With billions of dollars invested in online ventures and advertising, commercial actors have demonstrated their intent to aggressively protect existing and potential revenue streams online (Rothenberg). As a result, access to, and space on, the Internet has been largely controlled by private, for-profit corporate interests. Internet service providers such as Bell, Rogers, Comcast, and AT&T control access to the network the Internet is built upon, while the most popular spaces online are private communities including Facebook, MySpace, and YouTube. This calls into question whether the existence of vibrant Public Spheres online is even possible—a question that is enthusiastically debated in academic journals. Ironically, the nature of Public Spheres

suggests that the merits of these arguments would be better debated by the public-at-large—a debate that is more likely to take place when featured by the mainstream media, particularly online (Baber; Han; Nunziato; Papacharissi; Stein; Winseck). Though individual incidents of censorship and interference are reported from time to time, the question remains: Has a more broadly focused, critical debate concerning how corporate interests operate on the Internet yet emerged in the online media? And, is there a significant difference in how different types of online media have been contextualizing the debate concerning the Public Sphere?

This paper will review recent academic literature to develop an understanding and appreciation for the current status of the academic debate about the possibilities for Public Spheres online, followed by a detailed examination of the ways in which different online media cover three of the Internet's most popular communities. This paper examines current debates over issues critical to online Public Spheres, comparing and contrasting coverage from traditional news websites, Internet news websites, and weblogs. This examination demonstrates that the commercial ownership of for-profit news media produces coverage that reflects commercial interests.

## **Literature Review**

### **The Public Sphere**

In order to understand the context in which different media outlets frame issues critical to the online Public Sphere, the Public Sphere itself must first be understood. Since Jürgen Habermas first wrote about the Public Sphere in his 1962 book, *The Structural Transformation of the Public Sphere*, the concept has been reinterpreted by academics from a diversity of disciplines and applied to numerous communities in efforts to learn more about



the ways citizens communicate and deliberate about their common affairs (Fraser, pg. 2). The original premise of Habermas' work was that public gathering places could become arenas for critical political discussion where, through the presentation of diverse, and predominantly uncensored, perspectives, public consensus could develop around specific issues, and that from this consensus would come substantive change (Fraser, pg. 4). Historically, public spaces grew out of an evolving political society in Europe and were dependent on a number of other emancipatory developments, including laws guaranteeing freedom of speech, freedom of the press, and free assembly (Fraser, pg. 4; Mosco, pg. 168). But while freedom of expression is an important facet of the Public Sphere, it has limited effect unless all people within a public space have an equal right to express themselves (Eliasoph, pg. 269, 286). Several theorists have attempted to clarify and build upon Habermas' work. While Habermas imagines the Public Sphere as all encompassing, Nancy Fraser asserts that there are, in fact, many Public Spheres, that these spheres can exist simultaneously and even come into conflict with each other (Fraser, pg. 14–16). Considered more generally, Public Spheres are not necessarily dependent on place, and instead can be defined as, "a set of social processes that carry out democracy, namely advancing equality and the fullest possible participation in the complete range of economic, political, social, and cultural decision-making" (Mosco, pg. 170).

Whether or not the Internet constitutes, or can facilitate Public Spheres has been an area of ongoing academic focus. According to Kirsten Foot and Steven Schneider, online Public Spheres would involve publicly generated content related to a central theme being consistently posted to either a single website or many (Foot & Schneider). The Internet presents possibilities for new Public Spheres to emerge alongside traditional commercial, mass-media markets, but the very technologies that make this possible both augment and curtail the Internet's potential (Benkler, pg. 25; Polat, pg. 452). The Internet is able to provide

forums for discussion that would otherwise be unavailable, but many individuals still lack access to the Internet, and even many of those who have access lack the knowledge to make effective use of it. The Internet allows for discussion amongst people from far sides of the globe, but, as outlined by Foot and Schneider, because these discussions span multiple websites, the resulting political discourse is inherently fragmented (Foot & Schneider). Further, Internet technologies are, by and large, developed for and by commercial interests and, therefore, it is likely that, as they continue to develop, they will be adapted to the current political culture rather than generate a new one (Papacharissi, pg. 9).

While access to the Internet is usually provided as part of an agreement between an individual and an Internet service provider, the Internet's development does not have to undermine the possibility of Public Spheres online. The Internet was not initially a commercial endeavour. It was, instead, a result of efforts by U.S. university researchers and military engineers to develop a distributed computer network over which information could be easily and securely transferred and shared (Dahlberg, *Democratic Visions*). Its development was funded by the public and remained in the public domain with policies prohibiting its use for commercial activities (Dahlberg, *Democratic Visions*). According to Lincoln Dahlberg, it was, "the increasing pressure for commercial use, along with the dominance of neoliberal discourse within the industry and policy circles," that resulted in the U.S. government transferring ownership and control of the Internet's infrastructure to a handful of private network providers in the early 1990s (Dahlberg, *Democratic Visions*). And while these private interests may be working to remake the Internet as a commercial medium, the public infrastructure upon which the Internet has been built, along with innovative technologies that continue to be developed and released into the public domain, provide important tools that make Public Spheres possible. The Internet: allows groups of people to



communicate with each other instantly using text, image, sound, and video; enables communications between individuals from different sides of the globe; archives those communications for future reference; and provides virtually limitless spaces in which these communications can occur. While public spaces guarantee people the ability to gather and communicate freely, it is possible that private spaces could serve the same purpose as long as the same guarantees are put in place.

Yochai Benkler acknowledges criticisms of the Internet as a Public Sphere, and divides them into two categories: First, there is too much information available online for anyone to make sense of, and second, a small number of large commercial websites dominate users' attention (Benkler, pg. 10). He proceeds to outline five factors against which a platform for constituting a Public Sphere should be judged: universal intake (allowing all voices to be heard equally), filtering for potential political relevance (determining whether something is of common concern), filtering for accreditation (determining rationality of a piece of information), synthesis of "public opinion" (establishing of consensus), and independence from government and commercial control (Benkler, pg. 182–185; Dahlberg *The Internet and Democratic Discourse*, pg. 623). By applying these factors, Benkler counters that the democratic nature of online Public Spheres should be measured against the traditional, commercial, mass-media and not against an idealized utopian ideal of the Internet, and that new forms of peer-produced filtration are beginning to respond to the issue of information overload (Benkler, pg. 10, 12).

Others have provided examples illustrating the potential of online Public Spheres. In Singapore, use of the Internet has contributed to a dramatic proliferation of online discussion groups and websites seeking, "to articulate alternative views regarding existing social arrangements and discourses." New spaces have opened up, revealing new constituencies and



social groups, allowing for a discussion of controversial issues not possible before (Baber, pg. 294, 298, 301). However, while empowering the poor and producing a more democratic Singapore, the Internet has also done much to enhance and support Singapore's existing power structures (Baber, pg. 300).

Dahlberg writes that 39% of U.S. Internet users said they participated in Internet-based discussion regarding the 2000 Presidential election (Dahlberg, *Democratic Visions*). He points to the disruption of meetings of the World Trade Organization, International Monetary Fund and G8 as examples of the impact of online mass mobilization within a Public Sphere (Dahlberg, *Democratic Visions*; Dyer-Witheford, pg. 152). In his examination of the user-driven news website Ohmynews, Choonghee Han concludes that, in many respects, it represents a Public Sphere but that since a significant number of the individuals who participate in discussions on the site have chosen to remain anonymous, the quality of, and consequently the transformative nature of the debate is reduced (Han, pg. 20).

### **Free Speech**

As noted, an important factor in the development of Public Spheres online is the degree to which the public has the freedom to speak within these "public" spaces (Stein, pg. 1). In many countries, including the United States, Canada, and the United Kingdom, government legislation exists that protects the rights of individuals to speak freely and receive freely what is spoken. While the Internet gives large organizations and governments the ability to monitor and control the activities of online users, in countries like the United States and Canada, these Internet-related powers are supposedly held in check by laws concerning freedom of speech and access to information (Goldsmith & Wu, pg. 84).

Freedom of expression laws vary from country to country. In the United States of America, freedom of expression protections are outlined in the First Amendment of the U.S. Constitution. However, this does not protect expression that violates copyright laws, or that provides false information in advertisements (Anonymous, "Freedom of speech"). In Canada, freedom of expression is also protected in the Constitution; however this freedom is not absolute and is subject, "to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society" (Canadian Government). As a result, certain types of hate speech tolerated in the United States are not permitted, and are in fact illegal in Canada.

The purpose of free speech law is to preserve spaces where dissent can occur and be noticed by non-dissenting citizens, as well as to ensure that individuals who express their dissent are ensured freedom from punishment for publicly voicing their ideas (Lessig, *Code v2*, pg. 91, pg. 233). The importance of freedom of expression in facilitating meaningful public debate can be illustrated through five different theories. Truth theory asserts that users will have a clearer perception of truth if exposed to new, sometimes controversial ideas in addition to those that reflect the status quo. By being exposed to multiple perspectives within online discussions, an individual will become better informed, and be able to more accurately determine the actual truth (Smith, pg. 393–394). Democracy theory argues that, "free speech is essential for a democracy to function properly," meaning that, as in the real world, if individuals in online communities are not able to speak freely and make their opinions on an issue known, they will not be able to engage in the democratic process (Smith, pg. 394). Tolerance theory states that, "society must learn to tolerate ideas and people that otherwise would be stifled," illustrating how meaningful public debate, and a resulting public consensus that serves the greatest public good, require a diversity of ideas and perspectives, even if they



are supported only by a minority. The health of a democracy might be measured by how well minority rights are respected (Smith, pg. 394). Dissent theory outlines how dissenting voices provide an important opportunity for future social change, as these voices often provide alternative suggestions or broader inclusions for societal progress—suggestions and inclusions that may offer legitimate alternatives and improvements to the status quo (Smith, pg. 395). Finally, liberty theory states that exposure to controversial material is an important facet of social change, as well as individual self-realization and self-determination. By being able to expose themselves to material deemed “offensive” by society, individuals are able to determine independently whether their views on the material are congruent or incongruent with mainstream society (Smith, pg. 395).

These theories are important to consider since, historically within democratic systems, these ideas formed the foundations by which freedom of expression was justified, defined, and protected (Smith, pg. 393-395). On multiple occasions in the nineteen-sixties, state courts and governments enforced the U.S. First Amendment protecting free speech in cases where private spaces were subsuming the role of public spaces (Nunziato, pg. 1118). Law makers and enforcers believed, at least for a brief period, that corporately-controlled spaces were playing an increasingly dominant role within local communities, often shifting the public, cultural centre of the community—the most critical space in which one could exercise one’s right to free speech—away from the traditional town square and main streets into privately-owned and controlled spaces. This line of legal reasoning culminated in a 1968 U.S. Supreme Court decision that saw the Amalgamated Food Employees Union Local 590 granted First Amendment free speech rights, allowing them to leaflet on a privately-owned shopping centre’s property (Nunziato, pg. 1132-1133). Unfortunately, over the past forty years, courts and governments have diverged from this approach to both physical and electronic public

Newitz). A series of U.S. court decisions have made it clear that under existing law, unless there are fraudulent or deceptive contractual terms, and as long as it can be proven that an individual clicked 'I Agree,' "the user's failure to read, carefully consider, or otherwise recognize the binding effect of clicking 'I Agree,'" cannot be used as a defence (Davis).

The idea of public space, or publicly accessible space, is a key requirement for the

The importance of such moves by commercial interests should not be underestimated; ceding the ability to determine online rights to commercial interests undermines publicly determined laws and accountable government regulation designed to protect individuals (Kane). Further, despite the length and detail of the terms of these licences, users are not provided with a clear description of the consequences for violating or infringing upon these terms (Braman & Lynch, pg. 14). In many cases, the only public record of the actions taken by Internet service or content providers to enforce their terms of service are those published on Internet discussion boards or weblogs by individuals and third-parties (Braman & Lynch, pg. 14). This lack of accountability and transparency makes it impossible to determine how regularly, and to what degree, these companies impinge upon the rights of individuals using their products and services (Al-Saggaf, pg. 330; Sassen, pg. 29). As terms of service contracts have become more common, their reach has extended beyond the Internet and into individuals' personal computers. Without resistance, it is possible that eventually these contracts could go so far as to forbid individuals from using commercial products and services to discuss socially stigmatized topics (Newitz).

privatized, "the scope for the public exercise of speech rights increasingly shrinks" (Stein, *Speech Without Rights*, pg. 8). Still, some public spaces continue to exist online, such as websites hosted by federal, provincial, state, and municipal governments in both Canada and the United States of America. Some of these spaces even provide the resources for facilitating online discussion. The health of a public sphere is directly dependent on the rights that participants in the sphere have to communicate freely with one another. The more limitations, contained within terms of service, that restrict the parameter and means of discourse available, the more likely it is that individuals, who have agreed to those terms, are going to refrain from or be



network neutrality, through which anyone with Internet access could publicly posit their views on possible network neutrality legislation for Canada.

One of the most striking examples of how freedom of speech within public spaces is protected can be found by comparing traditional mail circulation with electronic mail circulation. In both Canada and the United States, networks that distribute regular mail are largely owned and managed by public government corporations while networks used to distribute electric mail are owned and managed by private corporations. Therefore, while it is a federal offence to interfere in the delivery of regular mail, private corporations have the power and are within their rights to block the delivery of e-mail (Stein, *Speech Without Rights*, pg. 9). Similarly, online or offline media outlets have the right to choose not to carry 'controversial' content or ads. In a world of concentrated media ownership, having a handful of companies determine the limits of political discourse inevitably restricts the number of voices and perspectives heard in these spaces (Lessig, *Free Culture*, pg. 168). Commercial interests spend billions of dollars to acquire and build partnerships with other commercial interests and communities in order to increase their collective commercial reach and control. As new media companies extend their control and identity over multiple platforms, information, content, and news inevitably become subordinate to an interest in maintaining a profit, all of which works against the interests of the Public Sphere (Winseck, pg. 811).

In two separate cases, Internet Service Providers were declared, "the only relevant speakers and listeners in these spaces" (Stein, *Speech Without Rights*, pg. 10). Courts have also rejected free speech claims when registering domain names and listing websites in search engines. They found that since these forms of expression are privately owned and managed, the owners are free to prevent the registration of certain domain names and the listing of certain websites and advertisements (Stein, *Speech Without Rights*, pg. 11). The public may have



online activities of private corporations interfere with the development of Public Spheres, as long as they can be justified by the free market they are rarely questioned by mainstream media. The Internet has evolved from a publicly-funded, publicly-controlled medium into a network that successfully serves commercial interests with much of its development the result of an emphasis on market position and profitability, not the promotion of public interests and meaningful discourse (Mosco, pg. 202; Dean, pg. 278; Samoriski, *Private*, pg. 97).

The shift from Internet technologies that allowed for downloading and uploading at equal speeds to technologies biased in favour of downloading is a by-product of the increasingly commercial nature of the Internet where sharing is discouraged and consuming promoted (Sicker & Grunwald, pg. 559). As Jan Samoriski eloquently concludes, "the rise of the Internet represents the continuation of commercial, monopolistic control of media in a new, more powerful context," and this threatens, "the democratizing aspects of the Internet and its value to democratic society" (Samoriski, *Private*, pg. 102). Given a choice between revenue and individual choice and rights, commercial interests will invariably choose profit (Samoriski, *Unsolicited*). Generally speaking, the greatest threat to free speech and the Public Sphere on the Internet is not any single government (with the notable exception of governments in China, Iran, and North Korea), but commercial corporate interests that seek to turn the Internet into an online shopping mall where individual users become consumers rather than, "publicly-oriented citizens" (Dahlberg, *Democratic Visions*; Dahlberg, *Corporate Colonization*, pg. 162).

In his examination of the possibility that online discourse can affect substantive change, and while investigating the means by which corporate, commercial interests dominate users' attention online, Dahlberg describes the tendency for political web sites to be corporately

backed and the threat this poses to their democratic possibilities. Although corporate portals provide space for user-run discussion forums, critical dialogue is often found buried within discussions among members of special interest groups who are already politically engaged offline (Dahlberg, *Corporate Colonization*, pg. 169). In only two years between 1999 and 2001, the total number of companies controlling 60% of the time Americans spent online declined from 110 to only 14, a trend that has continued to see a few "powerful corporations supported by neoliberal policies ... re-creating and reinforcing ... the dominant discourses and practices of consumer capitalism, marginalizing critical communication central to a strong democratic culture" (Dahlberg, *Democratic Visions*; Dahlberg, *Corporate Colonization*, pg. 162). The rapid commercialization of the Internet is making it increasingly difficult for other, non-commercial actors to compete for the attention of individual users (Dahlberg, *Democratic Discourse*, pg. 619, 627).

Many people have been drawn online because it seems to be a world in which they can ignore and subvert some of the rules and laws that are enforced offline. They fail to realize they have substituted the authority and rules of their local offline community for the authority and rules of commercial interests (Lovink). MySpace is a good example of how commercial interests are able to create Internet communities, and of how those same commercial interests determine the rules that allow them to control and use posted information in order to increase their profitability. Commercial networks, online community, and website owners can interfere with the activities of their users in several ways; they can block the posting, sharing, and use of specific keywords, websites, and Internet protocols (e.g. Bittorrent), thereby limiting how much and what types of data a user can download, and preventing individuals from sharing documents hosted on their own computers (Smith, pg. 397; Lessig, *The Future*, pg. 156–157).



MySpace has claimed ownership of profile information, conversations and any original work uploaded into the “community” (Scharmen).

America Online is another good example of corporate control. Initially, one of the most popular online communities, America Online established a number of rules designed to control participation and interaction amongst subscribers to its service. There was no space where all members of the community could gather, no space where one could address all members of the community, no town hall or meeting place where individuals could complain to others and where more than thirty-six people (a limit determined by America Online) could gather in a virtual crowd at a given time. Meanwhile America Online was able to speak to and advertise to everyone (Lessig, *Code v2*, pg. 90).

Nick Dyer-Witheford notes that part of the strategy for commercializing online spaces is, “a sustained drive to consolidate intellectual property,” and create, “increasingly formidable ‘copyright management infrastructures’” (Dyer-Witheford, pg. 133). Thus, revising and enforcing copyright law has become a new priority for corporate Internet lawyers. And while there remain constitutional limits on the amount of control that either individuals or corporations can have over ideas and content, on the Internet, where intellectual property is protected by digital locks, there is no requirement for a property holder to respect those limits (Lessig, *Code v2*, pg. 185). Under these circumstances, rights such as fair use or fair dealing, legally recognized freedoms in the real world, become privileges in the virtual world, granted only to those able and willing to pay (Lessig, *Code v2*, pg. 186). Further, legislation in the United States, such as the Digital Millennium Copyright Act, denies users the right to circumvent copyright protection systems, regardless of the purpose for the circumvention, and regardless of whether doing so would have otherwise been legal or not (Lessig, *The Future*, pg. 105). This type of legislation is being encouraged by U.S. interests throughout the

world to help multinational corporations maintain control of their online assets. This constitutes an abuse of the original reason for the existence of these laws, namely the promotion of progress in science and the arts by establishing a series of limited rights for creators, owners, and users of copyright materials (McLeod, pg. 8).

Moreover, standards such as freedom of expression are distorted in a commercially-mediated, copyright-driven environment. Web content is regularly taken offline without any evidence that it has contravened any laws (McLeod, pg. 215–217, 225). By using intellectual property law to censor speech that may reduce the potential for profit, or that commercial interests simply don't like, the Internet is being transformed into a "sphere of private property" (Dahlberg, *Democratic Visions*). Corporate media publishers routinely demand the removal of videos, images, and other material from online communities such as Facebook, MySpace, and YouTube, regardless of whether the material in use constitutes fair dealing or fair use. For the most part, the owners of these websites remove the alleged offending content without any legal oversight or recourse for the user. For instance, in 2007 Viacom demanded that YouTube remove approximately 100,000 videos, alleging that they contained copyrighted material owned by Viacom; YouTube obliged. However, it quickly became apparent that dozens of these videos contained absolutely no material owned by Viacom, a revelation that left consumer's rights groups such as the Electronic Frontier Foundation wondering how many thousands more of these videos should have been protected under fair use law (Sandoval).

Although commercial interests predominantly control access to, and space on the Internet, in many ways the nature of the Internet would seem to provide ideal foundations upon which Public Spheres should be able to develop and thrive. Habermas argued that public gathering places could become arenas for critical political discussion where, through continuous



uncensored discourse, public consensus could develop around specific issues, and that from this consensus would come substantive change. Theoretically, the Internet provides virtually limitless spaces in which members of the public can gather and communicate easily. And, the nature of the Internet actually enhances certain facets of the Public Sphere, allowing instantaneous communication in a variety of forms, between any number of different people anywhere on Earth. The danger lies in the fact that these technologies are controlled by commercial interests, and make it increasingly easy for these interests to censor and manipulate the information being communicated. The willingness of governments and courts to protect the public from such behaviour seems marginal. The right to free speech, so important to discourse within a Public Sphere, is largely unprotected on an Internet run by private corporations. Rights that many users take for granted are being stripped away by terms of service that have been drafted to increase profits for corporations, not enhance meaningful, free communication. But many academics continue to see promise, continue to critique the behaviour of commercial actors, and continue to propose alternatives to the status quo. The same cannot be said of the mainstream media.

## **Online Media**

While ideas of Public Spheres, public empowerment, freedom of speech, and corporate control are being debated in academic journals, the academic community is much smaller and less influential than the news media. Facebook, MySpace, and Youtube are incredibly popular and make the news on a daily basis. As more and more people turn to the Internet for news and information, the debates presented in online news publications are more likely to come to their attention. For the public to appreciate the degree to which their online environments are being shaped by commercial interests, and learn about the possible alternatives, debates need to expand beyond academic spheres and move into mainstream



news reporting. The following section describes several different types of Internet news, and details their increasing public profile and impact.

The Internet has become an important medium, not just for the transmission of personal communication, but for the distribution of news. Almost 50 million Americans go online each day for the purpose of obtaining news and this number is continuously increasing (Melican, pg. 151). This increase has an impact on other forms of media, with a significant decline in television news viewers among Internet users (Melican, pg. 151). In Canada, the Internet is now viewed as a more important news source than newspapers, magazines, radio or television. In fact, by 2007, nearly one in five Canadian Internet users (16% of adults) reported that they had stopped subscribing to a newspaper or magazine because they could get similar content online (Zamaria & Fletcher, pg. 173-174). The 2004 U.S. Presidential election is widely seen as a watershed moment in the use of the Internet as a primary means of gathering news information. During this election, "75 million Americans—37 percent of the adult population and 61 percent of online Americans—used the Internet to get political news and information, discuss candidates and debate issues in e-mails, or participate directly in the political process" (Rainie & Horrigan). While some have moved away from other media as their primary source of information and are relying on the Internet, in most cases the Internet and traditional media supplement and complement each other (Chung, pg. 307; Dalrymple & Dietram, pg. 101; Johnson & Kaye, pg. 625).

A critical factor that determines the choice of news source is the perceived credibility of the source (Melican, pg. 152). This has been a subject of much study, but with inconclusive results. While newspapers and online news websites seem to generally rate as more credible news sources than television and radio, online websites of established news outlets have often been found to be more credible than their sister newspapers, magazines, television stations,

and radio broadcasters (Melican, pg. 153–154, 163; Banning & Sweetser, pg. 456). The increasing number of people going online to find news has direct implications for the credibility of online news sites. Studies have found that the more often individuals are exposed to a particular source of media, the more credible they find it (Johnson & Kaye, pg. 625; Melican, pg. 155).

While “Internet news” is often used as its own classification when comparing different forms of media, online news publications have evolved to the point that there are now three distinct forms of online media, reflecting the different ways online media is produced as well as its influence: online versions of traditional news media, Internet news media without traditional offline counterparts, and weblog news sites (Melican, pg. 152). There is a fourth type of news website, namely those sites that aggregate content produced on mainstream news websites and weblogs. However, these websites rarely produce their own content and instead reproduce the headlines of stories written for other websites and blogs. Due to this paper’s focus on the production of content, this type of news website will not be considered in further detail.

Online versions of traditional television and print news media, such as the Canadian Broadcasting Corporation, the New York Times, Macleans, and National Public Radio, often run the same stories and adhere to the same strict editorial policies and journalistic standards as their offline counterparts (Melican, pg. 152). In many cases, these traditional news sites only link to other established news sites, preserving their authoritative role of gate-keeper (Chung, pg. 316).

Internet news sites without offline counterparts are numerous and include the American Drudge Report, Ars Technica and The Huffington Post, as well as the Canadian Rabble.ca and



Straight Goods. Some of these Internet news sites will have editorial policies and standards, while some may not. Many of these sites maintain a much narrower journalistic focus than traditional publications, concentrating on specific types of news such as politics, entertainment, or technology (Melican, pg. 152).

Weblogs present a more radical take on Internet news, presenting visitors with a series of chronological articles written from an individual's perspective and allowing for community feedback (Sweetser, Golan & Wanta, pg. 201). Weblogs are used for numerous purposes, but those such as Boing Boing, Engadget, PerezHilton.com, and MichaelGeist.ca, are on the front lines in their respective fields, often covering stories before these stories are picked up by major media outlets (Melican, pg. 152). Between 2002 and 2008, weblog monitoring website Technorati tracked the emergence of 133 million weblogs in 91 different languages from 66 different countries that collectively receive more unique visitors than either Facebook or MySpace (Technorati). In Canada, 7% of adults over the age 18 contribute to at least one weblog on a regular basis, while approximately 17% read at least one weblog on a weekly basis (Zamaria & Fletcher, pg. 279-280).

One of the reasons weblogs have become so popular is that they are easy and free to setup, allowing anyone to publish their thoughts on the Internet quickly and effortlessly (Carlson, pg. 264-65). Weblogs have led to a new era of citizen journalism and, while criticized by many for lacking the degree of responsibility and journalistic ethics seemingly present in traditional reporting, weblogs employ a method of peer review that, in the minds of most readers, lends sufficient credibility to the medium as a whole (Banning & Sweetser, pg. 456; Johnson & Kaye, pg. 624). In fact, studies have found that weblog readers by and large find weblogs to be far more credible sources of information than any other form of media (Johnson & Kaye, pg. 630; Sweetser, Golan, & Wanta, pg. 202).

While most weblogs are produced by individuals, most mainstream news organizations, including more than 95% of the top 100 U.S. newspapers, have adopted a weblog platform for their reporters (Haas, pg. 388; Technorati). Weblogs have become integral to the media ecosystem and, across all key categories of news reporting, they continue to be some of the most popular websites (Technorati). In fact, weblogs and other media outlets, both on and offline, have developed a symbiotic relationship, often covering the same topics and relying on each other for information (Haas, pg. 394). Weblogs have demonstrated their continued ability to influence the news agendas of all major forms of media (Banning & Sweetser, pg. 456; Haas, pg. 390; Sweetser, Golan, Wanta, pg. 198, 210). Many stories not reported or noticed by the mainstream media initially appear on the fringes of the "blogosphere". They begin to echo, with additional commentary and links appearing on successive weblogs, until a critical point is reached when such a frenzy of discussion is taking place online that the story becomes mainstream news (Carlson, pg. 268, 272; Glaser, pg. 88; Johnson & Kaye, pg. 623).

Weblogs also represent a different type of relationship between author and reader. Weblogs offer a much more personal, opinionated, and emotional perspective on news similar to newspaper columns, with authors often displaying their biases publicly (Johnson & Kaye, pg. 624, 633; Knight, pg. 120; Sweetser, Golan & Wanta, pg. 203). But because they allow readers to comment and contribute to stories, weblogs empower their audience to engage in meaningful conversations, developing ad hoc communities that in turn contribute to the production of news (Chung, pg. 305–306; (Haas, pg. 388); Matheson, pg. 451). In one study, over half of the respondents credited weblogs with increasing their levels of political involvement and, "almost 9 out of 10 claim that they have become more knowledgeable about politics and about general news and current events" (Johnson & Kaye, pg. 628).



Weblogs offer a challenge to corporate journalism, not only by discussing issues other news media might shy away from, but by acting as watch dogs and providing instantaneous and critical reactions to mainstream stories (Banning & Sweetser, pg. 451; Carlson, pg. 273; Johnson & Kaye, pg. 624). In China, weblogging has emerged as an often risky alternative to government-controlled mainstream media, allowing for new voices that can counter government spin (Banning & Sweetser, pg. 452; Knight, pg. 118, 121). In North America, a critical shift in public opinion, spurred by thousands of weblogs forced a Senate Majority Leader to resign after making racially insensitive remarks. Four senior CBS executives lost their jobs when information published by thousands of bloggers revealed that the documents presented on 60 Minutes disputing George W. Bush's military record were not authentic (Haas, pg. 388). As Tanni Haas illustrates, "by juxtaposing news reporting and commentary from a diverse range of sources ... weblog writers not only challenge the narrow range of topics and sources featured in mainstream news media, but also allow potential readers to compare and contrast a multiplicity of competing truth claims" (Haas, pg. 389).

The Internet has become one of the most important vehicles for the communication of current information and ideas, increasingly overtaking other media as the primary source of news for hundreds of millions of people. Traditional online news media, Internet news media, and weblogs represent three different forms of available news media available in which important issues are being discussed and debated. Weblogs, in particular, offer a unique perspective, allowing for millions of individuals to broadcast their own thoughts, and providing mechanisms for continuing focused discussions. In many ways, weblogs themselves represent one of the most important tools for the development of Public Spheres, providing spaces online where individuals can communicate freely with one another and challenge mainstream views.



This paper intends to examine whether the ideas that form the basis for the idea of Public Sphere are being discussed within popular Internet media publications, and then determine not only whether certain types of Internet media are more likely to discuss these issues than others, but whether the general public (not just academics) are being provided with access to ongoing debates about the future of the Internet, and the possible alternatives to its continued commercialization. More importantly, by comparing traditional online news media, Internet news media, and weblogs, a comprehensive comparison can be made about how these different forms of media are framing the debate.

## **Research Questions**

It is clear that uncensored public spaces, where free speech is protected, play critical roles in facilitating meaningful public discourse, that such spaces can exist on the Internet, and that these spaces serve to challenge the perspectives of the mainstream commercial media. Unfortunately, over the past forty years, courts have taken an increasingly conservative interpretation of free speech protections in Canada and the U.S., only enforcing free speech in spaces controlled by the government, not by private individuals or corporations. As a result, the promise that Internet technologies can facilitate Public Spheres is being undermined by a small, but increasingly powerful, group of commercial actors who are allowed to dictate how these technologies are used, putting their own profitability ahead of the public interest.

These commercial interests are able to suppress the development of Public Spheres by using technology, intellectual property laws, and contracts to dictate the types of relationships individuals can have with each other. Further, the power that media corporations have to control speech within spaces they own, to compete in markets with little to no regulation, to

communicate with billions of individuals from around the world on a daily basis, has been bolstered during the last forty years. This has not just allowed them to dominate spaces of discourse within the real world, but has laid the basis for a broad acceptance of private ownership and control of the virtual one. These commercial entities are able to use technologies they own and control to prevent the transmission of any information they choose, providing no public account of when and how often these measures are implemented. Copyright and intellectual property laws, which were introduced following intense corporate pressure, are quickly used against individual citizens in an effort to maximize profit. Rights that many take for granted are being expunged through terms of service and licensing contracts, with little objection from government. Without online spaces where individuals are guaranteed the ability to communicate with each other free of interference and outright censorship, the ability of the Internet to produce healthy Public Spheres as described by Habermas, Fraser and Mosco is significantly undermined.

It might seem that the various forms of online media—traditional news sites, Internet news sites and weblogs—provide regular coverage that sheds some light on both the democratic promise of public communities and the damaging censorship that results from corporate control online. For example, one might read an article about the change that will be affected by videos uploaded to YouTube or groups that have been created in Facebook—content created and posted by thousands of individuals who, for the first time, have the ability to communicate with thousands of their peers at little-to-no cost. Another article might discuss the dangers of commercial control and the chilling effect that censorship and terms of service contracts have on democratic discourse in online discussions. There is no question that the actions of many corporate actors continue to engage a small, vocal group of veteran Internet users who desire an open, competitive Internet with much less commercial influence. The



Internet has evolved into a powerful and lucrative communications medium. Internet applications and ideas continue to challenge existing business models, but when they prove successful, they are usually forced out of business (the original Napster, Kazaa), purchased by existing corporate powers (go.com, MySpace), or evolve into fully fledged, profit-driven corporations of their own (Facebook, Google).

Developments online continuously provide new areas of inquiry and exploration. Some of the more engaging and important areas include the difficulties associated with determining offensive content, the enforceability of terms of service, problems associated with applying national laws to an international medium, strategies to ensure online public discourse free of undue interference, the increasing influence of online media, and the way that weblogs facilitate Public Spheres, affecting how news is covered and generated. While all these questions deserve study, it is not feasible to investigate them all in a single paper. Some questions, specifically those that attempt to determine the nature of offensive material or the difficulties of applying national laws to an international medium, have extensive histories that would have to be examined and studied within a much larger body of work. These problems will be left for others to consider. Instead, this paper will focus on a different question: **Is there a significant difference in how various types of online media are framing debate concerning the Public Sphere?**

There is plenty of evidence to show that there is a healthy dialogue within the academic community regarding the Internet's ability to facilitate the development of Public Spheres. It is equally, if not more, important to have that discussion in the mainstream and online media as well. Although academic articles allow for rigorous in-depth study and analysis, their audience is relatively small compared to those of mainstream media both on and offline. The media play a critical role in ensuring the public at-large is aware of important issues. If public

empowerment and corporate censorship on the Internet are not being discussed in the media, then they are not being considered by the general public, and the critical questions raised by academics will remain largely ignored.

This paper is founded on the ideological belief that Public Spheres are critical for democratic society, and for the development of more equal and just democracies in the future. The mainstream media is founded on ideals (in theory, if not practice) of ideological neutrality and reporting that is free of personal bias. So, although an analysis of media coverage on issues of online public spaces and corporate control would be of great interest, it is first necessary to determine the degree to which debates taking place within various forms of online media are tackling issues critical to the health of Public Spheres.

This paper looks at the ways in which a diverse range of online publications cover three of the Internet's most popular communities. It will also attempt to ascertain whether ideas identified as critical to the foundations of Public Spheres are being discussed, and how this discussion is being contextualized by traditional news sites, Internet news sites, and weblogs. When examining online communities, how often does the media discuss the conditions (public spaces, uncensored discourse, independence from government and corporate control) necessary for the realization of Public Spheres? The more often the media discuss possibilities for public empowerment online, instances of censorship, and the impacts of unregulated commercial control on the Internet, the more likely these subjects are to enter the public discourse and become issues that are critically examined, not just by individuals, but by those who draft and interpret legislation.

Is there a difference between how weblogs cover issues of public space, free speech, and corporate control and interference online compared to existing traditional commercial media



outlets with roots in television, radio and print? Weblogs themselves would seem to meet the requirements necessary to facilitate Public Spheres. Perhaps webloggers have an additional sensitivity to the very issues that are so important to the Public Sphere.

Does a media outlet's desire for profit influence the degree to which it is willing to discuss instances of commercial control and interference online? If commercial, for-profit media outlets cover these issues significantly less than their not-for-profit counterparts, it would suggest that their commercial nature is a hindrance to their ability to report critically on these issues.

Are articles that discuss public space and empowerment framed differently from those that discuss commercial control and interference? Breaking down news articles into different genres (lifestyle, technology, law, business, politics, entertainment) based upon the lens through which the stories are framed, will provide important evidence of how these contradictory ideas are presented. For instance, are lifestyle articles more likely to promote public empowerment and interaction online, and business articles more likely to promote the money to be made by enterprising corporations?

Finally, given the astounding online popularity of the 2008 U.S. Presidential election campaign which took place during the period of this study, is there a correlation between the number and content of articles that discuss the possibilities for public empowerment on the Internet and the intense online organizing and media attention generated by the election? The Barack Obama campaign took advantage of the Internet in ways no political candidate has before. Was the Obama campaign's ability to engage the public online noticed by the media?

The results of this study show the degree to which different forms of online media report on issues identified as critical to the health of Public Spheres, providing a valuable addition to the continuing discussion about the possibilities for, and nature of Public Spheres on the Internet. This paper takes a primarily quantitative approach, and thus offers a fresh look at the subject matter. In the context of the Internet, the issues of Public Spheres and online media have been largely dealt with in a qualitative manner. This paper contributes comprehensive data upon which more detailed explorations, both quantitative and qualitative can be undertaken, including a critical analysis of the influence and bias exercised by different online media sources when covering developments within Internet communities. When contrasted with commercial media, whether traditional or not, an analysis of weblog coverage will offer additional insight into this new and developing form of community journalism, a model of reporting that in many ways is reminiscent of the Public Sphere. Finally, at a very basic level, this study reflects on the online media's coverage of the 2008 U.S. Presidential election campaign, a topic that will, doubtlessly, continue to be studied in coming years.

## **Methodology**

This study analyzes the three most popular online communities, with Facebook, YouTube, and MySpace ranking 3rd, 4th, and 11th in Alexa Internet Inc's tracking of the world's most popular websites (Alexa). Articles covering developments on Facebook, MySpace, and YouTube were sampled between December 1, 2007 and November 30, 2008. These communities were chosen, not only because they are extremely popular and free, but because they are owned and operated by private, for-profit corporations. While these three communities have unique features, they share a number of core community-enabling functionalities. They all allow visitors to create unique identities with which they can post content (including text, audio, video, and links to external sites), view content posted by



others, create networks of “friends”, share content they’ve posted or that has been posted by others with their friends, and communicate directly with their friends either privately or publicly. Both Facebook and MySpace also provide members with the ability to post updates about their day-to-day lives—updates that can be tracked, and commented on, by their friends. The amount of posted content that is available to the Internet-using public varies, and is often dependent on the preferences of the individual who posts it as well as established standards within the community. For instance, while all three communities allow registered users to post videos and control who can view them, YouTube users almost always make their videos available to the public, while Facebook users usually require viewers of their videos to be registered members of the community. This means that in communities such as YouTube there are many more passive, unregistered visitors not actively engaged in dialogue; but it also means the dialogue, whether text or video based, is viewed by many more people.

The dates chosen to define this period provide a balance between ensuring the data collected is recent and relevant, and that it accounts for the varied coverage these communities receive on a month-to-month basis. Choosing an extended period means that the impact of external events, particularly court rulings, technological developments, business partnerships and elections in both Canada and the United States, can be reflected in the results.

There are hundreds of traditional and Internet media outlets, and thousands of weblogs that cover aspects of these communities. In order to provide a comparative and representative sample of online media coverage, a total of ten traditional media news sites, Internet media news sites and weblogs have been chosen: three of the most popular traditional news outlets (the Canadian Broadcasting Corporation [CBC], the British Broadcasting Corporation [BBC], and the American New York Times); three popular Internet news outlets that focus on technology, digital rights, social interaction online, and environmental sustainability (Ars

Technica, The Register, and WorldChanging); and four popular weblogs written by individuals who have demonstrated the impact of online communities as well as the impact of commercial control (MichaelGeist.ca, Lessig.org, Daily KOs, and The Consumerist). By looking at these ten outlets, this paper seeks to compare and contrast the ideas and discussions presented by a broad cross-section of news sources (Alexa).

Articles were chosen that mentioned at least one of Facebook, MySpace or YouTube. Efforts were made to ensure that a comprehensive and comparable sample of articles focusing in whole or in part on one of these communities were produced from each publication. However different publishing standards and practices presented a challenge in ensuring that all relevant articles were captured from each source.

Articles published on their respective websites were filtered using Google's advanced search to identify those published between December 1st, 2007 and November 30th, 2008. The initial algorithm identified all articles that included the words Facebook, MySpace or YouTube anywhere on the page, and resulted in relevant results from WorldChanging, Lessig.org and Daily KOs. However, this same algorithm resulted in thousands, and sometimes tens of thousands of articles being identified from the other publications. Further study found that, despite the numerous results from these publications, most did not meet the criteria of featuring, in whole or in part, one of the three communities. Subsequently, the algorithm was modified to identify only articles that featured one of the three communities in the article's title. For the CBC, BBC, Ars Technica, The Register, and The Consumerist this produced a much more manageable and relevant sample. However, Google's advanced search proved ineffective in producing relevant samples from The New York Times or MichaelGeist.ca, yielding inaccurate samples using either search algorithm. In these two cases, on-site means were used to identify relevant articles. The New York Times provides a chronological index



for each of the communities being studied, listing every article published in which the community was featured. Using this index, articles were identified that fell into the relevant time period. In the case of Michael Geist's weblog, significant problems were encountered using any search algorithm since every page on Geist's site provides links to both Facebook and YouTube and therefore every page on the site contains those keywords. In this case, a system of tags—a series of keywords appended to each story representing its subject matter—was employed to identify related articles on Michael Geist's weblog and was used to identify relevant articles for each community from a given time period. The use of different sampling techniques was undertaken in an effort to extract the most comprehensive and complete sample possible from each source. However, this presented issues of comparability, so due consideration should be undertaken when contrasting results.

Once articles were collected, they were reviewed individually to identify and remove those that did not feature any of the communities, those that fell outside of the period of study, and any duplicates. Additionally, articles attributed to Reuters or the Associated Press were also removed to ensure that each sample provided an accurate reflection of the articles being produced by each publisher, and not being republished from a third-party. An initial prototype coding was undertaken, using a random sample of three articles from each publisher, for a total of thirty articles. Following this initial coding, several adjustments were made to the coding schedule resulting in the coding methodology and results published in this paper.

For each article, the title, date of publication, author and publisher were recorded. In addition, the coding schedule identified the publication's country of origin, whether it was ad-supported, whether it operated on a for-profit or a not-for-profit business model, and whether the publication was a traditional news site, an Internet news site, or a weblog. These

**Figure 1**  
**PUBLICATION INFORMATION**

SITE	TYPE	COUNTRY	AD-SUPPORTED	FOR-PROFIT
Ars Technica	Internet News Site	USA	Yes	Yes
British Broadcasting Corporation	Traditional News	United Kingdom	No	No
Canadian Broadcasting Corporation	Traditional News	Canada	Yes	No
The Consumerist	Weblog	USA	Yes	Yes
Daily KOS	Weblog	USA	Yes	No
Lawrence Lessig's Weblog	Weblog	USA	No	No
Michael Geist's Weblog	Weblog	Canada	No	No
New York Times	Traditional News	USA	Yes	Yes
The Register	Internet News Site	United Kingdom	Yes	Yes
Worldchanging	Internet News Site	USA	Yes	No

various categories were developed in order to identify differences between the various publications, and whether the country of origin, reliance on advertising, business model or history of the publication affected the way in which different publications covered different communities. Information showing publications and their categories is presented in *Figure 1*.

Each article was coded, detailing whether the community was the focus of an article, and, when this was found to be true, whether it was a primary focus or a secondary focus. This allowed for the coding of articles that may primarily have been about an unrelated subject, but included a passing discussion of a designated community. This also meant that, where several communities were discussed in a given article, a proper coding of the discussion of each community could be properly reflected.

A similar approach was taken for the ideas being examined. Each article was analyzed for the presence of one of three elements identified as critical for the existence of Public Spheres. Each idea was assigned a code based on whether it was the focus of an article, and, when this was found to be true, whether it was the primary or secondary focus. The first idea was that



of the public space. Articles were examined for discussion of public fora, gatherings, spaces, control, and online democracy. The second idea was that of freedom of speech. Articles were examined for discussion of free speech, censorship, and the U.S. Constitution's First Amendment. The third idea was that of corporate control. Articles were examined for discussion of commercial control, interference, and ownership.

Finally, each article was categorized based on the genre or lens through which it was written. The genres used were lifestyle, technology, law, business, politics and entertainment. These genres were meant to match the division of news commonly used by traditional news publications. When identified on the website, these genres were transferred to the coding schedule. When not identified, articles were categorized qualitatively based on their approach and subject matter. By dividing up the articles into these different genres, meaningful comparisons can be made demonstrating how each issue is contextualized differently when presented in an article of a particular genre.

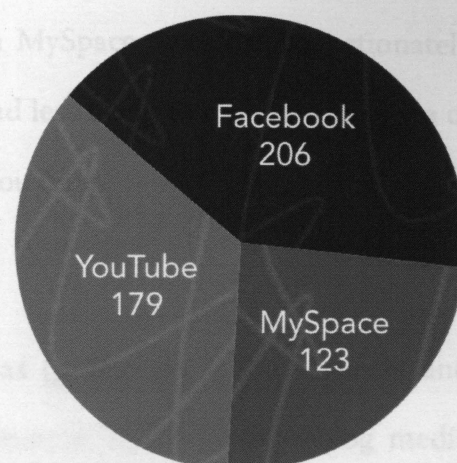
The results of the coding were input directly into SPSS and an initial series of data and graphs was generated to identify general trends and differences between the different publishers, communities, issues, and genres.

## Results

A total of 439 articles were analyzed: 184 published on traditional news sites, 174 published on Internet news sites, and 81 published on weblogs. Of these articles, a majority focused, in whole or in part, on developments within these communities that either strengthened or weakened the foundations required for Public Spheres to develop. Almost 60% (262) of the articles examined issues encompassing the publicly empowering nature of the community,

the commercial control exercised over the community, and/or issues of free speech and censorship.

**Figure 2**  
NUMBER OF ARTICLES THAT  
FOCUSED ON EACH COMMUNITY



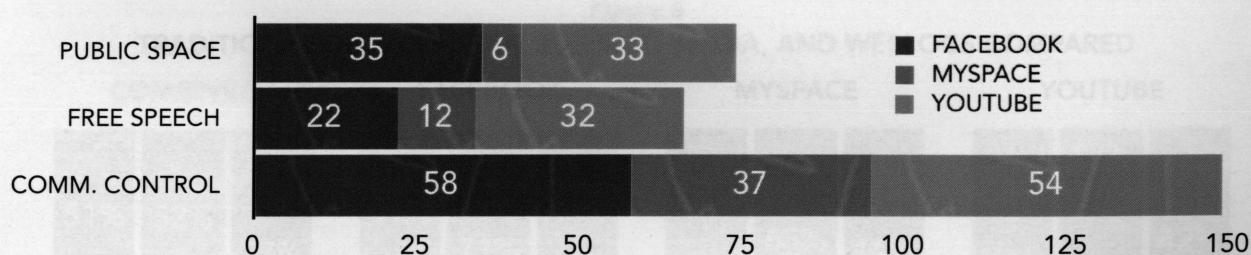
## Communities

On average, Facebook was the most popular community when judged by coverage, followed by YouTube and MySpace. While several articles focused on more than a single community, 206 articles focused in whole or in part on Facebook, 179 focused in whole or in part on YouTube, while 123 focused in whole or in part on MySpace as shown in *Figure 2*.

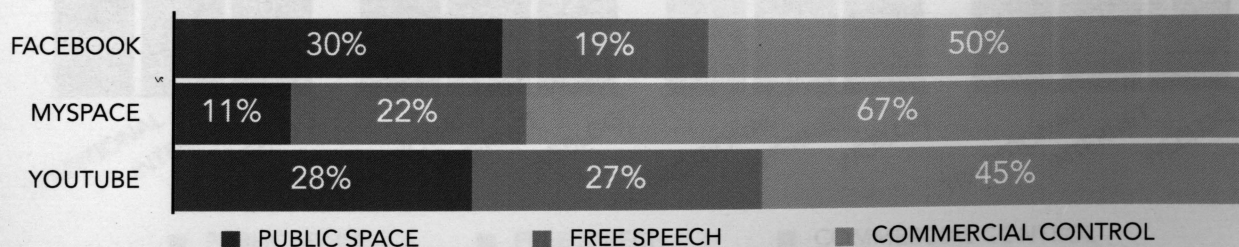
## Public Space, Free Speech, Commercial Control

The idea of commercial control was the focus of more articles than both public space and free speech combined. As illustrated in *Figure 3*, 149 articles discussed issues of commercial

**Figure 3**  
NUMBER OF ARTICLES THAT FOCUSED ON EACH IDEA SEGMENTED BY COMMUNITY



**Figure 4**  
PERCENTAGE OF ARTICLES WITHIN EACH COMMUNITY THAT FOCUSED ON EACH IDEA





control compared to 74 that analyzed the public nature of each of the communities, and 66 that highlighted how individual communities were being used to enhance or stifle free speech. As can be seen in *Figure 4*, articles focusing on MySpace were disproportionately more likely to highlight the idea of commercial control and less likely to highlight the idea of public space and empowerment than either Facebook or YouTube.

## Media Sources

The number of articles focusing on the three main ideas (public space, free speech, and commercial control) varied, depending on whether traditional, Internet, or weblog media sources were being examined. When combined, the three ideas were featured in 119 (65%) of traditional media articles, 63 (36%) of Internet media articles, and 61 (75%) of weblog articles. The idea of commercial control was featured in more than half the articles published online by traditional and Internet news media, while the same idea was featured less than a quarter of the time by weblogs as is illustrated in *Figure 5*. Articles published by these media that examined Facebook and MySpace were far more likely to focus on the idea of commercial control than those that examined YouTube. As shown in *Figure 6*, articles appearing on for-

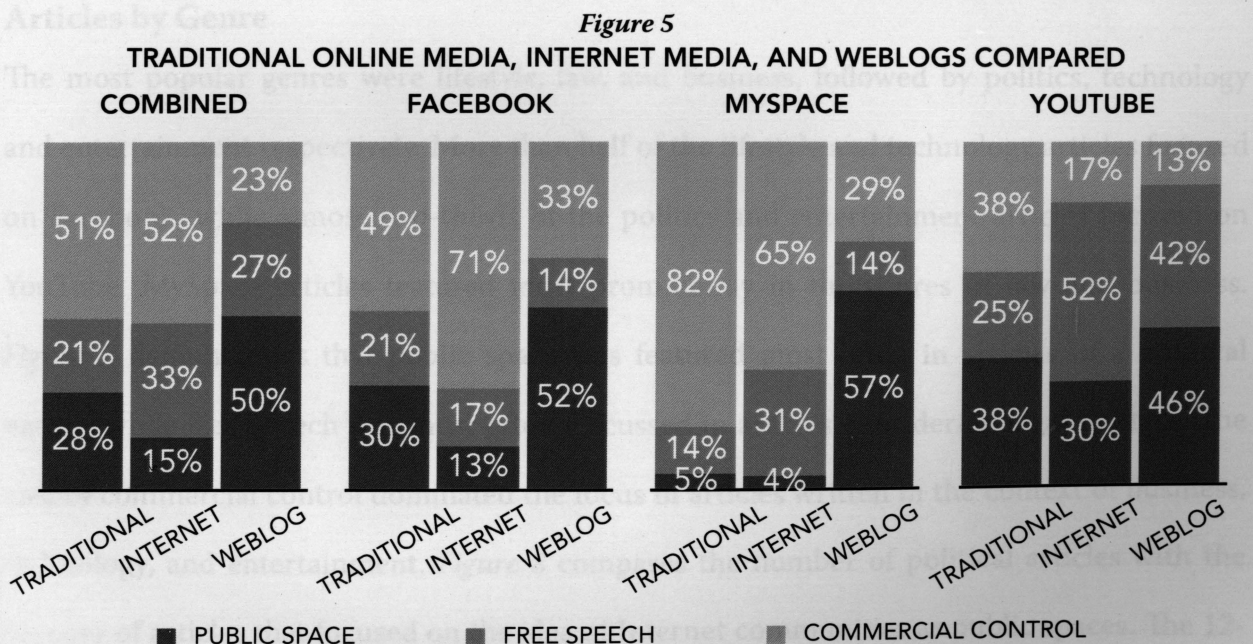
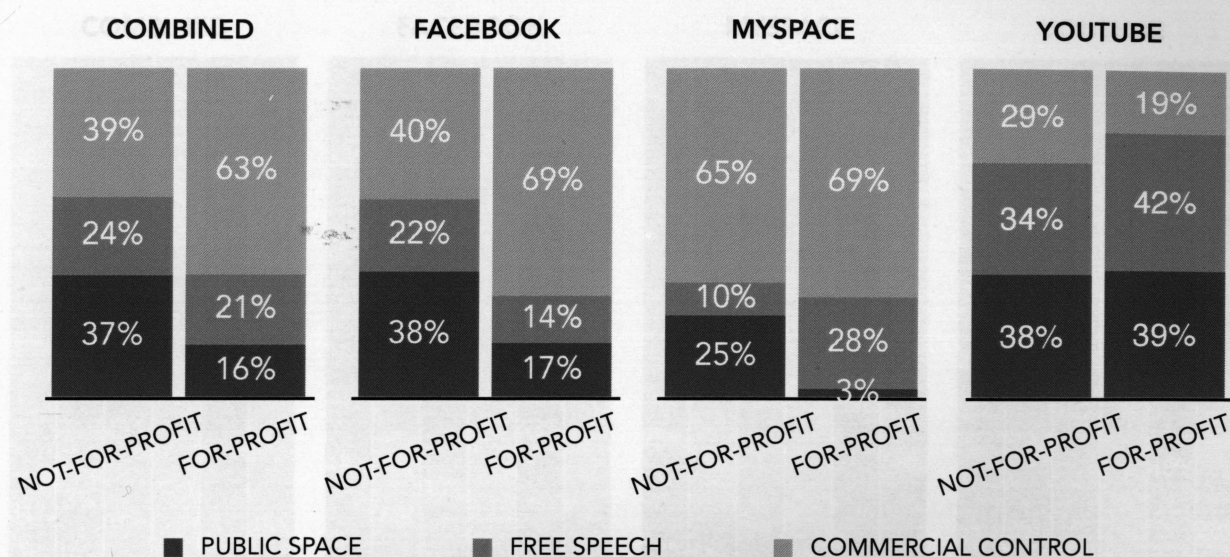


Figure 6

# NOT-FOR-PROFIT AND FOR-PROFIT MEDIA COMPARED



profit media websites focused on Facebook and YouTube equally, while MySpace received almost three-times the coverage in for-profit publications as it did in not-for-profit publications. When ideas were compared between for-profit and not-for-profit publications, public space was discussed more often in not-for-profit publications, while commercial control was featured in almost two thirds of for-profit publications.

## Articles by Genre

The most popular genres were lifestyle, law, and business, followed by politics, technology and entertainment respectively. More than half of the lifestyle and technology articles focused on Facebook, while almost two-thirds of the politics and entertainment articles focused on YouTube. MySpace articles featured most prominently in the genres of law and business. *Figure 7* demonstrates that public space was featured most often in articles of a political nature, while free speech was most often discussed in articles considering legal matters. The idea of commercial control dominated the focus of articles written in the context of business, technology, and entertainment. *Figure 8* compares the number of political articles with the number of articles that focused on the idea of Internet communities as public spaces. The 12-



Figure 7

MEDIA GENRES COMPARED

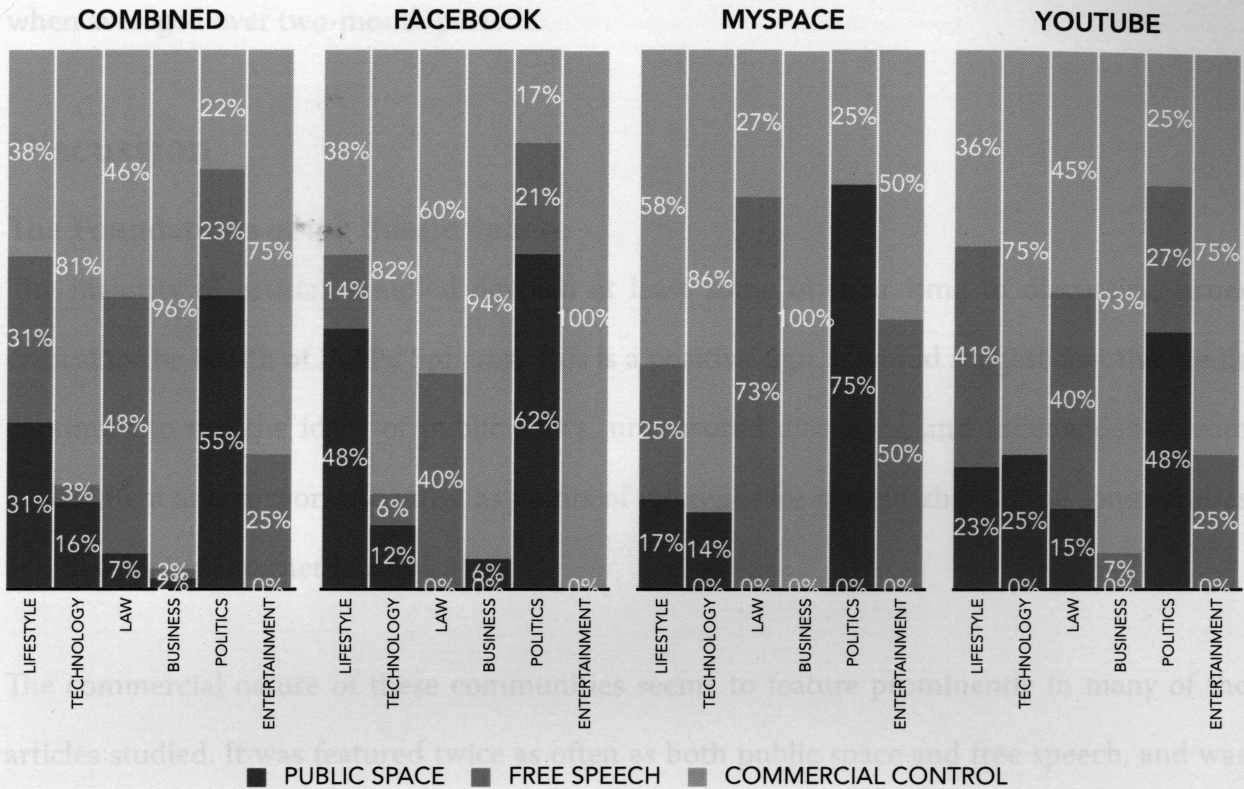
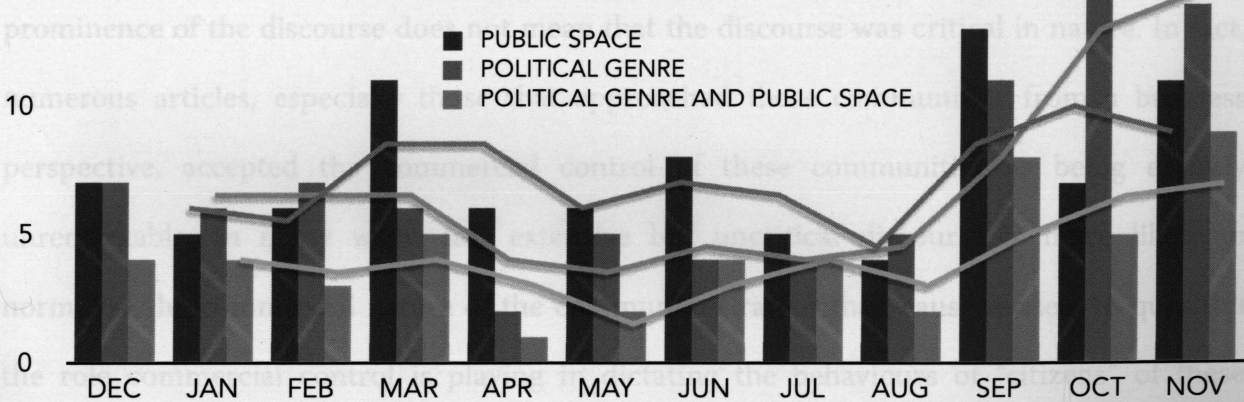


Figure 8

MEDIA GENRES COMPARED



month period of the study ended the same month as the U.S. election. The number of political articles, and the number of articles discussing the public nature of the communities both noticeably increased during the months of September, October, and November. The

lines in the graph represent how the number of articles published in each category trended when averaged over two-month periods.

## **Discussion**

### **The Foundations of the Public Sphere**

The majority of articles sampled devoted at least some of their time to discussing issues critical to the health of Public Spheres. This is a positive sign. It would suggest that the media continues to use the ideas of public space, uncensored discourse, and independence from government and corporate control as points of reference for scrutinizing online communities and developing Internet technologies.

The commercial nature of these communities seems to feature prominently in many of the articles studied. It was featured twice as often as both public space and free speech, and was the most discussed influence on the Public Sphere in coverage of every online community. It was also the most discussed issue in six of the ten publications surveyed. However, the prominence of the discourse does not mean that the discourse was critical in nature. In fact, numerous articles, especially those that approached these communities from a business perspective, accepted the commercial control of these communities as being entirely unremarkable. In many ways, this extensive but uncritical discourse is more likely to normalize the commercial nature of the communities rather than cause readers to question the role commercial control is playing in dictating the behaviours of "citizens" of these communities.

When one examines the communities individually, MySpace immediately emerges as being the focus of a disproportionate number of articles discussing commercial control. More than two-thirds (67%) of articles that examined MySpace wrote about its commercial nature.



Whether it was an analysis of the business partnerships and acquisitions being engaged in by MySpace and its owner News Corp, the online music store and label launched under the MySpace name, or the ongoing struggles the corporation has faced in order to make money from its advertising revenues, the commercial nature of the “community” is widely discussed. The idea that MySpace is predominantly commercial is reflected throughout the collected data. Looking at all three communities, articles that promote them as being public spaces are in the minority when compared to articles that highlight their corporate, commercial nature.

The most fundamental requirement for a Public Sphere is a space in which individuals can gather freely with one another. Without the ability to gather freely, individuals are unable to share, discuss, and debate ideas sufficient to win enough of the public over to their point of view and to affect real change. With that perspective in mind, MySpace lagged far behind both Facebook and YouTube, with only 6 articles focusing on the public nature of the MySpace community, compared to 35 for Facebook and 32 for YouTube.

Another critical requirement for the development of a Public Sphere is the guarantee of freedom of speech and expression. If participants within a community cannot speak freely, then a Public Sphere cannot develop. While the Internet and social communities have made it easier for individuals to communicate with one another in large numbers and in new ways, it has also made it easier for those controlling these communities to filter, censor and remove individuals. When articles are examined for discussion of freedom of speech, results for the three communities are fairly similar: between 19% and 27% of articles discussed issues relating to free speech and censorship. The highest percentage of articles focused on YouTube. This is not surprising, as YouTube continues to bow to the pressure of large media corporations by removing tens of thousands of user-uploaded videos, with little consideration for their

content beyond the corporations' claims that the videos violate their intellectual property rights.

In short, the media continue to focus upon and discuss the possibilities for public spaces that these communities provide, the importance of free speech, and the commercial ownership that dictates the terms within these spaces. These are all issues critical to the Public Sphere and the media helps to ensure that these issues continue to be raised in the minds of the public. This provides hope that these issues will be talked about and critically examined in public discourse, not just by individuals, but also by those who draft and interpret legislation.

### **The Difference Weblogs Make**

Three different types of online media have been identified and defined. Traditional online media have their roots in offline publications and broadcasts, including television, radio, newspapers, and/or magazines. These media are corporately controlled and have a strict set of editorial and journalistic standards. Internet media are online news sites that operate strictly online. These media outlets are, generally, much more focused in their coverage, choosing to narrow their scope to specific industries. The standards for journalism on online news sites vary. Weblogs provide a very different sort of coverage than either traditional online news media or Internet news media. Weblogs are written by individuals or small groups of individuals, and are much more personal in their perspectives. There are little in the way of journalistic standards, and the depth of reporting can vary greatly. However, weblogs tend to exist in a plurality, allowing for a greater community of bloggers to comment on, quote from, and link to each other's weblogs. This represents a dramatic shift in news coverage and commentary, providing a platform very similar to a Public Sphere in which different individuals can discuss, debate, and inform themselves.



The result of this collective discussion would seem to provide a greater degree of focus on the three foundations for the Public Sphere. Three-quarters (75%) of the weblog articles studied discuss one of the three issues, compared to 65% of traditional media articles, and only 36% of Internet media articles. Weblogs also seem to feature commercial control less than half as often as their traditional and Internet counterparts. Only 23% of weblog articles focused on commercial control within these communities compared to more than 50% of the articles appearing in traditional and Internet news articles. Meanwhile, 50% of the weblog articles focused on the public space possibilities presented by these communities, compared to 28% in traditional media and 15% in Internet media.

When individual communities are examined, it would seem that weblog coverage of Facebook and MySpace was largely similar, however weblog coverage of YouTube features a much greater degree of discussion of free speech. This is partly a result of the general debate online around the aforementioned removal of user-uploaded videos to the community, but more specifically, it reflects a debate that erupted around political videos uploaded for the 2008 U.S. Presidential campaign. A video uploaded by the John McCain campaign was removed for copyright infringement. McCain's campaign wrote YouTube an open letter suggesting it adopt a new policy for vetting copyright claims of videos uploaded by the Presidential candidates' campaign teams. Many webbloggers who had previously been critical of YouTube's enforcement of intellectual property claims, featured this letter. And, while they were critical of its limited scope because it asked only for flexibility on behalf of prominent political candidates, the letter proved useful as further ammunition in a movement to have YouTube adopt a new, more flexible approach to intellectual property in general. The Internet media also featured this discussion quite prominently, with a majority (52%) of Internet media articles focused on YouTube highlighting the free speech debate.

Weblogs differed greatly in their coverage of MySpace. Nearly half of the weblog articles discussing MySpace focused on the community as a public space, contrasting significantly with other types of media that framed MySpace as overwhelmingly commercial in nature. The reliability of this data is questionable, as the sample of weblog articles that featured MySpace (only 7) was much smaller than any other media/community sample. If anything, this might point to optimism amongst webloggers that even MySpace can provide a space for the public to gather.

Regardless of the community, Internet news media were the least likely to raise the issue of public space. Proportionally, public space and the possibility for public empowerment received less coverage by the Internet media than any other issue covered by any other form of media on either Facebook or MySpace. Traditional media were also approximately three times more likely to identify the commercial nature of YouTube than their Internet and weblog colleagues. Perhaps this is due to the recognition on the part of the traditional media, that video is a more mainstream form of communication for which an existing market and business model exists. They are either unable or unwilling to consider YouTube as space where communities can develop, and to see past its promise (or threat) as a new distribution mechanism for television and film productions.

These results would suggest that there is optimism among webloggers. They continue to see possibilities for public space and empowerment within these communities, and are more interested in discussing these possibilities than discussing the day-to-day profit-making business models that run the communities. The prominence that issues critical to the Public Sphere receive in these weblogs suggests webloggers have a communal sensitivity to, and interest in, public space, free speech, and communication free from corporate and government influence.



### Considering the Profit Mandate

By comparing publications produced on a not-for-profit basis to those produced on a for-profit basis, it should be possible to conclude whether the for-profit nature of some media outlets biases their coverage of other commercial, for-profit entities. For the most part, coverage of the three communities was similar between the two business models, with one remarkable difference: Three-quarters of the coverage MySpace received was from for-profit publishers. This is partly explained by the greatly reduced coverage MySpace received in weblogs, the vast majority of which are not-for-profit. It should be noted that, since the conclusion of this study, the for-profit Consumerist weblog has been sold and is now also a not-for-profit publication owned by the Consumers Union, publishers of *Consumer Reports*.

Looking at the combined coverage of all three communities, for-profit media outlets (The New York Times, Ars Technica, The Register, The Consumerist) are significantly more likely to focus on the commercial nature of these online communities than not-for-profit media outlets (the CBC, the BBC, WorldChanging, Daily KOs, Michael Geist's weblog, Lawrence Lessig's weblog). For-profit media outlets are less than half as likely to discuss the possibilities for a public forum when compared to not-for-profit media.

When one examines the communities individually, this trend is most pronounced for Facebook and MySpace. The majority of all articles covering MySpace highlighted its commercial nature, but articles promoting the possibilities of public spaces in MySpace occurred eight times more often in not-for-profit publications. Results for YouTube were very different: there was no significant difference in the coverage of the community as a public space relating to the publication's business model. More surprising, the number of articles

that framed YouTube as a commercial medium were notably higher amongst not-for-profit publications. This may reflect a perception among many bloggers that YouTube is more of a system by which to distribute products in the form of video footage, than a public space in which individuals can share ideas. Bloggers, often more technically savvy and hands-on than traditional journalists, have a better understanding of the tools needed to develop a community of active peers. With this knowledge, it is possible that bloggers are more sensitive to the differences between YouTube, MySpace, and Facebook and think less of YouTube's communal potential.

In total, almost 88% of the articles published by not-for-profit online media outlets highlighted one of the ideas identified as providing the foundations for Public Spheres compared with approximately 62% of the articles published by for-profit online media outlets. This would suggest that the commercial nature of the for-profit publishers affects their ability to report on ideas critical to the Public Sphere. One can surmise that this occurs either because it's something the publishers are deliberately trying not to cover, or it's something they do not consider important, or it's something they think their viewers don't consider important. Additionally, for-profit media outlets are far more likely to focus on the commercial nature of these communities, their role within a greater economy, and their abilities to establish a sustainable revenue model.

### **Framing the Foundations of the Public Sphere**

While different types of media have been shown to portray the foundations of the Public Sphere differently, individual articles are often framed to serve a specific audience. Just as traditional newspaper and news broadcasts are divided into different segments (such as business and entertainment), so too are online media stories categorized according to their genre. The most popular genres among the articles sampled were those of lifestyle, law and



business. In terms of community focus, the lifestyle and technology articles were most likely to focus on Facebook, while the majority of politics and entertainment articles focused on YouTube. While in the minority, MySpace articles featured most prominently in the genres of law and business.

Articles focusing on these communities as public spaces were most often of a political nature, with 62% of political articles about Facebook, 75% about MySpace, and 48% about YouTube all focusing on the public spaces these communities provide. Public space also featured prominently in lifestyle articles about Facebook, as new Facebook uses and applications continue to develop, pulling in more users and providing new inspiration for the possibilities Facebook presents as a community and public space. Unfortunately, public space was featured in only 7% of legal articles, as very few considered the idea that the public nature of these communities should be protected.

Free speech features prominently in the majority of legal articles, with 40% of legal articles on Facebook, 73% of legal articles on MySpace, and 40% of legal articles on YouTube discussing free speech. This is not surprising as free speech is usually framed as being a right guaranteed within the Canadian and American constitutions. What is surprising is the degree to which free speech is a concern within lifestyle articles that focus on YouTube. This represents a general awareness and concern over the activity of sharing videos that may contain copyrighted works. With limited coverage in technology articles, there is little evidence that new technologies could limit free speech. Of course, the extent and effectiveness of censorship can exist even when it does not appear to exist. The very nature and choices provided to individuals in a community often determines what they can and cannot do.

Articles discussing commercial control dominated business articles. 96% of total business articles, and 100% of business articles focusing on MySpace, highlighted the commercial nature of the different communities. Business articles are almost entirely devoted to analyzing the business model and profitability of different companies, regardless of their cultural importance. Commercial control also featured prominently among technology and entertainment articles. Technology articles were most likely to focus on new technological developments and their possibilities of increasing the profitability of corporate owners. Entertainment articles were equally concerned with profit, and how existing media commodities, such as Star Trek, could be successfully marketed on YouTube.

When categorizing these different news articles according to genre, the predominant bias of different types of coverage becomes clear. Political articles are much more likely to discuss the possibilities these communities present for public spaces in which meaningful discussions can take place, while business articles deal entirely with profit and business transactions. Free speech is considered largely a legal issue and articles focusing on new technological developments are much more likely to frame them in the context of benefitting existing business models and management infrastructures rather than as an opportunity for public discussion.

### **Election Year Developments**

A Presidential election was held in the United States during the last month of this study. The campaign had been developing in earnest for more than a year. One expected result was that the American media offered fairly consistent political coverage of the three online communities during the period of this study. A less expected result was the consistent media coverage highlighting the opportunities for public and political empowerment presented by online communities. As the election proceeded towards its climax on November 4th, the



number of political articles about online communities increased, especially those that focused on voter mobilization taking place in publicly accessible spaces within online communities.

## Conclusion

it was not surprising to find that the number of articles, both of the political genre, and focusing on the public spaces for debate presented by online communities increased.

This study has plotted the number of political articles according to the months in which they were written, and has charted trend lines calculated on a moving, two-month average. There was a significant increase in the number of political articles beginning in September, 2008 and continuing through October and November (see *Figure 7*). This is not surprising, as political coverage within all media increased dramatically during this period, and developments on the Internet were examined to assess their impact on issues in the election.

When articles discussing the ability of online communities to facilitate Public Spheres and political discussion are examined, a similar, though less pronounced trend emerges. The same is true of political articles that focused on the possibilities of these communities as public forums. Not surprisingly, the number of articles covering this issue, in the context of the election, jumped in September, and continued to increase throughout the fall. Almost half of all the political articles highlighting public spaces in the different communities were published in the last 3 months leading up to the election.

The 2008 Presidential election is hailed by many to be the first election fought and won on the Internet. As such, one would expect that both online media and Internet communities played a pivotal role in affecting the results. Indeed, many articles highlighted the initiatives taken by different political campaigns online, identifying the different means used to connect with, raise money from, and win voters through the Internet.

## Conclusion

As Internet technologies evolve, they are providing increasingly efficient, effective, and popular ways for people to communicate and share with each other. Facebook, MySpace, and YouTube allow individuals to engage in critical political discussions that shape the opinions of other members of the public in ways Habermas could not have imagined when he first wrote *The Structural Transformation of the Public Sphere* in 1962. With these attributes, the Internet holds the promise of providing spaces where Public Spheres, more powerful and widely accessible than previously possible, can be manifested.

This promise relies on the existence and protection of those foundations critical for the health of Public Spheres: Public spaces, where free speech is protected, and independent of government and corporate influence. The commercial nature of the most popular and pervasive online communities is undermining their potential for facilitating societal change—profit is put ahead of the public interest. By controlling the spaces within these communities, corporations have developed a foundation for a community, not like the Public Sphere, but one in which individuals accept private ownership and control as the status quo. Without online spaces where individuals are guaranteed the ability to communicate with each other free of interference and censorship, the ability of the Internet to produce healthy Public Spheres as described by Habermas, Fraser and Mosco is significantly undermined. Continued study will be required to determine the reasonable limits to free speech that should be allowed online while continuing to ensure the protection of individuals' freedom to associate and engage in discussion. While members of an online community may decide on the terms and conditions of their own participation within the community, clearly there is public harm



if legal principles such as intellectual property, privacy, defamation, and hate speech, are completely disregarded.

This paper has attempted to determine the degree to which debates taking place within various forms of online media are tackling issues critical to the health of Public Spheres. For the most part, traditional online media, Internet media, and weblog authors are focusing on and discussing the important role these communities can fulfill as public spaces, while highlighting their commercial ownership and the perils of censorship. This study finds that commercial control and influence over Internet communities and communications has been accepted and normalized by online media, particularly in the case of MySpace. On the other had, online media are still helping to ensure that issues of public space, empowerment, free speech, and commercial interference are examined and debated by the public, helping to facilitate the broader debate. These results should be useful in further studies of the role news media can play in framing and contextualizing debate over the use of commercially owned spaces online, and the dynamic relationships between commercial and public interests.

Weblogs represent a unique form of news media, one that in many ways resembles and aspires to the same goals as the Public Sphere. It appears that this has engendered an awareness among weblog writers of the possibilities for public space, free speech, and independent communications online. Weblogs are much more likely to discuss the possibilities for enabling public empowerment and meaningful societal change on the Internet than other forms of media. Further work should be done to establish how effective weblogs are at manifesting Public Spheres, and how they might be reshaping the discourse taking place in real world Public Spheres. It may be that weblogs have developed into interlinked communities with more potential for affecting meaningful social change than any of the corporate communities studied in this paper.

The for-profit nature of many traditional online and Internet media has a substantial impact on their coverage of the same issues. For-profit media focus on the commercial nature and promise of these communities rather than how they might serve the public interest. While the influence of capital on media is well documented, studies of online media have been limited and predominantly qualitative. In taking a primarily quantitative approach, this study demonstrates the degree to which an online media outlet's desire for profit impacts upon the subject-matter it covers.

The degree to which different genres of coverage focused on these ideas was revealing. Coverage that focused on business and technology promoted the potential profit to be made from online communities; however, the political coverage highlights the important role public discussion within these communities can play in framing and defining social debates and promoting public empowerment. Conversely, there is little discussion of these issues in legal coverage, a sign that the courts are not seen as playing a significant role in defining and protecting the Public Sphere. Additional consideration could determine the root of these differences—whether they are a result of the subject matter reported, or a result of biases inherently present in different forms of reporting.

The results of this study represent an important step towards understanding the media and public perceptions of online communities, commercial control, and the Public Sphere. They provide a valuable addition to the continuing discourse about the possibilities for, and nature of, Public Spheres on the Internet. Its qualitative foundations contribute valuable data upon which more detailed explorations can be undertaken, including a critical analysis of the influence and bias exercised by different online media sources when covering developments of Internet communities and technologies.



In early 2009, Facebook updated its terms of service—an update that could be interpreted as a claim of ownership over every user's content forever. Following a tip, The Consumerist posted a story about the change. Within days the article had been picked up in more than 750 written articles and television broadcasts throughout the mainstream media, and 64,000 Facebook users had joined a newly created Facebook group in protest. Quickly and quietly Facebook reverted to its original terms of service. A week later, Facebook creator Mark Zuckerberg announced that all future changes to Facebook's terms of service would be provided to Facebook community members in advance along with a means to comment, and in some cases, vote on the changes (Spring). Internet users may have accepted that the Internet is a network of commercially controlled spaces, but this does not mean they have accepted the rights of commercial interests to dictate the terms under which these spaces can be used. Following the vocal and widespread outrage expressed in reaction to Facebook's attempt to unilaterally change the terms of participation in the community, there exists the hope and expectation that the public, acting both on and offline, can still generate and protect Public Spheres online.

More recently, another commercially run social network demonstrated new possibilities for facilitating Public Spheres on the Internet. Twitter allows registered users to post short 140-character text updates, the majority of which can be read by anyone with Internet access. In addition to following what an individual user is writing, the use of "hashtags" (keywords preceded by the "#" symbol) allows for the discussion of specific topics to be monitored across approximately ten million Twitter accounts (BBC News). Twitter has demonstrated its value as a tool for quickly disseminating breaking news on numerous occasions, including the 2008 U.S. Presidential election, the 2008 bombings in Mumbai, India, and the 2009 crash of U.S. Airways flight #1549 (Busari). Many in the mainstream media point to Twitter as playing

a pivotal role in organizing the large demonstrations and riots that followed both the Moldovan and Iranian elections in 2009 (Cohen, Bright). With traditional media sources shut down or blocked by their governments, online weblogs and social networks, including Twitter, allowed Moldovan and Iranian citizens to communicate with each other and the outside world. Further study will be needed to determine how causal Twitter was in the genesis and organization of the political opposition. Preliminary research has called into question the appeal and effectiveness of Twitter as a community, showing that only 10% of Twitter users generate more than 90% of the network's content. That is not typical for online social networks where the top 10% of users generally account for less than a third of the content (BBC News). Twitter is only a few years old and still growing rapidly. It will be interesting to see how Twitter balances the priorities of a commercial venture with those of a social network that has become famous for facilitating political dissent.

Given that the Internet was initially developed with public dollars to serve the public interest; that rights of way over both public and private land have been granted to telecommunications and cable companies for the deployment of their networks; that universal Internet access has been identified as a priority by governments that continue to invest in and subsidize network infrastructure; and that innovation online has been a result of technologies that are part of the public domain, strong arguments exist for the Internet to be more carefully regulated by both the U.S. and Canadian governments in order to protect the public interest (Dahlberg, *Democratic Visions*). While corporate Internet service providers and online content providers may not voluntarily take measures to serve the public interest, both the Canadian and United States governments have the mandate and means to ensure private corporations do not jeopardize the possibilities of Public Spheres online.



If governments invested in publicly-run wireless networks, they could offer Internet service to all citizens, fulfilling one of the prerequisites of the Public Sphere. Since most existing Internet service providers explicitly prevent their customers from hosting their own websites and files from their home computers, a publicly-run ISP without this restriction would give citizens the ability to access the Internet from anywhere, free of commercial interference and censorship (Bell, Rogers Yahoo!). More importantly, it would also allow them to use their computers to create virtual spaces for individuals and communities to gather and share ideas with each other. That would be a Public Sphere worthy of the concept.

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