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**42**

## **Becoming global (un)civil society: Counter-hegemonic struggle and the Indymedia network.**

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## **Abstract**

In this paper we ask how actors and organisations can become constructed and treated as part of 'uncivil society'. We contest the notion that 'uncivil' necessarily equates with the dark of qualities of violence and organised criminality. Instead, we take a Gramscian perspective in suggesting that what becomes 'uncivil' is any practice and organisation that attempts to contest and escape the disciplining enclosures of the hegemonic order, of which civil society is a necessary part. To trace this phenomenon, we consider several ways in which a global media network called Indymedia has established and maintained itself as a counter-hegemonic media-producing organisation. In this case, a conscious positioning and self-identification as counter-hegemonic has been accompanied by the framing and sometimes violent disciplining of nodes of this network as 'uncivil' by cooperating state authorities. This is in the absence of association of this network with organised violence or crime. We intend our reflections to contribute to a deepening theorisation of the terms 'civil' and 'uncivil' as they are becoming used in international relations and social movement studies.

**Keywords:** global (un)civil society; Gramsci; independent media (Indymedia); hegemony and counter-hegemony; counter-hegemonic struggle; neoliberalism

The giant communication media: the great monsters of the television industry, the communication satellites, magazines, and newspapers seem determined to present a virtual world, created in the image of what the globalisation process requires. ... The work of independent media is to tell the history of social struggle in the world...<sup>1</sup>

## **Introduction: becoming global (un)civil society?**

On the 12<sup>th</sup> February 2009 a story was posted to the UK Independent Media website<sup>2</sup>. It described how Kent Police had arrested a man in Sheffield under Sections 44-46 of the Serious Crime Act, in connection with an earlier police seizure of an 'Indymedia' server hosted by the collocation facility *UK Grid* in Manchester<sup>3</sup>. His home was raided, and all computer equipment and related papers were removed, apparently without production of a warrant. He was released after eight hours. This person had no technical, administrative or editorial access to the Indymedia UK website. He was associated with the project only by hosting a server. Online sites affected by these server seizures have included London Indymedia, the global Indymedia documentation project server, a South American anti-GM soya campaign (la Soja Mata), a Canadian campaign contesting the hosting of the 2010 winter Olympics in Vancouver, and Sheffield's 'Transition Town' website. The 2009 server seizures in Manchester and Sheffield have been reported extensively elsewhere on the global Indymedia network, including by Independent Media Collectives (IMCs) in Athens, Barcelona, Brazil, Germany, Ireland, Nantes (France), New York, Poland, Indybay (USA) and Switzerland.

Sections 44-46 of the UK Serious Crime Act were passed into law on 1st October 2008 to address acts seen as 'encouraging or assisting' serious international crime offences such as drug trafficking, prostitution, money laundering and armed robbery. Kent police claimed they were seeking the IP

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<sup>1</sup> Subcommandante Marcos, 'Why We Need Independent Media', Online.  
[http://subsol.c3.hu/subsol\\_2/contributors3/marcostext.html](http://subsol.c3.hu/subsol_2/contributors3/marcostext.html), 1997, accessed 17<sup>th</sup> February 2009.

<sup>2</sup> Indymedia, 'Hosting Indymedia Servers is Illegal?' Online.  
<http://www.indymedia.org.uk/en/2009/02/421839.html>, 2009, accessed 25<sup>th</sup> February 2009.

<sup>3</sup> Indymedia, 'Police Seize UK Indymedia Server (Again)', Online.  
<http://www.indymedia.org.uk/en/2009/01/419838.html>, 2009, accessed 25<sup>th</sup> February 2009.

address<sup>4</sup> of the person(s) who posted on Indymedia two anonymous comments including personal details of the judge presiding over a recent animal liberation court case. In line with its own privacy policy Indymedia in fact had already removed the details of the judge from the posts<sup>5</sup>. The network also does not log or store IP addresses of contributors, a situation acknowledged by police in the UK following the seizure of servers in Bristol in 2005<sup>6</sup>. Indymedia's interpretation of these events is that it is part of a sustained campaign to 'track, intimidate, harass, and arrest people who are doing valuable and necessary work for social change', in part through turning 'every internet service provider in the country into part of the law enforcement apparatus'<sup>7</sup>.

In this paper we engage with these and other events to ask how a globally networked media movement becomes constructed and treated as part of 'global uncivil society'. We question the widespread assumption that 'incivility' necessarily equates with the dark of qualities of violence and exploitative criminality. Drawing inspiration from Antonio Gramsci, writing between 1929 and 1935<sup>8</sup>, we argue that what becomes 'uncivil' is any practice and organisation that attempts to contest and escape the disciplining enclosures of hegemonic order<sup>9</sup>. Many commentators have noted that the current global hegemony is characterised by a global spread of neoliberalism<sup>10</sup> and the more-or-less invisibilised systemic or structural violences with which this is

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<sup>4</sup> This is the unique number given to each internet connection, and which can be used to trace the user of a connection.

<sup>5</sup> Indymedia, 'Info Page: Indymedia UK Server Seizure 2009', Online. <http://www.indymedia.org.uk/en/2009/01/420278.html>, 2009, accessed 9<sup>th</sup> February 2009.

<sup>6</sup> Indymedia, 'Bristol Indymedia Server Seizure Update', Online. <http://bristol.indymedia.org/article/27049>, 2007, accessed 18<sup>th</sup> March 2009.

<sup>7</sup> Indymedia, 'Hosting Indymedia Servers'.

<sup>8</sup> Antonio Gramsci, *Selections From the Prison Notebooks*, edited and trans. by Q. Hoare and G. Nowell Smith (London: Lawrence and Wishart, 1971).

<sup>9</sup> Aka 'Becoming uncivil society...', p. 30, Sian Sullivan 'We are heartbroken and furious!' Rethinking violence and the (anti-)globalisation movement(s), in *Critical Theories, World Politics and The Anti-globalisation Movement*, eds. Bice Maiguashca and Cate Eschle (London: Routledge, 2005), 175-194. (Also online, <http://www.warwick.ac.uk/fac/soc/CSGR/wpapers/wp13304.pdf>).

<sup>10</sup> Stephen Gill, 'Globalisation, Market Civilization and Disciplinary Neo-liberalism', *Millennium*, 24, no. 3 (1995): 399-423.

associated<sup>11</sup>. Accompanying an emerging global economy dominated by transnational corporations, and a global polity made up of transnational forms of governance, is the appearance of a 'global civil society' that also plays a vital role in producing processes of globalization<sup>12</sup>. For many proponents, global civil society (GCS) provides spaces of transnational interaction that are not subsumed by the imperatives of profit maximization, or the imposition of order and control associated with global governance. Instead, GCS provides spaces where norms and dominant patterns of legitimacy can be communicated, explored, critiqued and contested<sup>13</sup>. In this view, the recent World Social Forums would be seen as axiomatic examples of such global civil society communicative spaces<sup>14</sup>. While the global economy is held together by relations of exchange, and the global polity is made coherent through international agreements and legislated rules, GCS is seen to be produced by voluntary associations defined by trust relationships. GCS may be critical of and resistant to dominant economic and political discourses, but is not necessarily so. The associations populating GCS are diverse, ranging from special interest groups, environmental campaigns and Non-Governmental Organisations (NGOs), to chambers of commerce and business associations such as the World Economic Forum<sup>15</sup>. GCS may provide plural spaces where broader normative questions can be critiqued and the legitimacy of existing social arrangements debated, questioned and actively challenged. Many campaigns seek, for example, to challenge global governance arrangements

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<sup>11</sup> Pierre Bourdieu, *Acts of Resistance: Against the Tyranny of the Market*, translated by R. Nice, Cambridge: Polity Press and The New Press, 1998); Slavoj Žižek, *Violence* (London: Profile Books, 2008).

<sup>12</sup> Ronnie D. Lipschutz, 'Reconstructing World Politics: The Emergence of Global Civil Society', *Millennium: Journal of International Studies* 21, no. 3(1992): 389-420; Marlies Glasius, 'Deliberation or Struggle? Civil Society Traditions Behind the Social Forums', *ephemera: theory & politics in organization* 5, no. 2 (2005): 240-252.

<sup>13</sup> Richard Falk, 'The United Nations and Cosmopolitan Democracy: Bad Dream, Utopian Fantasy, Political Project', in *Re-imagining Political Community: Studies in Cosmopolitan Democracy*, eds. Daniele Archibugi, David Held and Martin Köhler (Cambridge: Polity, 1998), 309-330.

<sup>14</sup> Jackie Smith, 'The World Social Forum and the Challenges of Global Democracy', *Global Networks* 4, no. 4 (2004): 413-421; Steffen Böhm, Sian Sullivan and Oscar Reyes (eds.) 'The Organization and Politics of Social Forums', *ephemera: theory & politics in organization* (Special Issue) 5, no. 2 (2005).

<sup>15</sup> Jan Aart Scholte, *Democratizing the Global Economy: The Role of Civil Society* (Coventry: Centre for the Study of Globalisation and Regionalisation, 2003).



(such as climate change regulations) or the existing organisation of the global economy (such as contemporary global financial architecture). In sum, GCS might be defined as comprising plural spaces between government and the economy where voluntary associational activities provide and produce opportunities for contestation and resistance, as well as for agreement and collaboration. As such, GCS is thought to provide a necessary basis for democratization<sup>16</sup>.

While many celebrate this democratic potential of GCS, however, it also might be argued that GCS does not necessarily lead to democratization. To the contrary, it might in fact reproduce and entrench conditions of substantial inequality and 'unfreedom'<sup>17</sup>. From a Gramscian perspective 'civil society' is precisely what is required by the hegemonic order in order to maintain the totalising effects of that order, and thereby preclude 'the emergence of an effective opposition against the whole'<sup>18</sup>. It is this creation and capture of disciplined consent by 'civil society' that legitimises and maintains gross structural inequality, problematic disciplinary regimes, and tacit agreement to the status quo.

GCS thus may have a 'darker' face than is reflected in much liberal theorising and framing of civil society, producing the deepening of hegemonic control and domination rather than opening spaces of relative freedom and critique<sup>19</sup>. Amoore and Langley<sup>20</sup> argue, for example, that GCS is not just a non-governmental space of voluntary actors who engage in acts of critique, contestation and resistance. Rather, GCS is an important space of governance and disciplining insofar as it seeks to regularize and make predictable the behaviour of actors in their engagement(s) with hegemony<sup>21</sup>. Actors with very diverse experiences and interests thus become incorporated into a

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<sup>16</sup> David Held, *Cosmopolitan Democracy* (Cambridge: Polity, 1995).

<sup>17</sup> cf. Herbert Marcuse, *One-dimensional Man* (London: Routledge, 1964).

<sup>18</sup> Marcuse, *One-dimensional Man*, p. 5.

<sup>19</sup> Nicola Pratt, 'Bringing Politics Back In: Examining the Link Between Globalization and Democratization', *Review of International Political Economy* 11 no. 2 (2004): 311-336.

<sup>20</sup> Louise Amoore and Paul Langley, 'Ambiguities of Global Civil Society', *Review of International Studies*, 30 no.1 (2004): 89-110.

<sup>21</sup> cf. Michel Foucault *Discipline and Punish: The Birth of the Prison* (London: Penguin Books, (1977 (1975))).

wider disciplining social order, often even as they are attempting to shift and shape this order<sup>22</sup>.

Here we highlight and explore this productive tension between GCS as a place of empowerment and democratization and GCS as a means of deepening hegemonic control. Instead of asking which of these is enhanced in the organisation we consider<sup>23</sup>, we describe and reflect on some ways this tension manifests through ongoing and productive struggles between hegemonic GCS organisations that create consent with dominant economic and political relations, and counter-hegemonic GCS choices that open up and significantly question these forms of consent, arguably becoming framed and treated as ‘uncivil’ in the process. To do this we consider one seemingly exemplary GCS organisation – a global voluntary internet-based news-producing network called Indymedia ([www.indymedia.org](http://www.indymedia.org)). We describe how Indymedia has been caught in an ongoing struggle between ‘top down’ hegemonic initiatives and structuring possibilities, and ‘bottom up’ counter-hegemonic struggle. Drawing on neo-Gramscian theories of struggle (described in more detail below) we suggest that Indymedia is embroiled in a productive dynamic between hegemonic and counter-hegemonic moments and movements. Importantly, its explicitly counter-hegemonic or ‘uncivil’ stance and identity have elicited variously violent ‘civilising’ engagements by state forces, mostly notably in the infamous attack by Italian *carabinieri* on the Indymedia centre in Diaz School during protests against the G8 in Genoa, 2001<sup>24</sup>. These are framed and justified as in the interests of a ‘civil society’ of citizens, while frequently manifesting as arguably ‘uncivil’ disciplinary acts by state authorities, justified through calls to the ‘exception’ in moments of governance<sup>25</sup>.

The networked organisation we reflect on here has experienced and produced significant resistances to perceived processes of capture by the hegemony. One struggle we highlight comprised prolonged negotiations between independent media-

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<sup>22</sup> For other accounts of the relationship between hegemony and global civil society see: Stephen Gill (ed.) *Gramsci, Historical Materialism and International Relations* (Cambridge: Cambridge University Press, 1993); Stephen Gill ‘Towards a Postmodern Prince? The Battle in Seattle as a Moment in the New Politics of Globalisation’, *Millennium: Journal of International Studies* 29, no. 1 (2000): 131-41.

<sup>23</sup> Pratt, ‘Bring Politics Back In’.

<sup>24</sup> Alessandro Mantovani, ‘The true tale of Diaz school raid’, (trans. by blicero). Online, <http://italy.indymedia.org/news/2003/01/147980.php>, 2003, accessed 23 July 2009.

<sup>25</sup> Cf. Giorgio Agamben *State of Exception*, trans. by K. Attell (London: University of Chicago Press, 2005)

producing collectives worldwide that resulted in a decision *not* to accept Ford Foundation funding. This was on the basis that the funding would compromise the network's counter-hegemonic identity through its linkage with a more conventional civil society organisation associated with the hegemonic order. Continued positioning as 'outside' the hegemonic media order has occasioned confrontation with cooperating state authorities on numerous occasions, some violent as noted above. We engage with these instances in an attempt to contribute to a problematisation of the terms 'civil' and 'uncivil' as they are becoming used in social movement studies, and in understanding relationships between states and (un)civil society in beyond-state global networks. We also write here as researchers with longstanding and supportive interests in Indymedia, who have ourselves contributed content at times.

We proceed with an elaboration of our key terms: namely 'Global Civil Society' (GCS) and the hegemony/counter-hegemony nexus, and then present a short background to our case material. We continue with an analysis of three moments of counter-hegemonic refusal and its consequences, focusing on the establishment of Indymedia as a counter-hegemonic media-producing organisation, the maintenance of this stance and identity through refusal to accept Ford Foundation funding, and recent state disciplining of this organisation through the seizure of servers by the FBI and UK police. We close with some thoughts regarding the meanings of 'civil' and 'uncivil' society in a hegemonic context that requires many small moments of disciplining to produce consenting and complicit citizens; but responds with rather large acts of 'uncivil' seizure and violence when dominant norms are questioned seriously, escaped or otherwise threatened.

## **Global Civil Society**

To explore the productive tensions in Global Civil Society (GCS), it seems important to turn our attention away from what civil society is, towards the more challenging question of *how* GCS is created. Cosmopolitan proponents<sup>26</sup> maintain that GCS is a top down political achievement that sustains a normative vision. It does so through creating a series of formal institutions at national and trans-national levels. These structures provide the opportunity structure for GCS organisations to flourish. An

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<sup>26</sup> For example David Held *Democracy and the Global Order: From the Modern State to Cosmopolitan Governance* (Cambridge: Polity Press and Stanford University Press, 1995).

example here might be the proliferation of spaces for NGO lobbying and organisation that has gravitated around the opening of the various UN conventions on the environment. Researchers have noted recently that GCS also may result from other structural conditions such as the global spread of norms<sup>27</sup>, the availability of political opportunities at the global level, a state's position within global networks and the trans-national distribution of resources<sup>28</sup>. For instance, many global civil society organizations are clustered in liberal democratic states like the US. This means they become the centre of global networks and provide structures that allow organizations to tap into global political opportunities and access necessary resources. For many cosmopolitans, these institutional conditions can be manipulated through top down policy measures that create and support the conditions for a liberal democratization of the global polity<sup>29</sup>.

Others emphasise how GCS emerges from social action to produce a 'globalization from below'. This involves many different actors engaged in seemingly spontaneous, autonomous and identity-building actions and collaborations<sup>30</sup>. By highlighting relations of voluntarism, participation and critique, GCS in these analyses is seen as offering potential escape from formal structures and normalising institutional frames, thereby offering 'genuinely' democratic and distributed forms of organization<sup>31</sup>.

A limitation of emergent approaches perhaps is that they downplay the productive ways the confrontation between top-down 'governmental' measures and emergent forms of radically democratic action constitute the terrain of GCS. In order to address this shortcoming, neo-Gramscian approaches have argued that GCS emerges through a dialectical interplay between hegemonic forces that attempt to develop 'safe' or 'civil' forms of hegemonic GCS, and counter-hegemonic tendencies that

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<sup>27</sup> Kim Reiman, 'A View From the Top: International Politics, Norms and Worldwide Growth of NGOs', *International Studies Quarterly* 50, no. 1 (2006): 45-67.

<sup>28</sup> Jackie Smith and Dawn Wiest 'The Uneven Geography of Global Civil Society: National and Global Influence on Transnational Association', *Social Forces* 84, no. 2 (2005): 621-652.

<sup>29</sup> Daniele Archiburgi 'Principles of Cosmopolitan Democracy', in *Re-imagining Political Community: Studies in Cosmopolitan Democracy*, eds. Daniele Archiburgi, David Held, and Martin Köhler (Cambridge: Polity, 1998); Daniele Archiburgi 'Cosmopolitan Democracy', *New Left Review*, July/August (2000): 137-150.

<sup>30</sup> Richard Falk, 'Global Civil Society: Perspectives, Initiatives, Movements', *Oxford Development Studies* 26, no. 1 (1998): 99-110.

<sup>31</sup> Graeme Chesters and Ian Welsh, 'Complexity and Social Movement(s): Process and Emergence in Planetary Action Systems', *Theory, Culture and Society* 22, no. 5: 187-211.

question this 'safe' consensus<sup>32</sup>. Counter-hegemonic groups can open up existing forms of civil society consensus, practice and organisation. This may push GCS organisations into possibly fruitful (albeit reformist) engagement with formal policy and governance arenas. As Mueller suggests<sup>33</sup>, the intensity and surprise with which protest has erupted in the streets can open spaces whereby more reformist civil society campaigns are able to gain a stronger foothold in formal policy discussions. Mueller argues that the increased strength of the ATTAC network lobbying for a tax on global financial transactions was the product of intense street protests against the EU summit in Gothenburg, 2001<sup>34</sup>. GCS thus constitutes and is constituted by spaces and practices of engagement that are sustained and characterised by the ongoing struggle between hegemonic and counter-hegemonic modes.

## **Hegemony, counter-hegemony and struggle**

From a Gramscian perspective a central *raison d'être* of contemporary global civil society is the production and maintenance of broad consensus to a political-economic hegemony. This hegemony legitimises and reinforces capitalist relations of production<sup>35</sup>. Cox, following Gramsci, defines hegemony as:

...the unity between objective material forces and ethico-political ideas... in which power based on dominance over production is rationalized through an ideology incorporating compromise and consensus between dominant and subordinate groups. *A hegemonic structure of world order is one in which power takes a primarily consensual form*, as distinguished from a non-hegemonic order in which there are manifestly rival powers and no power has been able to establish the legitimacy of its dominance (emphasis added).<sup>36</sup>

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<sup>32</sup> Robert W. Cox, 'Civil Society at the Turn of the Millennium: Prospects for an Alternative World Order', *Review of International Studies*, 25 (1999): 3-28; Pratt, 'Bring Politics Back In'; Ronnie D. Lipshutz, 'Power, Politics and Global Civil Society', *Millennium: Journal of International Studies*, 33, no. 3 (2005): 747-769.

<sup>33</sup> Tazio Mueller 'What's Really Under Those Cobblestones? Riots as Political Tools, and the Case of Gothenburg 2001', *ephemera: theory and politics in organisation* 4, no. 2 (2004): 135-151.

<sup>34</sup> For this and other examples see Mueller, 'What's Really Under Those Cobblestones?' Tazio Mueller and Sian Sullivan 'Making Other Worlds Possible? Riots, Movement, and Counter-globalisation', in *Breach the Peace: Resistance and Rebellion in Britain and France, 1381 to the Present*, Brett Bowden and Michael Davies, eds. (Basingstoke: Palgrave Macmillan, in press)

<sup>35</sup> Gramsci, *Prison Notebooks*; Cox, 'Civil Society'.

<sup>36</sup> Robert W. Cox 'Social Forces, States and World Orders: Beyond International Relations Theory', *Millennium: Journal of International Studies*, 10, no. 2 (1981): 126-55, p. 153, n. 27.

According to Cox, one of the central tasks of dominant groups involves seeking to create a sense of consent and consensus between groups who are in a dominant position and those who are dominated. Studying how hegemony is maintained in GCS thus involves tracing how dominant groups in civil society such as élite networks, large NGOs and other powerful interest groups clearly seek to establish hegemony in GCS. However, an equally notable phenomenon is the fact that there also are those who seek to challenge and un-do this hegemony through counter-hegemonic struggle. Counter-hegemony involves attempts to call into question the naturalization of the values of the benefiting class, by reasserting the antagonisms that hegemony attempts to paper over<sup>37</sup>.

Lipshutz points out that interacting hegemonic and counter-hegemonic forces are mutually constitutive and defining<sup>38</sup>. It is only because hegemony exists that counter-hegemonic forces arise with the intent to challenge, question and over-throw hegemonic order; while hegemony exists insofar as there are counter-hegemonic forces that create antagonisms that must be written out of the equation. If there was not the continued existence or at least possibility of these counter-hegemonic forces, then it would not be necessary to devote so much effort to sustaining the apparently self-evident or naturalised values of the hegemony. A second point to note is that it is struggle – the ongoing interaction between hegemonic and counter-hegemonic values and forces – that constitutes civil society. It is the struggle between these societal realms that generates the dynamism and antagonisms around which civil society moves. The absence of such struggle would leave only a safe consensus of which there would be no reason to speak.

In what follows, and drawing on struggles associated with the global Indymedia network, we offer a case-based exploration of how these dynamics of hegemony, counter-hegemony, and struggle might play out and be conceptualised.

## **Introducing Indymedia**

The Independent Media network – or ‘Indymedia’ - is a world-wide network of collectives that run over 160 open-source internet sites which collect and make public

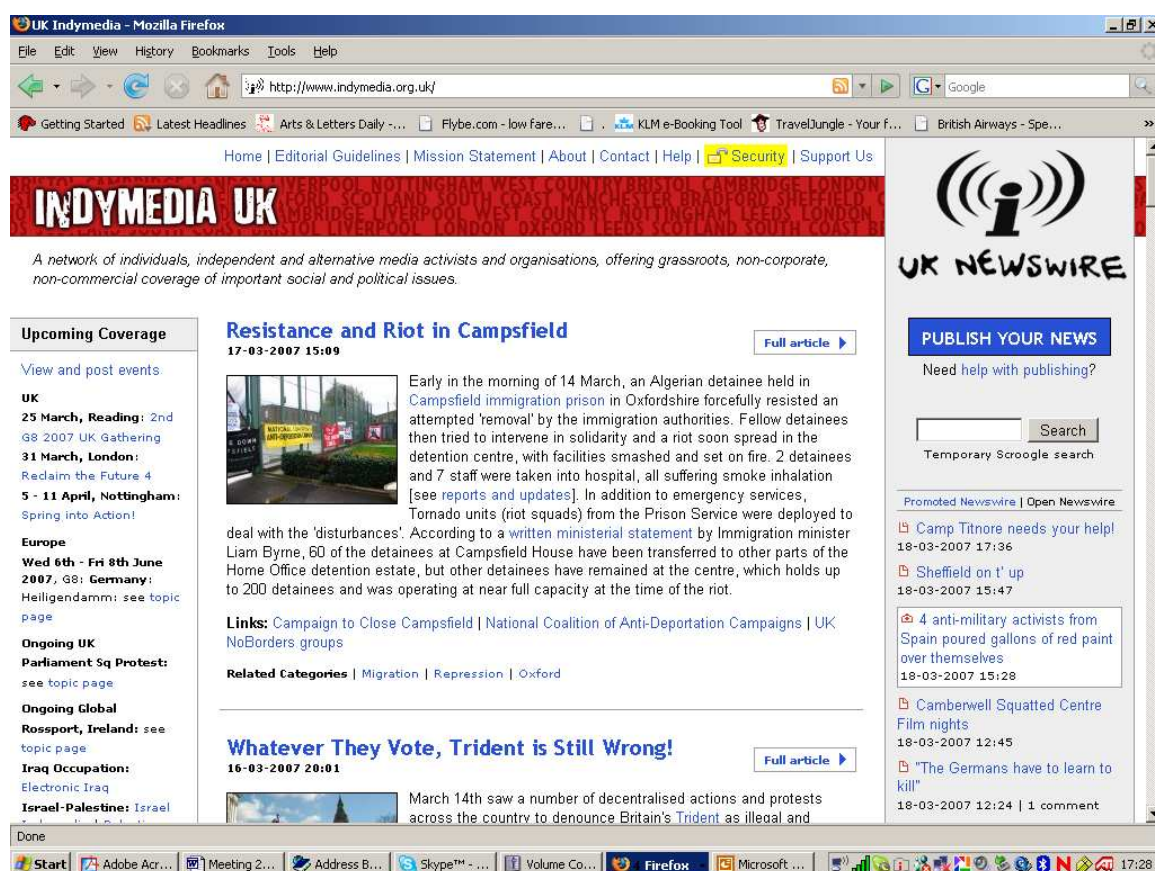
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<sup>37</sup> Carl Boggs, *The Two Revolutions: Antonio Gramsci and the Dilemmas of Western Marxism* (Boston, MA: South End Press, 1984) .

<sup>38</sup> Lipshutz, ‘Power, Politics and Global Civil Society’.

alternative (i.e. counter-hegemonic) news stories and analysis. A typical Indymedia website is made up of four parts (Figure 1). On the left-hand side of the screen is an extensive list of links to other Indymedia sites around the world, issues of special interest, and events, etc. In the middle of the screen are features which are main stories that the editorial collective have chosen as the most important issues of the day. To the right is the news-wire which is a list of all stories which have been recently uploaded. Along the top is a banner head with the name of the site and some links to major parts of the website, as well as Indymedia's self-defining statement that Indymedia is '[a] network of individuals, independent and alternative media activists and organisations, offering grassroots, non-corporate, non-commercial coverage of important social and political issues'. Each Indymedia site is usually linked to a particular geographic locality and is run by a local collective. Extensive international co-operation between individual collectives also is an important part of developing and negotiating technical standards, organizational infrastructure and other issues.

**Figure 1. An Indymedia website.**



In fewer than ten years the Indymedia network has become a potent transnational media-producing social movement that consciously opens up spaces for disagreement with the consensual reality that maintains neoliberalism, as well as embracing organisational forms and practices considered as counter to those that animate formal organisations. As such, it might properly be considered as counter-hegemonic, both in terms of the desires of its producers, and from the perspective of 'the hegemon'. In Gramscian terms, Indymedia arguably leans towards 'uncivil' as opposed to civil society: in the ways in which it is identified by Indymedia activists, and in the ways in which it is treated by state authorities.

Establishing and nurturing this identity, however, is the result of considerable and ongoing work and negotiation. Drawing on analysis of online communications and corresponding events, in what follows we describe and explore three moments in the network's history that have been significant in defining and maintaining the movement as constituting counter-hegemonic struggle. These moments are: first, the creation and upsurge of Indymedia as a critical component of the large-scale 'anti-globalization' mobilizations in 1999; second, a conflict that appeared within and between different Indymedia collectives in 2001, as they considered how best to fund and consolidate Indymedia's existence both pragmatically and in terms of identity. These discussions were tied to the question of whether to pursue possible long-term funding from a conventional civil society organisation - the Ford Foundation; and third, the seizure of major Indymedia servers by FBI and police in 2004 and in following years, on the grounds of national and international security.

## **Becoming 'uncivil': 'Don't hate the media, be the media!'**

To many analysts of the 1990s it appeared that neoliberalism had produced 'the end of history'<sup>39</sup>. Global civil society had been fully co-opted, at least partly due to the 'manufacture of consent' arising from the lack of a cogently critical media<sup>40</sup>. It thereby seemed to be simply (re)producing, rather than contesting, the privatising and atomising organizational dynamics of neoliberalism. Challenges to neoliberal hegemony seemed restricted to specific issues in geographically limited locations: protests by labour unions against neoliberal inspired restructuring, 'food riots' in

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<sup>39</sup> Francis Fukuyama, 'The End of History?' *The National Interest* 16: 3-18.

<sup>40</sup> Edward S. Herman and Noam Chomsky, *Manufacturing Consent: The Political Economy of Mass Media* (New York: Pantheon Books, 1988).



various contexts worldwide critiquing the structural adjustment programmes of the IMF and the World Bank<sup>41</sup>, and special issue-based campaigns and social movements focusing on women's rights, 'the environment', (nuclear) militarization and indigenous peoples' rights. In simplified terms, each challenge tended to have rather specific demands, driven by relatively narrow sets of interests and arising from different histories of political activism. These challenges seemed to remain somewhat disconnected, and neoliberalism remained hegemonic in GCS.

Famously, the Zapatista insurgent movement in Chiapas, Mexico, entered the global stage in 1994 through Subcommandante Marcos' use of the Internet, intervening in both the conceptualisation of political struggle and exploitation, and in the strategies and tactics of engagement. Marcos' exhortation to utilise new Information and Communication Technologies (ICTs) such as the internet as tools both for representing local struggles avoided by conventional media and connecting these struggles beyond borders<sup>42</sup>, has since been taken up by myriad social movements throughout the world. The so-called 'anti-globalization movement', arguably emerged from the resultant forging of tenuous 'chains of equivalence' between different struggles globally<sup>43</sup>, united against a common enemy of neoliberalism.

This emerging global counter-hegemonic movement was galvanized by a series of successive 'demonstrations of strength' in the form of mass protests targeted at powerful global governance, economic and business coalitions including the G8, the World Trade Organization, the International Monetary Fund, and the World Economic Forum<sup>44</sup>. Indymedia arose in part to meet the reporting and organisational challenges presented by these mobilisations, by helping to co-ordinate mass actions across cities and between localities, through the sharing of information regarding the successes and failures of particular actions and their policing, and by providing the movement with an ongoing media outlet for representing issues, events and concerns. A prototype IMC was established in London in June 1999 (J18.org, run from a South

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<sup>41</sup> David Seddon and Leo Zeilig, 'Class and Protest in Africa: New Waves', *Review of African Political Economy*, 103 (2005): 9-27.

<sup>42</sup> Marcos, 'Why We Need Independent Media'.

<sup>43</sup> Ernesto Laclau and Chantal Mouffe, *Hegemony and Socialist Strategy*, (Cambridge: Polity, 1985).

<sup>44</sup> For a history of significant events see Notes From Nowhere, *We Are Everywhere: The Irresistible Rise of Global Anticapitalism* (London: Verso, 2003); Paul Kingsnorth *One No, Many Yeses: A Journey to the Heart of the Global Resistance Movement* (London: Simon and Shuster, 2003).

London internet café called Backspace), to produce simultaneous, real-time reports and to assist with the coordination of participants in the global protests against the G8 summit meeting in Köln, Germany. A few months later, at the 'Global Day of Action' that became 'the battle of Seattle' and during which 'anti-globalisation' protesters closed the WTO ministerial meeting, an independent media centre (IMC) was set up in an abandoned shop-front in the city, playing an essential role in both reporting and facilitating communications between activists.

From the pragmatic requirements of protests and of facilitating connectivity with other social movements, a relatively standardized model for 'doing' independent media appeared which became known broadly as Indymedia. This model has a number of consistent features, including a common site name, the affirming of links between both grassroots movements and local and global contexts, a citizen reporting model which allows anyone to upload a story, the use of open source code bases, and a similar visual configuration of websites. Following the success of the Indymedia model in Seattle, it rapidly diffused to other locales, with [www.indymedia.org](http://www.indymedia.org) being a global 'portal' for entry into all local IMCs. Since Indymedia's establishment in 1999, there has been an exponential increase of IMCs, together with some dissolution of IMCs in particular contexts. By the end of 2000 there were 30 IMCs, at the end of 2001 there were 60, in 2002 there were 104. There are now more than 160 local chapters. Most Indymedia collectives also organise postings into a range of topics. For instance, the main UK site lists 19 specialist topics ranging from Animal Liberation to Zapatistas.

IMCs thus are informal voluntary organisations that have emerged around the desire to produce media alternatives that can be spread using new ICTs. Websites where independent media, or 'Indymedia', is located, engaged with and archived constitute the virtual nodes or centres of the global independent media network. The sites are designed to carry news which is directly produced by any user of the site and can be uploaded immediately. This means that the relationship between producers and consumers of news becomes radically blurred. At the same time, most independently produced media also is consciously free of copyright or is 'copyleft'. The reproduction and distribution of media thus is legally permitted and encouraged, such that these websites act as locales from where information – whether text, images, film or radio –

can be circulated further. Indymedia attempts, in other words, to be an ‘open space’<sup>45</sup> in the virtual world, functioning as a news based internet portal that allows the ‘open posting’ of articles by any author to a website, with a set of publishing regulations and an inclusive editorial collective being the only gate keepers. Instead of depending on corporate or state sponsored media, grassroots initiatives and individual activists find here an open media space where concerns can be shared with a potentially global audience. This facilitates the networking of similar and related struggles, and allows for a horizontal (i.e. relatively non-hierarchical) reorganizing of the public sphere. The open editorial collectives operate through online synchronous communication (Internet Relay Chats or IRCs), permitting participants to engage in the editorial process and enabling consensus decisions to be reached, without need for office space or geographic proximity. Despite the importance of ICTs in the communication structures of Indymedia, its principles also emphasize a strong local and face-to-face component of the editorial work. Essentially a network of autonomous local groups, Indymedia as an organizational ‘umbrella’ insists on a certain purity with regard to new members who wish to join the network<sup>46</sup>.

The global Indymedia network of course draws on older alternative media organisations<sup>47</sup>. The UK IMCs, for example, share concerns and connections with alternative media such as Schnews ([www.schnews.org.uk](http://www.schnews.org.uk)), Squall ([www.squall.co.uk](http://www.squall.co.uk)), and Pirate TV ([www.piratetv.net](http://www.piratetv.net)). Those involved in the Seattle mobilization of Indymedia point to a long history of other alternative media including the Zapatista’s use of the Internet, Paper Tiger TV ([papertiger.org](http://papertiger.org)), Deep Dish TV ([www.deepdishtv.org](http://www.deepdishtv.org)), and the CounterMedia coverage of the 1996 Democratic Party convention ([www.cpsr.cs.uchicago.edu/countermedia](http://www.cpsr.cs.uchicago.edu/countermedia)). By being involved in these deeper networks of alternative media production, each Indymedia collective is able to

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<sup>45</sup> For further discussions of the concept of ‘open space’ and its use by protagonists of the contemporary ‘counter-globalisation’ movements, see: Chloé Keraghel and Jai Sen (eds.) ‘Explorations in Open Space: the World Social Forum and Cultures of Politics’, *International Social Science Journal*, Special Issue, 182 (2004); Heikki Patomäki and Teivo Teivainen ‘The World Social Forum: An Open Space Or A Movement Of Movements?’, *Theory, Culture and Society* 21, no. 6 (2004): 145-154; (2004); and Steffen Böhm, Sian Sullivan and Oscar Reyes, eds. ‘The Organisation and Politics of Social Forums’, Special Issue *ephemera: theory and practice in organization*, 5, no. 2 (2005), <http://www.ephemeraweb.org/journal/5-2>. For more on Indymedia and its organisation, see Virginie Mamadouh, ‘Internet Scale and the Global Grassroots: Geographies of the Indymedia Network of Independent Media Centres’, *Tijdschrift voor Economische en Sociale Geografie* 95 (2004): 482–497.

<sup>46</sup> Indymedia emphasizes the importance of horizontal organising practices in its working structure. Collectives and local IMCs who want to become a node in the network have to adhere to these and a few other principles. For details see <https://docs.indymedia.org/view/Global/NewIMCForm>.

<sup>47</sup> Cf. Chris Atton, *Alternative Media* (London: Sage, 2002).

access critical resources, skills, and models of organizing. Technical support also is facilitated by links with various open source software groups and developers such as Deckspace ([dek.spc.org](http://dek.spc.org)) and Blag ([www.blagblagblag.org](http://www.blagblagblag.org)).

Indymedia thus has been established and is maintained as a consciously counter-hegemonic media-producing force in tandem and collaboration with other counter-hegemonic social movements. It generally co-operates with those emphasising communitarian organising values and practices, tactical direct action and 'civil disobedience', and a conscious dis-identification with the values of hegemonic civil society. For Indymedia specifically, this manifests in two significant ways. First, as the consistent attempt to puncture the 'manufactured consent' that maintains a hegemonic neoliberalism, and in which GCS is viewed at best as a reformist rather than radical force for change. Secondly, as the attempt to organise according to logics that resist commodification, enclosure, competition and impartiality, and instead embrace collective and relatively non-hierarchical organising strategies, open access source code and publishing principles, voluntary work, collaboration and passion.

### **Staying 'uncivil': refusing Ford Foundation funding**

As the Indymedia movement spread around the world after 1999, some global co-ordination problems arose. Many of these were dealt with through virtual means such as email, but a growing desire to establish face-to-face meetings led to a suggestion for a significant global Indymedia convergence. In order to begin pursuing the resources necessary for this, a group called Encuentros was established through which a member of the Urbana Champaign (Illinois, USA) chapter of Indymedia (UC IMC) was introduced to a grants officer at the Ford Foundation through a mutual contact. In a subsequent meeting of the funding officer and eight members of various IMCs in North America it was suggested that the Ford Foundation would be able to fund Indymedia face-to-face meetings. Some members of UC IMC began putting together a bid for US\$ 50,000 of Ford Foundation funding, which initially would be channelled to UC IMC and distributed from there to facilitate 'regional gatherings'. The application was due to be submitted to the Ford Foundation on 15 September 2002. On the 13 of September, a lengthy email highly critical of the funding proposal was circulated to the IMC finance list by a member of the Argentinean IMC. This sparked an animated transnational email debate, largely between the 13<sup>th</sup> and 24<sup>th</sup> of

September. During this debate, the deadline for application for the Ford Foundation funding shifted from the 15<sup>th</sup> to the 17<sup>th</sup>. Five IMCs sent emails saying that they wanted to formally block the bid. On the 20<sup>th</sup> of September a member of UC IMC sent an email to the list stating that they were no longer pursuing the bid.

The upshot of these exchanges and negotiations was that the Indymedia network decided not to pursue a lucrative and apparently 'easy' funding opportunity that had relatively few strings attached. This was even though the process of applying for the grant was not hugely taxing in terms of time, there were very low economic costs associated with mobilising this resource, the grant did not have high political costs, and receipt would not demand any particular actions adverse to Indymedia. Instead, identity issues seem to have been the central concern in deciding whether or not to pursue this grant. The major questions asked during the debate revolved around how it would impact on the identity of Indymedia, and were mirrored by discussions identifying what kind of organization the Ford Foundation is.

In particular a number of activists and collectives of the global Indymedia network argued strongly that Ford Foundation funding should *not* be pursued on the grounds that this would compromise the position of Indymedia as a 'radical' organization that both reports and comprises struggles of oppressed and marginalized people. One Greek Indymedia contributor stated, for example, that 'we don't believe that a grant from an institution with ties to the multinational complex can be totally "innocent"'<sup>48</sup>, and claimed that acceptance of Ford Foundation funding would seriously discredit Indymedia in Greece. Conversely, others used the radical identity of Indymedia in support of the grant, claiming that through this Indymedia would help to 'redeem' the 'dirty' funding available from the Ford Foundation. One contributor claims that:

I would rather see us take money from the worst people on the planet and do something good with it. This to me is powerful in and of itself. Because whether we accept money from the ford foundation or not, our work is about changing the world to be different than the world they would like. And perhaps

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<sup>48</sup> <http://archives.lists.indymedia.org/imc-finance/2002-September/001495.html>, accessed 16 June 2009.

a great irony is that they will fund us to help undermine their way of doing things.<sup>49</sup>

In addition, Indymedia's identity as a series of dynamic and creative grass-roots organizations was considered threatened by a funding proposal framed as potentially introducing an increasing bureaucratization of the network, or 'mummification', to use Gramsci's term<sup>50</sup>. As one Chicago-based activist stated, '[!]et's finish making the imc network from the ground up. Let's not fund it's (*sic*) creation from the top down'<sup>51</sup>. Related to this, it was suggested that the commonly held values of 'trust' and 'global solidarity' considered as essential to Indymedia's *raison d'être* and the organisation of IMCs, were antithetical to the possibility of Ford Foundation funding. Some email exchanges were extremely direct in suggesting that pursuit of the funding would cause fractures in this precious community. One participant claimed that 'having a network where people trust each other, I think we all agree, is more important than taking ANY grant. So better to miss a good opportunity but to grow a more trusting network, than the other way around'<sup>52</sup>.

Accompanying these positive assertions of Indymedia as a radical, grassroots, trust-based network were attempts to affirm an image of the Ford Foundation as an agent of American imperialism embedded in corporate capitalism. Association with this organisation thus would sully Indymedia's progressive, anti-capitalist and counter-hegemonic ideals. An email from the Argentinean collective is the clearest articulation of this view:

Here [in Argentina] the name Ford is automatically associated to the last military dictatorship; all the operatives of the army to kidnap, to torture and to murder 30.000 people were carried out in Ford Falcons donated directly from United States. Today, when crossing in the street with one or those typical green Ford Falcons, you associate it with the darkness of those times ...<sup>53</sup>

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<sup>49</sup> <http://archives.lists.indymedia.org/imc-finance/2002-September/001475.html>, accessed 16 June 2009.

<sup>50</sup> Gramsci, 'Prison Notebooks' p. 211.

<sup>51</sup> <https://docs.indymedia.org/Global/FordDougsSummary>, accessed 16 June 2009.

<sup>52</sup> <http://archives.lists.indymedia.org/imc-finance/2002-September/001455.html>, accessed 16 June 2009

<sup>53</sup> <https://docs.indymedia.org/Global/FinanceFordArgentinaLetter>, accessed 16 June 2009

In this passage, the Ford Foundation is associated with the military dictatorship from the mid-1970s until 1983, and with the thousands of people who were 'disappeared' during this period. The links between Ford and various shady military operations were emphasised in further emails which claimed that 'the Indymedia network should reject the money in solidarity with Argentina IMC's block because it is based on the repression, murder and violence that Ford has literally had a direct hand in within Argentina (not to mention those countries in Europe that felt the wrath of Ford-funded Adolf Hitler)<sup>54</sup>. Other emails focused on the links between the Ford Foundation and CIA operations in various parts of the developing world<sup>55</sup>, and its attachment generally to a capitalist economic system.

This can be seen clearly in a post from members of the Barcelona IMC who identify the Foundation as the extension of a large capitalist corporation:

IMC Barcelona declares itself against accepting any donation whatsoever that comes from companies, associations or non-profit organisations which are linked to profit-making companies or whose ends are in opposition to the principals of Indymedia. To this end and with reference to the case of the donation from the Ford Foundation, we refuse to accept a contribution that comes from an entity with clear links with the business world, and other links of a perhaps shadier origin.<sup>56</sup>

By linking the Ford Foundation with the Ford Motor Corporation, the Foundation itself is almost mutated into a for-profit business in this debate. Indeed the central risk of taking the funding was that Indymedia would become associated with the multinational motor corporation.

These attempts to distance Indymedia from the Ford Foundation were countered by proponents of the grant, who represented the Foundation as a rather ambivalent force, identifying it clearly as part of hegemonic civil society, albeit somewhat removed from the hegemon's darker interests. Thus:

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<sup>54</sup> <http://archives.lists.indymedia.org/imc-stlouis/2002-September/002216.html>, accessed 16 June 2009.

<sup>55</sup> James Petras 'The Ford Foundation and the CIA: A documented case of a philanthropic organization and collaboration with the secret police', *Rebelión*, 15 December 2001. <http://www.ratical.org/ratville/CAH/FordFandCIA.html>, accessed 16 June 2009

<sup>56</sup> <http://archives.lists.indymedia.org/imc-chicago/2002-October/001559.html>, accessed 16 June 2009.

All money is dirty. The only thing we can do is to try to get money for Indymedia that is at least one step removed from the dirty part. The Ford money is one step away. The support of US propaganda by Ford is not unique to Ford--most US universities, professors, journalists, media organizations, Non-governmental organizations, local governments, corporations, and foundations have participated in supporting US propaganda and dictatorships.<sup>57</sup>

Another email represents the Foundation as morally neutral:

The point is not to justify what Ford did, but rather to understand organizations like Ford are complex organizations, not necessarily all good, and not necessarily all evil. The conclusion: these organizations need to be dealt with on a case by case basis. Ford also supports organizations that fight the very things you say Ford supports.<sup>58</sup>

Nevertheless, the rather ambivalent claims that the Ford Foundation could be harnessed for both 'good' and 'evil' did not stand up to the forceful claims made by opponents of grant concerned with maintaining the counter-hegemonic purity of the Indymedia identity.

In this case, then, a vigorously negotiated agreement that the grant application was inappropriate for the identity of the network as a whole followed a successful campaign by a coalition of Indymedia collectives to dis-identify or actively separate Indymedia from the proposed funder<sup>59</sup>. Arguably this involved affirming shared positive aspects of Indymedia's collective identity as a counter-hegemonic movement, while at the same time constructing an undesirable, stigmatised identity around the Ford Foundation as a formal GCS organisation in the service of a hegemony of capitalist, neoliberal and militaristic values<sup>60</sup>. The heated and productive discussion that the issue generated engendered a moment of decisive negotiation that was

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<sup>57</sup> <http://archives.lists.indymedia.org/imc-finance/2002-September/001475.html>, accessed June 16 2009.

<sup>58</sup> <http://archives.lists.indymedia.org/imc-finance/2002-September/001475.html>, accessed June 16 2009.

<sup>59</sup> Cf. Kimberly D. Elsbach, and C.B. Bhattacharya, 'Defining Who You Are By What You Are Not: A Study of Organizational Disidentification and the NRA', *Organization Science* 12, no. 4 (2001): 393-413.; Kimberley Elsbach 'An Expanded Model of Organizational Identification', *Research in Organizational Behaviour*, 21 (1999): 163-200.

<sup>60</sup> Cf. Laclau and Mouffe, 'Hegemony'.



significant in the maintaining of Indymedia's identity and position as a counter-hegemonic force. At the same time, however, this negotiation arguably set the network on a course which narrowed the range of collaborations it might undertake in the future. It also involved renouncing resources that the network might have made pragmatic use of in solidifying its political work. In Gramscian terms, this decision arguably consolidated the organization's counter-hegemonic positioning as part of the realm of 'uncivil society'. As we will see in the next section, this identity continues to constitute Indymedia as a target for disciplinary (or 'civilising') action by collaborating state security agencies.

### **Consequences of being 'uncivil': FBI seizure of Indymedia servers**

On 7 October 2004 the London office of Rackspace, an US internet hosting company with extensive UK operations, was presented with an FBI warrant originating in the United States, requiring the company to hand over the server hosting various Indymedia websites around the world<sup>61</sup>. The UK authorities acted on behalf of the FBI under a US-UK Mutual Legal Assistance Treaty (MLAT). The FBI in turn acted to seize the hardware on concerns by Switzerland and Italy. The hardware was returned about five days later. In June of 2005, UK police also seized a server used by the Bristol IMC, on the grounds that they wanted to have access to log files (trails left by website visitors) in their investigations of a news post concerning a criminal act involving an attack on a train line. Both of these police actions resulted in permanent data loss as well as many hours of multiple Indymedia sites becoming temporarily unavailable. These events followed intimidations in August 2004 when the FBI attempted to use legal forces to gain control of Indymedia log files before the Republican Convention in New York. They have been repeated in the UK in 2009 with the arrest of persons and seizure of equipment and documents that we describe in the opening of this paper.

These examples now are part of mounting evidence indicating that state authorities around the world are cooperating to use legal and police forces to intimidate and pressurise Indymedia journalism, as well as to gain access to specific log data stored on internet servers that would help them identify and press charges against individual

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<sup>61</sup> For Rackspace's response, see EFF 'Indymedia Server Takedown', (2005) Online. <http://www.eff.org/cases/indymedia-server-takedown>, accessed 19 February 2009.

activists. In broad terms this can be seen as posing severe constraints on the democratic ideals enshrined in the UN's Charter for Human Rights<sup>62</sup>, in which article 19 states that:

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Indeed, as Electronic Frontier Foundation Attorney Kurt Opsahl asserts, the seizures have:

...grave implications for free speech and privacy. The [US] Constitution does not permit the government unilaterally to cut off the speech of an independent media outlet, especially without providing a reason or even allowing Indymedia the information necessary to contest the seizure.<sup>63</sup>

The forceful seizure of Indymedia servers by national and transnational authorities arguably is a reaction to the puncturing of consent represented and made possible by Indymedia. As such it signals the occurrence of a crisis of authority in Gramscian terms<sup>64</sup>. At the same time it affirms and sustains Indymedia's identity as a counter-hegemonic force.

We do not intend, however, to claim that this is a situation of easy dialectics. In responding to this and other instances of policing and repression, Indymedia and its supporters also have drawn on conventional legal apparatuses, thereby exploiting the ambivalences that always are present in any hegemonic order and that make possible instances of destabilisation and transformation. Indeed, Indymedia has been fairly effective in responding to the police actions using various legal possibilities, mainly through the Electronic Frontier Foundation ([www.eff.org](http://www.eff.org)), a non-profit organization that primarily engages legal actions in order to fight injustices in the electronic world.

Gramsci<sup>65</sup> notes that '... when a struggle can be resolved legally, it is certainly not dangerous; it becomes so precisely when the legal equilibrium is recognised to be

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<sup>62</sup> Online, <http://www.un.org/en/documents/udhr/>, accessed 15<sup>th</sup> June 2009.

<sup>63</sup> EFF, Indymedia Server Takedown.

<sup>64</sup> Gramsci, *Prison Notebooks*, p. 275.

<sup>65</sup> Gramsci, *Prison Notebooks*, p. 256-7.

impossible'. Mobilising the legal apparatus in support of counter-hegemonic practices and culture, as arguably has occurred recently in the UK in defence of various counter-cultural acts including the monthly Critical Mass<sup>66</sup> bike rides in London<sup>67</sup>, and the use of aggravated trespass as a direct action protest tactic at the Kingsnorth coal-fired power station<sup>68</sup>, thus might be interpreted as signalling a struggle that is not dangerous to the hegemon. On the other hand, a flurry of new and emerging legislation and departments, from calls in the UK to restrict the use of the circumstances in which protesters might rely on 'lawful excuse'<sup>69</sup>, to the post 9/11 creation of the Department of Homeland Security in the US, also indicate an ongoing struggle by the hegemon to contain and police significant unconsenting counter-hegemonic tendencies.

In addition, Indymedia has used the server seizure events to further build public support for its network. It organised an online petition (<http://solidarity.indymedia.org.uk>) to protest against the server seizure and gather solidarity action against governmental threats of independent media rights. The various server seizures were reported not only on manifold Indymedia sites around the world, but also by many mainstream media outlets, such as the BBC and *The Guardian* in the UK. Thus, although Indymedia clearly has been threatened by such governmental actions and has been inflicted with physical loss of data and hardware, it might also be said that the network has benefited from these events in terms of consolidating broader civil society support. It is during such events that Indymedia, as with other networked social movements, is placed in intense engagement with its others: the state, corporations, 'those in power'. These events are vital to establish what Laclau and Mouffe<sup>70</sup> call an antagonistic frontier between 'us' and 'them': 'us' (independent media, the oppressed, the 'good') versus 'them' (the mainstream media, the powerful, capitalism, the 'bad'). It is through such antagonistic dynamics and

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<sup>66</sup> [www.critical-mass.org/](http://www.critical-mass.org/).

<sup>67</sup> BBC News, 'Impromptu Cyclists Win Legal Case', *BBC News Channel*, 26 November (2008), Online. <http://news.bbc.co.uk/1/hi/england/london/7750004.stm>, accessed 19 February 2009.

<sup>68</sup> John Vidal, 'Not guilty: the Greenpeace activists who used climate change as a legal defence', *The Guardian*, 11 September (2008), Online. <http://www.guardian.co.uk/environment/2008/sep/11/activists.kingsnorthclimatecamp>, accessed 19 February 2009.

<sup>69</sup> I.e. justifying unlawful protest tactics on the grounds of preventing a greater harm; cf. Afua Hirsch and John Vidal, 'Legal move to crack down on climate protestors', 18 December 2009, Online. <http://www.guardian.co.uk/environment/2008/dec/18/direct-action-protests-attorney-general>, accessed 19 February 2009.

<sup>70</sup> Laclau and Mouffe, *Hegemony and Socialist Strategy*.

events that counter-hegemonic identity is developed, nurtured and proliferated. It is also through these events that the hegemon's requirement for consent becomes forcefully articulated, puncturing the liberal illusion of democracy and freedom of speech.

## Conclusion

Indymedia and other 'anti-authoritarian' movements in 'global (un)civil society' constitute significant challenges to the hegemony of neoliberalism. This is precisely through their conscious and ongoing efforts to become and remain counter-hegemonic by indicating their unwillingness to contribute to a hegemonic global civil society<sup>71</sup>. As such they are treated and forcefully disciplined as 'uncivil', even in the absence of behaviours that, while perhaps 'disobedient', could not justifiably be construed as leaning towards the darker forces of organised violence and criminality. Indeed, in responding to Indymedia activists and organisations, particularly in protest events, the formal authorities of the hegemony themselves reveal the 'uncivil', violent tendencies that underscore their organisational forms and political remit.

In this paper we have used three moments in the trajectory of Indymedia to trace and illustrate some ways in which this complex, dynamic and productive network has attempted to meet the challenge of becoming and remaining counter-hegemonic. We have also sought to describe some of the repressive consequences of this effort. This is not to suggest that power and authority do not themselves play a part within the Indymedia network and its IMCs, silencing some voices and practices and venerating others. It is to draw attention to a coalescence of choices, conversations, negotiations and arguments which produce Indymedia as a variously effective counter-hegemonic media-producing organisational force, that to some extent at least has met the challenge of retaining counter-hegemonic vitality rather than sedimenting into the mummified structures, stasis and exclusions of many conventional civil society organisations<sup>72</sup>. To draw again on Gramsci, Indymedia's producers have sought to become imaginative 'demiurges'<sup>73</sup>: creators of worlds not determined by the docility and agreement associated with neoliberal hegemony. The resistances they have elicited from the state is a measure of their counter-hegemonic success.

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<sup>71</sup> Cf. Gramsci, *Prison Notebooks*, p. 275.

<sup>72</sup> Gramsci, *Prison Notebooks*, p. 211.

<sup>73</sup> Gramsci, *Prison Notebooks*, p. 303.

What this case illustrates is that the hegemonic discourse of the importance of 'civil society' is only half of the story. From a Gramscian perspective 'civil society' is precisely what is required by the hegemon to maintain its grip not only on economic power but also on the vital process of legitimating its hegemony. In recent decades Western governments have gone out of their way to emphasise the democratic importance of civil society actors, such as NGOs, charities and social movements. This then needs to be understood within the framework of an analysis of the practices of capture – the manufacturing of consent – of the hegemony. The Indymedia case offered in this paper shows that there will always be groups, organisations and movements that will not submit to the calls of the hegemon to be part of 'civil society', precisely because hegemony can never be complete or final<sup>74</sup>. That is, however much the hegemon hopes to be able to control the forces of civil society, there will always be struggle that challenges the closures of hegemonic order.

Civil society thus is uncivil society at the same time. Part of the purpose of this paper has been to highlight the struggle constituting (un)civil society, as groups, organisations and movements negotiate the spaces of hegemony and counter-hegemony. These struggles arguably are the stuff that democracy is made of, despite the numerous attempts by hegemonic forces in the service of 'democracy' to marginalise, criminalise and hide the work of counter-hegemonic social movements such as Indymedia. It seems to us then that celebration of the democratic potential of 'civil society' requires acknowledgement of the power of 'uncivil' counter-hegemonic forces in their struggles for radical changes to existing social, economic and political structures. Indymedia is a paradigmatic example of such productive counter-hegemonic struggle in global '(un)civil' society.

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<sup>74</sup> Laclau and Mouffe, *Hegemony and Socialist Strategy*.