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Becoming Global (Un)Civil Society: Counter-Hegemonic Struggle And The Indymedia Network

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ABSTRACT   *In this article we ask how 'civil society' actors and organizations can become constructed and treated as 'uncivil society'. We contest the notion that 'uncivil' necessarily equates with the dark qualities of violence and organized criminality. Instead, we take a Gramscian perspective in suggesting that what becomes 'uncivil' is any practice and organization that substantially contests the structuring enclosures of hegemonic order, of which civil society is a necessary part. To trace this, we consider ways in which a global grass-roots media network called Indymedia has established and maintained itself as a counter-hegemonic media-producing organization. In this case, a conscious positioning and self-identification as counter-hegemonic has been accompanied by the framing and sometimes violent policing of nodes and practices of this network as 'uncivil' by cooperating state authorities. This is in the absence of association of this network with organized violence or crime. We intend our reflections to contribute to a deepening theorization of the terms 'civil' and 'uncivil' as they are becoming used in social movement and globalization studies.*

Introduction

On 29 November 2005, the French magazine *L'Express* published an article concerning the state of civil society in Ireland, entitled 'Civil society, where art thou?', arguing that an increasing role of multinational corporations in the public sphere has choked public debate (Vayalden, 2005). In detailing a proposed drilling operation by Shell in Ireland it notes that, despite attempts to close down debate regarding the issue, a large-scale public mobilization emerged to contest the

proposal. 'Indymedia Ireland' is highlighted as playing an important role in facilitating this mobilization (cf. Salter & Sullivan, 2008) and is conveyed as an exemplary civil society organization and initiative.

On 12 February 2009, a story was posted to the UK Independent Media website (Indymedia, 2009a). It described how police had arrested a man in Sheffield under Sections 44–46 of the UK Serious Crime Act,[1] in connection with an earlier seizure of an Indymedia server in Manchester (Indymedia, 2009b). These server seizures were widely reported on the global Indymedia network. The police claimed they were seeking the IP address of the person(s) who posted on Indymedia anonymous comments including personal details of the judge presiding over a recent animal liberation case.[2] Indymedia interpreted these events as part of a sustained campaign to 'track, intimidate, harass, and arrest people who are doing valuable and necessary work for social change' (Indymedia, 2009a). Far from being treated as part of civil society, Indymedia here is policed as an element of 'uncivil society'.

In this article we ask how a globally networked media movement shifts between being perceived and represented as a contemporary civil society organization, and being treated and policed as an element of 'global *un*civil society'. Drawing inspiration from Antonio Gramsci (1971, writing between 1929 and 1935), we argue that what becomes 'uncivil' can be any practice or organization gaining significance in contesting and escaping the structuring enclosures of contemporary hegemonic order (Sullivan, 2005, p. 189). To explore this claim, we consider some ways and contexts in which one seemingly exemplary global civil society organization—the global voluntary Internet-based news-producing service Indymedia (http://www.indymedia.org)—has both claimed, maintained, and been policed as counter-hegemonic in identity—i.e. as 'uncivil'. This is even while many of its aims and practices, such as decentralization and the democratization of decision-making and media production, arguably align with tendencies claimed as critical for the emergence of a democratizing global civil society under neoliberal hegemony (e.g. Held, 1995; Scholte, 1999).

To illustrate this, we analyse three key moments in the development of Indymedia. First, we consider how Indymedia was established in 1999 as a media movement that explicitly challenged the consolidating hegemony of neoliberalism, particularly the valorization of the private sector in all areas of production, including media. Second, we look at ensuing debates within the global network regarding ways in which this rapidly expanding movement might resource itself. We focus on discussion in 2001 over whether or not the network should accept Ford Foundation funding. We note that the decision to avoid this funding source was made so as to sustain the network's counter-hegemonic—or 'uncivil'—identity, by choosing not to become tethered to a more formal civil society organization with systemic links to capitalist enterprise more generally. Finally, we engage with one of the consequences of Indymedia's counter-hegemonic stance. We argue that it has elicited disciplining reactions by state forces from the seizure of Indymedia servers (noted above), to violent attacks by police on Indymedia centres during counter-summits at the meetings of global organizations such as the World Trade Organization (WTO) and the G8 (Della Porta et al., 2006; Juris, 2008). These reactions are framed and justified as in the interests of 'civil society', while frequently manifesting as 'uncivil' violent acts by state authorities justified through calls to the 'exception' in moments of governance (Agamben, 2005). We conclude that 'global *un*civil society' is not constructed of organizations, movements, or practices that fit a series of pre-established criteria such as using violence (Keane, 1998), espousing non-democratic or far right ideals, or authoritarian organizational structures. Rather, we maintain that global uncivil society is constructed through ongoing interaction between attempts by movements to develop often counter-hegemonic practices and identities in pursuit of particular ideals of

democratic social change, and attempts by authorities to police these movements so as to sustain hegemonic structures and rationalities.

We proceed as follows. We begin with elaboration of our key terms: namely 'global civil society' (GCS), the hegemony/counter-hegemony nexus, and contemporary framings of 'contentious politics'. We then present a short background to our case material. We continue with an analysis of three moments of counter-hegemonic refusal and their consequences, as mentioned above, namely: (1) establishment of Indymedia as a counter-hegemonic media-producing network; (2) maintenance of this stance and identity through refusal to accept Ford Foundation funding; and (3) ongoing disciplining of this network through seizure of servers by the FBI and UK police, and the various constructions of Indymedia as both 'uncivil' and 'civil' mobilized in relation to this. We close with some thoughts regarding the meanings of 'civil' and 'uncivil' society in a contemporary hegemonic context of neoliberalism, and the valorization of what Foucault (2008 [1978–9]) refers to as 'the truth regime of the market' with which this is associated.

Global Civil Society, Uncivil Society, and Contentious Politics

Many commentators have noted the current global hegemony of neoliberalism (Bourdieu, 1998; Gill, 1995; Harvey, 2005), understood as producing an array of multi-scale governance techniques that act to shore up ~~what Foucault terms~~ the 'truth regime' of the market (Foucault, 2008 [1978–9]). Recent attention has focused on the consolidation of neoliberal governmentality in financial arenas, through boosting volatile financialization processes so as to maintain accumulation prospects in post-manufacturing economies (Bellamy Foster & McChesney, 2009). Neoliberalism is understood as hegemonic insofar as its 'power takes a primarily consensual form' through capturing the support of civil society actors and organizations (Cox, 1981, p. 153, n. 27; Herman & Chomsky, 1988). Accompanying a global economy dominated by transnational corporations and multinational finance, and a supporting global polity made up of transnational forms of governance, is a 'global civil society' active in producing globalization processes and organizational structures (Keane, 2001; Lipschutz, 1992; Scholte, 1999; and the various *Global Civil Society* yearbooks of the London School of Economics' Centre for Civil Society, e.g. Glasius et al., 2006). GCS is a space of transnational interaction not necessarily subsumed by the imperatives of profit maximization, or the imposition of order and control associated with global governance. GCS is considered to offer spaces where norms and dominant patterns of legitimacy can be communicated, explored, critiqued, and contested democratically (Falk, 1998; Held, 1995; Keane 2001). The recent World Social Forums might be seen as axiomatic examples of GCS (Glasius, 2005; Smith 2004; although see critique in the volume by Böhm et al., 2005, and in Conway & Singh, 2009).

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 (after de Tocqueville, 1945 [1835]). The associations populating GCS include special interest groups, social movements and transnational advocacy networks, non-governmental organizations (NGOs), and chambers of commerce as well as business associations such as the World Economic Forum (Keck & Sikkink, 1998; Scholte, 2003). GCS can provide plural spaces where normative questions might be explored and the legitimacy of existing institutional arrangements debated. GCS thus is considered to comprise plural spaces between government and the economy where voluntary associational activities provide and produce democratic opportunities for contestation and resistance, as well as for agreement and collaboration (Held, 1995).

While many celebrate this democratic potential, others perceive GCS to reproduce and entrench conditions of substantial inequality and 'unfreedom' (cf. Marcuse, 1964). According to this (Gramscian) view, GCS legitimizes and maintains structural inequality, problematic disciplinary regimes, and a neoliberal status quo that favours private and capitalist interests (Pratt, 2004). GCS is seen as an important space of governance and control, insofar as it seeks to regularize the behaviour of actors in their engagement(s) with dominant global structures (Amoore & Langley, 2004). GCS thus incorporates actors with very diverse experiences and interests into regimes of disciplining governmentality (Foucault, 1977 [1975], 2008 [1978–9]), frequently capturing the energy and work of autonomous and dissident movements (Hardt & Negri, 2000, 2004). Finally, problematic social movement tendencies also populate GCS and include the Mafia, far right movements, and nationalist movements (Kopecky & Mudde, 2003a). This requires attendance to '*un*civil society', framed as 'persons enjoying political rights, but not submitting themselves to the constraints imposed by "civil society"' (Whitehead, 1997, p. 95). Uncivil society conventionally is seen as populated by actors who are not committed to acting within the legal constraints of existing society, lack a spirit of 'civility', have an extremist orientation, champion anti-democratic or extreme right wing ideas, and use violence as a means of engagement with broader society (Kopecky & Mudde, 2003a). It is important to note, however, that the boundaries between civil and uncivil society are porous, dynamic, and situated in relationship with other groups, tendencies, and contexts (Kopecky & Mudde, 2003b). As we document here, what becomes identified and treated as civil or uncivil society at any moment is the outcome of complex interactions, interests, and assumptions.

In engaging with these complexities, researchers have broadened their scope of analysis. Investigations of 'civil' forms of GCS are accompanied by those into movements that seek to question 'civil' neoliberal consensus (Lipschutz, 2005; Mueller, 2004; Pratt, 2004). Attention to more radical movements, campaigns, and organizations emphasizes ways in which the motivation is to transgress hegemonic assumptions and conventions through organizational forms and shared values (Gamson, 1990; Melucci, 1996; Jordan, 2002). This 'contentious politics' (Kopecky & Mudde, 2003b) involves 'collective activity on the part of claimants—or those who claim to represent them—relying at least in part on non-institutional forms of interactions with elites, opponents and the state' (Tarrow, 1996, p. 874; also see McAdam et al., 2001). Many forms of contentious politics are explicitly 'non-institutional' insofar as they seek to challenge dominant institutions and organizational forms, to question existing disciplinary arrangements, and to escape capture of autonomous energies (Hardt & Negri, 2009). In a hegemonic context, all of these counter-hegemonic intentions and practices can become represented, interpreted, and treated as 'uncivil'.

Contentious forms of global politics involve actors who may be critical of and resistant to dominant economic and political discourses, operating outside existing structures and beyond conventional borders. Tarrow calls these groups 'transnational social movements' and defines them as 'socially mobilized groups with constituents in at least two states, engaged in sustained contentious interaction with powerholders in at least one state other than their own, or against an international institution, or a multinational economic actor' (2001, p.11; also see Della Porta & Tarrow, 2005). Such transnational challenges have a long history. Arrighi, Hopkins, and Wallerstein (1989) record various waves of anti-capitalist movements that have challenged the negative consequences of unchecked capitalist development through questioning dominant economic and political discourses. Transnational social movements have sustained unconventional political campaigns from the slave and workers' revolts of the eighteenth and nineteenth centuries, to contemporary issue-based movements from environmentalism to civil rights (Martin, 2007).

Some argue that recent manifestations of these movements have led to the creation of a new mode of protest differing from the NGO focused transnational activist networks described, for example, by Keck & Sikkink (1998). Bennett (2005) points out that these new forms of global activism typically draw on inclusive organizational models, use social technologies that facilitate decentralization, and seek to build the political capacities of their members to communicate. They use a more networked and loosely structured organizational form to pursue their goals (also see Eschle & Maiguashca, 2005; and Reitan, 2007).

The central activity of contemporary contentious movements in GCS is the 'un-doing' of neo-liberal hegemony through counter-hegemonic struggle (Evans, 2001; Worth & Kuhling, 2004). **Q2** Counter-hegemony comprises varied attempts to question naturalized values of the dominant class (Boggs, 1984; Gill, 1993), setting up a pattern of interaction between hegemonic and counter-hegemonic forces that is mutually defining (Lipschutz, 2005). At the same time, it is only because hegemony exists that counter-hegemonic forces arise to challenge this. Hegemony exists insofar as there are counter-hegemonic tendencies that create antagonisms that must be marginalized, either ideologically or through force (cf. discussion in Igoe, 2005). Counter-hegemonic forces create the necessity for hegemonic forces to devote effort to sustaining the apparently self-evident values of the hegemony; and it is the antagonism between hegemonic and counter-hegemonic forces that constitutes civil society (Keane, 2001; Laclau & Mouffe, 1985). 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 such interactions and antagonisms dynamically produce organizations and practices as aspects of civil and uncivil society.

Introducing Indymedia

The Independent Media network—or 'Indymedia'—describes itself as '[a] network of individuals, independent and alternative media activists and organizations, offering grass-roots, non-corporate, non-commercial coverage of important social and political issues' (http://www. indymedia.org). It is run through over 160 websites that make public broadly alternative news stories and analyses. Each Indymedia website tends to be linked with a particular geographic locality and is run by a local collective (Indymedia Collective or IMC). Extensive international communication between individual collectives combined with a transnational 'umbrella' network draws IMCs together internationally. The majority of Indymedia's IMCs currently are located in industrialized 'northern contexts', mirroring the global 'digital divide' in online access, a situation that Indymedia is attempting to address (Frenzel & Sullivan, 2009, and Frenzel et al. forthcoming).

In less than 10 years the Indymedia network has established a presence as a transnational media-producing social movement acting in what has been termed the 'online counterpublic sphere' (Milioni, 2009). It challenges neoliberalism's hegemonic structures through opening spaces for disagreement with the consensual reality that maintains neoliberalism (Pickard, 2006a, 2006b), by challenging boundaries between professional journalists, lay journalists, and readers (Platon & Deuze, 2003), through connecting local activism with global networks (Mamadouh, 2004), and through embracing organizational forms and practices considered counter to those animating formal organizations (Pickerill, 2007). As such, it might properly be identified as counter-hegemonic. In the following analysis we explore three moments in

the network's history that have been significant in defining and maintaining this counter-hegemonic identity.

Becoming 'Uncivil': 'Don't Hate the Media, Be the Media!'

For many analysts of the 1990s, neoliberalism had produced 'the end of history' (Fukuyama, 1989). GCS seemed to have been fully co-opted as a mechanism for the 'manufacture of consent' (Herman & Chomsky, 1988), and local and issue-based challenges to neoliberal hegemony appeared disconnected.

This changed as the Zapatista insurgent movement in Chiapas, Mexico, entered the global stage in 1994, in part through use of the Internet to both represent local struggles while connecting with struggles beyond Mexico (Marcos, 1997). The Zapatistas inspired myriad social movements throughout the world (Cleaver, 1998) and prompted the use of ICTs to coordinate global networks in targeting various manifestations of neoliberalism (Jordan, 2002; Olesen, 2005; Reitan, 2007). The outcome has been the emergence of an 'alter-globalization movement' consisting of tenuous 'chains of equivalence' between different struggles globally (Laclau & Mouffe, 1985), united against a common global enemy of neoliberalism and connected through new online technologies (Juris, 2008; Notes From Nowhere, 2003).

This global alter-globalization movement was galvanized by a series of successive 'demonstrations of strength' in the form of mass protests targeted at the G8, the WTO, the International Monetary Fund, and the World Economic Forum. Indymedia arose in part to meet the reporting and organizational challenges presented by such mobilizations, helping to coordinate mass actions across cities and between localities by sharing information regarding the successes and failures of particular actions. It also provided activists with an ongoing media outlet for representing issues, events, and concerns. A prototype IMC was established in London in June 1999, to produce simultaneous, real-time reports and assist with the coordination of global protests against the G8 summit meeting in Cologne, Germany (Notes from Nowhere, 2003, pp. 228–43). During the protests at the WTO meeting in Seattle a few months later, an 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 these events, a relatively standardized model for 'doing' independent media emerged, becoming known broadly as Indymedia. The model has a number of consistent features, including a common site name, a common affirmation of links between both grass-roots 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 success of the Indymedia model in Seattle, increase of IMCs has been ~~exponential~~: from 30 **Q1** in 2000, 60 in 2001, 104 in 2002, to more than 160 local chapters currently.

IMCs are informal voluntary organizations emerging from a shared desire to produce dissident media that can be distributed using new ICTs. Websites constitute the virtual nodes of the global media network. They are designed to carry news directly produced by any user of the site and can be uploaded immediately. This radically blurs the distinction between media producers and consumers. Most independently produced media also is consciously 'copyleft', meaning that the reproduction and distribution of 'indymedia' is legally permitted and encouraged. This and the use of open source code is a central part of Indymedia's attempts to be an 'open space'[3] in the virtual world. It also facilitates the networking of related struggles, and allows for a horizontal (i.e. relatively non-hierarchical) reorganizing of the global public sphere (notwithstanding the significant structural constraints of the global digital divide, as

noted above). 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 and media distribution of Indymedia, the network emphasizes a strong local and face-to-face component of the editorial work (Mamadouh, 2004). 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 (on which more below).[4]

This global Indymedia network of course draws on older alternative media organizations and practices (Atton, 2002). The UK IMCs share concerns and connections with alternative media such as Schnews (http://www.schnews.org.uk), Squall (http://www.squall.co.uk), and Pirate TV (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 (http://papertiger.org), Deep Dish TV (http://www.deepdishtv.org), and the CounterMedia coverage of the 1996 Democratic Party convention (http://www.cpsr.cs.uchicago.edu/countermedia). Engagement with these deeper networks of alternative media production permits IMCs to access critical resources, skills, and models of organizing. Technical support is also facilitated by links with various open source software groups and developers such as Deckspace (http://dek.spc.org) and Blag (http://www.blagblagblag.org).

Indymedia established and maintained itself as a consciously counter-hegemonic media-producing network. It existed to contest corporate media representations, emphasizing practices and identities that might be considered as gestures beyond the humanist cosmopolitan universalism celebrated in much writing on more conventional civil society organizations. It worked collaboratively with other social movements, emphasizing communitarian organizing values and practices, tactical direct action and 'civil disobedience', DIY production practices, and a conscious dis-identification with the values of neoliberal civil society. Notwithstanding the play of power occurring between individuals and groups *within* the network (Pickard, 2006a, 2006b), counter-hegemonic radical democratic practice challenging neoliberalism has manifested in two key ways: first, by serving as a source for news items and perspectives that tend to fall outside of formal and corporate media; and second, through conscious practices of working and organizing intended to resist processes of commodification, enclosure, and competition (Hardt & Negri, 2009). These include: collective and relatively non-hierarchical organizing strategies; the use of open access source code and publishing principles to produce what effectively is an alternative media online commons; voluntary work; collaboration; and an emphasis on passion in both engagement with, and reporting of, relevant news items. In the next section we focus on publicly archived negotiations within the network that illustrate the attention and work conducted by participants in the network to maintain this counter-hegemonic—or 'uncivil'—stance.

Remaining 'Uncivil': Refusing Ford Foundation Funding

As the Indymedia movement spread around the world after 1999, global coordination problems arose. Many of these were dealt with through virtual means such as email. A growing desire for face-to-face meetings, however, led to a suggestion for a significant global Indymedia convergence. To pursue the resources necessary for this, a group was established to explore possible options. One member was introduced to a grants officer at the Ford Foundation and, in a subsequent meeting with eight members of various IMCs in North America, it was suggested

that this organization might be able to fund Indymedia face-to-face meetings. Some members of UC (i.e. Urbana Champaign, Illinois) IMC began compiling a bid for US$50,000, 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 13 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 and 24 September (the initial deadline for the funding application was 15 September). Five IMCs sent emails saying they wanted to formally block the bid. On 20 September a member of UC IMC emailed 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: applying for the grant was not greatly taxing in terms of time, there were low economic costs associated with mobilizing this resource, and the funding would not demand any particular actions adverse to Indymedia. Identity issues seem to have been the central concern in negotiations (cf. Eschle, 2005, p. 4; Melucci, 1989). The major questions asked during the debate revolved around how it would impact on the identity of Indymedia, mirrored by discussions identifying what kind of organization the Ford Foundation is.

In particular, a number of IMCs argued that Ford Foundation funding should not be pursued on the grounds that this would compromise Indymedia's identity as 'radical' and 'anti-capitalist'. 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"',[5] claiming that acceptance of Ford Foundation funding would discredit Indymedia in Greece. Others used the radical identity of Indymedia to support the grant, claiming that Indymedia would help to 'redeem' the 'dirty' funding available from the Ford Foundation. One contributor stated, '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 . . . perhaps a great irony is that they will fund us to help undermine their way of doing things.'[6] Indymedia's identity as a network of dynamic and creative grass-roots organizations was also thought to be threatened through the potential increase in bureaucratization of the network, or 'mummification', to use Gramsci's term (1971, p. 211). As one Chicago-based activist stated, '[l]et's finish making the imc network from the ground up. Let's not fund it's [sic] creation from the top down'.[7] It was further suggested that the commonly held values of 'trust' and 'global solidarity' were antithetical to the possibility of Ford Foundation funding: thus, 'having a network where people trust each other . . . is more important than taking ANY grant'.[8]

Accompanying these positive assertions of Indymedia as a radical, grass-roots, trust-based network were attempts to identify the Ford Foundation as an agent of American imperialism embedded in corporate capitalism. Any association with this organization was seen as posing danger to the purity of Indymedia's counter-hegemonic identity (cf. Douglas, 1966). An email from the Argentinean collective thus stated that '[h]ere [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.'[9] In this passage, the Ford Foundation is identified with the military dictatorship from the mid 1970s until 1983, and with the thousands of people who were 'disappeared' during this period. Other emails focused on links between the Ford Foundation and CIA operations in various parts of the developing world (Petras, 2001), and its attachment generally to a capitalist economic system.[10] These attempts to dis-identify (Elsbach & Bhattacharya, 2001) or actively

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distinguish Indymedia from the proposed funder were countered by proponents of the grant, who represented the Ford Foundation as a rather ambivalent force, identifying it clearly as part of hegemonic civil society while somewhat removed from the 'dirty part(s)'. One proponent claimed that '[a]ll 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.'[11]

In this debate, then, the ambivalences of the situation were recognized (cf. Bhabha, 1994), insofar as there were contradictory claims that the Ford Foundation could be harnessed for both 'good' and 'evil'.[12] Such gestures of ambivalence, however, did not stand up to the powerful assertions made by opponents to the grant. Their unwillingness to become part of hegemonic global civil society (cf. Gramsci, 1971, p. 275), and their concern with maintaining the counterhegemonic purity of the Indymedia identity, resulted in a vigorously negotiated agreement that the grant application was inappropriate for the network as a whole. This emotive negotiation set the network on a course that narrowed the range of collaborations it might undertake, in part through renouncing resources that might have been useful in solidifying its activities. This decision worked to maintain distance from the conformist, disciplinary and capturing effects that some associate with 'mainstream' global civil society. While permitting Indymedia to retain its 'uncivil' or counter-hegemonic identity, this perhaps compromised its ability to reach broader publics. In the next section, we consider how this identity has been further responded to, reinforced, and reshaped through recent interactions with state institutions.

'Uncivil' Consequences: FBI Seizure of Indymedia Servers

On 7 October 2004 the London office of Rackspace, a US Internet hosting company with extensive UK operations, was presented with an FBI warrant requiring it to hand over the server hosting various Indymedia websites. The UK authorities acted for the FBI under a US–UK Mutual Legal Assistance Treaty (MLAT), i.e. an agreement between countries for the purposes of sharing information in relation to criminal acts. The FBI in turn acted to seize the hardware following concerns expressed by Swiss and Italian authorities. In June 2005, UK police also seized a server used by the Bristol IMC, to gain access to log files (trails left by website visitors) in their investigations of a news post concerning an attack on a train line. Both these police actions resulted in permanent data loss as well as many Indymedia sites being temporarily unavailable. These events followed attempts by the FBI to gain control of Indymedia log files in August 2004 prior to the Republican Convention in New York. This pattern has been repeated in the UK in 2009, with the arrest of persons and seizure of equipment and documents described in the opening of this article.

These events indicate that state authorities around the world are cooperating to use legal and police forces to control Indymedia journalism, as well as to gain access to specific log data stored on Internet servers that would help them to identify and charge individual activists. There is a continuing debate regarding how authorities react to protestors, and what drives the kind of repressive tactics evident in the policing of Indymedia. Many note the transnationalization and severity of policing effort in response to alter-globalization protests and 'counter-summits' in recent years, and in association with the US Bush presidency and consolidating counter-terrorism activities (Davenport et al., 2005; Sullivan, 2005). The Indymedia server seizures can be interpreted as part of this increasingly repressive policing. More specifically, however, it can also be understood as indicative of a broader political effort to control information flows and popular meaning-making activities (Keck & Sikkink, 1998). This is both by reducing these to a handful of privatized state-corporate controlled sites (such as Facebook),

as well as through experiments in activating the transnational policing of counter-hegemonic information flows more generally (as exemplified by the current policing frenzy surrounding the 'Wikileaks' website (http://wikileaks.org) as an apparent vehicle for making public classified information, e.g., Creighton, 2010).[13] For Indymedia specifically, it might be argued that the forceful seizure of Indymedia servers by national and transnational authorities confirms the puncturing of consent represented and made possible by Indymedia, thus signalling the occurrence of a crisis of authority in Gramscian terms (1971, p. 275), and an associated necessity of (re)inscribing relevant mechanisms of control. At the same time, it affirms and sustains Indymedia's identity as an 'uncivil' counter-hegemonic force.

This is not a situation of easy dialectics, however. In responding to this and other instances of policing, Indymedia and supporters have drawn on conventional legal apparatuses, thereby exploiting the ambivalences present in any hegemonic order that make instances of destabilization and transformation possible (Biccum, 2005; Foucault, 1998 [1976]; Mittelman, 2004). Indymedia has been fairly effective in responding to these police actions using various legal possibilities. It has gained support from the Electronic Frontier Foundation (http://www.eff.org), a formal non-profit organization campaigning on justice cases relating to electronic media; it has used the server seizures to build public support through an online petition (http://solidarity.indymedia.org.uk); and it has become the focus for supportive stories in formal UK media such as the BBC and *The Guardian*. So while Indymedia has been threatened by governmental actions and has experienced loss of data and hardware, the network in some senses has benefited from these events in terms of consolidating its position, through paradoxically gaining support from formal structures and institutions, as well as more conventional civil society organizations.

Gramsci (1971, pp. 275–6) notes that '. . . when a struggle can be resolved legally, it is certainly not dangerous; it becomes so precisely when the legal equilibrium is recognized to be impossible'. Mobilizing the legal apparatus in support of counter-hegemonic practices and values thus might be interpreted as signalling a struggle that is not dangerous to the hegemon. On the other hand, a flurry of new and related legislation and departments, from calls in the UK to restrict the use of the circumstances in which protesters might rely on 'lawful excuse',[14] to the post 9/11 creation of the Department of Homeland Security in the US, also indicates ongoing struggle by the hegemon to design and activate new legal instruments that contain and resist unconsenting counter-hegemonic tendencies.

In this final part of our case analysis, then, the complexities associated with (counter)hegemonic struggle come into full view. Indymedia as an antagonistic collective actor attempting to consolidate a war of position that coalesces around counter-hegemonic values is both formally disciplined for its views and actions, at the same time as appealing to formal structures to contest this disciplining.

Conclusion

In this article we have located the global Indymedia network as both locale of struggle and lens through which to consider the ongoing and constitutive engagements of (counter)hegemonic struggle in global (un)civil society. At different moments, and in different IMCs, the network has been productively caught within, and has generated articulations and antagonisms with, more formal civil society actors and organizations, as well as in relation to national and transnational state apparatuses. It has been seen by some as an exemplar of ~~global civil society~~ (Calabrese, 2004), at the same time as identifying itself, and being identified as, a palpable counter-hegemonic force. At times Indymedia concerns have seemed parochial and

self-referential; at others they have represented and become broader strategic articulations that have elicited sustained coercive attention by state forces.

This study take us beyond seeing civil society divided into 'good' forms of ~~global civil society,~~ and 'bad' forms of uncivil society (Kopecky & Mudde, 2003b). Following work in social movement theory, we find that many social movements and organizations engaging in contentious politics oscillate between being 'civil' and 'uncivil', depending on shifting contexts and the different actors and organizations involved. Nevertheless, a complex coalescence of choices, conversations, negotiations, and arguments has produced Indymedia as a variously effective counter-hegemonic media-producing organizational force, which has chosen to retain counter-hegemonic vitality rather than sediment into the 'mummified' structures, stasis, and exclusions associated with conventional civil society organizations (Gramsci, 1971, p. 211). Indymedia's producers have sought to become and remain imaginative 'demiurges' (Gramsci, 1971, p. 303): creators of other worlds not over-determined by the productive requirements of neoliberal hegemony. The resistances they have elicited from the state are some measure of their counter-hegemonic success. At the same time, the limited extent to which Indymedia has been able to consolidate and extend its values in broader global public spheres might speak of un-strategic choices that have compromised the possibility of deepening systemic social change around the alternative values embodied by the network.

This case further illustrates that a discourse of the democratic significance of 'civil society' is only part of the story. From a Gramscian perspective 'civil society' is required by the hegemon to maintain its grip not only on economic power but also on the process of legitimating its hegemony (e.g. via mass media). In recent decades Western governments have gone out of their way to emphasize the democratic importance of civil society actors such as NGOs, charities, and social movements. This begs understanding within an analysis of the practices of capture—the manufacturing of consent—consolidated in service to hegemonic values, and the struggles over meaning and resources that this of necessity elicits. Nevertheless, if hegemony actually requires antagonism, such that it can never be complete or final (Laclau & Mouffe, 1985; Lipschutz, 2005), then there will always be groups, organizations and movements that will do their best not to submit to the hegemon's calls to be part of formal 'civil society'. There will always be 'uncivil' struggle that challenges the material and conceptual closures of hegemonic order (Hardt & Negri, 2009). The Indymedia network, in its ongoing encounters with civil society and states is a paradigmatic example of such productive counter-hegemonic struggle in global '(un)civil' society. Whether or not it also constitutes part of a consolidated historical bloc organized around other values remains to be seen.

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Notes

1   Sections 44–46 of the UK Serious Crime Act became law on 1 October 2008 to address acts seen as 'encouraging or assisting' serious international crime offences such as drug trafficking, money laundering, and armed robbery.
2   An IP address is the unique number given to each Internet connection, which can be used to trace the user of a connection. In line with its own privacy policy, Indymedia actually had already removed the details of the judge

from the posts (Indymedia, 2009c). The network also does not log or store IP addresses of contributors, a situation acknowledged by UK police following the seizure of servers in Bristol in 2005 (Indymedia, 2007).

3   On the concept of 'open space' in contemporary 'counter-globalization' movements, see Keraghel and Sen (2004), Patomäki and Teivainen (2004), and Böhm et al. (2005).

4   For details see https://docs.indymedia.org/view/Global/NewIMCForm.

5   http://archives.lists.indymedia.org/imc-finance/2002-September/001495.html [accessed 16 June 2009].

6   http://archives.lists.indymedia.org/imc-finance/2002-September/001475.html [accessed 16 June 2009].

7   https://docs.indymedia.org/Global/FordDougsSummary [accessed 16 June 2009].

8   http://archives.lists.indymedia.org/imc-finance/2002-September/001455.html [accessed 16 June 2009].

9   https://docs.indymedia.org/Global/FinanceFordArgentinaLetter [accessed 16 June 2009].

10   http://archives.lists.indymedia.org/imc-chicago/2002-October/001559.html [accessed 16 June 2009].

11   http://archives.lists.indymedia.org/imc-finance/2002-September/001475.html [accessed June 16 2009].

12   http://archives.lists.indymedia.org/imc-finance/2002-September/001475.html [accessed June 16 2009].

13   Thank you to Martin Pedersen for illuminating correspondence on this point (email to Sian Sullivan, 13 December 2010).

14   I.e. justifying unlawful protest tactics on the grounds of preventing a greater harm, cf. Hirsch and Vidal (2009).

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