Jonas Bedford-Strohm

Beyond the Bubble

The Digital Transformation of the Public
Sphere and the Future of Public Institutions

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Studien und Impulse zur Medienethik

Band 1

Herausgegeben von
Klaus-Dieter Altmeppen und Alexander Filipović

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The Digital Transformation of the Public Sphere
and the Future of Public Institutions

Summary - Deutsche Fassung

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Die Digitalisierung verändert die Art und Weise, wie wir kommunizieren, und hat dadurch auch weitreichende Implikationen für die Art und Weise, wie wir an dem Raum teilnehmen, den wir "öffentlich" nennen. Die vorliegende Studie untersucht den digitalen Strukturwandel der Öffentlichkeit und analysiert drei entwicklungtreibende Trends — Netzwerkarchitekturen, personalisierte Individualität und automatisierte Arbeitsabläufe — besonders im Hinblick auf Diskurs und Möglichkeit digitaler Handlungskompetenz.

Die Kernthese der Studie ist, dass sich abstrakte, monolithische Konzeptionen der einen kohärenten Öffentlichkeit überholt haben, weil technologische Veränderungen wie die Verbreitung sozialer Medien, die moderne Wertschätzung des Individualismus, menschliche Tendenzen zum Confirmation Bias, sowie das postkoloniale Interesse an kontextueller Erfahrung, ein diverses Spektrum an gefilterten Teilöffentlichkeiten hervorgebracht haben, die für sich allein genommen jeweils nicht die Kriterien erfüllen, die mit dem Konzept der Öffentlichkeit bisher assoziiert wurden. Sollten wir den Begriff überhaupt noch benutzen?

Indem sie Interkontextualität als Rückgrat des Öffentlichen und den Grad der Interkontextualität kontextueller Kommunikation als den Maßstab ihres Öffentlichkeitsgrades versteht, schlägt die Studie eine theoretische Schneise zwischen relativistischem Kontextualismus und abstraktem Universalismus. Sie plädiert für eine pragmatistische Spielart eines relationalen, interkontextuellen und kommunikativen Universalismus, der kontextuelle Erfahrung ernst nimmt und wertschätzt, aber den Fokus auf spezifische Kontexte nicht absolut setzt und nach dem Verbindenden fragt, das über die Blasen teil-öffentlicher Kommunikation hinausgeht.

Da der Diskurs über öffentliche Kommunikation maßgeblich von den institutionellen Formen der garantierten Freiheit der liberalen Demokratie beeinflusst wird, und diese selbst wiederum beeinflusst, interpretiert diese Studie den digitalen Strukturwandel der Öffentlichkeit als eine grundlegende Transformation der Bedingung für die Möglichkeit öffentlicher Institutionen. Sie bringt theoretische Erkenntnisse aus verschiedenen akademischen

Disziplinen, sowie empirische Analysen des Vertrauens in Institutionen in Anschlag, um die Diskussionen der Ethik öffentlicher Institutionen im digitalen Zeitalter inhaltlich anzuregen und neu zu durchdenken.

Diese Studie richtet sich einerseits an die akademische Öffentlichkeiten der praktischen Philosophie, der politischen Theorie und der angewandten Ethik, und bereichert diese Diskurse mit theoretischen Analysen der journalistischen, politischen und technologischen Praxis, die durch ihren gesellschaftlichen Einfluss auch die theoretische Zunft zu einer Aktualisierung ihres Öffentlichkeitsbegriffs zwingen. Die Studie richtet sich andererseits aber auch an Führungskräfte in Politik, Wirtschaft, Medien, Kirchen und öffentlicher Verwaltung, die auf den je eigenen Gebieten in den je eigenen Kontexten auf eine ethisch auskunftsfähige Gestaltung der Digitalisierung drängen und aus der theoretischen Reflexion Orientierungswissen für ihre Arbeit gewinnen wollen.

Summary - English Version

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The digital revolution changes the way we communicate, and thus has profound implications for how we participate in the space we call "public." This thesis examines the digital transformation of the public sphere, and analyzes three trends driving the transformation — network architecture, personalized individuality, and automated workflows — in the context of the discourse on digital agency.

The core thesis of this study is that abstract, monolithic conceptions of the one coherent public are outdated, because technological changes like the rise of social media, the modern appreciations of individualism, human tendencies towards confirmation bias, and postcolonial interests in contextual experience, create a diverse spectrum of filtered publics that do not fulfill the criteria traditionally associated with the concept of the public sphere. Can we even continue to use the term?

By understanding intercontextuality as the backbone of the public sphere, and the degree of intercontextuality in contextual communication as the hallmark for its publicness, this study seeks to find a path between relativistic contextualism and abstract universalism. It advocates a pragmatist brand of relational, intercontextual, and communicative universalism that appreciates context, but does not absolutize it.

Finally, since the discourse on public communication significantly impacts and is impacted by the institutional forms of guaranteed freedoms in liberal democracies, this study interprets the digital transformation of the public sphere as a significant transformation of the conditions for the possibility of public institutions. It uses theoretical insights from a variety of academic disciplines, as well as empirical analysis of the trust in institutions to stimulate the discussion on the ethics of public institutions in the digital age.

This study is written for both theory and praxis. On one hand, it targets the academic publics of practical philosophy, political theory and applied ethics, and enriches their discourses with theoretical analysis of those journalistic, political and technological practices that force a conceptual update of the public sphere through sheer societal impact. On the other hand, this study also

targets leaders in both the public and the private sector, as well as the (public) media, churches and civil society. The study is written for those leaders who work towards an ethically responsible digital transformation in their respective contexts and want to use theoretical reflection to distill orienting knowledge for their own work.

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Medienethische Studien und Impulse

Herausgegeben von Klaus-Dieter Altmeppen und Alexander Filipović

Beyond the Bubble

I. Introduction

A. Why the Issue is Relevant

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In 1808 Johann Wolfgang von Gothe published his drama *Faust*, in which a pious, innocent girl by the name of Gretchen comes to meet the protagonist Faust who has entered a fateful liason with the devil. As she gets to know him better, Gretchen asks the question that has become famous as the *Gretchen-frage*: Wie hast du's mit der Religion? What's your take on religion? It was the most central question for Gretchen, the fundamental core to all other questions. What is the contemporary question that lies at the heart of all others? According to *Neue Züricher Zeitung* it is this: Wie hast du's mit der Digitalisierung? What's your take on the digital revolution? Jürg Müller writes: "This is the Gretchen question of the recently entered century, it divides whole nations. For some, everything is moving way too slow. Others, on the other hand, perceive the digital revolution first and foremost as a threat. Moderate political forces are increasingly being ground to shreds in this field of force."[1]

This question — how to evaluate and deal with the digital revolution — is certainly amongst the most central questions of our time. As the *NZZ* example suggests, one can see this singular question play into virtually all other questions of social, cultural, economic, religious, and political life. And indeed: "for some it is a promise, for some it is a threat."[2] Müller predicts: "Because of this polarization liberal democracies will struggle especially in this epic transformation."[3] While private enterprises and non-governmental organizations have been fairly quick to adapt, or have even been driving much of the technological change behind the digital revolution, public institutions have been slow to adapt, and many still struggle with the emerging transformations of human labor, public discourse, political organization, and the distribution of all kinds of content.

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1   Jürg Müller, "Aufgerieben zwischen Null und Eins," *Neue Züricher Zeitung*, international edition, December 17, 2016, 17. If not indicated otherwise in the footnote, all translations from German to English are my own. If the German original expresses a nuance that defies translation the original passage will be provided.

2   Ibid. The German original: "Das ist für manche eine Verheissung, für andere eine Bedrohung."

3   Ibid. The German original: "Wegen dieser Polarisierung wird der Epochenwechsel gerade westlichen Demokratien schwerfallen."

The transformation currently underway presents us with both dangers and opportunities, as Wolfgang Huber points out in his *Ethics*: "Technological progress has given us an increase in power that is profoundly ambiguous with regard to its possible consequences: on the one hand, we have new possibilities of preserving and developing human life, and on the other, we have new possibilities of destroying it."[4] This applies to individual practice as much as to the institutional infrastructure supporting them. With the rise of decentralized, mobile, flexible, and personalized tools for coordination comes a new temptation to dispose of the dinosaur institutions that look old, feel ancient, and seem outdated. This poses, I argue, a grave danger to the basic freedoms that liberal democracies have come to guarantee through a thoroughly institutional social structure underwriting the civil and human rights of individual citizens. This thesis explores how exactly public institutions are challenged by recent cultural and technological changes, and examines the changing conditions for the possibility of public institutions.

In his book *The Content Trap* Harvard Business School's Bharat Anand provides strategies for companies trying to navigate the digital change in business. About the philosophy behind his work he writes: "It became commonplace, even fashionable, to try to predict what was going to happen next." Why? "It's exhilarating to try to predict the future." But: "It's also draining. And: "the predictions are almost always wrong. So: "This sort of thing, I came to realize, cannot be worth very much. … Rather than making predictions, we tried to make sense of the ground we stood on."[5] This thesis will attempt a similar feat: Rather than engaging in vague tale-telling about the future of institutions, this study will establish a theoretical discussion of institutions on "the ground we stand on" by using empirical research on the changing attitudes towards institutions in liberal democracies and on the changing patterns of consumption in the increasingly digital world of media publishing.

As a business school professor, Anand's primary target audience is business students, even though he claims a wider relevance for the strategies imparted. With the story of a wildfire that nearly destroyed Yellowstone National Park, Anand develops a theory of constructive destruction: "The near-term

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4   Wolfgang Huber, *Ethics: The Fundamental Questions of our Lives*, trans. Brian McNeil (Washington, DC: Georgetown University Press, 2015), 89.

5   Bharat Anand, *The Content Trap: A Strategist's Guide to Digital Change* (New York: Random House, 2016), ix.

devastation of the park contained the seeds (literally) of future growth." For the park this theory does hold up: "New, genetically diverse aspen were able to grow without competition from taller trees. Rare flora and fauna not seen in Yellowstone for decades began to flourish." And: "Annual visits increased every year after the fires, amounting to more than three and a half million people by 2015 — 60 percent more than in 1988."[6]

Adhering to a theory of constructive destruction and allowing the healthy death of life for the possibility of new life might be smart policy for a national park, and might even be a genius metaphor for an ever-changing, dynamic environment like business. But I challenge the notion that this can be applied as universal strategy to the work of public institutions. Quite the contrary: While, as I will show, a notion of evolution and reform can serve an institution well, a simplistic hope that the institutions of liberal democracies are easily regenerated or rebuilt as part of constructive destruction would be both naive and negligent. Anand Adhering to a theory of constructive destruction and allowing the healthy death of life for the possibility of new life might be smart policy for a national park, and might even be a genius metaphor for an ever-changing, dynamic environment like business. But I challenge the notion that this can be applied as universal strategy to the work of public institutions. Quite the contrary: While, as I will show, a notion of evolution and reform can serve an institution well, a simplistic hope that the institutions of liberal democracies are easily regenerated or rebuilt as part of constructive destruction would be both naive and negligent. Anand himself provides support for the rejection of a single theory as universally applicable truth when he states a "simple idea": "the right decision is often closely tied to its context."[7] The following paragraphs, therefore, explore the historical context for our study.

6   Ibid., xxii.

7   Ibid.

B. Why the Issue is Timely

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After World War II liberal democracies built a number of peace-ensuring institutions. The collapse of the Soviet Union catalyzed an era of increasing democratization[8] and peace[9] in the West and beyond. Data published by the *Center for Systemic Peace* shows that after 1991 the "levels of both interstate and societal warfare declined dramatically through the 1990s and this trend continues to the early 2000s, falling over 60% from their peak levels." In the last few years, however, this trend has been reversing. In a commentary on the future of transatlantic relations for *TIME* magazine, Ian Bremmer remarks: "Few leaders in today's world, particularly in Europe, have enough popularity to get anything done, and the current wave of populism sweeping through many E.U. countries calls into question the legitimacy of institutions and governing principles in the world's most advanced industrial democracies."[10]

Similarly, Carsten Knop states in *Frankfurter Allgemeine Zeitung*: "It is getting worse and worse: The trust of the people in the political and societal institutions is eroding. Less and less trust is placed in politicians, managers, non-governmental organizations and also the media. At this point, the majority of the people believe that the 'system' constituted by these pillars does not work anymore."[11] The journalistic commentary of Knop and Bremmer is corroborated by research done by non-profit sources: The 2016 *Freedom House* report shows the "10th consecutive year of decline in global freedom."

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8   For data on the long-term trends in governance and illustrations of the rise of democracy after World War II cf. "Global Trends in Governance, 1946-2015," Center for Systemic Peace, accessed October, 19, 2016, http://www.systemicpeace.org/CTfigures/CTfig15.htm.

9   For visualizations and data on related issues cf."Global Trends in Armed Conflict, 1946-2015," Center for Systemic Peace, accessed October, 19, 2016, http://www.systemicpeace.org/CTfigures/CTfig03.htm. For recent conflict data cf. "Conflict Barometer 2015," Heidelberg Institute for International Conflict Research, accessed October, 19, 2016, http://www.hiik.de/en/konfliktbarometer/pdf/ConflictBarometer_2015.pdf.

10   Ian Bremmer, "New World Order: The era of American global leadership is over. Here's what comes next," TIME, double issue, December 26, 2016 and January 2, 2017, 16.

11   Carsten Knop, "Vertrauen in Institutionen: Die Menschen trauen den Eliten nicht mehr," *Frankfurter Allgemeine Zeitung*, January 17, 2017, accessed January 22, 2017, http://www.faz.net/aktuell/wirtschaft/weltwirtschaftsforum/vor-dem-wef-umfragen-zeigen-niedriges-vertrauen-in-eliten-14670396.html.

This decline is not only due to armed conflicts like the one in Syria, but also to developments in established liberal democracies: "Whatever the underlying strength of their institutions, leading democracies betrayed a worrying lack of self-confidence and conviction during 2015." The report concludes emphatically that "thus far the leaders of the free world have fallen short even as fundamental democratic principles come under threat in their own countries."[12]

Aside from the rise of anti-establishment movements in virtually all liberal democracies in the Western world and an increasingly existential identity crisis in response to these movements, we see growing unease with what social media is doing to societies around the globe. Initially praised as one of the key drivers of a fully democratic, participatory and open society, social media has become one of the most divisive tools in the political process and displays its vulnerability to truth-bending bigotry every day. Social media has long served as an amplifier for anti-establishment agendas and is now increasingly complicit in fostering and feeding a broader anti-institutional sentiment.

This anti-institutional sentiment also finds expression in the 2017 *Edelman Trust Barometer*, a report compiled by the communications firm Edelman. The study's summary declares frankly: "trust is in crisis around the world." The researchers conclude that the "general population's trust in all four key institutions — business, government, NGOs, and media — has declined broadly, a phenomenon not reported since Edelman began tracking trust among this segment in 2012."[13] Like the *Freedom House* report, the *Edelman Trust Barometer* links challenges to institutions to the impact of populist movements: "With the fall of trust, the majority of respondents now lack full belief that the overall system is working for them. In this climate, people's societal and economic concerns, including globalization, the pace of innovation and eroding social values, turn into fears, spurring the rise of populist actions now playing out in several Western-style democracies." Edelman concludes that to "rebuild trust and restore faith in the system, institutions must step outside

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12 Arch Puddington and Tyler Roylance, "Overview Essay: Anxious Dictators, Wavering Democracies," *Freedom House*, accessed October 19, 2016, https://freedomhouse.org/report/freedom-world-2016/overviewessay-anxious-dictators-wavering-democracies.

13 It is worth noting that the Edelman study does not define religious institutions or the entertainment industry as "key institutions" of society. I disagree and will approach the concept more inclusively below.

of their traditional roles and work toward a new, more integrated operating model that puts people — and the addressing of their fears — at the center of everything they do."[14]

Leaders in all types of institutions are faced with a difficult task, since along with "the largest-ever drop in trust across the institutions," the trust in their leadership has been especially in peril: "CEO credibility dropped 12 points globally to an all-time low of 37 percent, plummeting in every country studied, while government leaders (29 percent) remain least credible." Changes in the media have played into the dynamic: "The cycle of distrust is magnified by the emergence of a media echo chamber that reinforces personal beliefs while shutting out opposing points of view. Respondents favor search engines (59 percent) over human editors (41 percent) and are nearly four times more likely to ignore information that supports a position they do not believe in."[15] [16] As J.D. Vance points out in his best-selling *Hillbilly Elegy: Memoir of a Family and Culture in Crisis*, only six percent of American voters consider the media "very trustworthy."[17] Summarizing the emotions and experience of working-class Americans in the "hillbilly culture," Vance writes: "To many of us, the free press — that bulwark of American democracy — is simply full of shit." Vance considers this a dramatic problem because, given the "little trust in the press, there's no check on the Internet conspiracy theories that rule the digital world."[18] Applying this insight to our study, it is impossible to speak about trust in institutions without considering the transformations in the new types of media that filter and distribute the information governing our lives. Analyzing recent conspiracy theories shared by conservative friends on social media, Vance remarks that this is not "some libertarian mistrust

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14   "2017 Edelman Trust Barometer," Edelman, accessed January 22, 2017, http://www.edelman.com/trust2017/.

15   "2017 Edelman TRUST BAROMETER Reveals Global Implosion of Trust: CEO Credibility at Lowest Level Ever," *Edelman*, January 15, 2017, accessed January 22, 2017, http://www.edelman.com/news/2017-edelman-trust-barometer-reveals-global-implosion/.

16   The use of the singular — "a media echo chamber" — is misleading. The use of plural is most appropriate.

17   "Only 6% Rate News Media as Very Trustworthy," Rasmussen Reports, accessed November 17, 2015, http://www.rasmussenreports.com/public_content/politics/general_politics/february_2013/only_ 6_rate_news_media_as_very_trustworthy. Cited by J.D. Vance, *Hillbilly Elegy: A Memoir of a Family and Culture in Crisis* (New York: HarperCollins, 2016), 192.

18   Vance, *Hillbilly Elegy*, 192.

of government policy" which he considers "healthy in any democracy." But rather: "This is deep skepticism of the very institutions of our society" which is dangerous for the civil fabric of society and "becoming more and more mainstream."[19]

Vance's findings are supported by the *Edelman* results. By many, the media is not at all considered a check to other forms of institutional power, but mainly as an integral part of the one coherent institutional elite itself. Commenting on the study's findings, Edelman's CEO concludes: "The result is a proclivity for self-referential media and reliance on peers. The lack of trust in media has also given rise to the fake news phenomenon and politicians speaking directly to the masses. Media outlets must take a more local and social approach." The importance of information for the degree of trust is illustrated by the fact that the "gap between the trust held by the informed public and that of the mass population has widened to 15 points, with the biggest disparities in the U.S. (21 points), U.K. (19 points) and France (18 points)." The study, conducted with 33,000 respondents, shows that the "mass population in 20 countries distrusts their institutions, compared to only six for the informed public."[20]

19   Ibid., 193.

20   Ibid.

C. Why the Issue Has a History

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Many different metaphors have been employed to place the digital transformation into its historical context. One of those metaphors is the notion of digitalization as the "Fourth Revolution." The uniformity of the language, however, should not disguise the diversity of definitions attached to the term.

1. Hermeneutics of Consciousness

Oxford researcher Luciano Floridi, for instance, uses the term to describe the "infosphere" created by "the explosive developments in Information and Communication Technologies." Floridi observes that the "boundaries between life online and offline" are breaking down as we "become seamlessly connected to each other" and "surrounded by smart, responsive objects." He points out that the personas we create on social media now "feed into our ‚real' lives' leading to a mode of living best characterized as the "onlife." The historical sequence of revolutions sketched by Floridi starts with the Copernican shift of how we see our planet. It is followed by Darwin's theory of evolution and Freud's work in psychoanalysis. The "infosphere" then marks the fourth "metaphysical shift" in Floridi's analysis.[21]

2. Hermeneutics of Salvation

Obviously, a selection of revolutions like Floridi's is necessarily subjective. His choice, for instance, presupposes an approach that situates the key turning points in the history of ideas. It also presupposes a naturalist, evolutionist scientism and a more or less overt anti-religious point of view. A theological vantage point might construct a very different frame of reference for a historical sequence of transformations: Creation (whether understood in evolutionary or creationist terms), Covenant (with Abraham representing the Israelite people), Liberation (with Moses leading his people out of slavery), Salvation (with Jesus as the Christ), and Kingdom (with the Christian Church as the means of constant (re-)construction). In a soteriological

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21   Cf. Luciano Floridi, _The Fourth Revolution: How the Infosphere is Reshaping Human Reality_ (Oxford: Univ. Press, 2014). Citations taken from: "The Fourth Revolution," Oxford University Press, accessed February 20, 2017, https://global.oup.com/academic/product/the-fourth-revolution-9780199606726?cc=de&lang=en&#.

scheme like this, none of Floridi's revolutions are all that revolutionary. Still, I wish to argue, a concept of the "Fourth Revolution" can help us grasp the scope and significance of the digital transformation.

3. Hermeneutics of Political Theory

Before we turn to the concept I wish to endorse myself, I will examine how John Micklethwait and Adrian Wooldridge define the "Fourth Revolution." Micklethwait and Wooldridge have in common with Floridi's approach that they use the framing of intellectual history. They explain "why ideas matter" and browse through "five centuries of history."[22] In contrast to Floridi they do not use information technology as the hermeneutic key, but rather take the vantage point of political philosophy. Fittingly, their study is called *The Fourth Revolution: The Global Race to Reinvent the State*.[23] The first revolution described in the book is "the rise of the European nation-state after the Peace of Westphalia." The second one is "the late-18th- and 19th-century turn toward individual rights and accountable government." The third revolution is "the creation of the modern welfare state." All three revolutions attempted more or less successfully to "provide order and deliver vital services while still fostering innovation." However, in Micklethwaith's and Wooldridge's narrative, the state overextended itself when "democratic publics demanded more and more" and "the state promised more and more." In the fourth revolution libertarian ideas took over the conservative parties in the United Kingdom and the United States, and "Margaret Thatcher and Ronald Reagan tried, but failed, to shrink the state."[24] Just like Floridi's account, this selection is necessarily subjective as well, since it reduces complexity with a focus on political ideas under a materialist paradigm. In this view, liberalist rights and material welfare form the defining epistemic lens for how the revolutions are sequenced.

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22   Rosa Brooks, "A Call to Rally," review of *The Fourth Revolution: The Global Race to Reinvent the State,* by John Micklethwait and Adrian Wooldridge, *New York Times*, June 26, 2014, Sunday Book Review, accessed February 20, 2017, https://www.nytimes.com/2014/06/29/books/review/the-fourth-revolution-by-johnmicklethwait-and-adrian-wooldridge.html?_r=0.

23   John Micklethwait and Adrian Wooldridge, *The Fourth Revolution*: The Global Race to Reinvent the State (New York: Penguin Books, 2014).

24   Brooks, *A Call to Rally.*

4. Hermeneutics of Socio-Economic History

Both Floridi's account of a "Fourth Revolution" driven by information technology and Micklethwaith's and Wooldridge's account of the "Fourth Revolution" as an ongoing matter of political philosophy point to important dimensions of the transformation currently underway. This thesis incorporates both dimensions into its field of study by considering the future of institutions and the future of the public sphere as one integrated whole. This integrated approach is best served by considering the history of information technology and the history of political philosophy as an integrated whole as well. Klaus Schwab, the founder and chairman of the World Economic Forum places the "Fourth Revolution" in a socio-historical sequence that enables us to connect both: "The First Industrial Revolution used water and steam power to mechanize production. The Second used electric power to create mass production. The Third used electronics and information technology to automate production. Now a Fourth Industrial Revolution is building on the Third, the digital revolution that has been occurring since the middle of the last century. It is characterized by a fusion of technologies that is blurring the lines between the physical, digital, and biological spheres."[25]

The vantage point of technological history provided by Schwab opens the possibility to seek out the parallels with other technological transformations. In this view, the digital transformation becomes the fourth *industrial* revolution. If we study the preceding industrial revolutions, we can not only understand better the scope and significance of the current revolution, but also seek out the wisdom of thinkers writing during those previous revolutions. And if we choose to speak of the digital transformation as the "Fourth Industrial Revolution," we can not only examine historical parallels, but also study how institutions coped with societal turmoil and restructuring.

5. Industrialization and Reformist Institutionalism

To distill an essential learning without oversimplifying historical complexity, we will focus on a key figure in a key moment which can stand as an illustrative exemplar of reformist institutionalism: Abraham Lincoln in the 1830s. Lincoln's presidency is most often associated with abolitionism, and

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25   Klaus Schwab, "The Fourth Industrial Revolution: what it means, how to respond," *World Economic Forum*, January 14, 2016, accessed Februar 20, 2017, https://www.weforum.org/agenda/2016/01/thefourth-industrial-revolution-what-it-means-and-how-to-respond/.

rightly so, since his leadership was vital in realizing the end of slavery through the institutions of government. Yet, abolitionism was not the only movement propelled to new heights during Lincoln's period of influence. He also presided over an important peak in the unfolding of the industrialization of North America. A look at the socio-historical backdrop of Lincoln's political thinking reveals a time of significant upheaval with a wealth of political, ethnic and religious conflict, and a viral founder's spirit. Both social conflict and the founder's spirit provide insight into the labor pains of an emerging new world built on the foundations of inherited institutions.

To give a sense of the social landscape setting the stage for Lincoln's leadership, I will give a simple and selective list of a few key events in the early years of Lincoln's intellectual formation. The telegraph was invented and patented by Samuel Morse in 1837, enabling leaders to communicate swiftly over vast distances and speeding up decision-making significantly. Women were advancing socially, with Mount Holyoke Seminary founded in 1837, Kentucky passing a law permitting female school attendance in 1838, and Mississippi allowing women to own property in 1839. The steamship was invented and the *Great Western* built to connect England and the United States. The *Great Western* and the *Sirius* arrived in New York as the first steam passenger ships to cross the Atlantic in April of 1838. The steam revolution fueled not only the rise of steamships, but also the railroad, with the Wilmington line completed in 1840 as the world's longest railroad at the time.

Abolitionism was on the rise, with Texas abolishing the slave trade in 1836, the Institute for Colored Youth opening as the first institution of higher education for black students, and abolitionist Frederick Douglass escaping slavery in 1838. Simultaneously, significant territorial conflict was raging: The siege and battle of the Alamo, as well as the Texas Revolution took place in 1836, and Canada was disrupted by a rebellion in 1838. The 1820s and 30s were a time of religious innovation as well, with the Second Great Awakening at its height and rapidly rising membership amongst Baptists and Methodists. Romanticism, emotionalism, supernaturalism, and a rejection of the deist and rationalist tendencies in the founder's generation characterized religious and political thought. Religious innovation sparked identity conflicts with Missouri issuing the Extermination Order against the Mormons in 1838 and

the mob killing of Joseph Smith in Illinois in 1844. Ethnic tensions mount in Boston between Irish and Yankees in 1837. The Trail of Tears and the Potawatomi Trail of Death kill several thousand Native Americans in 1838.

A vast number of educational institutions open during this time: Marshall College, Emory College are founded in 1836, and DePauw University and Knox College in 1837. Duke University opens in 1838, the University of Missouri, Longwood University, Baltimore City College, Virginia Military Institute and Episcopal High School in 1839. Fordham University opens in 1841 and Willamette, Wesleyan University, University of Notre Dame, Military College of South Carolina, Cumberland University, Hollins University, Villanova University, as well as Indiana University Bloomington and Indiana University's Maurer School of Law are founded in 1842.

It is also the time of a political founder's spirit. Wisconsin is admitted as the 25th United States state and the city of Houston is founded in 1836. Chicago receives a city charter and Michigan is admitted as the 26th state in 1837. The Iowa Territory including today's Minnesota, South Dakota, North Dakota and Iowa is established in in 1838 and the city of Dallas is founded in 1841. All this took place during a time of significant economic challenge. After the founding of the Democratic party in 1828, voices calling for a protection and rebirth of an agrarian society rally behind Andrew Jackson who as President contributed to the failing land speculation economy with the Specie Circular in 1836, eventually leading to the 1837 Panic with banks failing and record level unemployment.

This period also sees innovation in weapons technology with Samuel Colt receiving a patent for the Colt revolver in 1836. The first numbered United States patent is granted providing new order to the patenting system. The technological innovation coincides with intellectual innovation, illustrated by the emblematic founding of the Transcendental Club in Cambridge in 1836. The effect of the industrial revolution and the spirit of technological and intellectual innovation is not just prevalent in the United States. It also plays out on the European continent with Karl Marx and Friedrich Engels developing the thought leading to the publication of their Communist Manifesto in 1848.

In the 1840s, Danish philosopher Sören Kierkegaard observes that the social dynamics are changing dramatically. In the words of biographer Joakim Garff: "Kierkegaard's diagnosis of his era is postmodern, long before being postmodern became fashionable."[26] For Kierkegaard, the comfort of the self-righteous citizen is emblematic for the "collapse of the vertical, the breakdown of formerly solid religious and political authorities" — the middle, center, medium, average and mediocre "is everywhere now." In contrast to the revolutionary period in which existing authorities were faced with vocal and conscious opposition, the time of his writing is marked by a "gradual undermining of the legitimacy of institutions and the substance of symbols."[27]

While Kierkegaard diagnoses a confused alienation and comfortable estrangement that comes with the new leveling of a formerly hierarchical society and allows for new forms of mass theater and group psychosis, he also embraces the new religious immediacy possible for the bourgeois individual: "Considered on its own, the decomposition of fixed authorities and ordinances is a catastrophe, because its absence creates an awkward social tingle. But it also holds the possibility that the singular human can act directly geared towards God, now that it has made itself free of institutional, and especially ecclesial embrace."[28] This is the ambivalence of the postmodern world in Kierkegaard's view: Either the individual manages to become his or her own self without the "safety net secured by superordinate institutions"[29] — or he or she becomes obsessed with a new form of fear-driven envy: "the fear of superordinate authorities has been replaced by the fear of being different *from the others*" which Kierkegaard describes as a fear of "not being an average human." Garff summarizes it as follows: "Put bluntly, conformism has taken the place of authority, respect has turned into envy, and what used to be a fear of God has become a fear of men."[30]

A few years before Kierkegaard was describing the Danish bourgeoisie and its nascent postmodern life, Abraham Lincoln had already discovered the issue of institutions as one of the key questions of his time. A look at Lincoln's

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26   Cf. Joakim Garff, *Sören Kierkegaard* (München: dtv, 2005), 563.

27   Ibid.

28   Ibid., 566.

29   Ibid.

30   Ibid., 564.

writing shows that questions about the future of faltering institutions have not only surfaced during the recent digital transformation, but have been a continuing thread in modern discourse for centuries. Lincoln's entire engagement in public life was shaped by it significantly. In his Lyceum Address, delivered in 1838, the 28-year old Lincoln points out the significance of institutions, especially during the conflict-ridden debates on slavery: "We find ourselves under the government of a system of political institutions, conducing more essentially to the ends of civil and religious liberty, than any of which the history of former times tells us."[31]

U.S. citizens, Lincoln says, are "legal inheritors of these fundamental blessings." For Lincoln, the issue of institutions, is also a matter of intergenerational cooperation in projects that no single individual can achieve in the course of one lifetime: "We toiled not in the acquirement or establishment of them — they are a legacy bequeathed us, by a once hardy, brave, and patriotic, but *now* lamented and departed race of ancestors." Lincoln asks his compatriots to transmit this "political edifice of liberty and equal rights" in a state "unprofaned by the foot of an invader; … undecayed by the lapse of time and untorn by usurpation, to the latest generation that fate shall permit the world to know." This, Lincoln proclaims, stands as a "task of gratitude to our fathers, justice to ourselves, duty to posterity, and love for our species in general, all imperatively require us faithfully to perform."[32]

Nearly two centuries after the transformative debates on slavery in America, democratic institutions today are undergoing significant changes once again. These changes include both the populist challenge to the establishments of representative democracies and the digital transformation of the public sphere. What are the conditions for the possibility of public institutions? Have they changed, and if so: how? What might be the future of public institutions? These are the questions that this study is designed to address.

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31 Abraham Lincoln, *The Perpetuation of Our Political Institutions: Address Before the Young Men's Lyceum of Springfield, Illinois*, delivered January 27, 1838, accessed February 3, 2017, http://quod.lib.umich.edu/l/lincoln/lincoln1/1:130?rgn=div1;view=fulltext;q1=Lyceum.

Print version: Abraham Lincoln, *Collected Works of Abraham Lincoln Vol. I*, edited by Roy P. Basler, Marion Dolores Pratt and Lloyd A. Dunlap (New Brunswick:Rutgers University Press, 1953), 108.

32 Ibid.

D. What I Can Develop Here

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It is not possible to develop a comprehensive ethics of institutions in a master's thesis. Such a project requires massive efforts to ground and stabilize the general argument if it does not want to deteriorate into whiny nostalgia. It is also not possible to develop a comprehensive analysis of the normative foundations built into many of our popular technologies, or provide a comprehensive media ethics to guide the use thereof. I will limit myself to a clarification of how institutions have been thought of, and how they might adapt to their transformed environments — with specific regard to the ongoing transformation of the public sphere. In order to get at the heart of this transformation I will spend significant time on the analysis of the most prevalent ethical pathologies of the digital technology in use in liberal democracies.

The goal of this study is to provide an overview of general concepts of and current challenges to public institutions created or enforced by the transformation of the public sphere through digital technology, and to demonstrate persuasively that this new "structural transformation of the public sphere"[33] has significant implications for Public Theology, political philosophy and social theory in the conception of the public sphere and public institutions. In a spirit of "impossible necessity,"[34] I will, therefore, survey existing definitions of institutions and develop my own (II), before sketching out challenges for institutions in terms of three main trends: network architectures, personalized individuality, and automated workflows (III). I will then examine the definitions and transformations of the public sphere (IV), and reflect on intercontextuality as a criterium for publicity (V). I will then discuss why theology should engage the issue and how Public Theology is equipped for these challenges (VI). And finally, I will explore how we might refine and reboot our institutions in the midst of this (VII).

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33 Cf. Jürgen Habermas, *The Structural Transformation of the Public Sphere: An Inquiry into a Category of Bourgeois Society* (Cambridge: MIT Press, 1991). Originally published as Jürgen Habermas, *Strukturwandel der Öffentlichkeit: Untersuchungen zu einer Kategorie der bürgerlichen Gesellschaft* (Neuwied: Luchterhand-Verlag, 1962).

34 Cf. Thomas Schlegel, *Theologie als unmögliche Notwendigkeit: Der Theologiebegriff Karl Barths in seiner Genese* (1914-1932) (Neukirchen-Vluyn: Neukirchener Verlag, 2007).

II. Definitions

A. How Institutions Constitute Social Reality

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Dave Elder-Vass observes that all sociology is based on the idea that "there are *social* factors that influence our behavior."[35] As an example he cites Karl Marx: "It is not the consciousness of men that determines their being, but, on the contrary, their social being that determines their consciousness."[36] As another example, Elder-Vass quotes Emile Durkheim, who argued that "the individual is dominated by a moral reality greater than himself: namely collective reality."[37] What this collective reality looks like exactly, remains contentious: "there is widespread disagreement about what social structure really is and how it could affect us."[38]

One of the philosophers who have given their views of what actually constitutes social structure is John Searle. In his nineties classic *The Construction of Social Reality* he draws on speech act theory to develop "a general theory of the ontology of social facts and social institutions" in order to properly analyze the "constitutive rules of human institutions".[39] Searle distinguishes between brute physical facts and social facts, most of which he considers institutional facts. To clarify his distinction he gives a practical example: Sitting in a café, he orders a beer. The waiter brings it, Searle drinks it, puts money on the table and leaves. What seems like a simple, everyday transaction is actually rich with the "metaphysical burden of social reality".[40] This burden requires philosophy, not science, he thinks, for there is "no physical-chemical description" that adequately defines the words "restaurant", "waiter", "money" or even "chair" or "table", despite the fact that all of these words describe "physical phenomena". Hence, it is philosophy that can adequately analyze the "huge, invisible ontology" at play in the restaurant.[41]

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35 Dave Elder-Vass, *The Causal Power of Social Structures: Emergence, Structure and Agency* (Cambridge: Univ. Press, 2010), 1.

36 As cited by: ibid.

37 As cited in: ibid.

38 Ibid.

39 John R. Searle, T*he Construction of Social Reality* (London: The Penguin Press, 1995), xi.

40 Ibid., 1.

41 Ibid., 3.

The ontology goes as follows: The waiter never owned the beer he brought to the table. Employed by the restaurant, the waiter's task is simply to bring the beer to the table. The restaurant itself is owned by a person or a group cooperating to run an organization that is housed in a few rooms and provides food and beverages in exchange for monetary compensation. To guide choices, the restaurant provides a list of the available food and beverages. And even if the customer never sees the menu he or she is required to pay the price listed there. The restaurant owner has obtained a license from the local community organized through government and is thereby "subject to a thousand rules and regulations I know nothing about."[42] The list could go on and on.

Searle suggests that even though the description of this invisible ontology is intended to be as neutral as possible, every rich description of it "automatically introduces normative criteria of assessment."[43] We perceive a difference between a competent or incompetent waiter, an honest or dishonest partner, a rude or polite host, tasty or flat beer, elegant or ugly restaurants, and so on. The perception is immediately loaded with assessment criteria that go far beyond the strictly neutral reconstruction science attempts to provide. From this simple scene already we can make out ethics, critique and judgment as part of every-day life in the objective social reality, be the observed moment ever so trivial. The consequence is enormous: a purely mathematical description of a process like the one in the restaurant will always fail to describe the rich ontology of the complex overall process, the environment and setting, and even the specific transaction itself.

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42   Ibid., 4.

43   Ibid.

B. How Institutions Have Been Described

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Seumas Miller points out that the term "social institution" is "somewhat unclear both in ordinary language and in the philosophical literature." Contemporary sociology, Miller argues, is "somewhat more consistent in its use of the term." In his view, the typical use of the word "institution" in sociology is to describe "complex social forms that reproduce themselves such as governments, the family, human languages, universities, hospitals, business corporations, and legal systems."[44] As an example for this observation he cites Jonathan Turner's definition: "a complex of positions, roles, norms and values lodged in particular types of social structures and organising relatively stable patterns of human activity with respect to fundamental problems in producing life-sustaining resources, in reproducing individuals, and in sustaining viable societal structures within a given environment."[45] Miller also cites the summary by Anthony Giddens: "Institutions by definition are the more enduring features of social life."[46]

In his article for *Religion Past and Present*, Wilhelm Berger acknowledges institutions as both "a central concept of sociology" and of "a philosophy that seeks to investigate its own institutional conditions." However, the concept, in Berger's view, "defies any precise definition: it can refer to social circumstances that manifest themselves in such differing forms as family or bureaucracy or in such divergent phenomena as hospitality and slavery." Because of the ambiguity, Berger prefers to use the concept of institution as "a designation for central social-scientific issues, namely: social stability, communicative and social commitment, authority and legitimacy."[47] It will become apparent in this thesis that Berger's definition is still far too broad to adequately grasp

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44 Seumas Miller, „Social Institutions," *The Stanford Encyclopedia of Philosophy (Winter 2014 Edition)*, ed. Edward N. Zalta, February 8, 2011, accessed December 17 2016, https://plato.stanford.edu/archives/win2014/entries/social-institutions/.

45 Jonathan Turner, *The Institutional Order* (New York: Longman, 1997), 6.

46 Anthony Giddens, *The Constitution of Society: Outline of the Theory of Structuration* (Cambridge: Polity Press, 1984).

47 Günter Kehrer, Wilhelm Berger, Peter Heintel and Eilert Herms, "Institution," *Religion Past and Present*, 4th edition, accessed December 17, 2016, http://dx.doi.org/10.1163/1877-5888_rpp_COM_10462.

many of the contemporary challenges facing the institutional structure of liberal democracies. The key trends identified in this study — network architectures, individualized personality, automated workflows — are insufficiently described as more or less stability, higher or lower commitment, lots and little authority. But since these trends do have implications for all of the above, Berger's "institutions" can serve as parameters to help identify the consequences of the trends, even though my use of the term "institution" differs significantly from Berger's.

Before providing the definition of institution used in this study, I will examine the background and history of "institution" and related words. While the survey below might appear eclectic and lengthy, it is albeit necessary because it provides material for the theoretical chapters of this inquiry. In her entry in the Encyclopædia Britannica, Sharon Gilad limits her definition to the political function of institutions and defines them as a "a set of formal rules (including constitutions), informal norms, or shared understandings that constrain and prescribe political actors' interactions with one another." Institutions, she writes, have always been a major subject in the social sciences: "Beginning in the 1980s, their importance was reinforced with the emergence of the methodological approach known as new institutionalism … including rational choice institutionalism, historical institutionalism, normative institutionalism, and sociological institutionalism."[48] The renewed interest in institutions in the 1980s, and the relative lack of it up until then, is illustrated by the fact that the 1962 edition of the Encyclopædia Britannica, published decades before the resurgence, has a gap between the entries on "instinct" and "instrument" — the concept of institution appeared unworthy of its own entry at the time of publication.[49] The phenomenon is not limited to English publications. The 1877 edition of Grimm's *Deutsches Wörterbuch* also omits the word "institution."[50] While it does appear in earlier juridical and theological encyclopedias, the word had not yet reached the popular audience it enjoys today.

48   Sharon Gilad, "institution," *Encyclopædia Britannica*, December 28, 2015, accessed December 17, 2016, https://www.britannica.com/topic/institution.

49   Cf. William Benton, ed., *Encyclopædia Britannica*, vol. 12 (Chicago, London, Toronto: Encyclopædia Britannica Ltd, 1962), 436.

50   Cf. Moriz Heyne, ed., *Deutsches Wörterbuch von Jacob Grimm und Wilhelm Grimm*, vol. 4/2 (Leipzig: Verlag von S. Hirzel, 1877), 2146.

One of the early 20th century encyclopedias that do, however, mention the concept and treat it at length is the 1908 edition of *Meyers Großes Konversations-Lexikon*. It provides an entry on "institutions" and discusses multiple concepts surrounding it. The *institor* is described as the executive employed by the owner of a business. The word later also described one who has received authority to act on behalf of the owner.[51] This Latin word already had the connotation of delegated authority and the task of coordination. Similarly, the verb *institute* is described as "to arrange, inform, instruct." The same entry mentions the noun *institution* as "arrangement, particularly pertaining to the state."[52] The noun *institute* is defined as "arrangement" or "establishment" - *Einrichtung* or *Anstalt* - and is introduced as "a word that receives the widest application in modern life" and is used "in the life of business, science and pedagogy" in particular.[53] The term *institution* itself is introduced as a popular concept for legal systems in the era of classical Roman jurisprudence. The entry describes institutions as instructions or teachings in Roman law, and briefly sketches how Justinian's institutions of law were the standard text for medieval legal exegesis.[54]

The 1970 edition of the *Brockhaus* encyclopedia situates the didactical meaning of the concept in the word *institute* which is defined primarily as a "locus of teaching and/or research."[55] The word *institutions* is now understood as "general arrangements present in all societies and parts of society such as social relations, layers, reign, but also ways of thinking, languages, commandments and prohibitions."[56] Institutions are present where "complex behavior between humans is meant to be ordered, regulated, and brought into a durable form." Amongst their most important characteristics are, the-

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51 "Institor," *Meyers Großes Konversationslexikon*, vol. 9, 6th edition (Leipzig, Wien: Bibliographisches Institut, 1908), 874.

52 "instituieren," ibid., 874. The original: "Institution, Einrichtung, besonders staatliche".

53 "Institut," ibid., 874. The original: "ein Wort, das im modernen Leben die weiteste Anwendung findet. Man spricht besonders von Instituten im gewerblichen, wissenschaftlichen und pädagogischen Leben."

54 "Institutionen," ibid., 875.

55 "Institut," *Brockhaus Enzyklopädie*, vol. 9, 17th edition (Wiesbaden: F.A. Brockhaus, 1970), 153.

56 "Institutionen," ibid., 156. The original German: "allgemeine, in allen Gesellschaften und Gesellschaftsbereichen anzutreffende Einrichtungen wie soziale Beziehungen, Schichtung, Herrschaft, aber auch Denkweisen, Sprachen, Gebote und Verbote."

refore, "relative temporal consistency that follows a specific structure, and has a cultural pattern guiding the collaboration of its parts, as well as normative guidelines designed to guide human action."[57]

The 1977 edition of the *Duden* dictionary follows the same pattern. The term *institute* refers to specific didactical establishments in the sciences, and the term *institution* describes a "locus which grew from within a specific field for this field, is responsible for this field, has decisive weight as an arrangement in society, state or church, and serves the well-being or benefit of the individual or the general public."[58] The rise of the paradigm of new institutionalism in the 1980s explains why the 1987 edition of the *Evangelisches Staatslexikon* has one of the most extensive entries on the term i*nstitution*. There, Wolfgang Lipp summarizes the discussion from the sixties into the eighties, and thereby illustrates the growing importance of the concept "institution" in all branches of social theory. He opens his article with a sweeping statement: "When one searches for what holds man and society, action and culture together, one finds institutions." Institutions, Lipp states, are "one of the most important, if not the central object of sociological research." In Lipp's view, institutions describe the condition for the possibility of social being and serve as nodes for all social life. Institutions, for Lipp, determine "how society exists as a whole, how it takes shape, and how it unfolds."[59]

The 2009 edition of the *Collins Cobuild* dictionary uses examples: "An institution is a large important organization such as a university, church, or bank." It can also be "a building where certain people are looked after, for example people who are mentally ill or children who have no parents." The third use of the word describes "a custom or system that is considered an important or

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57 Ibid.

58 "Institution," *Duden*, vol. 3 (Mannheim, Wien, Zürich: Dudenverlag 1977), 1348. The original German: "aus einem bestimmten Bereich erwachsene, für einen Bereich geschaffene, für ihn zuständige Stelle, die als gesellschaftliche, staatliche, kirchliche Einrichtung Geltung besitzt, maßgebend ist, dem Wohl od. Nutzen des einzelnen od. der Allgemeinheit dient".

59 "Institution," *Evangelisches Staatslexikon*, vol. I, 3rd edition (Stuttgart: Kreuz-Verlag, 1987), 1343. The original German: "Wenn man danach fragt, was Mensch und Gesellschaft, Handeln und Kultur zusammenhält, stößt man auf Institutionen. Institutionen stellen einen vorrangigen, ja den zentralen Gegenstand soziologischer Forschung dar; sie umschreiben die Bedingungen, die soziales Dasein erst ermöglichen, sind die Knotenpunkte, über die es läuft, und geben an, wie Gesellschaft insgesamt besteht, Gebildecharakter erhält und sich entfaltet."

typical feature of a particular society or group, usually because it has existed for a long time." The fourth use of the word describes a process: "The institution of a new system is the act of starting it or bringing it in."[60]

60 "Institution," *Collins Cobuild Advanced Dictionary* (Glasgow: Harper Collins, 2009), 821.

C. What I Mean When I Speak of Institutions

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Now that we have examined a diverse set of definitions we can draw from this set in our theoretical analysis and the definition developed in this study. To prepare a meaningful analysis how institutions are challenged by the digital transformation, I will now clarify what I myself mean when I speak of an institution.

1. Interactive Dimension

With Dave Elder-Vass I want to argue that institutions are constituted through the "interactions between members of a specific type of social group" and can be described as "an emergent causal power of norm circles."[61] Elder-Vass cites Geoffrey Hodgson's definition of social structure as a similar approach: "Social structures are essentially groups of interacting social individuals, possibly including social positions, and with emergent properties resulting from this interaction."[62] This interactive dimension forms a key part of my own approach.

2. Regulative Dimension

With Eilert Herms I want to include the temporal dimension of and the need for expectability in institutions. Referencing Arnold Gehlen, he writes: "The concept of institutions … refers to the entirety of the permanently constituted and thus dependably regulated forms of (a) the interaction of personal systems with their social and natural environment, and (b) the thereby constituted social systems with their social and natural environments."[63] Unfortunately, the English translation of Herms' article in _Religion Past and Present_ cannot not do justice to the German original in _Religion in Geschichte und Gegenwart_. The German makes Herms' reference to Gehlen more obvious: "Der … schließlich von Gehlen fundamentalanthropologisch gewendete Begriff der Institution … bez. alle auf Dauer gestellten, also zuverlässig gere-

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61   Elder-Vass, T_he Causal Power of Social Structures_, 115.

62   As cited by: ibid

63   Günter Kehrer, Wilhelm Berger, Peter Heintel and Eilert Herms, "Institution," _Religion Past and Present_, 4th edition, accessed December 17, 2016, http://dx.doi.org/10.1163/1877-5888_rpp_COM_10462.

gelten Formen a) der Interaktion personaler Systeme."[64] The first major point Herms makes is similar to Elder-Vass in the sense that it emphasizes that institutions are constituted by the *interactions* of personal contexts. I draw from this in conceiving of publicity as intercontextuality. The second major point for Herms is that the institutional type of interaction displays a *long-term configuration* ("auf Dauer gestellt"). The third major point is that this long-term configuration takes shape as *dependable regulation*. I make use of this by introducing concreteness and expectability into my definition of the specifically institutional type of coordination.

3. Working Definition

When I speak of institutions I mean s*tructural network architectures that expectably and concretely coordinate interactions of individual agents with a broad base of legitimacy.* The concepts used in this definition call for some unpacking: Expectability implies the sustained existence and continuing guidance of the institution beyond its founding impulse. Concreteness implies that I do not wish to analyze the underlying structures of our psyche that unconsciously coordinate our actions. I intend to speak about visible, conscious forms of coordination. This also implies the use of specific designations and expressed structures within the institution. Interactiveness implies that I speak about a communicative enterprise that works to coordinate individual action towards a collective goal that would be impossible to achieve for the individual alone. Agency implies that institutions can be rejected and require consent through the will of those whose interactions are coordinated through the institution. And the legitimacy criterium distinguishes institutions from lower-threshold terms like organization or corporation.

64 Günter Kehrer, Wilhelm Berger, Peter Heintel and Eilert Herms, "Institution," *Religion in Geschichte und Gegenwart*, 4th edition, accessed December 17, 2016, http://dx.doi.org/10.1163/1877-5888_rpp_-COM_10462.

D. What the Current Landscape Looks Like

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Nicco Mele, tech entrepreneur and director of the Shorenstein Center on Media, Politics and Public Policy at Harvard University, helped develop the digital infrastructure for Howard Dean's presidential campaign. This infrastructure later became a key component in electing Obama in 2008. In his book *The End of Big* Mele writes about Silicon Valley's anti-institutional drive and how digital technologies undermine and erode our institutions. His introduction sketches the current landscape:

> "Look around you. Bloggers rather than established news outlets break news. Upstart candidates topple establishment politicians. Civilian insurgencies organized on Facebook challenge conventional militaries. Engaged citizens pull off policy reforms independent of government bureaucracies. Local musicians bypass record labels to become YouTube sensations. Twentysomething tech entrepreneurs working in their pajamas destabilize industry giants and become billionaires. Radical connectivity — our breathtaking ability to send vast amounts of data instantly, constantly, and globally — has all but transformed politics, business, and culture, bringing about the upheaval of traditional, 'big' institutions and the empowerment of upstarts and renegades … *The End of Big is at hand.*"[65]

Motivated by the idea of liberal tolerance, we seem to expect that the institutionson which the political model of liberal democracy rests — think *Böckenförde-Diktum* here[66] — can or should be able to take all kinds of hits, and some might even consider them dispensable. This diagnosis is backed up with empirical data. The studies presented in the introduction to this study show a significant loss of trust in all sorts of institutions on both sides of the Northern Atlantic region. Public discourse in the United States makes the distrust in public institutions evident, but even the European context, which

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65 Nicco Mele, *The End of Big. How the Internet Makes David the New Goliath* (New York: St. Martin's Press, 2013), 1f.

66 The *Böckenförde-Diktum* is summarized best in his own words: "Der freiheitliche, säkularisierte Staat lebt von Voraussetzungen, die er selbst nicht garantieren kann." Cf. Ernst-Wolfgang Böckenförde, "Die Entstehung des Staates als Vorgang der Säkularisation," in *Staat, Gesellschaft, Freiheit*, ed. Ernst-Wolfgang Böckenförde (Frankfurt am Main: Suhrkamp, 1976), 42–64.

might be considered less prone to anti-institutionalism, is showing clear signs of it. A few brief figures sufficiently illustrate the trends for Germany: While 56 percent of the overall population still lean towards trusting the national parliament, only 39 percent trust "European institutions." Two thirds of the polled population lean towards distrusting the media, and only 29 percent still trust political parties.[67]

The "Generation What?" study conducted by the Sinus Institute shows that the vast majority of German citizens between the age of 18 and 34 is highly critical of most public institutions. 83 percent do not trust religious institutions and 71 percent do not trust political institutions. Interestingly, the majority of polled youth, is not afraid of immigration or open borders, but rather is afraid of nationalism and considers immigration enriching. This data indicates a significant generational gap: While the older generation does not trust institutions anymore, because they have become "weaker" in the wake of cultural pluralization, the younger generation is frustrated with the conservative drive towards homogenization, re-nationalization and forceful security. This generational split is illustrated by the voter shares in the 2016 election of Donald Trump and the Brexit vote in the United Kingdom, resulting in the country's leaving of the European Union. Both elections show a generational split with the younger vote tending against Donald Trump and Brexit, and the older vote tending towards both.[68]

We see a generational paradox: While parts of the older generations are expressing their frustration with the dissolution of institutional power, large parts of the younger generations are frustrated with the older generations' desire to reclaim the old power model of institutional force, most vividly expressed in Donald Trump's campaign to rebuild a form of national power that had lost significant ground in preceding decades. It is also worth noting that none of the final contenders Donald Trump, Bernie Sanders and Hillary Clinton was born after 1947, and all were already grandparents when they ran. The only viable young candidate was 44-year old Marco Rubio, running

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67 "Solidarität in Europa," Sozialwissenschaftliches Institut der Evangelische Kirche in Deutschland, November 7, 2016, accessed December 15, 2016, https://www.ekd.de/download/solidaritaet_in_europa_si_studie_ekd_2016.pdf.

68 The surge in participation by younger voters in the UK elections in June 2017 further corroborates this diagnosis, as the conservative party lost parliamentary seats partly due to the Labour trend amongst youth.

at roughly the same age as President John F. Kennedy. The older candidate Donald Trump, however, managed to con stantly reference Rubio's age by publicly establishing the nickname "Little Marco."

These markers give hints in the attempt to understand the anti-institutional sentiment of younger generations which, according to the mentioned polls and electoral data, differ significantly from their grandparents' generation in hopes and fears. A working conclusion might be that younger generations currently do not feel represented well by the institutions of public life. Their disengagement then does not mean a fundamental disregard for institutions as such, but for the personnel exerting power in existing institutions. This disregard for the publicly visible personnel seems to translate into an expressed willingness to challenge the institutions themselves: 40 percent of the polled youth in the "Generation What?" study say they would even participate in an attempt to overthrow those in power.[69] While it is highly questionable that these 40 percent would actually follow through on the statement, it is a strong statement nonetheless: "This result indicates a massive loss of trust in the established forces and structures."[70] It is therefore safe to conclude that institutions are under attack from all political sides and age groups with differing and at times even contrary motives.

Considering the basic "freedom-ensuring institutions"[71] dispensable amounts to "kicking away the ladder"[72] that enabled the rough, but successful venture towards political peace, societal stability, public discourse, and rule of law. This thesis serves to defend the case that we must protect the institutional nature of our societies, in order to maintain peace, freedom and prosperity which, so often, we take for granted. It does so by drawing from

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69 With this in mind, it makes sense that Bernie Sanders with his call to "political revolution" was the most successful final contender in activating young parts of the electorate for his campaign.

70 "Generation What? 2016: Abschlussbericht Deutschland," Sinus-Institut, November 11, 2016, accessed December 15, 2016, http://www.br.de/presse/inhalt/pressedossiers/generation-what/generation-whatendergebnisse-102.html. The original: "massiven Vertrauensverlust in die etablierten Kräfte und Strukturen."

71 Axel Honneth, *Kampf um Anerkennung: Zur moralischen Grammatik sozialer Konflikte* (Frankfurt am Main: Suhrkamp, 1992), 11. The German term is "freiheitsverbürgende Institutionen". He also uses it in later work: Axel Honneth, *Das Recht der Freiheit: Grundriß einer demokratischen Sittlichkeit* (Berlin: Suhrkamp, 2013).

72 Cf. Ha-Joon Chang, *Kicking Away the Ladder: Development Strategy in Historical Perspective* (London, New York: Anthem Press, 2003).

both German and American sources, since the political cultures are similar and connected enough to group some of the basic trends identified by the *Freedom House* report cited earlier.

The heuristic diagnosis I examine below is drawn from Mele's *End of Big* in which he soberly states: "Our old institutions … simply aren't up to the task; they're not designed for the networked world."[73] For Mele, this is a worrying realization, especially as it applies to the state: "Our institutions of government are based on the consent of the governed. If people lose faith in government while relying on emerging technology to provide some alternatives, our existing government will lose its legitimacy."[74] The ultimate danger, in his view, is brutal, but familiar: the looming threat of civil war. Mele's goal, therefore, is to "reimagine our big institutions so that they actually work again".[75]

Many consciously institutional philosophies are linked to the idea that our institutions are always to be renewed. Innovation is considered necessary to keep the institution relevant and alive. We could call this a reformist stance. We find the reformist stance not just in the Reformation theology of the sixteenth century, but also in contemporary trends like Civic Tech — the approach of using digital technology to make public institutions more effective and user-centric. The transformations introduced by the U.S. Digital Service and the government agency 18f in the United States, the Government Digital Service in the United Kingdom, and similar teams in Singapore and other countries are the institutional outgrowths of this movement in the executive branch of government. Many of the projects conducted by these digital units are met with enthusiasm, since they provide hope for renewed legitimacy amongst those who believe in helpful coordination of collective action through institutional arrangements of government.

There are good reasons for both caring about institutions and greeting Civic Tech with hope. In order for institutions to keep or regain legitimacy in societies used to efficient digital service delivery, they need the skill of digital engineers who can make the use of public services more accessible, user-centric, inclusive, transparent and reliable. And this is relevant to far more than just the Western world. Institutions are at the core of all large-scale develop-

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73   Mele, *The End of Big*, 120.

74   Ibid., 130.

75   Ibid., 133.

ment projects — whether in developing, developed, or post-industrial service economies. This case is made by Daron Acemoglu and James Robinson in their 2012 study *Why Nations Fail*, in which they use an example from Korea: "The economic disaster of North Korea, which led to the starvation of millions, when placed against the South Korean economic success, is striking: neither culture nor geography nor ignorance can explain the divergent paths of North and South Korea." Hence: "We have to look at institutions for an answer." They conclude: "Countries differ in their economic success because of their different institutions, the rules influencing how the economy works, and the incentives that motive people."[76] The key criterium Acemoglu and Robinson identify for these institutions in the book is *inclusivity*.

76   Daron Acemoglu and James A. Robinson, *Why Nations Fail. The Origins of Power, Prosperity, and Poverty* (New York: Crown Business, 2012), 73.

III. Challenges

A. Trend #1: Network Architecture

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Whoever spends time in the tech world, and especially the start-up version of it, will come across a number of buzzwords mandatory for everyone who wants to passively participate in the field or actively contribute on its frontiers.[77] Conversations include concepts like "best practices," "permissionless innovation," "neuronal networks," "agile development," "user centricity," "distributed computing," "innovating from the edges," and many more. Since these conversations gained traction and popular appeal in the tech sector one might be seduced into thinking that their significance is limited to precisely that sector. This, I argue, would be a grave mistake since the concepts speak to much larger conversations about how we choose to coordinate our actions, and even what it means to be human.

The conversation on what it means to be human and how we choose to coordinate our actions is only slowly emerging in the industry of digital technology. It has gained traction since the debate around the role of digital tools and platforms in the U.S. presidential election in 2016, and finds expression in a public conversation that technologist, developer and industry blogger Anil Dash had with journalist Krista Tippett after the election. Tippett calls Dash "an early, vocal activist for moral imagination in the digital sphere" reflecting "arguably the most powerful industry in human history." Dash provides perspective on the incremental, but transformative changes facilitated through the novel interplay of humans and machines: "We're still sounding our way through this incorporation of technology." Dash calls on the tech industry to drop the myth of neutrality in the development of digital tools and platforms, and encourages the industry to embrace their role as moral agents

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77 Cf. Shem Magnezi, "Fuck You Startup World," *Medium*, October 11, 2016, accessed October 17, 2016, https://medium.com/@shemag8/fuck-you-startup-world-ab6cc72fad0e#.t3sbgd574.

and participants in the wider society: "We fancy ourselves outlaws while we shape laws, and consider ourselves disruptive without sufficient consideration for the people and institutions we disrupt."[78]

Dash gives an example from his own developer experience for how choices about the design of digital products are of moral significance. When developing early versions of blogging and social media tools, Dash and his team realized that the size of the input box in the user interface actually significantly impacts the length of the blog posts users created. If the box was bigger, the texts were longer. If the box was smaller, the texts were shorter. Dash came to realize in practice backed up with hard user data, that the decisions made about the design of the platform had significant impact on how the tools were used by writers to share their craft. As part of this wider moral reckoning in the tech industry, Dash points towards the need for professional societies for the tech sector, holding the practicing developers to a societal standard like in medicine and law. He also proposes the incorporation of ethics curriculums into computer science programs at all universities. And as part of the realization of responsibility and the rejection of a cult of neutrality, Dash encourages a conversation on the history of the discipline and its practice. He criticizes that computer science in particular is "radically anti-historical" and follows the idea that "there is nothing before now."[79]

As a result of this anti-historical sentiment, the historical dependency on other disciplines is out of the focus of the computer science discipline. So today computing and theology are evidently not seen as natural partners. But this was not always the case. The historical perspective shows that the opposite is true: Without theology there would, in fact, be no computing — or at least not information technology in the way we know it. It was the German theologian and philosopher Gottfried Leibniz who laid the foundations for modern computing by distinguishing between God and Not-God. Without God, he thought, there would be no thing. Hence: God was 1 and Nothing was 0. Convinced that true cognition is based on calculation, or in today's language: is computational, he developed his "dual system" as a language more stable and functional than natural speech. Leibniz also realized that we

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78   Anil Dash, "Tech's Moral Reckoning," *On Being with Krista Tippett*, January 12, 2017, accessed July 16, 2017, https://www.onbeing.org/programs/anil-dash-techs-moral-reckoning/.

79   Cf. ibid.

can assign a characteristic number to every thing in the world. He himself interpreted it as God's way of pointing towards a much deeper mystery of which arithmetics was but a mere shadow. Assigning numbers to things in order to coordinate action has become an everyday principle for all of us today. No Amazon, no Google, no bureaucracy, no car tag would exist without the fundamental principle of assigning characteristic numbers to things.

The Leibniz anecdotes show that, consciously or unconsciously, our theological and philosophical concepts have had and continue to have a decisive impact on how all other thought unfolds. This is rather obvious in the field of institutions. The discussions on computational networks in digital technology, for instance, closely resemble the conversations on institutional arrangements in political philosophy. That is why I will briefly examine the concept of "network architecture" to give language to significant changes in our lived philosophy of institutions. I will use the concept of "network architecture" as starting point and hermeneutical lens for some of the other concepts surrounding it.

Network architecture, as it is commonly understood, means the structural design of a communication network. This is what you will find on Wikipedia: Network architectures are the "framework for the … network's physical components and their functional organization and configuration, its operational principles and procedures as well as data formats used." Network architecture can also mean a "broad plan that specifies everything necessary for two application programs on different networks on an Internet to be able to work together effectively."[80] These criteria apply not only to the mapping of data packages in servers and cables, but to all communication networks and social life amongst human beings.

The concept of network architecture used in IT provides a sensibility for how thoroughly "networkized" our concept of coordinated action has become. Western liberal democracies rarely still ground their institutions in metaphysical spirit like Hegel, or in supernatural charisma like many Protestant churches have in the past and still do today, including (Neo-)Pentecostal, Charismatic and Prosperity Gospel, as well as many evangelical churches all around the globe. They also rarely ground their institutions in an abstract

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80   "Network architecture," *Wikipedia*, accessed October 17, 2016, https://en.wikipedia.org/wiki/Network_architecture.

argument from authoritative succession like the Catholic Church still does today. Why? Because through a complex historical convergence of medieval mysticism, pietistic moralism, rationalist logics, market economics, bureaucratic proceduralism, and political contract theory, liberal democracies arrived at a conception of institutions as *structural network architectures that expectably and concretely coordinate interactions of individual agents with a broad base of legitimacy.*

What I call the networkization of institutions can be illustrated with the of rise social media, the most illuminating example for "networkization." They mark the convergence of the network trend discussed above with the trend towards personalized individuality discussed below. Bharat Anand calls this the "democratization of media."[81] The numbers he provides to illustrate the diversification of distribution channels are staggering: About 300,000 books are published by traditional publishing companies in the United States each year, while just under three million are brought to the market by "nontraditional ones." What was a collection of "barely a dozen" television networks just forty years ago, is now an array of 900 channels. Almost one million musicians publish a song and about 90 million websites are built each year.[82]

The rise of decentralized digital distribution networks in the form of social networks means that virtually "everyone is a media company today."[83] The sheer "proliferation of alternatives and product clutter"[84] through digital content on social networks is impressive: "Nearly 72 hours of video are uploaded to YouTube, 3 million pieces of content shared by Facebook users, and 230,000 new photos posted on Instagram — *every minute.*" What Anand considers "perhaps the most sobering statistic: five exabytes (or 1 billion billion bytes) of content were created between the birth of the world and 2003. In 2013, five exabytes of content were created every day."[85]

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81   Anand, *The Content Trap,* xxiii.

82   Ibid., xxiv.

83   Ibid., xi.

84   Ibid., xxiii.

85   Ibid., xxiv.

This jungle of content shows the extent of self-expression possible through decentralized networks. But it also creates two problems for publishers: "the problem of getting noticed" and "the problem of getting paid."[86] To face this, traditional news media has resorted to ever more catchy headlines and click-baiting through teaser text that plays into the prejudice of the user in order to bait him or her into clicking and consuming the content posted on the linked website, thus helping the publisher sustain its operation through advertising revenue. While some lament the lack of sustainable business models for quality journalism online and in social networks particularly, others rejoice in the new opportunities created by the overall growth in traffic and media consumption online.

Personalized micro-targeting was invented and helped publishers reach their target audience in the content jungle of the world wide web. Facebook and other networks successfully monetized their companies by including ad services that allow for more effective ad spending towards the group that fits the purpose of the ad — using user data like age, gender, location, and other markers. Publishers tried to maintain connection to their target audience through this tool, and thereby had the traditional form of a somewhat generic, but limited public consuming the publishers content through certain television programs or news platforms in mind. But soon the micro-targeting tools became less of a navigation tool navigating the content jungle through the creation of a limited public, and more of a division tool fracturing the former cohesion of the public and, in effect, segregating the universe of the web into a multiverse of the personalized experience of the individual consumer. The "problem of getting noticed" and "the problem of getting paid" had a significant hand in destroying the generic public sphere of the modern world, ushering in the era of postmodern workflows in media production.

Concerning its effect on institutions, the overall trends are not only driven by the recent changes in the workflows of publishers or news producers. Centuries of changing background practices had already slowly altered the way the official institutional practices are thought of. Hence, to understand our shift in institutional thinking, we cannot simply read and analyze a specific text on institutions from a given time period. To understand it we need to consider the slow, but vast impact of larger cultural processes that seep into

86   Ibid.

and change our conception of institutions without much conscious choice. One might turn to the analysis of philosophical paradigm shifts like the ones presented in the introduction. Or, like Ha-Joon Chang, one might analyze and compare practical transformations like the invention of the washing machine and compare it to the digital revolution today.[87] One might examine the broader socio-economic trends like globalization and liberalization, or the significant cultural shifts like the cult of individual authenticity emerging from romanticism. One might also critically evaluate the political impact of the abuse of office, or various other forms of institutional violence and failures, like the Watergate scandal, state-sanctioned segregation and apartheid, the history of slavery, colonialism, and genocide, or the most extreme cases like the Holocaust and the planetary scale of ecological destruction.

Illustrative of how many of these different approaches are fused in practical politics is the 2006 book *Applebee's America.* Co-written by the political director of the Clinton White House Douglas Sosnik, advisor to Bush Jr. Matthew Dowd and journalist Ron Fournier, the book sketches a path for leaders to connect with Americans in politics, business and religion. The authors identify *gut values connections* in the form of *community* and *authenticity* as the key to successful leadership. The desire for community and authenticity is traced to various failures of institutions in both the public and private sector: "From the Vietnam War, Watergate, Iran-contra, and President Clinton's impeachment to runaway deficits, soaring health care costs, and Hurricane Katrina, voters have been fed a steady diet of corruption and incompetence in government. Business scandals at the turn of the millennium soured the public on corporate America. The unseemly excesses of TV evangelism, the Catholic Church's sex abuse scandals, and wrongdoing at several charitable organizations challenged the public's faith in private institutions." The authors conclude with a simple deduction: "Americans don't expect their leaders to be perfect, but they want them to be perfectly frank: to acknowledge their mistakes, promise to fix the problem, and then *actually fix it.*"[88]

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87 Chang warns against naively repeating commonplace ideas like the notion of the internet as the most significant technological change in history. He argues that the washing machine, in fact, changed life more significantly than the internet. Cf. Ha-Joon Chang, *23 Things They Don't Tell You About Capitalism* (London: Penguin Books, 2011). 31–40.

88 Douglas B. Sosnik, Matthew J. Dowd, Ron Fournier, *Applebee's America: How Successful Political, Business, and Religious Leaders Connect with the New American Community* (New York: Simon & Schuster Paperbacks, 2006), 15.

This conclusion was drawn by political strategists in 2006, before Twitter was launched, Facebook's newsfeed published, Instagram was started and Snapchat existed. The dark side of algorithmic personalization and dissemination of disinformation had not yet come to the surface. The strategists, therefore, have a fairly positive assessment of connectivity, stating that Americans "are better educated and better informed than in the past, which helps them spot a phony."[89] Since 2006, the radicalization of connectivity and the digital revolution have radically altered the structure and texture of the public sphere. The 2007 launch of the first generation iPhone introduced a new mobile touchpad that was more than a phone: it was a pocket computer capable of tasks only achievable with room-filling machines just a few decades earlier. It made the flow of breaking news constant, it made the attention for events immediate, and made communication instant and serves as a daily dose of endorphins through apps designed like slot machines.[90] These technological changes significantly impacted the conditions for the possibility of responsive, yet stable public institutions.

Since a thorough analysis of the changing background practices that alter the official processes of institutions goes beyond what this study can achieve, and also faces severe methodological challenges, it must suffice to conclude: The technological transformations made possible a radical form of connectivity that both empowers and renders vulnerable the individual subject and embeds it in large systems of connection. This changes the conditions for the possibility of public institutions in a way that can be characterized as "networkization." This "networkization" of the practice, structures and legitimacy of institutions profoundly challenges the institutions conceived of and formerly sustained by philosophical metaphysics, revelation theology, and the argument from traditional authority.

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89   Ibid.

90   Anderson Cooper, "What is 'brain hacking'? Tech insiders on why you should care," *CBS 60 Minutes*, April 9, 2017, accessed July 16, 2017, http://www.cbsnews.com/news/brain-hacking-tech-insiders-60-minutes/.

B. Trend #2: Personalized Individuality

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Most academics are familiar with lament about modernity in some form or another. We have read about the Nazi critique of modern art, or explored Martin Heidegger's critique of the "rootless, technology-obsessed, conformist society, out of touch with the fundamental rhythms of Being."[91] I do not wish to participate in Heidegger's pessimism. In fact, I wish to oppose it diametrically. At least part of his analysis, however, is arguably accurate. We are certainly obsessed with technology, we do certainly search for roots, and one might well argue that the desire for personalized individuality has become our new conformism.

Popular culture reflects the desire for personalized individuality in manifold ways: through expressively non-conformist postmodernism, through rougharound-the-edges hipster culture, through digital self-branding and biographical self-management. A wonderful example for this is Susan Chritton's popular book *Personal Branding for Dummies*, helping you to "distinguish yourself with an authentic personal brand", to "build a strong online identity to showcase your brand" and to "evaluate and evolve your personal brand over time".[92] Beautiful, is it not?

We can also see the cult of personalized identity by analyzing the direction that social media technology is headed. The selfie application Snapchat is dominating tech media and has journalists producing headlines like *The Social Media Messiah, Geek—God—Gary*, and *Gary Saw That It Was Good* about an expert who pre dicted Snapchat's rise a few years ago.[93] Whereas most humans had never even seen a detailed mirror reflection of themselves up until a few centuries ago, our lives are now flooded with images of ourselves, and we reinforce this through technology every day.

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91   David J. Rosner, "Anti-Modernism and Discourses of Melancholy," *E-rea 4:1* (2006), accessed October 17, 2016, http://erea.revues.org/596.

92   Susan Chritton, *Personal Branding For Dummies* (Hoboken: John Wiley & Sons, 2014).

93   Stefan Dörner, ed., "The Social Media Messiah," *t3n-Magazin,* August 23, 2016, accessed October 17, 2016, http://t3n.de/magazin/t3n-nr-45-social-media-messias/.

The personalized individuality trend is also visible in our general media consumption. Algorithms determine what we want to hear and produce a news feed to our liking. Google created a built-in fact check tool to combat its unintended consequences on their news site.[94] Facebook has rolled out a similar feature. At the same time, buzzwords like "consumer centricity" and "user needs" are everywhere in the tech sector and create aggressive competition for the most customizable, personalized user experience on the web.

And the digital market is growing: Recent data from the Pew Research Center shows that "only two in ten U.S. adults often get news from print newspapers," down from 27% in 2013. Broken by age, the data makes future developments looks even more drastic: "Only 5% of 18- to 29-year-olds often get news from a print newspaper". Compared to print, nearly twice as many adults often get news online from websites, apps or social media.[95] Studies in Germany show a similar trend towards online news consumption on mobile devices with social media as one of the important news sources, especially for younger users.[96]

The introduction of algorithms to personalize news feeds has turned social networks into feeds for our natural confirmation bias — with devastating effects for partisan debate and political culture. Media research has come to describe this as echo chambers, information cocoons or filter bubbles: "The wide availability of user-provided content in online social media facilitates the aggregation of people around common interests, worldviews, and narratives." Social media has become a fruitful environment for "rapid dissemination of unsubstantiated rumors and conspiracy theories that often elicit

94   Richard Gingras, "Labeling fact-check articles in Google News," *Google Blog,* October 13, 2016, accessed October 17, 2017, https://blog.google/topics/journalism-news/labeling-fact-check-articles-google-news/.

95   "The Modern News Consumer," Pew Research Center, July 7, 2016, accessed October 19, 2016, http://www.journalism.org/2016/07/07/pathways-to-news/.

96   "ARD/ZDF-Onlinestudie 2016: 84 Prozent der Deutschen sind online – mobile Geräte sowie Audios und Videos mit steigender Nutzung," ARD and ZDF, October 12, 2016, accessed October 19, 2016, http://www.ard-zdf-onlinestudie.de.

rapid, large, but naive social responses." Selective exposure to content drives "content diffusion" and generates "homogeneous clusters" that are appropriately describes as "echo chambers."[97]

The trend towards personalized individuality also pervades religion, as Robert Wuthnow has reconstructed in his paradigmatic 1998 study *After Heaven*. He describes the rise of a "seeker spirituality" which inspires "individuals to go beyond established religious institutions".[98] To illustrate the anti-institutional effect of this trend, Wuthnow quotes Coleman McGregor: "I value the institution, but as my relationship with God has become more important subjectively and objectively, I've been drawn more into that and drawn less to the institution."[99]

Anti-institutionalism does not mean that religion writ large is declining. Rather, as Friedrich-Wilhelm Graf has argued, we see more religious syncretism.[100] Leigh Eric Schmidt reminds us that this trend is not new. It has prominently influenced American religiosity since the nineteenth century.[101] One of the long-term impacts is described by Wuthnow as the rise of individualist mysticism: "The supernatural remains a mysterious force, not something that is revealed in an authoritative text or institution."[102] Wuthnow cites the poet Wendell Berry to illustrate what he means. For Berry, institu-

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97 Michela Del Vicario et al., "The spreading of misinformation online," *Proceedings of the National Academy of Sciences* 113:3 (2016): 554–559, accessed October 19, 2016, http://www.pnas.org/content/113/3/554.full.

98 Cf. Robert Wuthnow, *After Heaven. Spirituality in America Since the 1950s* (Berkeley, Los Angeles, London: University of California Press, 1998). Citation taken from: "After Heaven," University of California Press, accessed October 17, 2016. http://www.ucpress.edu/book.php?isbn=9780520222281.

99 Wuthnow, *After Heaven*, 182.

100 Outside of Central Europe religion is booming in many places. Cf. Friedrich Wilhelm Graf, *Götter global: Wie die Welt zum Supermarkt der Religionen wird* (München: C.H. Beck, 2014). See also: Friedrich Wilhelm Graf, *Die Wiederkehr der Götter: Religion in der modernen Kultur* (München: C.H. Beck, 2007).

101 Cf. Leigh Eric Schmidt, *Restless Souls: The Making of American Spirituality* (New York, NY: HarperCollins, 2005). In Europe, a more institutional version of this can be studied in German Romanticism, especially in Friedrich Schleiermacher. Some years later, Sören Kierkegaard attacks the Danish state church with an anti-institutional, individualistic religious philosophy that shares features with 19th century American discourse.

102 Wuthnow, *After Heaven*, 134.

tional religion is nothing but a "hodgepodge of funds, properties, projects and offices, all urgently requiring economic support" which might, in fact, be "contrary to some of the principles of religion itself."[103]

103 As cited in: Wuthnow, *After Heaven*, 182.

C. Trend #3: Automated Workflows

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The third challenge I want to bring into focus is the growing importance of automated workflows. Much of traditional human work has become that of automated machines like industrial robots. This does not only mean that many forms of traditional labour are obsolete, it also means that human hands in more contested fields of work have challenging new competitors: robots and computers. In many cases the computer can do the same job, but better: Amazon deploys robots to stock warehouses more efficiently.[104] Militaries develop drones to detect and detonate land mines more safely.[105] Pharmacy robots reduce errors in drug preparation.[106] Self-driving cars and trucks are in the final stage of development or already on the roads in the United States.[107] Amazon is testing a cashier-less supermarket.[108] And ATMs have long replaced bank tellers around the globe.

The effectiveness and perfection of robots in specialized deployment puts humanled bureaucracies and, therefore, many societal institutions in a tough spot. Many of the simpler processes in these institutions might well be handled more efficiently, more promptly, and more transparently than human-run bureaucracies prone to subjectivity and human error. While bureaucracies are reluctant to automate many of their workflows, most, if not all repetitive tasks and workflows are being automated if the tasks put human workers at

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104 Kim Bhasin and Patrick Clark, "How Amazon Triggered a Robot Arms Race," *Bloomberg*, June 29, 2016, accessed October 17, 2016, https://www.bloomberg.com/news/articles/2016-06-29/how-amazon-triggered-a-robot-arms-race.

105 James Vincent, "This drone can detect and detonate land mines," *The Verge*, July 19, 2016, accessed October 17, 2016, http://www.theverge.com/2016/7/19/12222104/landmine-detecting-drone-mine-kafondrone.

106 "New UCSF Robotic Pharmacy Aims to Improve Patient Safety," *University of California San Francisco*, March 7, 2011, accessed October 27, 2016, http://www.ucsf.edu/news/2011/03/9510/new-ucsf-roboticpharmacy-aims-improve-patient-safety.

107 Ryan Beene, "Automakers Want to Test More Self-Driving Cars on U.S. Roads," *Bloomberg Technology*, June 14, 2017, accessed June 16, 2017, http://origin-www.bloomberg.com/news/articles/2017-06-14/automakers-want-to-test-more-self-driving-cars-on-u-s-roads.

108 Leena Rao, "Amazon Go Debuts as a New Grocery Store Without Checkout Lines," *Fortune*, December 05, 2016, accessed June 16, 2017, http://fortune.com/2016/12/05/amazon-go-store/.

risk in some way. New advances in robotics and the consistent increase in computing capacity poses the question: Why not just automate everything where possible, whether it reduces risk or not? What if a robot is just far more effective and convenient than its human equivalent? Is the robot not useful to employ even in low-risk environments?

It is obvious that this new frontier of automation is challenging many of the workers within institutions. The key question for this study is whether it challenges not just a specific type of administrative employee in an institution, but the institution itself. In the case of journalism, the answer is yes: If algorithms can select the relevant news on their own (they clearly cannot - but we live as though they could),[109] why would we still need a strong media institution like a newspaper with a broad base of legitimacy in the local or national community? If robots can now edit and even write articles all by themselves,[110] why would we need the traditional media institution? Of course, if algorithms challenge traditional institutions organized around human judgment, the institutional nature of social reality does not disappear. The institutional investments simply change towards technology firms that write the algorithms challenging traditional institutions. Critical theorists have warned that this dynamic might usher in an even greater expansion of "digi-

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109 This critique is voiced across the political spectrum of publishers. Robert Thomson, CEO of Fox News parent company News Corp. mounted heavy critique on Google, Amazon and Facebook at London Tech Week in June 2017: "Algorithmic alchemy is redefining our commercial and social experiences, turning base matter into noble metals. But like the alchemists of old, algorithms are also a charlatan's charter, allowing claims of pure science when human intervention is clearly doctoring results to suit either commercial imperatives or political agendas. And there is the enduring contradiction between the claimed sophistication of, say, Google's ability to target audiences and track tastes for advertisers, and its inability to identify the tasteless, the terroristic, the perverted and the pirated. As the over-alliterative title to this short address suggests, it is profit before provenance and probity. [...] The distortions of distribution have contributed to polarization." Cf. Robert Thomson, "News Corp. CEO: The Almighty Algorithm - 'fake news' and other consequences of Google, Amazon and Facebook's relentless focus on quantity over quality," Fox News, June 15, 2017, accessed June 16, 2017, http://www.foxnews.com/opinion/2017/06/15/news-corp-ceo-almightyalgorithm-fake-news-and-other-consequences-google-amazon-and-facebooks-relentless-focus-on-quantityover-quality.html.

110 Celeste LeCompte, "Automation in the Newsroom: How algorithms are helping reporters expand coverage, engage audiences, and respond to breaking news," *Nieman Reports*, September 1, 2015, accessed June 16, 2017, http://niemanreports.org/articles/automation-in-the-newsroom/.

tal feudalism" in which a few big online platforms provide space and opportunities for users and producers of all sorts, but also constrain and dominate the digital land owned by those few platforms.[111]

Whatever your ethical evaluation of this development, the struggle between man and machine is in full force, and the struggle affects our institutions, if only because it makes much of the human labor done in institutions look outdated, ineffective, slow and prone to error.

1. Competition of Man and Machine

How did man and machine end up in this competition? One of the answers lies in how we have historically conceived the institutions through which we coordinate our actions. To understand the origins of the dilemma we have to go back to the seventeenth century and examine how the Enlightenment thinkers who developed the blueprints for many of the foundational institutions of modern society thought about these institutions. They did so under a rationalist paradigm with the ideal of a well-functioning machine. It is, therefore, no coincidence that computers are taking over our administrative systems or routinely make human administration skills look inferior. Rather, it is a strictly logical consequence of the founding DNA we gave to our institutional arrangements in the early modern era.

I will illustrate and ground this claim with the help of a milestone publication of Thomas Hobbes: *Leviathan*, or T*he Matter, Forme, & Power of a Common-Wealth Ecclesiasticall and Civill*, first published in 1651.[112] In the *Le-*

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111 Sascha Meinrath, James Losey, Victor Pickard, Anthony DeRosa, Evgeny Morozov and Nicco Mele are some of the exponents of such a theory. Cf. Nicco Mele, The End of Big, 119. See also Sascha D. Meinrath, James W. Losey, Victor W. Pickard, "Digital Feudalism: Enclosures and Erasures from Digital Rights Management to the Digital Divide," Comm-Law Conspectus 19:2 (2011), 423—479. http://scholarship.law.edu/commlaw/vol19/iss2/6. For De Rosa's contribution, see his blog post from early 2011: Anthony De Rosa, "The death of platforms," January 17, 2011, accessed July 16, 2017, http://soupsoup.tumblr.com/post/2800255638/the-death-of-platforms. For Morozov's contribution see Evgeny Morozov, " Tech titans are busy privatising our data. When Facebook and Google finally destroy the competition, a new age of feudalism will arrive," April 24, 2016, accessed July 16, 2017, https://www.theguardian.com/commentisfree/2016/apr/ 24/the-new-feudalism-silicon-valley-overlords-advertising-necessary-evil. Also see Morozov's forthcoming book: Evgeny Morozov, *Freedom as a Service: The New Digital Feudalism and the Future of the City* (London: Macmillan Publishers, 2019).

112 All following citations are taken from the Cambridge edition: Thomas Hobbes, *Leviathan*, ed. by Richard Tuck (Cambridge: Univ. Press, 1991).

viathan, Hobbes develops his proposal for how the people should *expectably and concretely coordinate their interactions with a broad base of legitimacy*. He does so by explaining with which natural rights the individual is endowed, which of those an individual is most prone to protect, which of the rights the individual must hand to a higher power to secure all other individual rights, and how this higher authority should be generated through the covenant of the people. He calls this authority the Commonwealth of subjects and sovereign, run by a person or assembly endowed with sovereign powers by the subjects.

This marks a huge step from government instituted as a temporal sovereign by the ultimately sovereign ecclesial power towards the proceduralist argument of democratic contract theory made popular about a century and a half later. Hobbes himself, though, makes clear that he does not have a truly contractual agreement with a sole base in free will in mind: "This is more than Consent, or Concord; it is a real Unitie [sic!] of them all, in one and the same Person, made by Covenant of every man with every man, in such manner, as if every man should say to every man, *I Authorize and give up my Right of Governing my self, to this Man, or to this Assembly of men, on this condition, that thou give up thy Right to him, and Authorise all his Actions in like manner.*"[113]

Hobbes sees strong and stable government as the only path to lasting peace. The circumstances for him were quite different from a post-Holocaust awareness of the horrific violence which extended through all branches of the state apparatus during the Nazi regime. Hobbes' view, in contrast, is defined by the experience of religious civil war and has high hopes for a strong sovereign state which, in his view, might actually have the strength to pacify the violent forces. The process of uniting "the Multitude … in one Person" Hobbes calls "Common-Wealth, in latine Civitas. This is the Generation of that great Leviathan, or rather … of that *Mortall God*, to which wee owe under the *Immortal God*, our peace and defence."[114]

The language used in this famous passage can be characterized as organic. He speaks of the Leviathan, the great sea monster in the Old Testament. Threatening as it might appear, it is a living organism. And since the condition for mortality is life, the description of the state as a "Mortal God" also

113 Hobbes, *Leviathan*, 120.
114 Ibid.

points towards a living organism. This organism, however, is given the ideal of the automated workflow, as he explains in the introduction. The art of state-making, as Hobbes conceives it, closely resembles the art of engineering: "For seeing life is but a motion of Limbs, the beginning whereof is in some principal part within; why may we not say, that all *Automata* (Engines that move themselves less by springs and wheeles as doth a watch) have artificiall life? For what is the *Heart*, but a *Spring*; and the *Nerves*, but so many *Strings*; and the *Joynts*, but so many *Wheeles*, giving motion to the whole Body, such as was intended by the Artificer? *Art* goes yet further, imitating that Rationall and most excellent worke of Nature, *Man*. For by Art is created that great Leviathan called a Common-Wealth, or State."[115]

These words show how much hope Hobbes laid into automation as a mode of praxis for society's foundational institutions. The smoothly and harmoniously running watch served as a metaphor for the Commonwealth as Hobbes imagined it, all nerves and joints working in sync, the limbs and heart joining into a wonderful symphony brought forth by the composer. The mechanisms of the watch gained prominence as a metaphor for both nature and the design of social systems through the popularization of deistic concepts. Deism posits that God created the universe but does not interfere with its mechanics. Hence, there is no room for supernatural intervention, which distinguishes Deism-influenced social theories and natural sciences from their orthodox Christian equivalents. Ernst Troeltsch describes Deism as the attempt to find an "general, universally applicable truth standard, that is accessible to everyone and serves as a basis to which one can come back to from competing religions, from which one can evaluate the value and legitimacy of immediately revealed claims of revelation, and which is congruent with the metaphysical

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115 Ibid., 9. The application of mechanical language to political philosophy is not just apparent in Thomas Hobbes' writings, but also in the works of Adam Smith, and was heavily influenced by the success of Isaac Newton. Smith considers Newton's findings "the greatest discovery that ever was made by man, the discovery of an immense chain of the most important and sublime truths, all closely connected together, by one capital fact, of the reality of which we have daily experience." Newton's system, Smith writes, "now prevails over all opposition, and has advanced to the acquisition of the most universal empire that was ever established in philosophy. His principles, it must be acknowledged, have a degree of firmness and solidity that we should in vain look for in any other system. The most sceptical [sic!] cannot avoid feeling this." Cf. Adam Smith, *Glasgow Edition of the Works and Correspondence of Adam Smith Vol. 3: Essays on Philosophical Subjects*, ed. W. P. D. Wightman, J. C. Bryce, and I. S. Ross (Oxford: Univ. Press, 1980), 98.

results of the new sciences."[116] Given his excruciating experience with violently competing religions during the religious civil war in England, Hobbes' hopes for the deist metaphors become very plausible.

Today, Hobbes' imaginative metaphor has produced actual machines that compute faster and more reliably than humans in many of our everyday contexts. This is where much of the contemporary man vs. machine dilemma comes from. Just like the Leibniz example, our examination of the *Leviathan* shows that the machines in use today are derived from the very same rationalist logics that defined how we chose to *expectably and concretely coordinate our interactions with a broad base of legitimacy* through the nation state in the early modern era.

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116 The German original: „allgemeine, überall gleiche, jedermann erkennbare religiöse Normalwahrheit zu suchen, auf die man von den konkurrierenden einzelnen Religionen zurückgehen kann, von der aus Wert und Recht der unmittelbar sich gebenden Offenbarungsansprüche sich prüfen läßt, und die mit den metaphysischen Ergebnissen der neuen Wissenschaften übereinstimmt." Cf. Ernst Troeltsch, *Der Deismus*, in *Gesammelte Schriften Vol. IV,* by Ernst Troeltsch (Tübingen: J.C.B. Mohr (Paul Siebeck), 1925), 431.

IV. Public Sphere

A. How the Public Has Been Defined

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One of the key arguments running through this thesis is that institutions need to learn how to adapt and regenerate in order to remain institutions under chang ing circumstances. For institutions with a broad reach and impact beyond a specific interest group, these circumstances are shaped by the parameters of the public sphere they find themselves embedded in. So before I approach the specifics of how the public sphere has been changed through changes in media and communications, I will clarify what the concept of public sphere — or *Öffentlichkeit* — actually entails. What is public is often intuitively obvious to the interested individual, yet when pressed to find a definitive definition, one realizes the ephemeral nature of the term. Metaphorically speaking, when decisively grasped, the term tends to evaporate into thin air.

To provide insight into the broad and sometimes contradictory nature of common definitions, I will survey existing definitions given in German and English lexicons and encyclopedias, at times with specializations on matters of church or state, as well as in dictionaries meant for a general audience. While the selection will presumably appear eclectic, or even arbitrary, it is nonetheless necessary to provide a general landscape of existing definitions that we can return to in our discussion of the intercontextual understanding of the public, and in our analysis of the ethical pathologies introduced by the digital revolution.

Some encyclopedias define specific aspects of the public sphere, by explaining public opinion, public law, or public service.[117] Others provide extensive reflections on the public's importance, but never actually define the word. In its article on *Öffentlichkeit*, the *Evangelisches Lexikon für Theologie und Gemeinde* states that *Öffentlichkeit* "belongs to the Being of the church. The gospel obliges the church to break out again and again of its role as a special societal group, and to seek out the public sphere with its message and its ser-

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117 Cf. "Institution," *Evangelisches Staatslexikon*, 2266ff.

vice for the people."[118] Here we see how a dictionary geared towards practical use is less concerned with an abstract definition of the concept, but rather provides advice on how to act in the public as a context for action.

1. Dimension of Institutions

Other encyclopedias, like the twentieth century editions of *Religion Past and Present* avoid the concept altogether.[119] This changes in the third edition, published in 2003. There, Rainer Preul writes: "No modern theory of society can manage without the multilayered concept" of the public sphere. Quoting Wolfgang Huber, Preul defines the public as "a sociological category that needs to be determined on the basis of institutional and interaction theories"[120] and concerns "that dimension of all social institutions and life processes in which the joint interests and needs, rights and duties of a society's members are addressed."[121] With Huber's definition in mind, Preul considers the concept of the public "intimately linked to conceptions of the common good and to the concrete framework in organizations, administrative bodies, economic forces, cultural institutions, and religious communities." Drawing from media studies and communication science, Preul remarks, that the public's "character is shaped above all by the nature of the media that are available to a society … and by the political circumstances that determine the conditions and possibilities of access to information and participation in public communication processes."[122]

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118 "Öffentlichkeit, Öffentlichkeitsarbeit," *Evangelisches Lexikon für Theologie und Gemeinde,* vol. 3, ed. Helmut Burkhardt and Uwe Swarat (Wuppertal, Zürich: R. Brockhaus Verlag, 1994), 1466.

119 Cf. Die Religion in Geschichte und Gegenwart, 2nd edition, ed. Hermann Gunkel and Leopold Scharnack (Tübingen: Mohr Siebeck, 1930), 672. The same is true for the third edition: Die Religion in Geschichte und Gegenwart, 3rd edition, ed. Hans von Campenhausen, Erich Dinkler, Gerhard, Gloege and Knud E. Logstrup (Tübingen: Mohr Siebeck, 1960), 1613.

120 "Public," *Religion Past and Present*, 4th edition, ed. Hans Dieter Betz, Don S. Browning, Bernd Janowski, and Eberhard Jüngel (Leiden, Boston: Brill, 2011), 532. Originally published as: "Öffentlichkeit," Die Religion in Geschichte und Gegenwart, 4th edition, ed. Hans Dieter Betz, Don S. Browning, Bernd Janowski and Eberhard Jüngel (Tübingen: Mohr Siebeck, 2003), 489ff.

121 Wolfgang Huber, *Kirche und Öffentlichkeit* (Stuttgart: Forschungen und Berichte der Evangelischen Studiengemeinschaft 28, 1973), 45. Preul's translation.

122 "Public," *Religion Past and Present*, 533.

While most German theological encyclopedias only pick up the topic after Wolfgang Huber's *Kirche und Öffentlichkeit* in 1973, dictionaries aiming towards use beyond the Church had treated the topic long before that. The dictionary created by the Grimm brothers, published in 1889, already provides many of the core ideas used in contemporary definitions. The *Grimm* dictionary is also used by Huber in his own writing on the matter. Less focused on etymology, but with an even more extensive reflection on the meaning of *Öffentlichkeit*, the *Meyers* lexicon publishes its take on the term in 1908. It focuses on the rule of law, internal rules in the military and constitutional matters, and links the discourse on the public to the discourse on freedom when it states: "In the publicness of negotiations on important civil rights, modern constitutional life sees a meaningful guarantee of popular sovereignty in general."

2. Dimension of Opinion

It is noteworthy that the *Meyers* definition was published a full decade before Germany officially became a democracy as the Weimar Republic. Yet, the entry states confidently: "Just like the people in constitutional states is entitled to the unmediated right of participation in the most important governmental actions through its elected people's representatives, the right of critique and public review respecting the negotiations of the parliamentary body shall not be abridged."[123] Interestingly, the lexicon does not provide a direct definition of the adjective "public", but instead provides articles on public opinion, public order, public peace, public belief, public war, public office and public law in a manner similar to the 1987 *Evangelisches Staatslexikon*. Foreshadowing some of the later discussions on the public, the *Meyers* lexicon defines "public opinion" as "the view held by the people on a matter of public life at a certain point in time."[124]

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123 "Öffentlichkeit," *Meyers Großes Konversations-Lexikon*, vol. 14, 6th edition (Leipzig, Wien: Bibliographisches Institut, 1908), 916. The original German: "Das moderne Verfassungsleben erblickt in der Ö. der Verhandlungen, die wichtige staatsbürgerliche Rechte betreffen, eine bedeutungsvolle Garantie der Volksfreiheit überhaupt. Wie dem Volk in den konstitutionellen Staatswesen ein unmittelbares Recht der Mitwirkung bei den wichtigsten Regierungshandlungen durch seine erwählten Volksvertreter zusteht, so soll ihm auch das Recht der Kritik und der öffentlichen Kontrolle gegenüber den Verhandlungen der parlamentarischen Körperschaft unverkürzt sein."

124 "Öffentliche Meinung," *Meyers Großes Konversations-Lexikon*, 915. The original German: "die zu einer gewissen Zeit im Volk herrschende Ansicht über eine Angelegenheit des öffentlichen Lebens."

This definition operates with a homogenous conception of the people (*Volk*) as a monolithic block with one unified popular will and opinion. The postmodern condition of pluralistic societies undermines this understanding of both public opinion and the people as one unified whole. But the definition also draws out the challenge for contemporary societies: How can the public in a liberal democracy be understood when many of its discourses are segregated and brand-managed through the bubbles of certain media outlets or personalizing newsfeed algorithms on social networks? Is there a way that we can define the public as a whole and wholesome concept without falling into shallow definitions using the lowest common denominators, or using naively broad strokes like the one "public opinion" of the one singular *Volk*?

3. Dimension of Access

Before we move to the discourse on solutions for the postmodern discourse between contextualism and universalism, it is helpful to explore other definitions of the public sphere, publicness, or publicity. The German word *Öffentlichkeit* carries connotations of all three, and hence can provide us with many of the conceptual shades needed for a holistic discussion of what constitutes the public. The 1971 edition of *Brockhaus* picks up the issue of access, defining *Öffentlichkeit* as "the accessibility of events or the possibility to perceive processes for an unlimited circle of persons" which includes the possibility to perceive "the circle itself." *Brockhaus* remarks that press freedom created new publicity in state life, and that "modern state technology, including democracy's technology, provides various means to exclude the public from decisive procedures."[125]

The article on *Öffentlichkeit* in the 1889 edition of *Grimm Deutsches Wörterbuch* remarks that the noun was derived from the adjective *offentlich* as late as the 18th century and now means "that which is public or happens publicly."[126] The detailed etymologies of *öffentlich* reference many sources from amongst the theologians of the Reformation and the poets and playwrights

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125 "Öffentlichkeit," *Brockhaus Enzyklopädie*, vol. 13, 17th edition (Wiesbaden: F.A. Brockhaus, 1971), 681. 126 "

126 "Öffentlichkeit," *Deutsches Wörterbuch von Jacob Grimm und Wilhelm Grimm*, vol. 4/2, ed. Moriz Heyne (Leipzig: Verlag von S. Hirzel, 1877), 1183.

of Romanticism. Hence, we can date the transitional moments in the shaping of the concept of the public in Germany to the early 16th century and the late 18th century.

4. Dimension of Transparency

The *Grimm* dictionary gives background on the genesis of the adjective "public" and goes far beyond the political and sociological meanings dominant in the modern state. It defines as many as six different dimensions of the term:

1. Public means "generally comprehensible or known, clear, revealed."[127]

2. Public means "without holding back, sincere."[128]

3. Public means "not secret, but being and happening in front of the eyes of all, so that it can be seen, heard (read) and known by everyone."[129]

4. Public also serves as a synonym for "open," used for instance for bars and restaurants open to the public — in contemporary English fittingly: "pubs" — or prostitutes which the dictionary cites as "those who surrender themselves to everyone."[130]

5. Public also means the "opposite of private, not for individuals, but for many, or meant for, owned by or induced through the whole audience."[131]

6. Public also means "particularly a large civic society … or a country, in reference to, owned by or induced through the state."[132]

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127 "öffentlich," *Deutsches Wörterbuch von Jacob Grimm und Wilhelm Grimm*, 1180. The German original: "allgemein verständlich oder bekannt, deutlich, offenbar." The article cites Martin Luther as an example for the early modern use: "es ist ein öffentlich wunder, darum sagt er, dass es gott gethan habe." And: "aus diesem allen ist klar und öffentlich." Similarly, Philipp Melanchthon: "so ist öffentlich, das die regenten schuldig sind, schulen anzurichten."

128 Ibid. The German original: "ohne rückhalt, aufrichtig."

129 Ibid. The German original: "nicht geheim, sondern vor aller augen seiend und geschehend, so dasz es jedermann sehen, hören (lesen) und wissen kann."

130 Ibid., 1181. The original German: "öffentliche dirnen, huren, die sich jedermann preisgeben."

131 Ibid. The original German: "gegensatz zu privat, nicht für einzelne, sondern für viele oder für das ganze publikum bestimmt, darauf bezüglich, von ihm ausgehend oder ihm eigen."

132 Ibid. The original German: "besonders eine grosze bürgerliche gesellschaft … oder ein land, den staat betreffend, darauf bezüglich oder davon ausgehend, ihm eigen."

5. Dimension of Service

This last dimension of the term, mentioned by Grimm's dictionary, is corroborated in the *Staatslexikon:* "The word *Öffentlichkeit* was derived from the adjective 'öffentlich' in the second half of the 18th century" and became "a key political-sociological concept during the 19th century."[133] The *Deutsches Rechtswörterbuch* documents the development and diversity of the term *öffentlich* in different German dialects in detail. The citations range from "openlice" (in 1027) to "offenlichen" (in 1235) to "uffinlichin" (in 1360) to "offentlichin" (in 1392) to "apenlicke" (around 1426-40) to "öffentlich" (around 1500). From 1500 on there is still an astonishing variety of spellings, but the contemporary spelling *öffentlich* surfaces ever more often. The definition given by this legal dictionary rests on accessibility. It distinguishes "in public" as "free, accessible for everyone, without limitation" from "for the public" in the sense of "open to the general public, meant for the general community." The definition also mentions public as "known (opposite of secret)" and "in the interest of the general society."[134]

So this definition puts a stronger emphasis on the service beyond a specific interest or a powerful group of a select few, and introduces a notion of the common good to the concept.

6. Dimension of Scale

The German *Duden* dictionary defines the public as an "sphere of human beings, seen as a unit, in which something is (or has become) generally known and is accessible to all."[135] We find similar definitions in the English language.

The *Webster's New Collegiate Dictionary* defines the public as

1. "a place accessible or visible to the public,"

2. "the people as a whole," and

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133 "Öffentlichkeit," *Staatslexikon*, vol. 4, 7th edition, ed. Görres-Gesellschaft (Freiburg, Basel, Wien: Herder, 1988), 138f.

134 'öffentlich', *Deutsches Rechtswörterbuch*, ed. Heidelberger Akademie der Wissenschaften, 269ff. Electronically available at https://www.rzuser.uni-heidelberg.de/~cd2/drw/.

135 "Öffentlichkeit," *Duden*, vol. 5 (Mannheim, Wien, Zürich: Dudenverlag, 1980), 1913. The original: "als Gesamtheit gesehener Bereich von Menschen, in welchem etwas allgemein bekannt u. allen zugänglich ist."

3. "a group of people having common interests or characteristics" or even "the group at which a particular activity or enterprise aims."[136]

This definition shows the huge variety of meanings and the ephemeral nature of the concept mentioned above. The *Webster* definition illustrates the internal contradictions of the contemporary discourse on the public: Is it simply a specific target group of more than one person — as the third part of this definition implies? Or is the public indeed some larger collective "as a whole" beyond narrow interest groups?

7. Dimension of Impact

The *Webster* dictionary traces the adjective "public" back to the French "publique" and the Latin "publicus" and ultimately "populus," meaning "the people." As part of six dimensions of the word, it defines "public" as

1. "of, relating to, or affecting all the people or the whole area of a nation or state." So beyond the notions of general knowledge and general access which feature prominently in the German definitions, the English definition adds a notion of general impact. The *Webster* dictionary also includes everything "of or relating to the government" and "of, relating to, or being in the service of the community or nation." The second dimension is public as

2. "of or relating to mankind in general" and relates it to "universal" and "general, popular." The third dimension puts "public" in relation to "social" and mentions the public-private distinction and introduces a business definition that is lacking in many German articles:

3. "of or relating to business of community interests as opposed to private affairs." The fourth dimension adds a "humanitarian" perspective:

4. "devoted to the general or national welfare." The fifth dimension brings in the familiar focus on open access as found in the *Duden* and defines "public" as

5. "accessible to or shared by all members of the community," but then again brings in an economic dimension lacking in German definitions by adding the stock market to the picture: "capitalized in shares that

136 "2public," *Webster's New Collegiate Dictionary*, ed. Henry Bosley Woolf et al. (Springfield, MA: G. & C. Merriam Co., 1977), 932.

can be freely traded on the open market." And finally, the sixth definition of the word relays the epistemic dimension found frequently in the German definitions:

6. "exposed to general view: open," as well as "wellknown, prominent" and "perceptible."[137]

8. Dimension of Knowledge

In comparison, the *Oxford Advanced Learner's Dictionary* limits itself to two general meanings: general concern and general knowledge. The dictionary defines the adjective "public" as

1. "of or concerning people in general," as well as "provided, esp by central or local government, for the use of people in general" and "of, or engaged in the affairs, entertainment, service, etc of the people." It then goes on to define "public" in epistemic terms:

2. "open or known to people in general."[138] The *Oxford* dictionary's definition of the noun "public" reiterates the internal contradiction of the English word, since the public is both "the community in general" and "part of a community having a particular interest in common."[139]

After World War II, it was political liberalism that picked up the issue of the public sphere and attempted to provide both historical context and philosophical definitions of the concept. In the contemporary discourses in political philosophy, legal theory, social science, and the study of religion, political liberalism forms the foil for much of the discourse. John Rawls conception of the public as a space for civic reasoning and Jürgen Habermas' conception of the public as civil networks of rational communication arguably present the most prominent positions in this discourse. Both philosophers rely strongly on a concept of public reason that understands the public primarily as the space for citizens to give each other reasons for policy choices or universal issues of political behavior.

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137 "1public'" *Webster's New Collegiate Dictionary,* 932.

138 "public," O*xford Advanced Learner's Dictionary,* ed. A. P. Cowie, 4th edition (Oxford: Univ. Press, 1989), 1008.

139 Ibid.

This idealistic, rationalistic component of political liberalism has made it vulnerable to attacks from contextualists. Indeed, the postmodern relativity of reason is not easily compatible with a universalist definition of the public as a space for reasoning. Rawls and Habermas are committed to a proceduralist notion of deliberative democracy, and primarily define the public through the political process of democratic societies. We will explore the relationship of the public and political reasoning in a deliberative democracy after a discussion of the digital transformation of the public sphere, providing hints towards an update of Habermas' famous study *The Transformation of the Public Sphere: An Inquiry into a Category of Bourgeois Society.*[140]

140 Habermas, *The Structural Transformation of the Public Sphere.* Originally: Habermas, *Strukturwandel der Öffentlichkeit.*

B. How Technology Has Changed the Public Sphere

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Every technological change on record has brought excesses and abuses along with the constructive use it was famed for. The printing press, for instance, has not only be applied toward goals like education or information, but also for propaganda and distortion. The same holds true for all fundamental tools of communication like gestures, language, paper writing, the printing press, the telegraph, pager, and fax machine. Virtually all communication technologies have developed ethical pathologies at some point in their use and existence, including those produced in the digital revolution. The following sub-chapters explore three of these pathologies: the myth of neutral technology, the emergence of new forms of digital segregation, and the unintended consequence of converging public and private realms of life.

1. The Myth of Neutral Technology

While the digital economy is indeed marked by decentralized production, individualized publishing, and personalized distribution, there is a paradoxical trend towards a select few massive-scale platforms with a near-to-monopoly power in the algorithmic organization and daily maintenance of the decentralized, individualized and personalized stream of content: YouTube, Facebook, Apple, Google, Amazon, to a lesser extent Twitter, Microsoft and Yahoo, and several Chinese companies for the massive market in Asia. Nicco Mele calls these select businesses the Even Bigger platforms: "The presence of YouTube alerts us to another curious — and disturbing — aspect of the death of Big Fun. While small artists and production companies are going direct, the technology is paradoxically creating some things that are Even Bigger — the platforms like YouTube that all of us use to bootstrap our ideas, companies, candidacies, and local governments."[141]

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141 Mele, *The End of Big*, 116.

a) Normativity of Aggregation

Mele points out that while over a hundred video-sharing websites are available: "YouTube dominates."[142] The key to understanding this paradoxical development is to realize the power of aggregation in a decentralized media world: With the way "platforms aggregate power," these Even Bigger platforms "produce the Rise of Small" by facilitating the "End of Big." As "the world's single largest media source" YouTube wield enormous power and "can exert influence over which videos get featured on the YouTube home page or category subpages." While Facebook still frequently attempts to work with human editorial partners, YouTube and its sister company Google tend to "default toward editorial decisions made by algorithm rather than by people."[143] So even when they attempt to be neutral and technology-focused, instead of normative and opinionated, platforms like YouTube exert massive influence and are deep in the business of applying ethical norms through the design of their algorithms. So the enormous power of traditional movie studios, for instance, has not gone back to the individual content publishers entirely, but has been partially transferred to other big power aggregation platforms like the "single largest online video source" YouTube.[144]

Another vivid example for the power of Even Bigger platforms is Facebook's newsfeed algorithm. While the exact formula is opaque to most, there are some dynamics identifiable even to the average user. These dynamics become especially visible when Even Bigger companies clash. With the increased bandwidth on mobile devices, videos become an attractive content for consumption, and thus make it an attractive asset for companies relying on ad revenue as their main source of income. Youtube and Facebook are, therefore, struggling for an edge against the competitor in the distribution of video content on social media. Because Facebook wants to replace YouTube as the biggest video platform online, the newsfeed algorithm treats YouTube videos as links, which ranks them as low priority in the newsfeed calculation. YouTube videos are therefore under-performing on Facebook compared to native video publication on Facebook. The company wants to sway users,

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142 Ibid.

143 Ibid., 117.

144 Ibid.

especially professional publishers and media outlets, to upload their video content to Facebook directly. Then, in contrast, the video is ranked high in the newsfeed algorithm and over-performs in reach on Facebook.

This example demonstrates how much knowledge of the company sentiments, goals and policies is necessary to be consistently successful on an Even Bigger platform. So much so, that some commentators are using the idea of digital feudalism to describe our time, in which the emotional and philosophical state of the absolutist ruler — in today's tech world the CEO and his or her board — as well as company feuds with powerful adversaries directly define daily rules of social life for millions of citizens. If, in this environment, small and less professional, but nonetheless democratically vital civil society organizations like churches, non-profit organizations, or local broadcasters lack the knowledge of algorithmic detail, then their voices will simply not be heard in public on Facebook — seemingly "a neutral platform for communication and collaboration" once described by its founder Mark Zuckerberg as a mere "utility" similar to a phone company.[145]

b) Normativity of Amateurism

Zuckerberg's brand of neutrality, which amounts to little more than a blanket refusal of responsibility, stands in contrast to the vision developed by John Dewey who considered the production and distribution of news "a fundamentally political and ethical enterprise" and acknowledged "that publishers [have] to handle their immense responsibility with great care."[146] While Facebook is not a producer of news itself, the platform serves as one of the most important distributors of news, and therefore falls under the same category of "immense responsibility" as any other distributor of information in a liberal democracy. In fact, the network's responsibility is further amplified by the fact that the news distributed on social media is presented to consumers by their peers, thus increasing the legitimacy of this news for the individual consumer: We consider our "friends and family … more likely to know what's

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145 Eli Pariser, *The Filter Bubble: What the Internet Is Hiding From You* (London: Penguin Books, 2011), 36.

146 Ibid., 58.

important and relevant to us than some newspaper editor in Manhattan."[147] Facebook turns amateurs into navigators, and that is a decisively political act with massive normative implications.

Facebook as "a network of amateur curators" produces an unusually high trust in the displayed news for the individual user, but brings two significant dangers. Firstly, "the average person's Facebook friends will be much more like that person than a general-interest news source." This is further amplified by the fact that "our physical communities are becoming more homogeneous as well" and that "we generally know people who live near us." Secondly, "personalization filters will get better and better at overlaying themselves on individuals' recommendations." Facebook's newsfeed algorithm, for instance, generally rewards engagement with more visibility and personalizes according to the measured engagement with posts and contents. Filters like Google Reader's Sort by Magic feature helping users "manage streams of posts from blogs" explicitly attempts to distinguish between "pieces of content you interact with" in order to "sift one from another" according to engagement. Applied to social media streams: If a user likes his or her friend's sports photos, but not his political posts, the algorithm can distinguish between the two and allow the user to see only the friend's sports post without having to face the differing and inconvenient political viewpoint.[148]

c) Normativity of Distribution

Up until the debate around social media's influence on the 2016 presidential elections in the United States and possible manipulation through targeted false news campaigns, the tech industry was able to more or less successfully market its products as neutral tools. But technology, like all other human activity, is never neutral. Normative foundations are integral to any production or design process. They define the interest leading our individual explorations of reality (*erkenntnisleitendes Interesse*) as Jürgen Habermas describes in his epistemological study *Erkenntnis und Interesse*. Aside from the normative dimension of every invention and production, there is an evidently normative dimension to the practical decisions carried out by algorithms every day. As Anil Dash points out, "you are brokering attention" as a tech company.[149] And

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147 Ibid., 66.

148 Ibid., 67.

149 Dash, *Tech's Moral Reckoning*.

the myth of neutral algorithmic distribution has already caused significant distress in the democratic process, since "something that draws more attention and has more emotional appeal will be more successful and more lucrative [even if] some of the things that are most attention-getting aren't true."[150] This poses a dramatic threat to the liberal democratic order. As Habermas explains, "post-truth democracy" is no democracy at all, since constitutional democracy is an "epistemically demanding, fundamentally truth-sensitive form of government" built on a "deliberative form of politics."[151]

If a seemingly neutral platform like Facebook changes its algorithms or otherwise has decisive impact on the structure of knowledge aggregation and information distribution, then it is steeped in matters of truth and truth-sensitive democracy, and far beyond any claim to neutrality. After the evident influence of false information spread through Facebook to millions of people in the 2016 U.S. election, the company announced a number of measures against "the worst of the worst"[152] and acknowledged its responsibility beyond claims to neutrality. Initially, Mark Zuckerberg had called the claim that fake news distributed on Facebook influenced the election "a pretty crazy idea."[153] About a month later, Zuckerberg changed his mind, though, and shared his thoughts on Facebook's responsibility in a public post on the network: "Facebook is a new kind of platform different from anything before it. I think of Facebook as a technology company, but I recognize we have a greater responsibility than just building technology that information flows through."

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150 Ibid.

151 Jürgen Habermas, "Religion in der Öffentlichkeit. Kognitive Voraussetzungen für den 'öffentlichen Vernunftgebrauch' religiöser und säkularer Bürger," in *Zwischen Naturalismus und Religion*, ed. Jürgen Habermas, 2nd ed. (Frankfurt am Main: Suhrkamp, 2013), 150f. The original German quotes: The constitutional state is an "epistemisch anspruchsvolle, gewissermaßen wahrheitsempfindliche Regierungsform" since it relies on a "deliberative Form von Politik."

152 Adam Mosseri, "News Feed FYI: Addressing Hoaxes and Fake News," *Facebook Newsroom,* December 15, 2016, accessed February 3, 2017, http://newsroom.fb.com/news/2016/12/news-feed-fyi-addressing-hoaxes-and-fake-news/.

153 Casey Newton, "Zuckerberg: the idea that fake news on Facebook influenced the election is 'crazy,'" *The Verge*, November 10, 2016, accessed February 3, 2017, http://www.theverge.com/2016/11/10/13594558/mark-zuckerberg-election-fake-news-trump.   Zuckerberg's argument cannot be reduced to a protective instinct for his company. His key point was about empathy: "I do think there is a certain profound lack of empathy in asserting that the only reason someone could have voted the way they did is they saw some fake news … If you believe that, then I don't think you have internalized the message the Trump supporters are trying to send in this election."

Despite the fact that Facebook is still not a traditional publisher creating media content itself, Zuckerberg recognized that the company is "more than just a distributor of news." Zuckerberg called Facebook a "new kind of platform for public discourse" and acknowledged that Facebook has a "new kind of responsibility to enable people to have the most meaningful conversations, and to build a space where people can be informed."[154]

In summary, it is safe to say that Zuckerberg now accepts the normative standard of accountability beyond the mere technical deliberations, even if primarily driven by public pressure and not proactive conviction. How this new normative dimension of technology is to be filled with life and practice remains vague, but Zuckerberg's post on December 15th 2016 nonetheless marks a significant departure from the cult of neutral tech that had dominated the early years of the rising sector. And from the vantage point of political philosophy with the paradigm of deliberative democracy in mind, neutral technology is indeed a myth worth busting. A widespread awareness of the shortcomings of the neutrality doctrine is necessary for both the sustenance of a "truth-sensitive form of government" and a culture of democratic accountability in the emerging institutions in the technology industry.[155]

d) Normativity of Education

The responsibility of technology providers is not limited to algorithmic distribution of information. It is relevant for all forms of radical connectivity solutions. The stories provided by the tech industry's marketing agencies cannot be the only source of interpretation of social networking technology, since the tech industry's marketing experts — sometimes called "digital evangelists" — are paid to skew this interpretation towards the company's business interests. Dash provides a corporate example for Twitter: "I got to

154 Mark Zuckerberg, public post on *Facebook,* December 15, 2016, accessed February 3, 2017, https://www.facebook.com/zuck/posts/10103338789106661

155 I use the term "institution" deliberately for companies like Facebook and Google, because the massive scale of use and trust that users put in the services of the companies far outweigh the criticism, which underscores the impression that the two companies have a significant excess of legitimacy over other corporations. However, there is an urgent need for more research on whether or not these corporations fulfill the requirements for the concept "institution." Unfortunately, this goes beyond what is possible here. Similar studies could be conducted for "global institutions" that, despite claims to comprehensiveness, continue to lack legitimacy and power to coordinate in the daily practice of nominally represented citizens around the globe.

watch Twitter from before its public launch. I know the founders and a lot of the leadership very well, [and] they were very vocal about their role in Arab Spring." This public ownership Twitter took for events made possible through social media, however, was short-lived: "They were very vocal about how everybody in Tahrir Square is using Twitter. And when they at least nominally liked the results, then Twitter was taking the credit. And when they don't like the results, Twitter [suddenly] is a neutral tool. Right?"[156]

Dash points out, that he is not "pointing fingers" since he has "been that guy" himself. He also notes that the responsible CEOs are "not bad people doing bad things" but rather "good people doing bad things." Dash does, however, call for more accountability in terms of the ethical impact of digital products. Two core ideas are brought forward by Dash: a professional society for the tech industry and an ethical curriculum in computer science programs. If you look at every other professional discipline and somebody who goes to law school, business school, journalism school or medical school, Dash says, you will see that "every single one of those disciplines has a professional society that sets standards. And if you don't meet them, you can be disbarred. You can lose your medical license. There's an expectation about what you're supposed to do."[157]

The other observation you will make, according to Dash, is that "in the educational process, there's an extensive ethical curriculum." This kind of institutionalized self-reflection is lacking in the tech industry. Just like medicine goes "back to Hippocrates" or law studies century-old "English common law" computer science, he says, needs to develop both a historical and an ethical consciousness. At this point, Dash states, "there is zero ethical curriculum." A computer science student in "a top-of-the-line" program can get "the highest credential computer science degree from the most august institutions with essentially having had zero ethics training." With a hint of cynicism, Dash remarks that "that is, in fact, the most likely path to getting funded as a successful startup in Silicon Valley."[158]

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156 Dash, "Tech's Moral Reckoning."

157 Ibid.

158 Ibid.

2. The Rise of a New Digital Segregation

The story of human segregation is long. Racial segregation in the United States and Apartheid in South Africa are only two of the more recent examples, and the effects of implicit segregation are still evident in both countries.[159] However much progress liberal democracies have made towards truly inclusive societies by extending democratic rights from educated, heterosexual, caucasian males to all "created equal,"[160] many forms of segregation remain in place. The prevalence of a segregative structure in the analog modes of society has become increasingly visible in the digital modes as well. The much-discussed phenomenon of the "filter bubble" puts visual language to a new form of digital segregation: interest bubbles that more or less consciously narrow communicative horizons and information sources through personalized digital media.

a) Cass Sunstein's Contribution

1. *Dynamic of Convenience*
    This type of digital segregation is fueled by the market dynamic to produce evermore convenient products and services that produce ever-more ad revenue through the extension of the average retention rate on a digital platform capable of running advertisement effectively. The social network Facebook, the search engine Google, the streaming service Netflix, the online retailer Amazon, and providers of smartphone application like Snapchat and Instagram are amongst the most effective at retaining customers on their sites through personalization.

2. *Dynamic of Confirmation*
    One of the basic concepts of modern psychology, the confirmation bias, explains why users tend to stay on a site longer if their pre-existing preferences are reinforced throughout their digital user experience: "Consuming information that conforms to our ideas of the world is easy and pleasurable; consuming information that challenges us to

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159 For a case study of post-segregation United States cf. Michelle Alexander, The New Jim Crow: Mass Incarceration in the Age of Colorblindness (New York: The New Press, 2012). For a case study of post-apartheid South Africa cf. John Pilger, "Apartheid Did Not Die" in John Pilger, *Freedom Next Time* (London: Black Swan, 2007). 239—350.

160 As the 1776 Declaration of Independence states: "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness."

think in news or question our assumptions is frustrating and difficult." This leads to the tendency of "partisans of one political stripe … not to consume the media of another." But as a result, "an information environment built on click signals will favor content that supports our existing notions about the world over content that challenges them."[161]

What digital service providers consider a win-win situation — the user experiences becomes a more targeted and convenient service, while the company's revenue increases — might actually be a lose-lose situation, since the trend of personalization creates a "bubble republic" that might lose its democratic structure because of it. The first to prominently name this danger was law professor Cass Sunstein in his book *Republic.com*, which he later published in an updated version as *Republic.com 2.0*. The book's preface opens with a normative note of protest: "In a democracy, people do not live in echo chambers or information cocoons. They see and hear a wide range of topics and ideas. They do so even if they did not, and would not, choose to see and to hear those topics and those ideas in advance." Sunstein continues: "These claims raise serious questions about certain uses of new technologies, above all the Internet, and about the astonishing growth in the power to choose." Therefore, he warns emphatically: "Members of a democratic public will not do well if they are unable to appreciate the views of their fellow citizens."[162]

3. *Dynamic of Hermeneutic Segregation*

Citing James Madison, Sunstein names a contrasting vision: a "yielding and accommodating spirit" that sustains freedom and democratic self-government.[163] The topic of his book is "the question of fragmentation and the risk of polarization" through which "like-minded people speak or listen mostly to one another" and "sort themselves into enclaves in which their own views and commitments are constantly reaffirmed."[164] The purpose of the book, therefore, is to "explore some of the preconditions of democratic self-government and to show how

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161 Pariser, *The Filter Bubble*, 88.

162 Cass R. Sunstein, *Republic.com 2.0* (Princeton: Univ. Press, 2007), xi.

163 Ibid., xii.

164 Ibid.

unrestricted free choice might undermine those preconditions."[165] Articulating two core arguments of philosophical pragmatism, Sunstein names two preconditions: "*First*, people should be exposed to materials that they would not have chosen in advance. Unplanned, unanticipated encounters are central to democracy itself."[166] And: "*Second*, many or most citizens should have a range of common experiences. Without shared experiences, a heterogeneous society will have a much more difficult time in addressing social problems."[167]

Sunstein's main worry about personalization is the kind of hermeneutic shift that takes place when "the power to filter is unlimited" and "people can decide, in advance and with perfect accuracy, what they will and will not encounter." While the *dynamic* itself is not fundamentally new, the digital tools at disposal fundamentally change the *extent* of hermeneutic segregation, because citizens "can design something very much like a communications universe of their own choosing."[168] Given his pragmatist commitments, Sunstein sees the fundamentals of democracy under threat because of this. These commitments are best expressed in John Dewey's words from *The Public and Its Problems*: "The important consideration is that opportunity be given ideas to speak and to become the possession of the multitude. The essential need is the improvement of the methods and constitution of debate, discussion and persuasion. That is *the* problem of the public." Sunstein publishes this passage as an opening quote to his book, and dramatically contrasts it with a marketing question from Google News: "No one can read all the news that's published every day, so why not set up your page to show you the stories that best represent your interests?"[169]

Dynamic of Polarization

Our filters are becoming so powerful, Nicco Mele suggests, that they "cause us to physically sort ourselves into like-minded groups." This, he says, bears the risk of "becoming trapped in an individual world without shared cultural space." The effect is dramatic: "the Big Community we

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165 Ibid., xiii.

166 Ibid., 5.

167 Ibid., 6.

168 Ibid., 3.

169 Cf. Eli Pariser's similar arrangement: Pariser, *The Filter Bubble*, 4

once shared as a country is fast disappearing, with implications for democracy and social cohesion."[170] This trend is fueled by a basic human dynamic described by journalist Bill Bishop in his 2009 book *The Big Sort*: "Mixed company moderates; like minded company polarizes. Heterogeneous communities restrain group excesses; homogeneous communities march toward extremes."[171] Bishop diagnoses an "age of political segregation"[172] in the United States: "We have built a country where everyone can choose the neighbors (and church and news shows) most compatible with his or her lifestyle and beliefs. And we are living with the consequences of this segregation by way of life: pockets of like-minded citizens that have become so ideologically inbred that we don't know, can't understand, and can barely conceive of 'those people' who live just a few miles away."[173] What Bishop describes can be summarized in hermeneutic terms as the, perhaps unintended, rise of a thoroughly brand-managed communications environment for the individual. The result of polarizing brand-managed environments are dramatic, as the study of "Fear and Loathing across Party Lines" by Stanford's Shanto Iyengar and Princeton's Sean Westwood describes impressively: "When defined in terms of social identity and affect toward copartisans and opposing partisans, the polarization of the American electorate has dramatically increased." Documenting "the scope and consequences of affective polarization of partisans using implicit, explicit, and behavioral indicators," the study's evidence shows "that hostile feelings for the opposing party are ingrained or automatic in voters' minds, and that affective polarization based on party is just as strong as polarization based on race." The researchers also show that "party cues exert powerful effects on nonpolitical judgments and behaviors." The result: "Partisans discriminate against opposing partisans, doing so to a degree that exceeds discrimination based on race." This trend in

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170 Mele, *The End of Big*, 132.

171 Cited in: Ibid., 132f.

172 Bill Bishop, *The Big Sort: Why the Clustering of Like-Minded America is Tearing Us Apart* (Boston: Mariner Books, 2009), 19.

173 Ibid., 199.

everyday life of individuals has a reciprocal effect on public life and the political process, because "increased partisan affect provides an incentive for elites to engage in confrontation rather than cooperation."[174]

4. Dynamic of Tribalism

To conclude our discussion of Cass Sunstein's contribution to the discourse on digital segregation, we can summarize: Especially when linked to analog forms of segregation, the digital fragmentation of society described by Sunstein further exacerbates a general tendency of communitarian isolationism already observable as an economic rift across the United States.[175] This isolationism includes the construction of gated communities,[176] the use of urban planning,[177] the restriction to selected news sources distributed through cable television, satellite radio, social networks, and news applications on mobile phones, as well as the promotion of certain church denominations and religious networks, summer camps, publishing houses and retreats. Again, none of the underlying anthropological foundations regarding communitarian isolationism — or "political tribalism"[178] — is *created* by the digital transformation, but it does *reinforce* the dynamic significantly and thereby *exacerbates* an already challenging problem at the heart of radically market-based versions of liberal democracy.

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174 Shanto Iyengar and Sean J. Westwood, "Fear and Loathing across Party Lines: New Evidence on Group Polarization," *American Journal of Political Science* 59:3 (2015).

175 Cf. Thomas Frank, What's the Matter with Kansas? How Conservatives Won the Heart of America (New York: Owl Books, 2005).

176 Cf. Mele, *The End of Big*, 130.

177 In a study of "key actors within the emerging real estate industry, as well as housing reformers and social workers, [who] helped nurture and promulgate a segregationist ideology and negative image of the emerging black ghetto as a pathological, dangerous and nefarious place, to be avoided by whites and other ethnic groups," Kevin Gatham points out that "the cultivation and development of this racial ideology was simultaneously an exercise in the *racialization of urban space* that linked race and culturally specific behavior to place of residence in the city." Cf. Kevin Fox Gatham, 'Urban Space, Restrictive Covenants and the Origins of Racial Residential Segregation in a US City, 1900–50', *International Journal of Urban and Regional Research*, Vol. 24, No. 3, September 2000, 617.

178 Cf. Matthew Ingram, "What's Driving Fake News Is an Increase in Political Tribalism," *Fortune*, January 13, 2017, accessed February 28, 2017, http://fortune.com/2017/01/13/fake-news-tribalism/.

b) Eli Pariser's Contribution

1. *Challenge of Complexity*

Eli Pariser continued Sunstein's work with his book T*he Filter Bubble* which updated Sunstein's tentative intuitions with more empirical knowledge and stronger focus on the precise algorithmic technology driving the rise of the "filter bubble." The empirical part of the study appeared to be more complicated than anticipated, writes Pariser in his introduction: "I was struck by the lengths one has to go to in order to fully see what personalization and filter bubbles do." Pariser's conversation with Jonathan McPhie, an expert on search personalization at Google, illustrates the challenge: McPhie "suggested that it was nearly impossible to guess how the algorithms would shape the experience of any given user. There were simply too many variables and inputs to track." So even if Google has insight in various click numbers, it is "much harder to say how it's working for any one person."[179] So even while marketing officials titled "digital evangelists"[180] spread the "good news"[181] of technological progress for technology companies, the competence to truly understand, predict and analyze their products is limited even for some of the game-changing developers at the heart of the transformation. Despite the frequent exposition of grand competence, many of the exact functions of the algorithms employed remain opaque.

While Pariser clearly builds on Sunstein's work and mentions him approvingly,[182] Pariser has much more practical material to work with: "Though concerns about personalized media have been raised for a decade … the theory is now rapidly becoming practice: Personalization is already much more a part of our daily experience." Hence, we "can now begin to see how the filter bubble is actually working, where it's

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179 Pariser, *The Filter Bubble*, 13.

180 An example for this title is Avinash Kaushik who serves as "Digital Marketing Evangelist" for Google. Cf. Carmine Gallo, "The Digital Evangelist Leading Google's Storytelling Movement," *Forbes*, September 26, 2016, accessed February 28, 2017, https://www.forbes.com/sites/carminegallo/2016/09/22/the-digitalevangelist-leading-googles-storytelling-movement/#2c23bef96711.

181 The term evangelist derives from the Greek word εὐαγγέλιον, meaning "good news," or "gospel." The word is derived from the combination of εὐ ("good") and ἄγγελος ("messenger").

182 Pariser refers to *Republic.com* when he states that "legal scholar Cass Sunstein wrote a smart and provocative book on the topic in 2000." Cf. Pariser, *The Filter Bubble*, 13.

falling short, and what that means for our daily lives and our society."[183] And in contrast to Sunstein, who writes from a normative perspective as a legal scholar, Pariser, who helped start the online community Avaaz.org and now serves as president of MoveOn.org, writes from the perspective of an activist using the internet as a means of change.

Pariser describes the "filter bubble" as a phenomenon endangering the founding spirit of the internet: "Ultimately, the proponents of personalization offer a vision of a custom-tailored world, every facet of which fits us perfectly. It's a cozy place, populated by our favorite people and things and ideas. … But it comes at a cost: Making everything more personal, we may lose some of the traits that made the Internet so appealing to begin with."[184] One dimension of the cost described by Pariser is the hermeneutic shift explained by Sunstein. Citing a conversation with Stanford law professor Ryan Calo, Pariser states about personalization: "There are lots of ways for it to skew your perception of the world."[185] This hermeneutic shift is at the core of the question whether or not a public sphere can exist alongside personalization, if we consider the *Webster* dictionary's sixth dimension in its definition of the public: "exposed to general view: open," as well as "well-known, prominent" and "perceptible."[186] The epistemic quality of the public is picked up by the *Oxford* dictionary as well, when it defines the public "open or known to people in general."[187] This epistemic quality of the public sphere is at the heart of political theory's discussions of deliberative democracy, and urges us to reflect further on the hermeneutic shift introduced by the filters of digital personalization.

Using former U.S. defense secretary Donald Rumsfeld's notion of the "known unknown" and the "unknown unknown," Pariser elaborates on how the hermeneutic shift of "personalized filters can interfere with our ability to properly understand the world" and "alter our sense of the map." The bubbles transform "known unknowns into unknown ones." This becomes clear in a comparison of the filter applied by the

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183 Ibid., 13.

184 Ibid., 12.

185 Ibid., 13f.

186 Webster's Dictionary, "1public," 932.

187 Oxford Dictionary, "public," 1008.

professional news editor and the filter applied through social media algorithms based on click signals: "A newspaper editor isn't doing his or her job properly unless to some degree the paper is representative of the news of the day." So: "If you leaf through the paper, dipping into some articles and skipping over most of them, you at least know there are stories, perhaps whole sections, that you passed over." This changes in the filter bubble: "You don't see things that don't interest you at all. You're not even latently aware that there are major events and ideas you're missing."[188]

2. *Challenge of Creativity*

Like Sunstein, Pariser presents the cost of personalization as "both personal and cultural." Both dimensions are driven by the fact that "the dynamics of our media shape what information we consume."[189] We encountered this concern in the definitions of the public reconstructed above, where we were reminded that the public's "character is shaped above all by the nature of the media that are available to a society" and influence or determine the "access to information and participation in public communication processes."[190] The radical choice for the individual consumer described by Sunstein in *Republic.com 2.0* ends up limiting the horizon of choices to an extent that fundamentally undermines the freedom to choose itself. Pariser describes the unconscious use of personalization filters as "a kind of invisible autopropaganda indoctrinating us with our own ideas, amplifying our desire for things that are familiar."[191] While the "societal consequences" emerging when "masses of people begin to live a filter-bubbled life" are severe, there are significant personal consequences as well. For this argument, Pariser applies a brand of philosophical pragmatism familiar from Sunstein's work on the societal consequences of personalization for democracy.

In the filter bubble, Pariser says, there is "less room for the chance encounters that bring insight and learning." The restriction of the room for unmeditated encounter impoverishes the individual mind, because: "Creativity is often sparked by the collision of

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188 Pariser, *The Filter Bubble*, 106.

189 Ibid., 14.

190 Religion Past and Present, "Public," 533.

191 Ibid., 15.

ideas from different disciplines and cultures." The probability of this type of experience is reduced the more personalized an individual life becomes: "By definition, a world constructed from the familiar is a world in which there's nothing to learn." Hence: "If personalization is too acute, it could prevent us from coming into contact with the mind-blowing, preconception-shattering experiences and ideas that change how we think about the world and ourselves."[192] Along similar lines, Nicco Mele cites the work of Princeton professor Scott Page who "methodically documents how groups made up of people with a lot of different backgrounds outperform groups or 'like minded experts.' According to Page, it doesn't matter what kind of problem you are solving; diversity helps you arrive at the most efficient solution, faster."[193] This exact spirit is displayed by the life and work of above-mentioned U.S. president Abraham Lincoln who famously designed his cabinet as a "team of rivals"[194] with three rival Republicans and many former Democrats in senior positions. Lincoln's biographer Doris Kearns Goodwin summarizes: "Good leadership requires you to surround yourself with people of diverse perspectives who can disagree with you without fear of retaliation."[195]

3. *Challenge of Agency*

   Returning to Pariser's contribution to the discourse, we can observe that his affinity for Sunstein's pragmatist arguments is further made evident by his implicit tribute to Sunstein in the contrasting arrangement of John Dewey's words and a statement from Google. Dewey remarks: "Everything which bars freedom and fullness of communication sets up barriers that divide human beings into sets and cliques, into antago-

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192 Ibid.

193 Mele, *The End of Big*, 200. Cf. Scott Page, *The Difference: How the Power of Diversity Creates Better Groups, Firms, Schools, and Societies* (Princeton: Univ. Press, 2007).

194 Cf. Doris Kearn Goodwin, *Team of Rivals: The Political Genius of Abraham Lincoln* (New York: Simon & Schuster Paperbacks, 2006). The book famously influenced Barack Obama in his attempt to build a "team of rivals" by keeping the Independent defense secretary Bob Gates who had served in several Republican administrations before. Cf. Doris Kearns Goodwin. "Barack Obama and Doris Kearns Goodwin: The Ultimate Exit Interview," Vanity Fair, November 2016, accessed February 28, 2017, http://www.vanityfair.com/news/2016/09/barack-obama-doris-kearns-goodwin-interview.

195 Cited in: Mele, *The End of Big*, 200. Cf. Doris Kearns Goodwin, "The Secrets of America's Great Presidents," *Parade Magazine*, September 14, 2008.

nistic sects and factions, and thereby undermines the democratic way of life." While Google's CEO Eric Schmidt remarks: "The technology will be so good, it will be very hard for people to watch or consume something that has not in some sense been tailored for them."[196] Notice Schmidt's more or less unconscious use of absolute normative language in the truth claim "technology will be good" and the apparent ease displayed with the statement that virtually everything will be tailored not by the consumer, but "for them." This deterministic language with a quasi-authoritarian twist has squarely dropped the original intent to deliver the most choice, control and convenience for the user.

Ulrich Wilhelm, chief executive for the German public broadcasting service *Bayerischer Rundfunk*, agrees with many of the arguments laid out above and emphasizes: "Democracy needs the public space, and this public space has changed dramatically." Like my discussion of digital pathologies above, Wilhelm links this change to emerging technologies, which have caused the public space "to disintegrate."[197] His empirical examples are similar to Sunstein's, Pariser's, and Mele's: "Content is sorted according to personal preference, thus creating innumerable sub and counter publics. In this situation, the legislature cannot just give into the desires of individuals that feel comfortable in their filter bubbles, and proclaim: We don't need a general public." Wilhelm's mission for the German public media is negatively informed by the media landscape in the United States: "If you look at countries in which liberal democracy is under threat, then you will usually find a broken public sphere. In the U.S., there is not a single media publisher accepted by all." The result is not desirable for Wilhelm: "The society is split."[198]

3. The Convergence of Public and Private

This sub-chapter completes my discussion of ethical pathologies in the digital dimension of social life with an analysis of the dissolving border between the public and the private. Drawing from an essay on the freedom of

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196 Pariser, *The Filter Bubble*, 47.

197 The German original: "Er ist in der Digitalisierung zerfallen."

198 Ulrich Wilhelm, "ARD: SPIEGEL-Gespräch mit dem Intendanten des Bayerischen Rundfunks, Ulrich Wilhelm, über die Kritik an der Rundfunkabgabe," DER SPIEGEL 10 (2017).

communication by Horst Pöttker, I will show how the digital transformation of the public sphere brings about a new convergence of public and private, thus challenging the institutional ethos, legal frameworks, and political ideologies that had governed the norms and guidelines in a pre-digital world. Let us reconsider two definitions of the public reconstructed above: Public means the "opposite of private, not for individuals, but for many, or meant for, owned by or induced through the whole audience."[199] And public also means "relating to business of community interests as opposed to private affairs."[200] These two definitions from the *Grimm's* and the *Webster's* dictionaries rely heavily on a strong distinction of public and private and even define one in opposition to the other. Does this definition of the public sphere still apply? If it applies, is there still a public sphere?

a) Need for Distinctions

Serious doubts are appropriate given that the digital revolution brought "a heavy expansion of the possibility of communication" in a way that "successively abrogates the separation of mass communication (public sphere) and individual communication (private sphere) which used to be grounded through [the available] media technology" of the time.[201] Pöttker sketches a brief timeline of the technological multiplication of practical possibilities to communicate: Originally, humans used "elemental media like air and light." The communication through language was "limited by sound, sight and memory," and was only possible with those present. This meant that the according social structures remained fairly small: "families, clans, hordes, villages." The emergence of what Pöttker calls "technical media" changed this fundamentally: "reach, amount and nature of semantic transmission between humans was extended and differentiated" by the "discovery and organizational unfolding" of "written text, printing press, telegraph, telephone, film, vinyl,

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199 Deutsches Wörtberuch von Jacob Grimm und Wilhelm Grimm, "öffentlich," 1180. The German original: "gegensatz zu privat, nicht für einzelne, sondern für viele oder für das ganze publikum bestimmt, darauf bezüglich, von ihm ausgehend oder ihm eigen."

200 Webster's Dictionary, "1public," 932.

201 Horst Pöttker, "Kommunikationsfreiheit im digitalen Zeitalter. Zwölf Thesen," *Communicatio Socialis* 49:4 (2016), 347.

radio, television" and digitally connected computers. Along with the transformations of communication, the according social structures have grown in scope, diversity and complexity.[202]

With Pöttker's timeline in mind, we can diagnose that differentiated communication tools are a precondition for the complex network architectures of public institutions. The modern bureaucratic nation state described by Max Weber as the ideal type of legal and rational rule in his book *Economy and Society* is an example of a complex public institution relying heavily on many of the "technical media" described by Pöttker. An extreme example for the use of mass communications tools in the mode of "one to many" is the *Volksempfänger* — the affordable radio distributed by the National Socialists to communicate information and propaganda directly into as many households as possible. A less extreme and more participatory example would be the development of a lively newspaper industry in Western Germany after 1945 which still remains remarkably robust compared to the market in the United States.

While the *Volksempfänger* operated with a clear "one to many" communication model, the newspaper industry already developed new formats of participation through the publication of letters to the editor or the inclusion of opinion editorials from non-staff writers. Since the pursuit of a career in journalism or a career covered *by* journalism, as well as the participation through activism, op-eds or letters to the editor was "open in principle to all recipients,"[203] the "one to many" mass communication in its different forms was considered "public" communication to which "political functions were attached due to its relevance for all of society."[204] This form of communication was of decisive importance, since the "participation in mechanisms of social self-regulation like elections or markets" was impossible "without a sphere

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202 Ibid., 348.

203 Ibid. Measures of selection and discriminatory mechanisms were still in place. The realization of a truly accessible career paths in media, politics and other sectors with public dimensions, remains a work in progress even today. Cf. Meredith D. Clark, "American newsrooms are getting more diverse. But it's not happening quickly enough," *Poynter*, September 12, 2016, accessed July 16, 2017, https://www.poynter.org/2016/american-newsrooms-are-getting-more-diverse-but-its-not-happening-quickly-enough/429850/. For insight into the German discussion see the following interview: Marjan Parvand, "Fehlende Vielfalt in deutschen Redaktionen," *Deutsche Welle,* May 11, 2011, accessed July 16, 2017, http://www.dw.com/de/fehlende-vielfalt-in-deutschen-redaktionen/a-15064640.

204 Pöttker, "Kommunikationsfreiheit im digitalen Zeitalter," 348.

of universally accessible information."[205] Distinguished from the evidently "public" communication was "immediate interpersonal communication" in the mode of "between one and one" or "one and few" in the case of intimate small groups with limited access. The latter can be described as "private" or "intimate" communication. The spheral separation was enforced by the applied media technology and never had to be intentionally created through "socio-cultural" provisions like legal or administrative levers.[206] The distinction between public and private was simply a given, on which the institutions within the liberal nation state could rely for most of its existence. As described above in the discussion of automated workflows, liberal democracy's public institutions nowadays are often struggling to adapt to the new digital environment. They are especially challenged by the new forms, standards, currencies of corporate communications arising from social media technology.[207]

b) Need for Standards

Social media technologies often undermine the basic distinction between public and private by creating quasi-public platforms that allow for a degree of privacy control and retain the role and atmosphere of personal and private communications networks, while at the same time aiming to "give people a voice" and make the marginalized voices heard in public. Facebook fits this description best, but even more public-minded networks like Twitter with its default public tweet setting and Instagram with its locati-

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205 Ibid., 348f.

206 Ibid.

207 An example for the German church institutions was the *Tempelberg* controversy which created significant and persistent social media stir around the fact that two German bishops had taken off their crosses when visiting the synagogue and mosque on the Tempel Mount in Jerusalem. One of the more reflective commentaries mentioning the social media stir was published by theology professor Jan-Heiner Tück. Cf. Jan-Heiner Tück, "Anschwellendes Unbehagen: Deutsche Bischöfe ohne Kreuz auf dem Jerusalemer Tempelberg," Neue Züricher Zeitung, November 25, 2016, accessed July 16, 2017, https:// www.nzz.ch/feuilleton/zeitgeschehen/deutsche-bischoefe-ohne-kreuz-auf-dem-jerusa-lemer-tempelberg-anschwellendes-unbehagen-ld. 130529. An example for the German public media institutions was the *Antisemitismus-Doku* controversy which caused protests on social media when ARTE decided not to air a documentary on antisemitism because of lacking journalistic balance. For summary and debate see Eric Gujer, ed., "Leserdebatte: Wie fanden Sie die umstrittene Dokumentation zum Thema Judenhass?," *Neue Züricher Zeitung,* June 22, 2017, accessed July 16, 2017, https://www.nzz.ch/leser-debatte/leserdebatte-wie-fanden-sie-die-umstrittenedokumentation-zum-thema-ju-den-hass-ld.1301886.

on tag feature and the open follow option cannot do without more private communication tools like their direct message features and private-account features.[208] In Horst Pöttker's view, this blurring of public and private communication is problematic, because it erodes the public with its socially and at times even legally enforced standard of civil discourse: "While public, generally accessible communication is subject to limitations due to the protection of human dignity and privacy," private communication is often less controlled or monitored. Hate speech, slander and false claims can be shared more uninhibitedly the more private or intimate communication is.[209]

Ulrich Wilhelm shares Pöttker's concern and affirms that the "growing flood of distortions, half truths and lies online is a phenomenon that poses a threat to the cohesion of our society and democracy." The difference to traditional forms of misinformation is that with non-digital forms of misinformation are countered with well-established legal methods to hold perpetrators accountable. But if "the same happens in social networks then the victim has far less rights even though the violation of personal rights is more long-lived and a lot more consequential." This is an unacceptable double-standard, which Wilhelm critiques with the illustration that surely nobody would accept that a given person is "allowed to insult someone in the subway, but not on the train." Wilhelm also attacks the myth of neutrality maintained by many social media executives. For him, the key is the degree of publicity reached by a given activity on the platform. While phone companies understandably cannot be held responsible if the mafia organizes its criminal activity through phone conversations, the "phone provider would indeed be liable for the content if it broadcasts the phone conversation publicly."[210]

Horst Pöttker generally sees the internet as an "opportunity for the creation of publicness." Drawing from a German tradition that interprets freedom of speech somewhat differently than the American tradition Pöttker argues that there are "necessary limits of the freedom of communication" that need to be "brought to fruition" (*zur Geltung bringen*) in the digital realm — without, of course, destroying the "opportunities for the creation of publicness" (*Chancen für das Herstellen von Öffentlichkeit*) inherent in digital technology. This, he thinks, can be accomplished in two ways: "Either the professional ethics

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208 Platform features change frequently. This assessment was conducted on March 2, 2017.

209 Pöttker, "Kommunikationsfreiheit im digitalen Zeitalter," 349.

210 Wilhelm, "SPIEGEL-Gespräch mit dem Intendanten des Bayerischen Rundfunks."

of journalism needs to become part of general morality, or state regulation of journalistic media needs to be extended to network operators."[211] He is thinking, for instance, of privacy rights and the right to protection of integrity and reputation for a private person.

c) Need for Education

The convergence of public and private also confronts those without any conscious public ethos or training with a potentially dangerous temptation. Many of the social networks create the impression that their users are in a personal or even private environment in which it is safe to express themselves without the learned filter of a public ethos. Aside from the at least partially problematic psychological dynamics of a culture geared entirely towards self-expression, a widespread lack of ability to practically navigate the converging public-private space on social media is evident.[212] Horst Pöttker emphasizes the importance of the guaranteed freedom of communication, especially in "public communication through mass media," since "freedom is given in a higher degree in private or in timate communication anyway and therefore needs no explicit guarantee."[213] Given that social networks like Facebook are not just aggregators of private space, but always contain a certain dimension of publicness, it is worth considering stronger institutional protections in those spaces that blur the lines between public and private.
Horst Pöttker considers the digital revolution "an extraordinarily disruptive and consequential transformation in the development of media and culture" which triggered an "especially abrupt and far-reaching expansion and multiplication of ways and possibilities of communication." One of the signature traits of the emerging forms of communication is that the "technological necessity to separate private and public communication" has vanished.

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211 Pöttker, "Kommunikationsfreiheit im digitalen Zeitalter," 347.

212 Unintended publicity of personal posts in a seemingly private network does not just occur for users without experience with the navigation of some form of public. Even politicians with ample experience in public speaking and extensive media training get caught up in the converging public-private space of social media, e.g. former United States representative Anthony Weiner who repeatedly and mistakingly posted private content to social media in public mode, thereby causing significant scandal and debates about media education.

213 Pöttker, "Kommunikationsfreiheit im digitalen Zeitalter," 350. The matter is more complicated than this, since private, intimate communication is just as prone to complex power relations as public communication. A thorough analysis and critique of Pöttker's diagnosis, however, goes beyond the scope of this study.

He, too, sees this change exemplified in social media: "In social networks communications de facto takes place without barriers to accessibility, and hence: publicly, yet officially in the mode of private communication without limitations to content." The consequences are dramatic: "Mechanisms for the necessary ethical and professionalrestriction of public communication that were institutionalized before the digital transformation lose their efficacy and are turning into anachronistic relicts."[214]

d) Need for Regulation

The discourses in both the United States and Germany point to the need for "media pedagogy" and educational efforts in this "cultural learning process."[215] But while the U.S. debate on unintendend consequences of the digital revolution tends to focus on the business ethics of private companies like Facebook, the German discourse increasingly also gave voice to calls for accountability through governmental regulation. Ulrich Wilhelm suggests that it is the "lawmaker's turn" since "self-control" amongst "platform providers" has not shown any meaningful results: "Freedom of opinion is an extraordinary good." Yet "there are cases in which we have to consider, whether to hold platform providers to account alongside the creators" of hate speech and forged news. The penalty for breaches of the law "must hurt" providers and should go up to "several millions."[216]

The opposing opinion has warned that heavy regulation of social networks run by the private sector would amount to privatizing law enforcement and punishing *private* companies for not doing a job traditionally associated with the *public* sector. While the public sector cannot hand over responsibility for enforcing the rule of law without calling its reason for existence into question, demands for public accountability of powerful companies profiting financially from running a social network are little more than ordinary, given that media companies have always been held responsible for the protection of privacy rights and personal rights of individuals covered by their publications. Initiatives by both public and private sector should not be seen as mutually exclusive. To adequately respond to the pathologies of a social metamorphosis like the digital revolution, it will need an inclusive approach spanning

214 Ibid., 350f.

215 Ibid., 352.

216 Wilhelm, "SPIEGEL-Gespräch mit dem Intendanten des Bayerischen Rundfunks."

all sectors of society. Now that the myth of ethically neutral technology is eroding, the resurging conversation on the professional ethics of social media companies — personified by bloggers like Anil Dash and researchers like Danah Boyd — can constructively compliment the public sector's efforts to develop legitimate criteria for navigating the public consequences of digitally transformed modes of communication.

e) Need for Awareness

The fact that public discourse and private communication are blended in personal media streams like Facebook's news feed, in which journalistic news sources are competing for attention with the photos of your best friend's vacation on Hawaii, creates the breeding ground for what Cass Sunstein calls "information cascades" that spread independent of their truth. Since most social media platforms create a personable atmosphere, users tend to be in a state of trust that generally carries our private life amongst friends and family. This state of trust, and the fact that certain information is shared by our most trusted navigators in life — our friends and family — leads us to share information we ourselves have not fact-checked like a professional news editor is trained to. The user experience of a given post more often than not does not take place in the environment of a newsroom, which is created to function as the perfect built environment for journalistic work. Social media users consume these posts in everyday life situations like the bus stop, the restroom, a train ride, a coffee shop, a couch or a bed.

This increasingly common environment for media consumption undermines or even eliminates most of the professional ethos that is traditionally attached to the research, fact-checking and subsequent production of news and other journalistic content. By sharing media content, the individual consumer instantaneously becomes a distributor of news or other content — without ever going through the extensive training and experience that a professional editor still needs to go through at most established media publishers. The phenomenon aided by the "Internet's deprofessionalization of knowledge" gained[217] notoriety in the 2016 U.S. election through several widely publicized "fake news" stories. Using Cass Sunstein's understanding of these dynamics as "information cascades" David Weinberger summarizes: the spreading of rumors or "fake news" online as "information cascades of false and harmful ideas …

217 Mele, *The End of Big*, 202.

that not only gain velocity from the ease with which they can be forwarded but gain credibility by how frequently they are forwarded."[218] While the potential harm done by information cascades as "fake news" is evident, the most recent example of widespread false news — the 2016 presidential election in the United States — shows that the current impact of these manipulation attempts are more limited than one might think. The notion that "fake news" articles decisively shaped the election results has been falsified in a study run by Stanford University, which found that "the average American saw and remembered 0.92 pro-Trump fake news stories and 0.23 pro-Clinton fake news stories, with just over half of those who recalled seeing fake news stories believing them." The researchers conclude that "for fake news to have changed the outcome of the election, a single fake article would need to have had the same persuasive effect as 36 television campaign ads."[219] To put it heedfully: This is highly unlikely.

The results of this study, however, do not warrant analytical complacency. Even if the impact of false news reports were limited in this case, the structural problem remains. Applying Pariser's concept of the filter bubble, Mele points out that if information built on a specific world view hits a community that is susceptible to information reinforcing this specific world view, polarizing information cascades are the result. This dynamic is not only relevant for evidently false news, but also those news that actively play into prejudice to earn the trust of the consumer: "Everything might technically be true but is manipulated to appeal to the specific person reading it."[220] This societal practice not only erodes the source for generating common opinions. In the long run, it also undermines the source for generating common facts that can ground a constructive debate of contrasting opinions. This demonstrates how news geared towards high click-rates on filtered social media platforms

218 David Weinberger, *Too Big to Know: Rethinking Knowledge Now That the Facts Aren't the Facts, Experts Are Everywhere, and the Smartest Person in the Room Is the Room* (New York: Basic Books, 2011), 117.

219 Hunt Allcott and Matthew Gentzkow, "Social Media and Fake News in the 2016 Election," *Journal of Economic Perspectives* 31:2 (2017): 211–236, accessed February 28, 2017, http://web.stanford.edu/%7Egentzkow/research/fakenews.pdf.

220 Mele, *The End of Big*, 132.

amplify the convergence of public and private, and erode the experiential and epistemic basis for intercontextual discourse, thereby also eroding the (re-)generation of the "bridging capital" described by Robert Putnam.[221]

Especially if the impact of false news stories remains disputed, ever-increasing clarity on the terms and concepts in use is helpful. After the first wave of outrage passed after the U.S. 2016 election, an appropriate weariness of the simplistic term "fake news" became evident, giving way to a growing drive towards distinctions. Citing the *Digital News Report 2017* published by the Reuters Institute for the Study of Journalism at Oxford University, Laura Hazard Owen introduces three basic distinctions: "Definitions of 'fake news' are fraught with difficulty and respondents frequently mix up three categories: (1) news that is 'invented' to make money or discredit others; (2) news that has a basis in fact, but is 'spun' to suit a particular agenda; and (3) news that people don't feel comfortable about or don't agree with."[222] Claire Wardle introduces as many as seven distinctions in different areas and contexts: satire or parody, misleading content, imposter content, fabricated content, false connection, false context, manipulated content.[223]

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221 Cf. Robert D. Putnam, *Bowling Alone: The Collapse and Revival of American Community* (New York: Simon & Schuster, 2000). For an explanation of "bridging capital" see the following chapter.

222 Laura Hazard Owen, "Do you trust the news, or do you trust your news? In the U.S., there's a huge gap between the two," *Nieman Lab*, June 23, 2017, accessed July 16, 2017, http://www.niemanlab.org/2017/06/do-you-trust-the-news-or-do-you-trust-your-news-in-the-u-s-theres-a-huge-gap-between-thetwo/. For the full report cf. "Digital News Report 2017," Reuters Institute for the Study of Journalism, accessed July 16, 2017, https://reutersinstitute.politics.ox.ac.uk/sites/default/files/Digital%20News%20Report%202017%20web_0.pdf?utm_source=digitalnewsreport.org&utm_medium=referral.

223 Cf. Claire Wardle, "Fake news. It's complicated," *First Draft*, February 16, 2017, accessed July 16, 2017, https://firstdraftnews.com/fake-news-complicated/.

C. How We Might Rebuild the Public Sphere

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It is the purpose of this chapter to introduce intercontextuality as the structural backbone of the public sphere. In contrast to many of the definitions reconstructed above,[224] this approach focuses less on accessibility or a mass audience, but on that which bridges different contexts.

Without mentioning the concept of intercontextuality explicitly, Eli Pariser provides an account of the intercontextual constitution of the public sphere in *The Filter Bubble*. Drawing from Robert Putnam's study *Bowling Alone*, Pariser identifies two kinds of social capital: "in-group-oriented 'bonding' capital created when you attend a meeting of your college alumni" and "'bridging' capital, which is created at an event like a town meeting when people from lots of different backgrounds come together to meet each other." Bridging capital, Pariser states, is potent: "Build more of it, and you're more likely to be able to find that next job or an investor for your small business, because it allows you to tap into lots of different networks for help."[225]

Personalized communication bubbles in the digital realm resemble the college alumni meeting, and therefore build up "bonding capital," while an intercontextual digital communication network would resemble the town hall meeting, thus building up "bridging capital." So the problematic core of the cult of personalization is its narrow focus on bonding capital: "Our virtual net-door neighbors look more and more like our real-world neighbors, and our real-world neighbors look more and more like us." The narrow focus on bonding is problematic because it is "bridging that creates our sense of the 'public' — the space where we address the problems that transcend our niches and narrow self-interests."[226] The following sub-chapters explore the potential paths from a narrow focus on bonding capital toward a broader focus on bridging capital and interpret them in terms of the intercontextual constitution of the public. The chapters sketch a theoretical framework by develo-

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224 Cf. Religion Past and Present, "Public," 533. Brockhaus Enzyklopäd ie, "Öffentlichkeit," 681. Staatslexikon, "Öffentlichkeit," 138f. Webster's Dictionary, "2public," 932.

225 Pariser, *The Filter Bubble*, 17.

226 Ibid.

ping a proposal for communicative universalism, grounding it in a decisively relational anthropology, introducing a communicability criterium for public institutions in the form of institutional multilingualism, and constructing an argument for deliberative democracy.

1. Communicative Universalism

Postmodern skeptics have successfully established a popular stream of academics in the humanities doubting the value and validity of various universalisms. Many of the modern variants of universalist concepts of reason have their roots in the Enlightenment, and while postmodern thought still draws heavily from this post-Enlightenment tradition, it rejects absolutist or supra-contextual interpretations of it. While postmodern thought is far from a position of dominance in Western academia, it has extended its influence far beyond the confessional exponents of its own schools. Since this thesis does not hold space for an appropriately thorough investigation of this development, it must suffice to postulate the diagnosis of a widespread weariness of universalism and, in some cases, a rejection of truth claims altogether. The relativist equivalent in popular culture, often occurring in conjunction with emotional experientialism, has led to the rise of the notions of "post-factual society" or "post-truth democracy" — more often than not used as a derogatory term by opponents of relativism.

Given our limitations here, we cannot adequately arbitrate this conflict. But it is necessary to clarify the theoretical foundations of the proposed interpretation of intercontextuality as the backbone of the public sphere. We can do so by recalling the words of Jürgen Habermas who describes democracy as an "epistemically demanding, fundamentally truth-sensitive form of government" built on a "deliberative form of politics."[227] This deliberative form of politics always requires a certain degree of idealism, or universalism. With the postmodern critique of absolutist universalisms in mind, however, it is important to distinguish the communicative universalism proposed here from the absolutist versions of universalism. Characteristic for these versions are

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227 Habermas, "Religion in der Öffentlichkeit," 150f. The German original: The constitutional state is an "epistemisch anspruchsvolle, gewissermaßen wahrheitsempfindliche Regierungsform" since it necessarily relies on a "deliberative Form von Politik."

their assertion of universal reason abstracted from contextual experience.[228] In contrast, a more concrete concept of universalism can value contextual knowledge and experience without discarding the notion of truth altogether. This more pragmatic understanding of idealism avoids the tendency in abstract universalisms to simply idolize the personal opinions of the dominant person with the social power to define what is reasonable.

This is necessary, because an abstract concept of reason, however much hard work might be invested in its development and presentation, often amounts to little more than a private opinion with the official badge of public honor announcing universal truth. Such an abstract universalism is under constant temptation to slide off into fanatical warfare of either the psychological or even the physical sort, because of its inherent tendency to foster an aura of high stake culture clash between friends and foes. Paradoxically, an absolutist and abstract definition of truth often results in a dilemma similar to the one created by absolute relativism: Both when there are no objective criteria for truth and when absolutist universalisms rely on abstract assertion, we find ourselves in a situation of competing truth claims without any possible procedures of non-violent arbitration. Both a relativist scenario and an absolutist scenario, therefore, have a tendency to encourage the desire for an authoritative arbiter of truth — usually a strongman exhibiting features of brute force — since they create an epistemic version of Carl Schmitt's theory of decisionism based on one simple baseline: "Sovereign is he who decides on the exception."[229]

The exception, Schmitt writes, can never be fully codified by the existing legal order and is constituted by a "case of extreme peril, a danger to the existence of the state, or the like." Key to his point is that the exception "cannot be circumscribed factually and made to conform to a preformed law."[230] If this is true, then an *absolutist relativism* invites the strongman as the one who announces what qualifies as the exception and determines the course of

228 Hegel uses the Latin origins of the word "abstract" and fills it with the meaning of "being pulled off from" experience. In Hegel's vocabulary it is an almost pejorative term. Its positive opposite is "concrete" which Hegel, using the Latin roots, interprets as "growing together".

229 Carl Schmitt, *Political Theology: Four Chapters on the Concept of Sovereignty*, ed. Tracy B. Strong, trans. George Schwab (Chicago: Univ. Press, 2007), 5.

230 Ibid., 6.

action when such a case of exception is announced. And an *abstract universalism* invites the strongman as the one who crushes all other truth claims and prevails against all threats of encountered contradiction and resistance. Both options are not desirable in the eyes of a communicative universalism that values contextual experience and is aware of the limitations to calculated predictability while contending *something universally communicable as inherent to every context* which — with enough dedication to the process — can be translated or at least tentatively related in some form of human communication, including art, music, mathematics, poetry, prose, prayer, gestures and other forms of bodily expression.

In contrast to abstract universalisms like the supremacist rationalism of the colonial period, a communicative universalism bases its executive process on "communicative power" and not a "conventional 'hard' account" of transactional power of "conflicting actors." This communicative power is described by Habermas as "self-limiting."[231] Wolfgang Huber relates this trait directly to the institutional design of liberal democracy, arguing that the "principal argument in favor of the democratic system of government is its ethical self-limitation." Citing Kant's famous distinction between the state's power to coerce behavior and the Church's power to influence the heart, Huber states: "A free and democratic state under the rule of law does not claim to control the morality of its citizens."[232]

Hence, communicative power is the only form of power truly suitable for liberal democracy, since "it influences the premises of judgment and decision making in the political system without intending to conquer the system itself."[233] Even though many self-proclaimed "realist" accounts would dismiss such an account of power as a "normative aspiration" without "relation to what exists" in politics, the use of communicative power in politics and other forms of social engagement is evident.[234] Communicative action oriented to-

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231 John Dryzek, André Bächtiger, Karolina Milewicz, "Toward a Deliberative Global Citizens' Assembly", Global Policy 2:1 (2011): 39.

232 Huber, *Ethics*, 161.

233 Jürgen Habermas, *Between Facts and Norms: Contributions to a Discourse Theory of Law and Democracy* (Cambridge: MIT Press, 1996), 486f.

234 Many diplomatic practices and treaty negotiations cannot be sufficiently explained with a merely transactional theory of power. This calls into question the validity of the term "realism" used to distinguish normative from transactional accounts in (international) politics.

wards "reciprocal understanding, reason giving and persuasion in terms of collectively held norms … exists, and takes effect, even in very unlikely places – such as negotiations between states over security issues."[235]

In summary, the intercontextual universalism proposed here rejects abstract assertions of universal reason and substitutes them with a concrete, communicative and inherently intersubjective version of a relational universalism. With Jürgen Habermas this version of universalism recognizes the "paradigmatic role of communication" as its key foundation.[236] Guided by his appropriation of the phenomenological concept of the *Lebenswelt*, this communicative universalism appreciates the embeddedness of human life in socially influenced life worlds, as well as the pragmatist insights into the primary influence of lived experience and language on the hermeneutic process of the individual and its social action.

2. Relational Anthropology

A communicative universalism which acknowledges both the "paradigmatic role of communication" and sensitivity for truth in a "deliberative form of politics" is necessarily based in in "the insight that we humans are relational beings."[237] Huber exposes the deep link of such a relational anthropology to the themes of communication and freedom when he points out that freedom of opinion "presupposes a functioning public sphere."[238] He cites Kant as an early exponent of a relational philosophy that recognizes the integral connection of deliberation and expression. In an essay on what it means to orient oneself in thinking Kant writes: "the external authority that snatches away from the people the freedom to communicate their thoughts in public" also deprives them of "the freedom to think."[239]

Kant draws out the epistemological dimension of communication and introduces a responsible "external authority" as the institutional guarantee for individual freedom. Huber radicalizes Kant's thought on the *connection* of

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235 Dryzek et al., "Toward a Deliberative Global Citizens' Assembly," 39.

236 Winfried Dallmayr, introduction to *Materialien zu Habermas' 'Erkenntnis und Interesse'*, ed. Winfried Dallmayr (Frankfurt am Main: Suhrkamp, 1974), 15.

237 Huber, *Ethics*, 221.

238 Ibid., 86.

239 Immanuel Kant, "Was heißt: sich im Denken orientieren? [1786]," in *Kant-Studienausgabe*, vol. 3, ed. Wilhelm Weischedel (Darmstadt: Wissenschaftliche Buchgesellschaft, 1956), A 326.

deliberation and expression by interpreting communication as a necessary *precondition* for deliberation: "the possibility of communicating our ideas to one another is an indispensable precondition for the critical examination of the correctness of these ideas."[240] Huber summarizes this as "a shift of perspective from … the individual as *homo oeconomicus*, the economic human, interested only in his or her own advantage, to the *homo communicativus*, the communicative human." Ultimately, he concludes, "we humans are … relational and communicative beings."[241]

3. Institutional Multilingualism

As we have seen, both analytical theories of and normative ethics for institutions need to take relationality into account. Heinrich Bedford-Strohm, writing about the institution of the church, does this by introducing a communicability criterium. A key goal for institutions is to achieve the "greatest possible communicability in the general political and societal discourse."[242] This is especially true for public institutions, since their constituency is not some narrow interest or target group, but the general public. If we understand the public as constituted through intercontextuality, then the communicability criterium requires more than one set of communicative tools and the translation between the various iterations of the public comes into focus. It is the translation capacity between different contexts that determines an institution's publicness. Only an institution that is able to provide intercontextual facilitation through a form of communicative multilingualism can be called a truly public institution.[243]

This theoretical conclusion is not just relevant for the ethics of institutions in a given culture or nation state. It also has significant fallout for the institutional ethos *within* public institutions: An institution whose communicative capacity is limited to a technocratic, administrative language with no tools

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240 Huber, Ethics, 86.

241 Ibid., 221.

242 Heinrich Bedford-Strohm, "Öffentliche Theologie in der Zivilgesellschaft," in *Grundtexte Öffentliche Theologie*, ed. Florian Höhne and Frederike van Oorschot (Leipzig: Evangelische Verlagsanstalt, 2015), 215.

243 Heinrich Bedford-Strohm unintentionally limits his concept to bilateral communication when he uses the term Zweisprachigkeit — bilingualism — for it. Since public communication is never limited to only two participants, the term Mehrsprachigkeit — multilingualism — holds more of what Bedford-Strohm describes.

outside of this specialized language is simply not a public institution. This radical realization demonstrates that the theoretical framework established here is an instance of critical theory, since few institutions currently considered "public institutions" do actually live up to the critical ideal sketched here. This critical ideal, however, points to space and provides direction for the reform and conscious evolution of existing institutions.

How does this relate to the working definition of an institution provided above? The concept of the institution as a *structural network architecture* implies a complex communication process in the institution. A merely technocratic set of communicative tools might well be sufficient for most official processes within this institution. For public institutions, this technocratic set of communicative tools might also be necessary to fulfill the task to *expectably and concretely coordinate interactions of individual agents*. This expectability criterium is vital, because the very concept of an institution "refers to the entirety of the permanently constituted and thus dependably regulated forms of (a) the interaction of personal systems with their social and natural environment, and (b) the thereby constituted social systems with their social and natural environments."[244]

The "dependably regulated forms of the interaction of personal systems with their social and natural environment" requires a language accessible to all with an appropriate amount of effort. Hence, parliaments communicate their passed laws in the form of legal language. The precision and theoretical grounding of specialized legal terminology might initially exclude the untrained reader, but provides an expectability and concreteness that honors the purpose of the law. In this example, accessibility for every citizen is reasonably secure through guarantees like the provision of a public defender for the defendant in a trial at court or plain language requirements for official communication of state institutions. If, however, the entire parliamentary process — not just the legal terminology in passed laws — would be restricted to a specialized set of technocratic communicative tools, then this parliament does not meet the communicability criterium established above and would neglect or even lose its status as a truly public institution. Plain language on websites and forms, therefore, are not just disposable add-ons for a given public institution, but are, rather, at the institution's constitutive core.

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244 Religion Past and Present, "Institution."

The recent success of authoritarian populism in liberal democracies around the world can at least partially be attributed to the restriction of seemingly public processes to a set of technocratic communicative tools inaccessible to the larger public, and in instances like the regulation of the finance sector even the majority of parliamentarians. The issues have become so complex that more intercontextual translation than ever is necessary for those responsible within public institutions in order to regain some of the publicness that was lost to the "riptide of technocracy."[245] In the critical-theoretical framework sketched here, institutional multilingualism in the communication of issues and processes of relevance to the public is the key to a *broad base of legitimacy* — the final dimension of our working definition of institutions. It is this last dimension that determines the publicness of the institution. Put simply: The broader the intercontextual base and skill, the more public the institution.

The challenge of technocracy points to one of the key components of the institutional ethos in a given institution: the professional ethos fostered by those holding responsible positions in the institution. The fact that leaders of institutions are, through some form of election or appointment process, given their responsible position for a limited period of time alongside an endowment of privileges to fulfill their tasks and duties well, illustrates how the ethics of institutions are closely tied in general to the field of professional ethics. Institutions are what John Dryzek and his colleagues consider "empowered space" as distinguished from "public space." In a slight reinterpretation of the terms I consider spaces like those associated with parliamentary positions or most other institutional leadership positions *empowered* in the sense that the public or a certain large constituency intentionally creates protections or rights usually not given to private persons in order to ensure the free exercise of responsible leadership in the given position. Examples for this would be the immunity and salaries of parliamentarians, who, as public servants, should not be beholden to specific interest groups and need to be protected from the interference of the executive branch to ensure the separation of power and the mutual checks and balances imposed on each branch of government exercising public authority.

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245 Cf. Jürgen Habermas, *Im Sog der Technokratie. Kleine Politische Schriften XII* (Berlin: Suhrkamp, 2013). See also William Easterly, *The Tyranny of Experts: Economists, Dictators, and the Forgotten Rights of the Poor* (New York: Basic Books, 2013).

The fact that responsible positions in (public) institutions are endowed with certain additional, unique empowerments, and the resulting pertinence of professional ethics introduces *accountability* as a key feature of institutional ethics. Dryzek et. al. consider the public space that space which allows for "relatively unconstrained communicative action" through, for instance, the "transnational media, internet forums, NGOs, citizen initiatives, activist publicizing and gatherings such as the World Economic Forum and World Social Forum." While this public space can also always "feature obstructions to deliberation from public relations, spin, propaganda and deception," it boasts a clear normative ideal of deliberative discourse and mutual recognition. In their specific application of the term for the field of international relations, Dryzek et. al. understand empowered space to feature "authority exercised by and in international governmental organizations, international negotiations, regimes and states." Both public space and empowered space can be "deliberative internally" and "deliberative in their relationships with each other" — especially in the "transmission [of power] from public space to empowered space, and the accountability of empowered space to public space."[246] Relating this to our discussion of communicative universalism, we can conclude that the accountability of public institutions and those in responsible positions within them includes intercontextual facilitation through the contextually sensitive communication we called institutional multilingualism.

4. Deliberative Democracy

A promising response to the transformation of the public sphere and the challenge to the institutional design of liberal democracy is the approach of deliberative democracy. The central insight of the concept is that the source of "political legitimacy is to be found in the right" and not merely in positive law — in Recht as opposed to *Gesetz*. Legitimacy, therefore, depends on the "opportunity and capacity of those subject to a collective decision (or their representatives) to participate in consequential deliberation about the decision." Dryzek et. al. define deliberation as a "particular kind of communication, ideally featuring the giving of reasons and making of points in terms that can be accepted by other participants," as well as "non-coercion and reflection."[247] This conceptual significance of deliberative democracy is not limited to the

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246 Dryzek et al., "Toward a Deliberative Global Citizens' Assembly," 40.
247 Ibid., 36.

institutional design of the political process, but has implications for all public institutions. Postcolonial thought might be tempted to consider the approach of communicative action through deliberative democracy another abstract universalism that has "no relation to what exists" or at least is incompatible with non-western concepts of communal reasoning. The opposite, however, is the case. Communicative action as "reciprocal understanding, reason giving and persuasion in terms of collectively held norms" is evident in virtually all cultures.[248] The characteristic "palaver in some African societies," for instance, is "a form of conflict resolution through dialogue, sometimes with a leader acting as a mediator" and "has deliberative features." In fact, the concept of communicative action resonates "far more easily" in "Confucian, Islamic and many indigenous cultures" than "the adversarial politics associated with competitive elections" in individualistic societies. Deliberative citizen forums, for instance, have been established "successfully in diverse cultural settings, with generally similar effects on their participants."[249]

Prominent examples for the field of conflict resolution and transitional justice are the Gachacha courts after the genocide in Rwanda, and the Truth and Reconciliation Commission after the political abolition of Apartheid in South Africa. This renders criticism claiming that the concept of deliberative democracy is nothing but an innovative version of Western hegemonic thinking little more than intellectual arrogance, or even a form of sophisticated culturalism aserting that such a complex concept could only resonate with the enlightened tradition of the West. Some distinctions are nonetheless appropriate. To exposit the features unique to Western political theory, economist Amartya Sen points out, that "democracy as voting is a western construct, while democracy as public reason is universal."[250]

The challenge of intercontextual facilitation is not just posed by the realities in well-established and relatively homogeneous body politics like nation states with a more or less consistent recent history of democracy. The dynamics of globalization and the challenges of international dialogue on global threats renders this challenge an intercultural one. A successful intercultural case of intercontextual facilitation was the international conversation on hu-

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248 Ibid., 39.

249 Ibid., 37.

250 Amartya Sen, "Why Democratization is not the Same as Westernization: Democracy and its Global Roots," *New Republic 4* (2003): 28–36.

man rights emerging after World War II. The Universal Declaration of Human Rights (UDHR) was, eventually, signed by all major nation states and virtually all others, and remains the key language to appeal to in the case of gross violations of human dignity, despite the fact that not all states always adhere to the principles they signed up for.

While the success of the UDHR demonstrates the possibility of intercontextual facilitation across starkly different cultures, the practical communication within the institutions established for that purpose remains difficult. Dryzek et. al. take this into account when they point out that "cross-cultural deliberation may nonetheless present challenges if participants from different cultures have different deliberative styles."[251] Their example is the contrast between aggressive argumentation and a consensual or deferential style.[252] Dryzek et. al. consider the facilitator crucial "to ensure that the exercise of any particular style is not allowed to dominate other styles." To develop this approach further, the researchers propose to draw upon "plenty of experience with cross-cultural deliberation in national settings involving immigrant minorities and indigenous peoples."[253]

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251 Dryzek et al., "Toward a Deliberative Global Citizens' Assembly," 37.

252 Cf. Diego Gambetta, "Claro! An Essay on Discursive Machismo," in *Deliberative Democracy*, ed. Jon Elster (Cambridge: Univ. Press, 1998), 107–140.

253 Dryzek et al., "Toward a Deliberative Global Citizens' Assembly," 37.

V. Intercontextuality

A. How Institutions Can Serve as Congregational Spaces

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Informed by Hegelian dialectics and basic notions of Christian ecclesiology, one might understand institutions as *concrete congregational spaces of inter-contextual experience.* An institution is not simply an aggregate of inherently separate contexts, but rather includes the conversational space between them. It is therefore a *con*-gregational rather than a merely *ag*-gregating space. The more institutional mainline churches, and organized religion in general, lose legitimacy as inclusive platforms for mediation, the more urgent deliberation on the general institutionality of public life becomes: What can fill the void and who can take over the task of providing integrating gravitational centers for societies in need of constant regeneration for the sources of social cohesion?

The theoretical notion of institutions as "concrete congregational spaces of intercontextual experience" can serve as a helpful hermeneutic in practical issues. The development of the two major political parties in the United States demonstrates this: The Democratic and Republican parties have historically served as a space for uniting interests, not by eradicating ideological differences — in fact, a southern Democrat might have more ideological overlap with a northeastern Republican than with many northeastern Democrats — but by providing an organized space for the coordination of interaction around specific policy goals. During the twentieth and twenty-first century the expectability and concreteness of this coordination started to break down. Today, the two parties are less a congregational, and more an aggregating space for fragmented ideologies forged and fueled in digital and non-digital echo chambers.[254]

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254 Researchers of political partisanship in the U.S. Congress conclude: "We find that despite short-term fluctuations, partisanship or non-cooperation in the U.S. Congress has been increasing exponentially for over 60 years with no sign of abating or reversing. Yet, a group of representatives continue to cooperate across party lines despite growing partisanship." Cf. Clio Andris et. al., "The Rise of Partisanship and Super-Cooperators in the U.S. House of Representatives," PLoS ONE, 10:4 (2015), accessed November 4, 2016, http://journals.plos.org/plosone/article?id=10.1371/journal.pone.0123507.

The Tea Party's obstruction of intra- and inter-party cooperation is only one of the examples of the consequences.[255]

While merely aggregating spaces allow for abstract living next to each other, congregational spaces foster concrete living *with* each other. I use the terms *abstract* and *concrete* in a Hegelian way here, meaning that "abstract" refers to the subject being "pulled off" *from* the object, and that "concrete" refers to the subject "growing together" *with* the object. One could also apply the concepts of *negative unity* and *positive unity* respectively. Another helpful concept is romanticism's notion of the "union of unity and difference" (*Einheit von Einheit und Differenz*). While a merely negative unity can only hold difference next to each other, positive unity can achieve a union of both unity and difference. Hence, it allows for both toleration of *difference*, and forging of *unity*. Conversational institutions, using communicative action as a yardstick for integrity, as well as consciously opening up congregational spaces of intercontextual experience, are capable of *relativizing* competing truth claims by *relating* different experiences to each other without denying the concept of truth altogether. Thereby, they allow for the expectable and concrete consensus around specific policy goals by building common ground for deliberative communication.

Institutions in contemporary liberal democracies are increasingly struggling to fulfill their role as intercontextual mediators between contexts. They struggle to keep the existing communication channels open, and often fail to open up expectable and concrete frontiers of necessary conversations between given contexts. Public Theology must take this up as a task for its theological reflection and practical participation in public life.

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255 This summarizing statement needs qualification: Recently, Matt Kibbe, one of the defining thinkers of the contemporary libertarian movement in the United States, has sought out dialogue with thinkers from very different traditions and movements, among them progressive activist Heather McGee in a conversation aired on public radio. Cf. Heather McGee and Matt Kibbe, "Repairing the Breach," On Being with Krista Tippett, April 6, 2017, accessed July 16, 2017, https://onbeing.org/programs/heather-mcghee-and-matt-kibbe-repairing-the-breach/. The context for the conversation was Citizen University's annual conference in March 2017: "Citizen University National Conference: Reckoning and Repair in America," Citizen University, accessed July 15, 2017, http://www.citizenuniversity.us/wp-content/uploads/CU-2017-program-FINAL.pdf.

B. Why Intercontextuality Trumps Contextualism

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The future of institutions matters for Public Theology, because the conditions for the publicness of Public Theology are impacted by the institutional arrangements tasked with guaranteeing the inclusivity of public deliberation on relevant issues. Given its normative commitments, Public Theology cannot remain neutral on this matter, since the erosion of institutional guarantees for inclusivity, as well as checks and balances in public discourse gives rise to a form of communicative anarchy that rewards the loudest, most aggressive and dramatic voice, instead of the one putting forth the strongest argument. Public Theology must resist this form of communicative darwinism in the public sphere, and must critique the survival-of-the-fittest practices in the digital attention economy.

Similarly, Public Theology cannot accept hegemonic institutions using their public authority to exclude key voices reflecting upon and interpreting human reality. Once again, *intercontextuality* comes into focus. The *public* in Public Theology simply does not allow for a purely contextualist approach, in which contextual experience becomes the sole authority of discourse and is treated like a source of mystical revelation. But while *contextualism* is incompatible with Public Theology, a *contextual* approach remains key for Public Theology, since it strives for an ever more inclusive conversation on public issues from diverse perspectives, thereby achieving a degree of intercontextuality warranting the term *public* deliberation.

Every deliberation of Public Theology on public issues of its time, necessarily includes a conscious deliberation on space and vantage point: Who deliberates in which space and in what time? But, again, since Public Theology strives for an ever more inclusive conversation, this cannot mean giving up truth claims or all kinds of universal conversation. Since Public Theology can be conceived of as a joint deliberation for the common good, it must find points of connection between the contextual contributions and link them through the rough and arduous process of embodied and holistic negotiation. It is therefore not *contextualism*, but *intercontextuality* that Public Theology can embrace with integrity.

Applied to the issue of institutions, we must ask: Who makes sure *everyone* can participate and how is safe space and sufficient time for open conversation guaranteed for *all* — and not just the few that can scream loud enough to win in the darwinistic battle for attention? How can skills of intercontextual discourse be learnt and who teaches them how and with what interest? Since postcolonial theory calls us to be careful in answering this question, for the answer to it might constitute new forms of colonial hegemony, the prime candidate cannot be contextualist organizations advocating for special interests (1), nor can it be specific individuals generously funding a forum (2), and it also cannot be the immediate community of family or tribe alone since natural and political segregation has led to separate experiences with rather juxtaposed positions and potentially antagonistic attitudes that make intercontextual facilitation very difficult (3).

The effects of these three shortcomings of conversational spaces can be observed in Al-Malikis ethnicist policies in Iraq after the Bush invasion. It can be observed in some of South Africa's post-Apartheid discourse which struggles to bridge the gaps in experience that continue to exist due to economic entrenchment of community segregation, and remain virtually as strong as during Apartheid itself. And all three shortcomings have also become visible in the political climate of the United States. Economically segregated communities separated by urban planning struggle to speak to and understand each other (see Black Lives Matter), the strength of special interest has disillusioned many voters and fueled support for anti-establishment politicians during important elections (see Trump, Cruz, Sanders), and the overpowering influence of certain individuals has caused deep anger and distrust in the democratic process itself (see the Koch brothers controversy after the Supreme Court's *Citizens United* decision).

The only possible candidate for an ever more inclusive conversation lies in the safe space for communication created by inclusive institutions. If Public Theology wants to take its publicness seriously, it can simply not ignore the wellbeing of institutions that open up congregational spaces of safe communication. If Herbert Spencer was right in conceiving of society "as an organism" with institutions "as its organs,"[256] then the concept of intercontextuality brings into focus how these organs coordinate the action of individual cells

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256 Religion Past and Present, "Institution."

on one hand, and how they serve as an integral part to the societal organism writ large on the other hand. Intercontextuality, therefore, is at the heart of all social fact, which for Emile Durkheim is not a merely analytic category, but a "synthetic combination of individual and collective action and consciousness."[257]

257 Ibid.

C. How Institutions Arbitrate Intercontextual Conflict

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The realization that all social groups develop distinct rules, norms and cultures, which eventually will clash with distinct rules, norms and cultures in other social groups, helps clarify the practical role that institutions play in the arbitration of intercontextual conflict. Peter Heintel discusses this communicative role of institutions in his addendum to Berger's article in *Religion Past and Present*. Social science, he contends, has "neglected … logical contradiction." By that he means the "necessary and unavoidable conflicts that are permanently in need of regulation" in society. Contradictions, he thinks, can be identified at the level of "basic existential contradictions" and the "systemic-cultural-historical level." The level of basic existential needs includes "fundamental contradictions between human beings and nature, man and woman, young and old, life and death." In relative contrast, the level of systems, culture and history includes "contradictions that emerge at the periphery of social structures between different cultures and between different systems." Heintel identifies a dialectic in these contradictions: "they are basically insoluble, although they must always be solved, because otherwise concerted action would be impossible."[258]

With this heuristic perspective, the central task for institutions — the arbitration of insoluble conflict — appears to be an "impossible necessity."[259] For Heintel, this does not come as a surprise. Theological and philosophical anthropology, he says, have shown that "the nature of the human being is *in itself* contradictory." Heintel therefore develops a definition he considers "paradoxical yet adequate": "institutions are constructions that attempt to provide durable answers to insoluble contradictions. The fact that this is impossible describes the finiteness of their authority, while the fact that this is

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258 Ibid.

259 Cf. Schlegel, *Theologie als unmögliche Notwendigkeit.*

also necessary and not a construction of illusion lends them a metahistorical appearance." Durable institutions, therefore, "have always been located within the most basic existential contradictions."[260]

Heintel wants to critique an understanding of institutions that rests solely on rationalist proceduralism: "Institutions that exist on the basis of agreements over rules of functional cooperation" are less likely to be perceived as real institutions, since in an agreement the relationship to the contractual partner appears changeable. On the contrary, the existential contradiction that requires constant arbitration will always call for institutional response, and can therefore *sustain* an institution beyond its founding impulse, while the functional cooperation can seize to be relevant, if the function served by the institution is no longer needed. Heintel's approach encourages awareness of where intercontextuality as a form of publicity in the digital age is most needed: "institutions and their answers [are] constructed entities"[261] and, therefore, subject to a process of construction. If the process of construction is dominated by one particular context, interest, or group, the institution's arbitration capability collapses instantly. Applying Heintel's thought to what our examination of intercontextuality has brought to the fore, we can conclude: The degree of arbitration capability depends on the degree of legitimacy, which in turn depends on the degree of inclusivity, which in turn depends on the degree of intercontextuality.

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260 Religion Past and Present, "Institution." The version of the quote given here is a corrected translation from the original German: "Die langlebigsten Institutionen waren daher immer in den existentiellen Grundwidersprüchen angesiedelt." Cf. Die Religion in Geschichte und Gegenwart, "Institution," 4th edition, ed. Hans Dieter Betz et al., accessed December 17, 2016, http://dx.doi.org/10.1163/2405-8262_rgg4_-COM_10462.

261 Ibid.

VI. Theology

A. Why Theology Must Engage the Issue

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What can theology contribute to this conversation? Most conferences and conversations attempting to analyze the trends of the digital age are conducted as analytical processes that identify what is happening or predict what might happen in the future. Theology, with its normative commitments, adds a new dimension: What should be happening? The analytical process is, of course, a necessary condition for adequate normative reasoning. But normative reasoning goes beyond mere analysis and encourages us to practice agency — something that many analytical contexts would see as unscientific, arrogant and necessarily wanting. That mindset, however, is the safe path to either *digital idolatry* and naive belief in progress through technology, or something that could be called *digital cynicism* — the expressive belief that machines will take over, that our agency is gone, that it will all be bad and destructive, and life was better last year anyway. Public Theology can call us to a higher standard by starting a conversation on *digital agency*. And it can link the conversation on ethics in the digital spheres of human life with the longstanding discourse on institutions.

Eilert Herms notes that before sociological institutionalism picked up the issue, it was actually theology which led a discourse on the matter of institutions: "Since the middle of the 20th century, the Christian understanding of the social nature of the human being has been discussed by (Protestant as well as Catholic) theology in conjunction with a broad acceptance of the concept of institution." The discussion encompassed the whole encyclopedia of theological disciplines, but focused particularly on practical theology, the history of ideas, church history, and the systematic disciplines fundamental theology, doctrinal theology and ethics, as well as the philosophy of religion. As Herms points out, the concept was used in fundamental theology "to describe the social and communicative conditions that determine the constitution of faith." Doctrinal theology draws on the concept "to describe the created social nature of the human being and the condition of the historical world that emerged as a result of the Christ-event" — including matters of

church theory and the Christian social doctrine. And finally, ethics employs the concept "to distinguish between individual and socio-ethical problems, their comprehension, and their solution-oriented treatment."[262]

262 Religion Past and Present, "Institution," 4th edition, ed. Hans Dieter Betz et al., accessed December 17, 2016, http://dx.doi.org/10.1163/1877-5888_rpp_COM_10462.

B. How Public Theology Defines the Public Sphere

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The fragmentation of the public sphere might seduce us to do away with the concept of the public altogether. Such an approach might use a postmodern digital version of Carl Schmitt's understanding of the political as a constant struggle of friend and enemy, or even a non-democratic version of Thomas Hobbes' response to the struggle of all against all. In both cases it could deny the reality of the public sphere and either denounce the appeals to it as a politically correct consensus cult denying the truly free play of politics or as an anti-institutional force that uses a dynamic interpretation of public life to erode the forces of the state which alone may have power to define public life.

Both options have decisionist tendencies and avoid all attempts at reconciliation or intercontextual conflict resolution. The Schmittian solution creates the anarchic opening for autocratic leadership — the one who has the power to declare a state of emergency which trumps all other decisions — and the Hobbesian solution facilitates the exclusion of all forces outside of the state's institutions and power structures. Both, therefore, are impossible to reconcile with the commitments of liberal democracies. So in order to re-invent the institutions of liberal democracy, we need to find an understanding of the public sphere that does justice to the contextual realities of pluralism without destroying all bonds of intercontextual dialogue ensured by the traditional notion of a coherent public sphere.

With the backdrop of definitions from encyclopedias and dictionaries cited above, I will turn to Public Theology for inspiration on how to conceptualize the public for a pluralist society. American theologian David Tracy urges theology to consider the public sphere in its work and writes that "a drive towards the public must be present in all theologies." Tracy states that theologians must care *more* for the "social realities (the actual 'publics') that imbue each and every theology" and need to explain *more* how the "general 'public' of all theological talk is realized into the diverse, but connected disciplines."[263]

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263 David Tracy, "Eine Verteidigung des öffentlichen Charakters der Theologie," in *Grundtexte Öffentliche Theologie*, ed. Florian Höhne and Frederike van Oorschot (Leipzig: Evangelische Verlagsanstalt, 2015), 38.

Tracy focuses on three different publics: church, society and academy. All theology, Tracy thinks, speaks to all three publics at once, but with consciousness of contextual particularity.[264]

This desire to raise awareness for the contextuality of public life is important, considering that other theologians have used less differentiated concepts of the public sphere. John de Gruchy, for instance, speaks of *the* one public square when he describes post-Apartheid challenges for South African theology: "The transition to democracy made clear the necessity of a new approach to theology in the public square."[265] Using words by David Tracy, de Gruchy's compatriate Dirk J. Smit answers with a call for a public theology that "authentically represents a particular community's vision of reality without rendering that vision merely private."[266] Without giving an authoritative answer himself, Smit lays out the contradiction: Should Public Theology start with a concept of the one "naked public sphere" — or should it attempt to speak into the various fragmented publics?[267]

Building on a strong concept of discourse in civil society, German theologian Heinrich Bedford-Strohm emphasizes Public Theology's goal to combine the particular resources of its own tradition with the "greatest possible communicability in the general political and societal discourse."[268] It is the interplay of universality and particularity that creates the basis for the "social cohesion" on which the "liberal state" can rest.[269] Particular traditions, Bedford-Strohm thinks, can provide "treasures of orientation" for "pluralistic publics."[270] The concept of a public beyond the state is also proposed by American theologian Max Stackhouse. The tradition of Public Theology, as Stackhouse sees it, is best illustrated by the work of the Civil Rights Movement in the twentieth century. Building on the "social ethos" of the "American public" in the tradition of philosopher John Locke, theologian Jonathan Edwards,

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264 Cf. ibid., 39—41.

265 John W. de Gruchy, "Von Politischer zu Öffentlicher Theologie. Die Rolle der Theologie im öffentlichen Leben in Südafrika," in ibid., 116.

266 Dirk J. Smit, "Das Paradigma Öffentlicher Theologie. Entstehung und Entwicklung," in ibid., 130.

267 Cf. ibid., 138.

268 Bedford-Strohm, "Öffentliche Theologie in der Zivilgesellschaft," 215.

269 Bedford-Strohm builds on Böckenförde, Rawls and Habermas here. Cf. ibid., 216ff.

270 Ibid., 216.

the Social Gospel movement around Walter Rauschenbusch and the political thought of Abraham Lincoln and Woodrow Wilson, Public Theology emerged as a combination of "social and ethical realism" that was well-equipped for the "necessary reformation of society."[271]

In contrast to the popular civil religion, this kind of Public Theology did not celebrate "the social system and its culture," but rather changed it. And in contrast to Political Theology,[272] it "did neither strive for political power, nor did it call for radical changes with utopian visions."[273] But it was "happy with the humble changes" that were achieved. Public Theology, in Stackhouse's conception, "was and is a reform-oriented movement" and not "conservative or revolutionary." Hence, Stackhouse considers Martin Luther King Jr. one of the exemplars of this "activistic and optimistic kind of Public Theology." This kind of Public Theology brought change not so much through "direct political means, but through the transformation of the institutional structure of society and through changes to the inherited culture."[274]

Like Abraham Lincoln's political thought, this brand of Public Theology, can therefore be considered an exponent of reformist institutionalism. While Lincoln focused on the future of political institutions, Stackhouse includes the non-state institutions of civil society. His approach states that the "public is prior to the republic" and therefore zooms in on the multi-faceted "structure of civil society."[275] Even though this kind of Public Theology emphasizes the socio-theoretical elements of transformation and considers "politics not a lord, but a limited servant of other societal institutions," Stackhouse cautions that it cannot be called "antipolitical" because of its focus on institutions. The institutions he mentions include "police, military, juridical institutions, medical institutions, educational institutions, and infrastructure." With its "social realism" Public Theology can recognize the necessity of political structures and the use of state force for their maintenance, but it also calls for ways to

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271 Max L. Stackhouse, "Zivilreligion, Politische Theologie und Öffentliche Theologie. Was ist der Unterschied?," in *Grundtexte Öffentliche Theologie*, ed. Florian Höhne and Frederike van Oorschot (Leipzig: Evangelische Verlagsanstalt, 2015), 61.

272 In contrast to philosophy and the social and legal sciences, the term Political Theology usually does not refer to Carl Schmitt in the context of theological discourse. It most often refers to theologians opposing Schmitt (i.e. Johann Baptist Metz and Jürgen Moltmann).

273 Ibid., 61f.

274 Ibid., 62.

275 Ibid., 63.

"organize and control political institutions in a way that blocks them from embracing or dominating the whole of life."[276] Here we see the affinity of Public Theology and liberal democracy.

Stackhouse combines this reformist institutionalism with the question of the universal and the particular: "We must understand how these diverse publics can be embedded into a reliable system in an increasingly complex and global civil society." The key question for Public Theology becomes, therefore, whether the public spheres of civil society "need a political order" or whether they themselves constantly "reconstruct" this order. As the citations above and the Böckenförde reference in particular demonstrate, Bedford-Strohm considers the pre-political realm as the source of moral regeneration for the political realm of a secular state that rests on foundations it cannot guarantee itself if it does not want to jeopardize its liberal structure. Stackhouse agrees and identifies that Public Theology considers "the structure of society as decisive for every area of living together." Put differently, "Public Theology wants to take up a social theory of politics, while Political Theology tends to a political understanding of society." The key difference is that Political Theology considers politics "the most comprehensive institution of society and the primary manifestation and guaranty for public justice." But Stackhouse warns that a total focus on politics as the sole power exerting "control and leadership of all social institutions" is too narrow, since it ignores the importance of civil society. Civil society, however, is especially important when politics seizes to be "well-meaning" and rather becomes "authoritarian or totalitarian."[277]

In summary: The inclusion of civil society in the definitions of public spheres and of the institutional structures of societal life evolves monolithic concepts of the public and its institutions. This supports our attempt to develop a dynamic understanding of an intercontextual public and a network-based understanding of an institution as coordinated interaction.

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276 Ibid.

277 Ibid., 66.

C. How Public Theology Can Encourage Digital Agency

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If Public Theology cannot ignore the wellbeing of institutions, how can it contribute to the discourse on it? Public Theology, I argue, is in fact well equipped to stimulate the conversation, as I will summarize in nine theses.

1. Encouraging Institutional Awareness

Public Theology, because of its awareness of human incompleteness and the need for expectable cooperation, can help us recognize that much, if not all of social reality is necessarily constituted through institutional coordination of interaction in one way or another. Public Theology does not simply hover above all institutional arrangements as a sort of dramatic spiritualist or ecclesial veil to opaque secular commitments. Rather, it can actively participate in shaping the institutional conditions for the inclusive publicness of theological and secular discourse. It can critically reconstruct institutional arrangements from a theological perspective and therefore have transformative impact on the arrangements themselves.

2. Encouraging Anthropological Reflection

Public Theology can, in principle, provide publics with contextually informed anthropological guidance by translating the Bible and contextual interpretations thereof into discourses that would otherwise neglect such theological material. The work of Reinhold Niebuhr, and his push for responsible intervention in World War II serves as one of the many examples for this. His theological realism informed the work of Martin Luther King Jr. and the presidency of Barack Obama, and continues to impact and sensitize political actors for anthropological dimensions of social action. It thereby fulfills the task of Politikberatung and informs political discourse with otherwise neglected perspectives from its narrative sources.

3. Encouraging Realistic Hope

Public Theology, informed by its anthropological guidance on the abilities and limitations of human living, can render the theological view of human incompleteness helpful for the adequate conception of institutions. Most paradigmatic theories of institutions — like Luther's doctrine of God's two

regiments, Hobbes' covenantal theory of the state, or Kant's political theory and philosophical ecclesiology — build on a thoroughly realist anthropology. All three paradigmatic examples ultimately derive their anthropology from a theological framework of human incompleteness, or even depravity. Public Theology can, therefore, expose the humanness of institutions, and hence their finitude. But at the same time — and this is where purely secular sources have their limitation — this does not mean that Public Theology must fall into pessimistic skepticism or even cynical nihilism about human institutions. Because it has a concept of redemption, salvation, and grace, Public Theology can develop a theory of hope for inclusive institutions, despite their limitations, moral failures, and human brokenness.

4. Encouraging Glocal Discourse

Public Theology can provide a bridge between various institutional and cultural realms. It can express a common call across state boundaries. The throughly global, and at the same time thoroughly local nature of the Church provides *glocal channels of communication* between the very local and the very global realms of cultural life and political deliberation.

5. Encouraging Milieu-Transcendence

Public Theology can provide a *milieu-transcending perspective* on life. It can bring the political realm and ecclesial realm into conversation like no other academic discipline. And it brings issues of justice and personal stories from local experiences into the broad global conversations, as well as into the technocratic discourses in states and institutions around the world.

6. Encouraging Transcendent Sensibility

Public Theology carries an *sensibility for transcendent reality* into materialist and pragmatist conversations. It opens up the „imminent frame," as Charles Taylor has called the dominant intellectual framework of the secular age.[278] The reflection on transcendence beyond imminence can provide new room for thought and creativity that would otherwise be stifled by mere pragmatism. Public Theology can bring this perspective into conversations with disciplines confined to the "imminent frame." Promising seem conversations with those who understand institutions as a process of imminent transcendence. An example for this is Peter Heintel: "Institutions that help organize

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278 Cf. Charles Taylor, *A Secular Age* (Cambridge: Harvard University Press, 2007).

space and time for 'permanent reflection' and the handling of contradictions are based on the possibility of self-transcendence and system-transcendence. In the sense of a practical and concrete enlightening, these institutions would draw their dignity and legitimacy from the establishing of joint reasoning as a permanent reflective difference. The search for "the good," and also for public welfare, could thus acquire a new platform."[279]

7. Encouraging Ethical Reflection

Since it affirms that life has meaning, and that individual and collective agents ought to reflect their actions in terms of responsibility, Public Theology carries a *reflection on the ethical yardsticks* measuring individual and collective action into the daily discourse of the defining societal institutions. This includes the Church and political entities like the state, but also other public institutions in media, business, education, and culture. Public Theology can introduce tools and methods of ethical evaluation that would otherwise be lacking in these institutions, despite ethics committees and corporate identities.[280] Public Theology can also provide an external yardstick for the internal evaluation in these institutions.

8. Encouraging Public Ethos

The potential contribution of Public Theology for an ethics of institutions therefore lies both in its advice for the *ethics within institutions* and its stimulation to a *public ethos of institutions* that affirms the institutional nature of social reality and innovates our thinking on how legitimate and stable institutions can be built in times of individual empowerment and constant disruption.

9. Encouraging Institutional Innovation

In the spirit of *ecclesia semper reformanda*, Public Theology can contribute to the constant renewal of the various institutional forms of the Church in a very targeted and participatory manner. But by opening discussions on the external yardsticks for internal evaluation, by stimulating a public ethos

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279 Religion Past and Present, "Institution."

280 For a comparative case study of how the churches in Germany and South Africa do this in the diverse public spaces see Willem Fourie and Hendrik Meyer-Magister, "Contextuality and Intercontextuality in Public Theology: On the Structure of Churches' Public Engagement in South Africa and Germany," *International Journal of Public Theology* 11:1 (2017): 36–63.

of institutions and by encouraging active institutional engagement, Public Theology can also help institutions writ large to find ever-more inclusive ways of living out their institutional purpose. This will help those disproportionally who are most marginalized by the destruction of societal institutions, and thereby has broad normative significance.

VII. Responses

Responses

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With sketches of the defining trends and a discussion of Public Theology's theoretical equipment in mind, this chapter concludes the study with concrete proposals on how to respond to the trends described. Throughout the chapter I apply Hegel's definition of *critique as affirmative negation*. In his lectures on the philosophy of religion Hegel writes: "Critique that leads only to a negative result, is a sad business. To simply limit yourself to a demonstration of the vanity of a given content is vain in itself." Rather, Hegel suggests, "our critique should always pro duce affirmative content."[281] Following his reasoning, I treat all three trends as double-edged swords calling for both negation and affirmation.

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281 The original German reads: "Die Kritik, die auf ein nur negatives Resultat führt, ist ein nicht bloß trauriges Geschäft, sondern sich darauf beschränken, von einem Inhalt nur zu zeigen, daß er eitel ist, ist selbst ein eitles Tun, eine Bemühung der Eitelkeit. Daß wir einen affirmativen Gehalt zugleich in der Kritik gewinnen sollen, ist darin ausgesprochen wie wir jene Beweise als ein denkendes Auffassen dessen ausgesprochen haben, was die *Erhebung des Geistes zu Gott* ist." Cf. Georg Wilhelm Friedrich Hegel, *Vorlesungen über die Philosophie der Religion II* (Frankfurt am Main: Suhrkamp, 1986), 386.

A. Response #1: Network Architecture

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I want to point to two possible components of a critical reconstruction of the trend towards *network architectures* in institutional arrangements: the criteria for the deliberation of truth claims within networks and the task of shaping institutional networks through inclusive communication.

Firstly, network architecture should not be conflated too quickly with a purely consensus-based approach to truth. The mere fact that a number of people in a low-hierarchy network agree on something, does not make it true, thus calling for careful reflection on the power distribution in network-based settings. The core question here is whether there are external yardsticks to the deliberation within a network, or whether a majority decision in a network structure is enough to warrant truth claims. This type of question has been thoroughly debated in questions of political theory on issues like natural law, constitutionalism, democratic proceduralism and the pre-political foundations of the rightsbased rule of law. Now that the more relativist strands of postmodern thinking are losing their grasp on many intellectuals in the wake of terror attacks designed to challenge the liberal-democratic approach to society, the questions surrounding what our yardsticks for institutional arrangements and specific policy choices should be, are likely to resurface with full force over and over again, especially considering inter-religious dialogue and inter-cultural experience in increasingly heterogenous nation states.

Secondly, while we need to reconsider and reorient the specific institution around the founding impulse and the operating purpose given from external sources to these institutions (for instance the constitution for political institutions or scriptures or creeds for ecclesial institutions), we also need to restructure and reshape the workflows within these institutions towards meeting the inclusivity criterium identified by Acemoglu and Robinson in *Why Nations Fail.* The inclusivity criterium for successful institutions points to the task of ensuring that the institution is communicating well internally and externally, and that it includes all relevant parts of its organizational branches into its communication. Thus, the investment into communicative action by and within the institution becomes a yardstick for the integrity of

the institution. This communicative action is relevant not only in the actual processes within the institution, but also in the individual capacity building through education and social interaction outside of the institution.

As Eilert Herms points out, the "social imposition of rule-compliance and the conditions of its being understood and accepted by all individuals influences the *genesis and regeneration* of institutions." The communicative factor measured by the degree of acceptance achieved is of fundamental importance for Herms, "since all institutions are maintained and imposed through the participation of individuals." The participation of individuals presupposes "the capability of the individual to participate constructively in the institution." For Herms, this capability is not measured by the extent of power and influence exerted on decisions, but by "the integration of the interest in life-furthering forms of community into the individuals' own self-interest." The capability to participate constructively is not naturally given at birth, but is in fact "the result of one's individual education history, the success of which may be made necessary by the imposed forms of coexistence, though it is not sufficiently determined by the latter."[282] Thus, the capability for constructive participation and the educational systems leading individuals into institutional participation are amongst the key parameters determining the success or failures of every attempt to reform or generate institutions.[283]

282 Religion Past and Present, "Institution."
283 Die Religion in Geschichte und Gegenwart, "Institution."

B. Response #2: Personalized Individuality

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I also want to point to two possible components of a critical reconstruction of the trend towards *personalized individuality* in institutional arrangements: the prophetic critique of self-referential narcissism and the constructive narrative of the serving nature of freedom-ensuring institutions.

Responsibly reducing and redirecting the *coercive power* of institutions has been amongst the key components of the concept of *freedom-ensuring* institutions. In this view, institutions are not conceived to dominate arbitrarily, but to serve by ensuring the freedom of its constituency through basic civil or universal human rights. The vital significance of individual freedom guided by the concept of human dignity must be protected, if liberal democracies want to retain their fundamental characteristics. But in order to secure individual freedoms, there is a need for institutions underwriting these freedoms. Disposing of freedom-ensuring institutions in the name of individual freedom, therefore, is self-defeating.

An example for the self-defeating cause of dismantling institutions in the name of agency is the sphere of religion, which in the Western world has displayed increasing individualization and personalized syncretisms since the nineteenth century, and particularly since the 1960s. Jürgen Habermas speaks of a new "awareness of what is missing"[284] and Robert Wuthnow observes that "the breakdown of institutional support also means that spirituality at the personal level becomes precarious. Once carried by the rituals, activities, and conversations [in] the institution, it now has to be carried alone." He quotes one of his interviewees: "My personal faith journey has always been pretty passive in the sense that it has been fed by the institution. And now that I no longer have the institution feeding it, it's kind of splat on the ground, sitting there without any help."[285]

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284 Michael Reder and Josef Schmidt, eds., *Ein Bewußtsein von dem, was fehlt. Eine Diskussion mit Jürgen Habermas* (Frankfurt am Main: Suhrkamp, 2008).

285 Wuthnow, *After Heaven*, 47.

The lack of institutional support is amplified by the dark side of selfie technology: The constant encounter of images of oneself through digital technology does not just allow for creative expression, it also puts humans at risk of drifting into selfreferential narcissism and constant insecurity about the appropriately polished brand management of the self in social spaces. With reference to Eli Pariser's *The Filter Bubble* Nicco Mele calls this filter-bubble-reinforced dynamic a "perverse kind of digital narcissism."[286] Roger Willemsen even sees a direct link between digital narcissim and forgery. He speaks of an "effort to become image-suitable and enter the world of forgery, seizing the opportunity to refine the self into a doppelganger of one's own person."[287]Willemsen asks: "The selfie, the auto-erotic multiplication, the existence as a branch of one's self — is this the future of the self?"[288] For most of human history, individuals were dependent on others to determine their identity. Post-modern individualism and new means of personal expression now allow humans to live into the illusion that identity can be created through self-referential deliberation. The pressure to find sources of identity and purpose is increasingly placed in the individual, and less in the collective. This allows for diverse creativity, but also lonely despair.

One of the thinkers who has worked on the relevance of institutions in religion is the progressive evangelical author Brian McLaren. Situated between a brand of religious liberalism that argues for individual rights and against organized religion, and a religious conservatism that honors the traditions of the longstanding institutional churches and advocates a strongly organized form of religion with strict communal discipline, Brian McLaren seeks to find new ways of reconciling the two by describing a form of dynamic stabilization and a vision of constantly reforming institutions: "in times of instability,

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286 Mele, *The End of Big*, 131.

287 Roger Willemsen, *Wer Wir Waren. Zukunftsrede* (Frankfurt am Main: S. Fischer, 2016), 23f. The German original: "In der Anstrengung, selbst bilderfähig zu werden und Eintritt in die Welt der Fälschungen zu erlangen, wählt [der Betrachter] die Möglichkeit, sich zum Double der eigenen Person zu veredeln."

288 Ibid., 24. The German original: "Das Selfie, die autoerotische Vervielfältigung, die Filialexistenz - ist das die Zukunft des Ich?"

growing numbers of people are afraid that the institutions will fail. And here's where a lot of people are surprised. I am a pro institution guy. I think institutions are tremendously important."[289]

But the institutions McLaren has in mind are not self-sufficient. Institutions per sé are incomplete structures that can rarely renew themselves from within. Arguably, McLaren puts activist words to the idea behind the *Böckenförde-Diktum*: "I just think institutions constantly need movements knocking at the door to challenge them to take the next step forward." Applying this to the progressive Christian movement of the Emerging Church that McLaren helped build, he says: The Emerging Church movement "is not an anti institutional movement, but a movement of people who want to try to articulate some next steps forward." McLaren contends that "institutions really matter" and pairs the definition of an institution with that of a movement. The interplay of the two he calls a "yin and a yang." McLaren's definition of an institution is: "an organization that preserves the gains made by past movements." He pairs it with the definition of a movement: "an organization that arises to propose gains to current institutions."[290]

As a form of dynamic stabilization, institutionalism can provide a perspective beyond the individual without drifting into totalitarian control and power play. By explicitly naming the institutional nature of social reality, it can sharpen our minds not just for the value of inclusive institutions, but also for abuse of power and ineffective workflows within institutions. The popular tech sector dictum of "putting user needs first" can renew our appreciation for the serving nature of institutions. Ecclesiologically, this can be described through both the Protestant paradigm of the priesthood of all believers and the Catholic paradigm of the universal Church as a servant of God and God's people. Biblically, this can be grounded in the individual worth and dignity, theologically derived from the creation of all humans in God's image. Theoretically, it can be explained as the constitution of institutions through the network of those it serves. And politically, it could be encouraged by renewed appreciation for participatory citizenship, and other institutionally guaranteed forms of participation in public institutions.

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289 Brian McLaren, "The Equation of Change," *On Being with Krista Tippett*, March 13, 2014, accessed January 22, 2017, https://onbeing.org/programs/brian-mclaren-the-equation-of-change/.

290 Ibid.

C. Response #3: Automated Workflows

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And I want to point to two possible components of a critical reconstruction of the trend towards *automated workflows* in institutional arrangements: the prophetic critique of mechanistic utilitarianism and the deliberately moral and constructive use of automation technology for the benefit of all humans.

In a 1951 speech on reforming the institutions of global governance, Pope Pius XII. criticized mechanistic interpretations of egalitarianism. While he emphatically endorses an "effective political world organization," Pius warns against treating humans as cogwheels in a massive machine on auto-pilot. Pius interprets the Catholic interpretation of order as the affirmation of lively institutions structured through subsidiarity, "free of the engines of mechanistic leveling" of all partici pants and actors.[291] When such language is used, one must pay heed to antidemocratic tendencies. If egalitarianism as such is the target of such criticism, it erodes the very foundations for inclusive institutions. If, however, such criticism is directed towards the use of humans as mere technical resources in order to fuel an automated machinery of institutions without true consideration of the humans involved, it is entirely on point. The concept of freedom-ensuring institutions is built on an anthropology of dignity which Immanuel Kant famously explicated as his third categorical imperative: Treat yourself and others not as mere means to an end, but always as ends in themselves.[292]

In addition to the necessary alertness we need to employ with new technologies, we must also recognize the potentials in computer-based automation of repetitive labor. Automated workflows can indeed help institutions regain

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291 Arthur-Fridolin Utz and Joseph-Fulko Groner, eds, A*ufbau und Entfaltung des gesellschaftlichen Lebens. Die soziale Summe Pius XII.*, (Freiburg: Paulusverlag, 1954), par. 3995. Fritz and Groner translate this passage as "Triebwerk einer mechanistischen Gleichmacherei."

292 Kant writes: "Handle so, daß du die Menschheit sowohl in deiner Person, als in der Person eines jeden andern jederzeit zugleich als Zweck, niemals bloß als Mittel brauchst." Cf. Immanuel Kant, *Grundlegung zur Metaphysik der Sitten*, AA IV, 429. He also writes: "Denn vernünftige Wesen stehen alle unter dem Gesetz, daß jedes derselben sich selbst und alle andere niemals bloß als Mittel, sondern jederzeit zugleich als Zweck an sich selbst behandeln solle." Cf. Kant, *Grundlegung zur Metaphysik der Sitten*, 433.

legitimacy by creating user-friendly points of interaction in the digital devices we incorporate into our daily lives. Automated workflows can take care of those tasks that function well without human judgment: renewing your driver's license, filing your taxes, registering your vehicle and so forth. From the institution's perspective, automation can free up staff in order to focus on what only human staff can achieve: creativity, warmth, empathy, active listening, critical thinking. Moreover, automation does not just substitute or complement human work, it will also create jobs of oversight, for which human judgment will remain indispensable. It appears, therefore, that new forms of intelligent distribution of labor will be at the core of institutional innovation in the near future: Robotics and specialized artificial intelligence will improve the precision, reliability and consistency of repetitive tasks, while humans can refocus on what only humans can do, thus enabling institutions to be more attentive, empathetic, mindful, and creative.

Google's CEO Eric Schmidt agrees with a constructive coexistence model: "I've come to a view that humans will continue to do what we do well, and that computers will continue to do what they do very well, and the two will coexist, but in different spaces." With their perfect memories, Schmidt says, computers can handle "needle-in-a-haystack problems". Humans, on the other hand, are good at "judgment, emotion, and creativity." At some point computers might improve at non-quantitative tasks as well, but for now "the separation of powers means that computers will sit around and help you."[293] Daniel Pink argues along similar lines in *A Whole New Mind*, arguing that "the era of 'left brain' dominance" and the information culture it produced are both giving way to "a new world in which right brain' qualities [like] inventiveness, empathy, [and] meaning predominate."[294]

In their paper *Dancing With Robots*, Frank Levy and Richard Murnane make out three distinctly human tasks of the future: "the human labor market will center on three kinds of work: solving unstructured problems, wor-

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293 Drake Baer, "Eric Schmidt: Do What Computers Aren't Good At," Fast Company, October 7, 2017, accessed October 22, 2016, https://www.fastcompany.com/3013979/bottom-line/eric-schmidt-do-what-computers-arent-good-at.

294 Cf. Daniel H. Pink, *A Whole New Mind. Why Right-Brainers Will Rule the Future* (New York: Riverhead Books, 2006). The quote is taken from the Pink's website: "A Whole New Mind," Dan H. Pink, accessed October 22, 2016, http://www.danpink.com/books/whole-new-mind/.

king with new information, and carrying out non-routine manual tasks."[295] In line with Pink and Schmidt, Anya Kamenetz adds a fourth task: "Being human: Expressing empathy, making people feel good, taking care of others, being artistic and creative for the sake of creativity, expressing emotions and vulnerability in a relatable way, making people laugh. The human touch is indispensable for most jobs, and in some cases, it is the entire job. In this one, humans win."[296]

The constructive coexistence model is not only brought forth by contemporary research. We can find it in Aristotle's *Politics* as well. There he describes the potential of automation as something we today would call the advancement of social justice and socio-economic rights. Right after his famous passage on the *zoon politikon* Aristotle writes that "every state is composed of households." The head of a household "must have his tools, and of tools some are lifeless and others living." The slave "belongs to the class of tools" and is "a live article of property." However, "if every tool could perform its own work when ordered, or by seeing what to do in advance, … if thus shuttles wove and quills played harps of themselves, master-craftsmen would have no need of assistants and masters no need of slaves."[297]

295 Jonathan Cowan and Elaine C. Karmack, "What's Next?," in *Dancing With Robots. Human Skills for Computerized Work*, ed. Frank Levy and Richard J. Murnane, accessed October 22, 2016, http://content.thirdway.org/publications/714/Dancing-With-Robots.pdf.

296 Anya Kamenetz, "The Four Things People Can Still Do Better Than Computers," *Fast Company*, July 19, 2013, accessed October 22, 2016, https://www.fastcompany.com/3014448/the-four-things-people-canstill-do-better-than-computers.

297 Aristotle, "Politics," 1253b, in *Aristotle. Aristotle in 23 Volumes Vol. 21*, trans. Harris Rackham (Cambridge: Harvard University Press, 1944), accessed October 19, 2016, http://www.perseus.tufts.edu/hopper/text?doc=Perseus:abo:tlg,0086,035:1:1253b.

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Jonas Bedford-Strohm ist wissenschaftlicher Mitarbeiter am Lehrstuhl Medienethik der Hochschule für Philosophie München und assoziierter Mitarbeiter am Zentrum für Ethik der Medien und der Digitalen Gesellschaft (zem::dg). Seine Forschungsinteressen konzentrieren sich auf den digitalen Strukturwandel der Öffentlichkeit und die ethischen Implikationen disruptiver Technologien. Er arbeitet neben seiner wissenschaftlichen Tätigkeit im Innovationsmanagement des Bayerischen Rundfunks, wo er Medien-Anwendungen für intelligente Sprachassistenten entwickelt.

Studiert hat Jonas Bedford-Strohm Theologie, Politische Theorie und Philosophie in Heidelberg, Stellenbosch (Südafrika) und Yale (USA). Als Journalist schreibt er über Religion, internationale Politik und politische Kultur, unter anderem auch aus der Perspektive digitaler Ethik. Als Co-Autor veröffentlichte er "Wer's Glaubt, Wird Selig" (2013), ein Dialog zu den Grundfragen des Christentums. Als Gründungsmitglied arbeitet er im Vorstand der Organisation Wikwiheba, die Jugendliche in Ruanda mit Mahlzeiten, Schulstipenden, Berufsausbildungen, Projekten in Landwirtschaft, Kunst und nachhaltiger Infrastruktur, sowie bei Existenzgründungen unterstützt. Mit Andrew Doss gründete er die Strategieberatung The Lighthouse Group.

Beyond the Bubble

Filter bubbles, echo chambers, information cocoons: The digital revolution has changed the way we communicate with profound implications for how we participate in the space we call "the public." Digital trends toward network architectures, personalized individuality and automated workflows are driving a transformation of the public with significant impact on the institutions making up this public sphere. What, then, is this "public" sphere today?

Abstract, monolithic conceptions of the one coherent public appear outdated, since technological changes like the rise of social media, as well as the modern appreciation of individualism, human tendencies towards a confirmation bias, and the postcolonial focus on contextual experience have created or reinforced a diverse spectrum of filtered publics that do not fulfill the criteria associated with the public sphere. Can we even continue to use the term?

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