



The paradox of visibility and isolation that haunts so much of modern public life originated in the right to silence in public which took form in the last century. Isolation in the midst of visibility to others was a logical consequence of insisting on one's right to be mute when one ventured into this chaotic yet still magnetic realm.

Richard Sennett,
The Fall of Public Man

CHAOS

Bounded,
deterministic
dynamics
that
are
aperiodic
and
display
sensitive
dependence
to
initial
conditions

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Discussing the Public Domain



From: **shuddha@sarai.net**

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Subject: **The public in the Public Domain**

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I am interested in trying to stretch the meanings of the word 'Public' in the expression Public Domain to express something as hidden as it is ubiquitous. This may shade off into meanings that are the very opposite of what we commonly understand when we say 'Public'.

Remember the Hindi film song that said "...yeh public jo hai, sub jaanti hai" (this Public, it knows everything). This usage of the word makes the Public, which seems to be a presence, into an animate entity, a sentient being - a carrier of knowledge and a vector of information. The "it knows everything..." of the song, suggests that this body of knowledge includes things that are not necessarily apparent, or visible, or transparent. It means, the Public knows more things than are generally up for grabs in, lets say, the 'marketplace of the knowable'. It suggests codes and protocols of encryption that circulate in self-governing constellations of people, data and cultures. It evokes the idea of very public secrets, of whispers, rumours, prophecies, blandishments, fantasies and calls for insurrection that no one may be willing to speak out loud for fear of being caught (a very wise and necessary fear) but which, nevertheless, everyone is murmuring.

This means that the Public Domain may be the safest refuge for those ideas that are vulnerable because they are the most radical. The ones that need to be most obscure to the censor, and at the same time most understandable in common speech, because they are the closest to lived experience.

The desire to place cultural material - beginning with the software in, and between, our machines, and ending with the software in, and between, our minds - squarely in the Public Domain, means that we are creating a body of work without necessarily placing any value on the fact of who has created them, where each can contribute to his/her inclination and take according to his/her desire. The identities of the giver and receiver being fluid and in some senses meaningless in this transaction, suggests that the origins and points of transmission of messages can not be reliably verified, and are therefore difficult to police. The costume designs of identification and the disguises of anonymity are equally attractive forms of attire. In shifting between one and the other, between secrets and announcements, lies the enigmatic attraction of the adventure sport of surfing the Public Domain.

> > From: ravis@sarai.net
Subject: **Discussing the Public Domain**

The history of the public domain is not an easy one. In his classic text, *The Fall of Public Man*, Richard Sennett traces the first use of the 'public' to England in 1470, where it was a shorthand for the common 'good'. Similarly, 'le public' in 17th century France was a region of sociability and conversation. It seems to me that classical western notions of the 'public' as a space of conversation, solidarity and dialogue face a run into a theoretical conundrum. Most accounts (Habermas, etc.) trace a high point in the early modern period and map a period of secular decline from industrial capitalism in the 19th century. From the 19th century the distinction firmly drove the sphere of intimacy into the private sphere, and public conversation declined. Modern architecture, particularly the International Movement emptied 'public' space, making it a formal, dead space - witness Corbusier's plans for Algiers and Chandigarh.

In the Indian case the street (the market, the tea stall) was always a space for public conversation in most towns and cities. Colonialism attempted to formalise this conversation, by setting up norms of the 'public good'. The idea of the 'public good' is a deeply problematic one, all the more when we grapple with the contemporary. There is certain violence to the way in which the 'public good' has been re-tailed in the recent past in India's cities. Given the experience of the past few decades my personal sensibility would be to critique the entire discourse of the public good as it stands in India, where the term is increasingly moving towards a legal right to live, work and move in the city.

Is conversation possible in a future public domain? It seems to me that in the new media, there is conversation - among communities of free software coders, between sub-cultures of youth, hackers, sexual minorities. The important thing is that all this is happening in a medium that is ambivalent to space in the classic sense of the term. There is nothing 'Western' about this. Those cultural elites who have no problem in valourising print culture as a period of possibility would do good to take a stroll down the back alleys of their own neighbourhoods and see the social groups who are participating in the culture of new media. The vast majority of Indians access the new media outside their homes, diverging from the West.

Thinking about a future public domain must also lead us to question the classic and easy relationship between space and conversation, between intimacy and solidarity. There are no easy answers here, but the questions must begin.

> > From: monica@sarai.net
Subject: **What's this public?**

Is it possible to construct a homogenous 'public' outside of class, caste, gender, race? Can the 'public' be a resolved category?

What happens to these multiplicities in a singular concept?

For those who go from home to work, and commute long hours to come home again, public space is basically the interminable zone between work, and rest, in order to go back to

work again. And the park is usually for a short snatched siesta at lunch. Which is why they are locked and wetted at night.

For many women, entry into the public space is marked by idioms that work like umbrellas. They provide the required shadow in which they can experience the otherwise common sensation of being within a group of those who are familiar, not so familiar, or strangers.

One idiom that serves this purpose well is religion. My mother, for example, goes to *kirtan* every week. These are like kitty *kirtan* gatherings. Devotional songs, gossip, domestic knowledge, anxieties, and sometimes even wishes and desires are shared. Later, she returns home with *prasad* for the family. But like all the others, she has ensured that her time-out matches the not-at-home time of the other members of her family. In that sense, her public space is a temporal one.

Another idiom is the commodity. For a woman to spend time in the market, the alibi has to be that she needs to buy something, a definitive sanctioned purpose. My mother enjoys going to the local market and the weekly bazaars. She moves around these spaces with confidence and poise. She bargains, weighs, buys and exclaims. But when she returns, she has to describe the bazaar experience as 'tiring'.

To be able to loiter, 'without intent', in a strange space, without the protection or the burden of umbrellas, may be a desire that will require a more open rendition of the public.

Another strand entirely:

If the curfew is a censorship of public space,
Then IPC Section 144 is the Cinematograph Act of the public space,
And the Suppression of Immoral Traffic Act is a sub-clause.
But where, then, is the censor board of the public space?

>> From: jeebesh@sarai.net
Subject: **For a discussion on Public Domain**

A court judgement says, "The airways are public property". It is so because they have been created by public money. The job of the State is to manage and regulate the usage of this resource.

So, a specific definition around access, boundaries, permissibility, desirability, infringements, and sanctions has been marked and licenses will be promulgated. We can clearly see how a regulated and monitored space is being produced under the term 'public'.

Another term that emerges in the examination of such usage is the 'public sector', used interchangeably with 'government business undertakings'. Here the irreconcilable contradiction between labour and capital is hidden under the dominant meaning-constructs of 'public good' and 'public necessity'.

The term 'public order' is used insistently by the state to intervene and regulate in all kinds of issues, contests and conflicts. Here again the word is being used as a category that dissolves social antagonisms, contradictions, issues of power and access. Probably only 'public administrators' wholly understand the deep nuances of the term!

At one level the word 'public' is deeply imbricated within the state's presence in the

ordering, regulating, monitoring, and creating of spaces, social wealth and discourses. But at another level it is clearly evident that this same word also makes possible a laying of a larger claim, to resources and spaces that would otherwise remain inaccessible to many. People contest various forms of economic and social denial, expropriation, and repression by creatively working out differing definitions of 'public good', 'public lands', 'public interest', etc. This is what corporations, for example, find difficult to push out of their way, and will increasingly find it so because of multiplying contestations for the same resources. There is only so much land and water and air.

At this definitional level, it may be productive to engage with all the various definitions of the public that are being articulated through various contestations and negotiations. The crucial question, of course, is: from which vantage point is one to look at this contestation and which definition does one extend? I would think that an 'imaginary' of an 'ought to be', of a desirable social formation, perhaps exists, lingering somewhat as an under-articulated shadow.

I would prefer an imaginary which works out the politics and poetics of 'open and common' space, with un-regulated access. Imagination, creativity, fantasy and dreams would together produce, protect and multiply this fragile commons. The practice of the making of 'digital public databases', for example, or sharing music over the net, or developing software in a free and open way, seem to be asking for a challenging and inventive concept of the public. In that sense the term 'Public Domain' seems to me to have such a meaning, or at least to posit it, as it is a term not located in just the spatial.

But un-regulated access does not mean that one disregards various not-so-visible boundaries of this public domain. Since meanings are very mobile, they need to be continuously and creatively worked upon. Just like its earlier cousins, 'Public Domain' is also under pressure of being mutated into 'public space'!



From: **Saumya Gupta** <sgupta@sarai.net>
Subject: **Anybody/Everybody**

Continuing with the above, one can think of the opportunity/handicap of effacement that people have in the urban domain, not so in a village. Isn't it a case of nobody knows anybody vs. everybody knows everybody? By definition, I think, the public domain wants me to identify myself before it engages with me. Which is not to say that you cannot be anonymous in the public domain. It has historically signified a kind of happy nameless, effaced existence. But that is only when you are thought of as collectivity, and you think, behave, demand as a collective public. The moment you want to avail of something individually, a public identity has to be posited. For something as simple as travel by train, you have to be somebody identifiable, authenticated, verified.

Is the public something people are part of, or is it something inside them? Can the notion of a public have fantasy connotations?

The question of identity within a public domain deeply engages me. I am many things, many personas, and for me to define myself as one of those leads me into the terrain of suppositions, assumptions and even fabrication. I am not comfortable with this but do it all

the time. The public domain then is a realm of fantasy identities that we assume as and when required. The multilayered-ness of self means that each of us is always/already made up of many 'virtual' selves. Which leads me to think - do I have to necessarily fabricate to be a part of a public? Any Public? Is the public domain just a notional entity?



From: **Awadhendra Sharan <sharan@sarai.net>**
Subject: **On the Public Domain**

It seems to be that the Public domain, as a domain of experience, is of at least three types: political public domain, cultural public domain and a more generalized sense of the public which is the object of Development and Nation-building, the population as public. In the first two modes, publics constitute themselves; they exercise choice and decide to be counted. The public as population, however, is acted upon, is subject to agendas set from above, albeit accompanied by the rhetoric of participation. For the population as public, protest is the only mode of expressing choice.

All forms of the 'public' inhabit both an idealized space and many mutable forms of existing ones. Universal access (of adults) and active participation in issues of general interest characterize the ideal political public. Universal access within cultural boundaries, however imagined, and a concern with intra-community issues characterize the ideal cultural public. Children, men and women are all constituents of this cultural public. Finally, the concern with equity, the *daridranarayan* as primary beneficiary marks the ideal stance of the population as public rhetoric.

Real publics, to be sure, differ widely from these idealized formulations. There are boundary keepers in all instances of the public, assuming such role through status, power or consent. These boundary keepers are also constantly challenged, the contest being most marked in instances where the State abrogates to itself the role of the watchdog, ensuring that only 'desirable' forms of public are constituted and others suppressed. The contest is not absent in the case of cultural publics either with the young, women and asset-less asserting for recognition against the policing role assumed by the elder, male and propertied representatives of the community. These are indeed necessary contests if actually existing publics wish to strive towards idealized publics.

There is, however, another issue within the various forms of publics about which we have not worried enough. This concerns not the gap between the ideal and the real, but the form of the ideal itself, of articulating interests that are general, beyond immediate and parochial interests. The ideal signals to the possibility of ways in which we can think of collective interests, without prejudice, bias or calculations of personal benefit. It empowers each individual to assume responsibility for an abstract sense of the collective than that into which one has been born, to step beyond boundaries that are already drawn for us.

This ideal possibility of a universal way of becoming public is most marked in the political and the imaginations of the population as public. To a lesser extent, however, it is located within cultural public imaginary too.

I subscribe to this imagination. I believe that in a deeply inegalitarian society such as India, there is a need to aspire towards universality, to step outside one's ascribed status

and identities. But this assent to universality immediately poses problems for I simultaneously recognize that the universal has often been a cloak for disguising the parochial. That it has historically served as an excuse for civilisational violence. On a different register, I realize too that in many instances public articulation is the basis for constituting the personal. To offer a divide between the private and the public would therefore serve to rob us of this possibility.

I have no answers to this dilemma. Acting as a universal public, while recognizing one's situated-ness, seems to offer a way of negotiating with it. But this is possibly easier argued in theory than enacted in the public.



From: ravikant@sarai.net

Subject: **Public Domain – A few comments**

It is obvious in the discussion that public domains are historically constituted and reconstituted through a series of contestations. In the modern and our own times, the idea of Democracy has worked itself out through various public domains. What is also crucial is the issue of violence in determining the shape and nature of the public domain. Violence is often deployed, in South Asian situations at least, to articulate a political point. As an important weapon in the struggle for or against power, it creates a logic of its own, marginalising other forms/agencies of political actors. Since the predicament is doubly ironical in a country like India which has produced one of the most successful and non-violent mass movements, violence as a tool of political hegemony is worth thinking about.

Language is another, perhaps less dramatic, but equally significant entry point to the conundrum as to how public domains get constituted. And the case of India's so-called National Language - Hindi - is curious. It is simultaneously the language of power as well as struggle. On the one hand it is pitted against the might of English, the language of erstwhile colonial masters that is also the language of the elite in India. But it would be a gross simplification to suggest that Hindi is only the language of masses. Because it quickly picked up the tricks of power and became the language of command in Independent India, devouring the numerous rich dialects in the process of standardising and 'Sanskritising' itself. Official Hindi became increasingly wooden and remote from living culture. This parallel culture of the popular of course continues to thrive in the films, fiction, songs and poetry. But there is the perpetual anxiety: why has Hindi not been able to graduate to become the language of research and reflection? Is it doomed to go on servicing the traditional, although by all accounts very rich, literary domain?

After this sketchy background, one can perhaps respond to the issues of Digital Divide raised by Geert Lovink. Yes, it is an issue here. With the onset of digital communications the anxiety referred to above has acquired a new dimension. There is a sense of being left out, an urgency to catch up with breakneck speed with which technologies worldwide are updating themselves while the Hindi Virtual Public Domain struggles to develop such basic computational tools as Digital Dictionaries, Spell Checkers, and E-mail. This is one side of the story. On the other side is also the large majority that is paranoid of the New Media, coming as it does packaged in the larger ensemble of Globalisation and the atten-

dant structural adjustments and unbridled consumerism. The cultural shock of satellite TV is not yet over (the government is considering banning Fashion TV, on grounds of obscenity) and people are being bombarded with the mixed fare that is the World Wide Web. The tentative presence of Hindi on the Web is refreshing to the extent that the language here is more eclectic than officious and some innovations are taking place outside state tutelage, in the arena of small entrepreneurship and collective endeavours. Although, overwhelming NRI input is more in the nature of nostalgia rather than creativity and ways of seeing are not new at all. So, on the whole, digital technology is being received with apprehension and awe for the moment by the entrenched Hindi intelligentsia, the initial breakthroughs notwithstanding. The battle of languages to climb on to the triumphalist technological bandwagon and the sad story of the ones missing out and thereby getting relegated in the emergent public domain is interesting even as we try to make languages techno-friendly.



From: **Ravi Vasudevan** <raviv@sarai.net>
Subject: **Sarai Public Domain Discussion**

There is a debate in India about the quandaries contemporary culture and politics faces in dealing with frameworks for representation. This has to do with looking at categories and frameworks which have emerged from western political and cultural theory, and center on the status of civil society - classically defined as the domain of freely associating individuals who determine the structures of political and cultural action - in the circumstances of a post colonial society riven with economic, educational, cultural, and status inequalities and hierarchies. These divisions have often meant that everyone cannot freely associate, have a voice within civil institutions and lay claim to the resources of the state. The irony has been that when new, formerly subordinated groups enter the civil domain they may entirely infringe the protocols of representation, discussion and communication, often very violently. Let us say that there is an inevitable, and perhaps necessary destabilization of such protocols, before a new, more equitable consensus emerges to determine adequate changes. While this debate around the civil defines one form of the exceeding of the repressive functions of normative structures, where does this place the issue of public discourse?

My sense is that the public cannot, in terms of conceptual creativity, simply mirror this process of cultural and political representation, or alternative formulations such as political society. The creativity of public forms and the public domain can have a series of on the ground, everyday dimensions, where people work at the interstices of legality, build ties and networks, adjust with the powers that be in the administration and police, to form a necessarily unstable public - with drives to find employment, to gain knowledges and effect communication, to dissemble about one's identity, to develop access to spaces and facilities that may be formally proscribed or economically out of reach. This is not a *public* public, but a necessarily unofficial one, one that does not, indeed cannot, afford to advertise itself. Let us not even call it a counter-public, because, as Calhoun points out, it is not as if these practices are the ones desired by those compelled to deploy them, there may be a desire to be included, and become legitimate, within official protocols; but it is this public that courses through the everyday life of our society, and is crucial to the very possibilities of its being.

But there is another field, that of the imagination, that we need to think through. What I will say here is entirely exploratory, but it arises from a sense that individuals form into liminal public entities through an investment in a disaggregating media universe. Whether you listen to the pocket radio, the widely circulated musical cassette, go to the cinema, watch programmes or films on the TV, access the net, there is a special, individuated way in which you receive and internalize what you hear and see. You might be doing it as part of a group - a cinema audience, a family watching the TV or jhuggi dwellers sharing facilities - but, arguably, there is still something that exceeds group circumstances of address and viewing practice. I say this because it is widely assumed that Indian society functions differently, is motivated by collective and group forms of subjectivity, and such forms are instituted in the way frameworks of representation and modes of cultural address have developed. But consider that there is still an interiority at work, which the outside, the larger intersubjective frame cannot map itself onto; and there you have a serious problem for inquiry and practice. For, if at this personal level, images and sounds and information impact on me in ways different from the way others seem to respond, I should step back and think, this must be happening to them, too. And then I have to think, this is about memory and about desire, about fantasy, and, finally, it's about not wanting to be alone in these imaginings.

I'm not sure how we reach an understanding of this particular desire to connect an interiority to a public frame. Film and other types of cultural analysis have often tried to grapple with this, bringing a whole body of methods and sensitivities to the study of public cultural institutions, narratives, and formal peculiarities. Speaking as an academic, I would like to strengthen imaginative forms of research in ways which engage intellectual reflection in lively dialogue with the everyday practices that course through the public sensorium, to body forth the lineaments of shadowed desires, mundane hopes and yes, to confront our darkest selves.



From: "geert lovink" <geert@xs4all.nl>
To: <dak@sarai.net>
Subject: **Answer to Public Domain Questions**
Date: Wed, 15 Nov 2000 19:13:46 +1100

~ *How do we distinguish the 'Public Domain' from the 'Public(s)'? What is the role that the Public plays in the Public Domain?*

Why distinguish? Why not start with the question of the design of the public realm/domain? Is it there? What's its history in India? Were the media by definition part of the public domain? What kind of public domain does Sarai have in mind? The Public is the Enemy, as the famous saying says. That's Dadaism. I don't believe in these huge terms. They can easily make one depressive. It's like with masses and classes. Huge amorphous categories. I think a bit more micro-politics wouldn't be bad here. Multitudes of groups, strategies, practices, ideas, debates, images. They altogether might create a temporary public media culture. One that always has to be renewed, questioned and pushed forward. Nothing is taken for granted in this fluid and dynamic sector.

~ *What is the relationship between the public domain/public sphere/public and the domain of the private?*

I still think we can make that distinction. The public sphere should not be blown up. I think it is even better to scale it down and really make it lively instead of colonizing and claiming everything public. For the US-Americans there is no privacy. Europeans still believe in that distinction. I am not sure about India. I certainly believe in the merit of the individual choice as something very precious (not as a special effect of consumerism). It does not just mean the right to be left alone.

~ *Does the Public Domain have a boundary? What is this boundary constituted by and when does it get manifested?*

The boundary in my view would be its humbleness to be intense, radical and different, without being expansionist. I think we can still make the distinction between the state, the market and the public. And between the public and the private. I think disassociating the public from the state is one of the most painful and utopian processes of this age. They are no longer equal. We cannot expect from the state to take care of all the public domain and its functions. To some extent, that's sad. The fight for public domains always has that slightly ambivalent, nostalgic character. It has past the point of merely demanding. It has to shape, design, act out. Yet, a lot of its work is related to conceptual policy making.

~ *Does the 'Public' nature of the Public Domain require that it have free and/or unmediated access, and freedom for anyone to enter, participate and express themselves in the domain?*

Yes, but we will not GET it for free, we will have to MAKE it free. Free as in free of sugar, not free of costs. Freedom is a right, not a cheap slogan to suck people into something. And it could come with a cost.

~ *Who decides the contours and the shape of the boundary of the public domain? It is not enough to say, those who are present in the domain decide?*

Obviously. We can do a power analysis and identify the players, but we should as well be courageous enough (and naive) to state that we are players ourselves. The trick is to position oneself inside the technology, inside the media, inside the public domain. The outsider's position is a boring one. Morally and politically correct but without any drive to intervene.

~ *Is the public something people are part of, or is it something inside them? Can the notion of a public have fantasy connotations?*

Without fantasy it is dead. Empty rules. Repetition without a soul.