Introduction

A fascinating feature of globalised communication is the manner in which it has reshaped communities. Communities are communication and vice versa. Up until the advent of the postal service and the telephone, mass communication was bound to time and space. Today we are experiencing a communication era which ignores temporal and spatial connection. But is this so new? Does it present unique challenges for the regulation of a safe and satisfying communication environment?

Communities of regulation are a central theme of this text. However, we have yet to flesh out a theory of community that gives collective substance to regulatory sociability which, as we suggested in Chapter 7, requires community embeddedness. Through exploring communities of communication in this chapter, there is the opportunity to investigate the glue of communitarian regulation from both the perspective of access (inclusion) and that of legitimate aspirations for orderliness out of crisis.

Certainly the communication platforms which enable and support modern social networking are new and getting newer with each major technological development. The mobile phone has long gone from only being a portable device facilitating voice exchange. And the revolution of this hardware is said to widen the division between virtual and real worlds, posing unique problems for how we regulate or whether we regulate at all.

In this chapter, I am not willing to take this virtual/real distinction as a given, even proven duality. To do so not only divides the regulatory challenge into two assumed competing consciousness, but perhaps poses two distinct and competing contexts for crises in the global regulation of communication for a modern age.

The chapter sees crises in modern communication in two parts:

- The extent to which modern communication eschews any regulatory controls restricting access to and development of ‘free’ communication and, more elliptically,
• How much any concept of ‘free’ communication essentially relies on collaborative regulation in order that the community bonds of trust and comity can rely on responsible boundaries for the carriage of communication that ensure the integrity and legitimacy of community cohesion in all its forms?

With these themes brought clearly to the fore, the chapter divides into:

1) the good news about new media;
2) protecting the integrity of broadcasting messages;
3) ensuring data protection and privacy; and
4) social media and the new politics.

The analytical method employed in this chapter will be exposing and balancing conflicts of interests in the regulatory project, where each conflict of interest stimulates the crisis for regulation. Once crises have been identified and segregated into contexts of relevance, the associated issue is to tailor-make regulation to the conditions of the crisis. In this instantaneous communication environment hardly dreamt of prior to the development of the World Wide Web, controlling new media has become one of the most widely embraced and at the same time most hotly contested and culturally divisive issues in contemporary regulation. Social networking, recently, dramatically and globally established an alternative popular democratic governance platform and like it or not the conventional institutions of government are almost powerless to regulate it. That said, the spectre of cybercrime, child pornography and identity fraud have sharpened the security focus over instantaneous information transfer.

Yet it would be misguided to assume a common regulatory ethic, motivation or commitment surrounding the control of media and communication abuses which might also lead to restrictions over access and content. Accessibility to the media and its benefits may be seen by a majority of users as a much more valuable concern than higher motive regulation, which has the consequence of limiting certain forms and fields of regulation. Are we therefore facing regulatory trade-off, in a world of differential access and benefit? Are the downsides of new media and communications an accepted price to pay? If so, how will community attitudes beyond special interest groups confine the need for regulation as well as its form in a world where the attitude to crisis is ambiguous at best and resigned at worst.

Again, the chapter has a segmented approach to regulatory challenge and crisis. The first approach considers the regulation of broadcast media and the way in which the dissemination of news and knowledge requires verification and authentication. The second explores issues of access to and protections from communication transfer and its modern and mobile technologies. Finally, the chapter concerns itself with contexts for regulation and their