

## **Critical Communication Policy Research and the Attention Economy: From Digital Labor Theory to Digital Class Struggle**

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In this essay, I use a critical political economy of the attention economy to develop an understanding of the ways in which communication policies distribute communicative power. The policy issues I consider are Internet regulation, copyright, paracopyright, and advertising. Communication policies are analyzed in terms of their role in determining the conditions of audience practices and distributing power in the attention economy. I use Google's efforts to capitalize on attention to illustrate the communicative power struggle in each area, within a U.S. context.

*Keywords: communication policy, political economy of communication, attention economy, communicative power, digital labor, audience labor, attention, consumption, signification, exploitation*

Critical academic research into communication policy would benefit from a deeper integration with critical research into the political economy of communication. Although a considerable connection already exists between political economy and policy in communication, media, and cultural studies—as much of the political-economy research concerns policy issues (e.g., Wasko, Murdock, & Sousa, 2014), and many of those who study policy do so from a political-economy perspective (e.g., Mansell & Raboy, 2014a)—political economy offers one important but underdeveloped means of understanding the role of communication policy in what C. Edwin Baker (2007) termed the “distribution of communicative power” (pp. 6–7). A critical political economy of communication provides an understanding of the *social* distribution of communicative power rather than Baker's limited focus on ownership of news media companies. Recent political-economy research has used theories of digital labor to highlight an issue of communicative power: Digital media companies generate revenue specifically from their power over the activity of their users (e.g., Andrejevic, 2007; Fuchs, 2010). However, the connection between this understanding of digital communication and analysis of communication policy has not been made. As a result, policy has not been adequately understood in terms of its role in the distribution of communicative power. In this essay, I draw a connection between a critical political-economy understanding of the distribution of communicative power and the analysis of communication policy by focusing on digital audience labor in the attention economy.

The concept of an attention economy (Goldhaber, 1997, 2006) highlights audiences and the value of audience activities of paying attention for communication and cultural industries. Audiences are at the margins of research into the political economy of communication: If they are considered in political-economic theory, it is generally as audience commodities (Biltereyst & Meers, 2014). The concept of

audience labor comes from Smythe's (1977) theory of the audience commodity, which viewed audience activities of paying attention and making meaning as labor that is valuable to communication industries. Recent research using theories of digital labor has focused on the ways in which digital media companies treat the use of digital media as valuable labor (e.g., Andrejevic, 2002, 2007; Fisher & Fuchs, 2015; Fuchs, 2010, 2012; McGuigan & Manzerolle, 2014; Terranova, 2000). But rather than moving audiences to the center of political-economy research, that focus on the labor of digital media users has specifically neglected digital *audience* labor (Nixon, 2014). Even in one recent collection that examines communicative labor (Maxwell, 2016), audience labor remains at the margins.

A political economy of the attention economy, as a critical theory of the ways in which the audience labor of paying attention is capitalized, is needed. I briefly outline such a theory in the next section. It highlights the ways in which communication industries seek to gain power over attention by determining the conditions under which audience practices of consumption can occur. This political economy offers a critical way to understand how communication policy distributes power in the attention economy: a way to understand policy in terms of "the relationship between the mode of accumulation and the mode of regulation" (Chakravartty & Sarikakis, 2006, p. 10). In relation to this critical political economy of the attention economy, communication policy can be seen as a key aspect of what might be termed a class struggle for communicative power. Audiences are implicated in that power struggle as audience labor.

If audiences are considered in policies, it is often as consumers. Some scholars have argued for a recognition of audience members as citizens to provide a basis for analyzing policies relating to audiences in terms of democratic concerns for rights (Livingstone & Lunt, 2011; Raboy, Abramson, Proulx, & Welters, 2001). A political-economy concept of audiences as audience laborers views audience members as producers of meaning through activities of thought—as producers of their own social subjectivity. Communication policies, then, can be analyzed in terms of the conditions they create for this productive practice. They distribute communicative power either to those who seek to consume, circulate, and produce meaning or to those who seek to capitalize on the consumption, circulation, and production of meaning: They distribute power to audience labor or to communicative capital.

In this way, critical communication policy research can play a practical role in contributing to, or helping to initiate, struggles for communicative power. As Melody and Mansell (1983) point out: "Opportunities and threats for changes in the distribution of power arise through policy issues, broadly defined, and are directed by policy decisions" (p. 112). A critical understanding of the political economy of communication is the necessary foundation for critical policy research: "The first step for any policy researcher must be to examine the structure of power relations" (p. 112). In this essay, I use a critical political economy that describes the structure of power relations in the attention economy to develop an understanding of the ways in which communication policies distribute communicative power. The policy issues I consider are Internet regulation, copyright, paracopyright, and advertising. I use Google's efforts to capitalize on attention to illustrate the communicative power struggle in each area, within a U.S. context.

### Digital Labor Theory: Digital Audience Labor in the Attention Economy

The concept of an attention economy (Goldhaber, 1997, 2006) captures one of the main, easily recognizable, political-economic characteristics of digital communication (Vanderbilt, 2016; Weisberg, 2016): Attention is a source of value. Therefore, political-economic analysis of the digital media use that involves paying attention is necessary. The initial formulations of the concept of an attention economy did not adequately explain *how* attention can become a source of value, beyond asserting that attention is a scarce resource when information is abundant (Goldhaber, 1997; Simon, 1971). The concept of audience labor provides a means to answer this question by recognizing that attention is not a resource; it is an *activity*. And, as labor, it is an object of exploitation. However, in recent research using theories of digital labor, digital *audience* labor is not considered (Nixon, 2014).

Integrating audience labor into the critical political economy of communication enables political economy to take account of the full range of communicative activities and the ways in which they are capitalized—a step that remains to be taken almost four decades after Garnham (1979) attempted to ground a political economy of communication in Williams' (1977, 1980) call for a theory of all communicative practices as material and productive. A recognition of the specific productive aspect of audience activities—which is the subjective meaning-making, or signification, highlighted by cultural studies (Fiske, 1987; Hall, 1980/2006) but also noted by Smythe (1977, 1978) and others involved in the debate about the audience commodity (Jhally & Livant, 1986; Livant, 1979)—makes it possible to see audience activities of consumption as part of an overall productive process that, in the language of political economy, is an audience labor process. Attention is an aspect of audience labor, and the use of digital media to pay attention to content and consume meaning can be seen as an aspect of *digital* audience labor. A political economy of the attention economy, then, is a critical theory of the ways in which communication is capitalized through the exploitation of audience labor.

I briefly outline here what I see as the core components of a critical political economy of the attention economy. Following Marx's (1990, pp. 283–292) theory of the human labor process, the audience labor process consists of audience labor, the object(s) of audience labor, and the instrument(s) of audience labor. Audience labor is a productive activity of signification that includes a consumptive aspect: paying attention. The object of audience labor is the object worked on in the process of that activity: a signified object whose meaning is consumed. The instrument of audience labor is what is used to work on the object of that labor: any medium, or means of communication, that is used to work on (consume) signified objects. The objects and instruments of labor are means of production (Marx, 1990, p. 287), so the objects and instruments of audience labor are means of communicative production (or signification).

The key question of a political economy of the attention economy is control over the means of communicative production. That control determines the conditions of audience practices. Control in this context can occur only in the consumption aspect of the process, the process of paying attention, for which the conditions can be otherwise determined. The production process and the product of audience activities—subjective signification and subjective meaning—are in the minds of individuals, and this is a limit to capital.

The exploitation (appropriation of value through power over others' activities) of audience labor occurs in two basic ways: direct and indirect. Direct exploitation requires payment for access to objects of consumption. Value is then extracted directly from the consumers in the form of payments such as single purchases and subscriptions. This process is similar to a landowner's extraction of value in the form of rent payments in exchange for access to land, but not ownership of it (Harvey, 2006, p. 330). Legal means of control (copyrights, contracts, and patents) provide one basis for this form of exploitation, and technological means of control (digital rights management) provide another.

The second form of audience labor exploitation is an indirect form, in which a company lends to an advertiser some of its power over audience consumption activities in return for a payment (advertising revenue). In this case, value is extracted from advertisers but control over audience members' activities is the necessary basis. This process is similar to the extraction of value in the form of interest payments, because it involves the temporary lending of value in return for that value plus surplus-value (interest) (Harvey, 2006, pp. 257, 367). Advertising revenue is generated by the communicative capitalist, while advertisers gain the ability to channel audience activities to their signified objects of consumption: advertisements. Thus, even companies that provide a free platform for user-generated content but generate advertising revenue are fundamentally concerned with capitalizing on control over access to content, which is power over attention.

#### **Digital Class Struggle: Committed Policy Research in the Attention Economy**

Although communication policy could be seen, at one level, as "all efforts to influence media and communication systems, including those by the state, industry, and civil society" (Mansell & Raboy, 2014b, p. 13), it is more specifically one outcome of the struggle for communicative power between those forces, and the policy-making process is one primary terrain on which those forces struggle for communicative power. Political economy provides an important way to understand the nature of those power struggles: as struggles over the means of (communicative) production and the value created through social production (as communication); as struggles over appropriation, exploitation, and capitalization; in short, as class struggles between (communicative) capital and (audience) labor. A critical political economy of the attention economy brings into view this class struggle for communicative power. Communication policy is one formal expression of the resulting distribution of communicative power.

A range of communication policies directly impacts the ability of communication companies to exploit digital audience labor. Research into communication policy from this perspective is "committed" policy research, in the sense of commitment meant by Raymond Williams (1977) when he differentiated commitment from alignment in the practice of writing: as a *conscious* alignment with a specific point of view (pp. 199–205). It is critical policy research from the point of view of audience labor in its struggle with communicative capital. Critical research takes a critical view of society, of "the total historical situation" in which the research is undertaken (Lazarsfeld, 1941/2004, p. 169), but if it does so with "the explicit objective of substantially changing the institutional framework" (Smythe & Van Dinh, 1983, p. 124), then a committed perspective seems useful. This view of communication policy research is similar to that expressed by Chakravarty and Sarikakis (2006):

A separation of politics from policy . . . , apart from being an artificial, ideologically loaded position that falsely claims neutrality, is neither possible nor desirable nor purposeful for the project of critical analysis of and reflection upon the contexts that determine the availability of communication channels and conditions for personal and cultural, social and political expression. (p. 5)

In this section, I examine a range of communication policy issues from the perspective of audience labor in its struggle for communicative power: Internet regulation, copyright, paracopyright, and advertising. I briefly describe how each policy area, in a U.S. context, is implicated in creating the conditions for capitalizing on attention through the exploitation of digital audience labor. I use Google's efforts to capitalize on attention to illustrate concretely how each policy area plays a role in distributing communicative power. Google is a useful company to consider in the context of U.S. communication policy because of the dominance of many of its platforms in relation to digital communication activities, such as Web search, video consumption, and e-mail. In terms of the attention economy, this drive toward "the Googlization of Everything" (Vaidhyanathan, 2012) is essentially a massive effort to capitalize on attention and exploit digital audience labor (Nixon, 2016). It is also a massively profitable effort: Under its holding company, Alphabet, Google is one of the most valuable companies in the world when measured by the value of its stock (PricewaterhouseCoopers, 2017), and Google's total revenue in 2016 was \$89.5 billion (Alphabet, 2016).

#### ***Internet Regulation: Control Over the Means of Circulating Meaning***

Regulation of the Internet plays a potentially important role in the distribution of digital communicative power in relation to audience labor. I focus here on the issue of network neutrality within a U.S. regulation context. The Internet, as a communication network, is, in the language of political economy, a means of circulation. It is a means of circulating the meaning that is produced and consumed in society. When access to the Internet is controlled by companies that provide access for profit, as in the United States (McChesney, 2013, pp. 109–120), access to this means of circulation itself is the first potential barrier for people as audience laborers. Digital content must circulate from servers to computers before it can be consumed, and Internet service providers (ISPs) control the conditions of that circulation. Because the meaning being circulated over the Internet is capitalized through the attention economy, the Internet itself is a means of circulating capital *through the circulation of meaning*. A nonneutral network gives ISPs an additional level of power over access. That policy allows ISPs to also determine the conditions of *consumption*: Certain traffic could be blocked or slowed down to favor other content or to extract a payment. Neutrality in the flow of traffic on the Internet is a limitation of the power of ISPs to control consumption, so it is a distribution of power to consumers as audience laborers. The debate about network neutrality is partly a debate about the distribution of communicative power in this sense, and Google's position illustrates how this policy area relates to the attention economy.

Google is most concerned with capitalizing on attention and exploiting digital audience labor (Nixon, 2016), so it has good reason to support net neutrality (Rushe, 2014). Since it is not itself a large-scale ISP, Google benefits most from the neutral flow of Internet traffic so that it can capture attention in its digital spaces and capitalize on it. A shift in the United States to a policy of allowing a nonneutral

Internet, by reclassifying it as an information service rather than a telecommunication service, began moving forward in mid-2017 (Rushe, 2017) and is part of the long back-and-forth between classifications and regulation schemes (Brodkin, 2015; McChesney, 2013, pp. 111–112). If carried out, that policy shift would distribute additional power to ISPs by giving them a means to profit from the attention economy. Although Google can capitalize on attention through audience labor exploitation whether circulation over the Internet is neutral or not, a policy of nonneutrality allowing ISPs to also play a role in determining the conditions of consumption directly reduces Google's power in the attention economy. Google's position on net neutrality is not so much in favor of consumers of digital content versus ISPs as much as it is an effort to avoid a redistribution of its power to ISPs. For Internet users, in their role as audience laborers in the attention economy, the issue of network neutrality is a question of whether an additional faction of communicative capital, ISPs, will gain power over consumption and attention.

### ***Copyright: Control Over Access to Digital Content***

Copyright is the most direct and most easily recognizable form of power over attention. Copyright provides the monopoly power to control access to, and determine the conditions of consumption for, a specific signified object of consumption and attention (a "work"). In relation to digital content, this is the power to directly exploit digital audience labor. With the monopoly power to determine the conditions of consumption for a specific signified object, a copyright holder can extract a payment in return for access. Copyright creates a fundamental class division in the attention economy: between the communicative capitalists who own the key means of production, which are signified objects that are consumed and worked on in audience members' signifying practices, and audience laborers, who must pay for access to those means of production.

Google's relation to copyright illustrates how this policy area plays an important role in the struggle for communicative power in the attention economy. While Google is concerned with capitalizing on attention, it does not generally produce the objects of attention on which it capitalizes, so it does not generally hold a copyright to them. However, this only means that it seeks the power to determine the conditions under which the content created by others is consumed. While Google provides free access to much of that digital content, it generates tens of billions of dollars in advertising revenue each year (Alphabet, 2016). The U.S. copyright infringement lawsuit brought by authors and book publishers against Google in reaction to the Google Books project illustrates the struggle for power in the attention economy. Google created digital copies of millions of books (Vaidhyanathan, 2012) and presented itself as fighting for fair use. It won court decisions against the Authors Guild on that basis (Alter, 2015; Miller & Bosman, 2013), having previously settled with the publishers. But this was not a distribution of power to consumers of books; rather, it altered which entity has the power to capitalize on attention, redistributing power from the authors and publishers to Google, which gained precisely the power over attention that copyright grants to authors and publishers. Digital books became one more means by which Google could capitalize on attention to content it freely appropriated, generating advertising revenue by indirectly exploiting the audience labor of those who view the available portions of digital books. Here, copyright and advertising can be seen as related policy issues: They are different forms of the distribution of communicative power that enable the exploitation of audience labor and capitalizing on attention.

### ***Paracopyright: Control Over Access to Digital Content***

"Paracopyright" (Netanel, 2008) is another means to control access to digital content, set the conditions for its consumption, and thereby create a power to capitalize on attention similar to that granted by copyright. This includes technological means and legal means (Vaidhyanathan, 2003). One technological means of controlling access to digital content is the use of digital rights management technology, which is designed to counteract the digital technology-enabled circumvention of legal control (copyright) with a digital technology-enabled restriction of access. The 1998 Digital Millennium Copyright Act specifically prohibits the circumvention of these technological barriers (Vaidhyanathan, 2003, p. 174). This is the use of technology, reinforced by the law, to distribute communicative power to those who seek to capitalize on attention. Another significant means of creating copyright-like powers is a legal means: the use of contracts such as the terms of service one must agree to when using a site such as Google's YouTube. These private paracopyright policies represent a significant distribution of power to those who seek to capitalize on attention, well beyond what copyright provides (Netanel, 2008, p. 66).

Google's terms-of-service contracts give Google control over the digital content created by its users and enable it to exploit the digital audience labor of those who consume that user-generated content. YouTube's terms of service illustrate how this distribution of power works to make digital audience labor exploitation possible. YouTube does not make those who post videos on the site assign their copyright to it, as publishers do (Cohen, 2012; Salamon, 2016). Instead, anyone who uses the site must agree to a contract in which YouTube is given copyright-like power over any content posted, including videos and comments (YouTube, 2010). YouTube's contractual power to capitalize on the attention received by content users create (or at least post) is extensive—a "worldwide, non-exclusive, royalty-free, sublicenseable and transferable license to use, reproduce, distribute, prepare derivative works of, display, and perform" (YouTube, 2010)—and it has the ability to demand that power because it controls the digital space in which signified objects of consumption are actually objectified and available for consumption. It does not need to produce any *objects* of consumption because it controls the *instruments* of consumption, including the Web page or application used to watch videos. That control enables YouTube to determine the conditions of access to the object of consumption (a video), conditions which can include a demand for payment or the intrusion of advertisements in the viewing process. Terms of service and other aspects of paracopyright are a key area of communication policy, distributing power to companies seeking to exploit digital audience labor.

### ***Advertising: Affecting Meaning-Making***

Advertising is one of the primary means by which companies capitalize on attention and exploit digital audience labor. For example, \$79.4 billion of Google's \$89.5 billion in revenue in 2016 came from advertising (Alphabet, 2016). Advertising, as a key element of the attention economy, is largely possible because of the ways copyright, paracopyright, and other communication policies distribute power to companies seeking to capitalize on attention. Those companies can then generate revenue by further distributing communicative power to advertisers, who seek to affect the meaning-making process of audience labor itself. However, advertising is not generally seen as an issue of communication policy, even though one of the key policy issues in the development of radio was whether it would be commercialized

and the distribution of power between commercial and noncommercial broadcasters (McChesney, 2008; Pickard, 2013). Advertising needs to be put back on the policy agenda.

Google's considerable power in the attention economy is primarily used to generate advertising revenue (Alphabet, 2016; Vaidhyanathan, 2012). Those tens of billions of dollars are the result of the indirect exploitation of digital audience labor. However, as a policy issue, from the perspective of audience labor, the more significant issue is Google's redistribution of communicative power to advertisers, who then become a second force affecting the audience labor of signification. To grasp the significance of this redistribution of communicative power, a materialist and dialectical theory of signification is needed (Nixon, 2017; Peck, 2006). Google determines the conditions of consumption in its digital spaces—for example, reading search results or watching videos. The presence of advertisements alongside the digital content desired is a typical condition in those spaces. Drawing on the work of Sartre (2004), Peck (2006) argues that signified objects must be seen as having their own signifying activity in that they condition our subjective signifying activity through them (pp. 113–120). Advertisers seek that power to condition our subjective signification. They borrow digital space from Google and put an advertisement there. While digital audience labor is only indirectly exploited in that process, since communicative capital extracts value from the advertisers rather than the audience laborers, the process of meaning-making itself is directly affected and conditioned by the advertisements. Digital content, including advertisements, is not just an object of consumption; it is a resource for thinking. As such, advertising is a significant policy issue in relation to the distribution of communicative power.

### Conclusion

The significant role of communication policy in the distribution of communicative power can be better understood when communicative power is viewed through political economy. A critical political economy of the attention economy explains how power over attention is the foundation of the business of communication and cultural industries that generate revenue from payments for access to content, the lending of space to advertisers, or both: These are various ways to exploit digital audience labor. This political economy provides a foundation for critical, committed policy research that analyzes the conditions of communicative practices created by various policies and sees policies as part of the social distribution of communicative power. The policy issues considered here were Internet regulation, copyright, paracopyright, and advertising. I described how policies in each area are a distribution of communicative power as class power and I illustrated this by examining the connection between each policy issue and Google's efforts to capitalize on attention and exploit digital audience labor.

A critical political economy of the attention economy reveals the current distribution of communicative power that is overwhelmingly in favor of those seeking to capitalize on attention and treat digital communication as a process of capital accumulation. Critical political economy provides an important foundation for critical policy research that can contribute to efforts to radically redistribute communicative power. This is one way to focus strategies for reform through communication policy toward a conscious struggle against policies that enable digital audience labor exploitation and for policies that enable digital consumption without exploitation—direct and indirect. In the United States and elsewhere, that struggle over communication policy is already occurring, but it does not seem to be unified by an



understanding of the distribution of communicative power in the attention economy. Through political economy, communication policy can be understood as the product of an ongoing social struggle for communicative power, not just as predefined areas of debate determined by governments.

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