BROADCASTING REGULATION AND THE PUBLIC-PRIVATE DICHOTOMY

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DECLARATION

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Abstract

This thesis is a theoretical and methodological engagement with the extent to which the public-private dichotomy is an appropriate and effective framework within which to critically approach the history of broadcasting regulation in the UK. The critical literature on the subject tends to present a narrative of decline, from an ethos of public service and citizenship, which is presumed to have enabled the public sphere, to a neoliberal faith in market logic and consumer choice, which is accused of undermining it. Much of this discussion is theoretically weakened, however, by a lack of engagement with the relevant literatures, and by the reduction to unitary oppositions between commonsensical terms of what are actually protean distinctions between contentious concepts. Taking this claim as its starting point, the thesis will attempt to clarify the ambiguity of the key concepts of debate on broadcasting regulation, recognising the need for the complexification of distinctions rather than their simplification or abandonment. Although not arguing that the assumptions or conclusions in the dominant literature are incorrect, the aim of the thesis is nevertheless to move away from an approach that identifies public service broadcasting (PSB) with political citizenship and the public sphere, and to explore instead the ways in which the distinction between public and private, and that between citizens and consumers, has always been a negotiated and unresolved process. Consequently, critical engagement with theoretical debates on citizenship, consumption, neoliberalism and the public sphere, as well as with methodological debates on the critical and genealogical approaches to discourse analysis, will be undertaken as a first step towards a more theoretically-informed (and more critical) genealogical account of the history of broadcasting regulation.

Acknowledgments

Introduction

Background to the Thesis

The original aim of this research project was to continue the work conducted for my earlier MA Dissertation (see Dawes, 2007 for a summary). This had involved a Critical Discourse Analysis (CDA) of contemporary regulatory documents in comparison with an earlier committee report, and had demonstrated the strategic manipulation of discourse to privilege consumer- over citizen- interests, and corporate logic over a concern for civic culture, as well as a diachronic shift from a public service ethos to a consumer choice perspective. The work of Norman Fairclough (on CDA) and Nicholas Garnham and Graham Murdock (on broadcasting regulation) underpinned this early work, which drew in particular on Garnham's (1990) and Murdock's (1999) distinctions between citizens and consumers, and followed their lead in identifying PSB with a political citizenry and civic culture, on the one hand, and unregulated commercial broadcasting with passive consumption and corporate power, on the other. Reference was also made to Habermas's (1989) concept of the public sphere to rationalise the democratic importance of PSB, and shifts towards deregulation (or reregulation) and privatisation were expressed as symptomatic of neoliberalisation and the influence of corporate power on the regulatory process.

Intending originally to broaden the scope of this research and to further the contribution to policy and regulatory debate, the PhD began as a more extensive literature review of the contemporary critique of broadcasting regulation made by media and communication studies scholars, as well as a more elaborate methodological review of CDA, to support what was principally to be a large-scale empirical (quantitative as well as qualitative) research project into the shifts in broadcasting regulatory discourse. However, initial work towards such a thesis revealed a tendency in much of the literature towards a superficial treatment of key concepts, prompting me to question more reflexively the concepts drawn upon to make sense of this discursive history. This recognition led me to contextualise and

historicise the critical approach to broadcasting regulation itself, to consider alternative approaches to broadcasting regulation, discourse analysis and the theoretical concepts used, and to engage with debates beyond the realm of media and communication studies and UK-centric debates on the role of the BBC.

As the object of study shifted to a focus on the academic literature as much as the regulatory source material, the scope of the thesis became much more ambitious. Taking in the history of theoretical approaches to broadcasting, the literatures on the public sphere, public opinion, press freedom, citizenship, consumption and neoliberalism, as well as methodological literatures on CDA and Foucauldian genealogy, two problems arose: while the breadth of theoretical material became potentially unwieldy, there was increasingly less time and space for an empirical case study. However, by limiting the theoretical expansion to the rationalisation of the public-private dichotomy in liberal (and neoliberal) and republican traditions, and therefore in terms of governmental rationality (instead of ideology or class interests), and sidestepping the more explicitly political-economic or Marxist critiques of broadcasting regulation, the scope was made coherent and manageable, while the role of an empirical case study was recast in the more minor role of a suggestive summary of the research findings.

The thesis was thus converted from what would have been an empirical research project on the discursive history of broadcasting regulation (and a contribution to its scholarly critique), into what became a theoretical-methodological critique of that very scholarly research into broadcasting regulation and its discursive history. Consequently, the structure of the thesis was also dramatically altered, from the conventional literature review-methodological review-case study-discussion format of the typical empirical research thesis (in which little space is given to enable a thorough and critical engagement with theoretical debates outside of the immediate interests of the researcher), to the more flexible sequence of the theoretical thesis, whereby thematic debates form the core. In this case, the narrative of the thesis builds from theoretical debates on the extent to which notions of public and private, and categories of citizen and consumer, can be contrasted, into a more explicitly methodological concern with the effectiveness of certain approaches at capturing their historical nuance. Consequently, the thesis closes with an attempt at theoretical

rapprochement between broadly ideological and governmental approaches, a more practical methodological rapprochement between critical and genealogical approaches to discourse analysis, and a suggestive concrete example of what such an empirical case study might look like as the final chapter.

Because an engagement with such historical and theoretical nuance and complexity potentially undermines the often simplistic appropriation of such concepts for political critique, however, the extent to which such an engagement could be undertaken without abandoning critique or ignoring the role of (corporate) power became a central concern towards the final stages of the research project. Debates within each of the literatures critically acknowledged, in their own ways, the importance of (and difficulty in) undertaking such an enterprise, and Foucault's presence is a recurring feature throughout the chapters of the thesis, to the extent that the Foucauldian approach becomes increasingly central, not as a simple alternative to a more obviously critical approach, but as a way of bridging theoretical engagement with political critique, and performing a historical analysis that ultimately strengthens critique by underpinning it with conceptual precision and historical location.

This thesis, therefore, didn't begin with a particularly Foucauldian perspective. Rather, it began as an inquiry into the extent to which the dominant approach/es in the critical literature on broadcasting regulation were appropriate and effective, before necessarily turning into a search for a way of making them more so. Taking as its conceptual starting point the contemporary critical literature on citizen and consumer interests in the discourse of Ofcom, beginning with my own early attempts (Dawes, 2007) and those of Lunt & Livingstone (2012), in particular, the thesis diagnosed the prevalence of citizenship, consumption, neoliberalism and the public sphere as recurring features of the effort to interpret research findings. These key concepts were then traced back to their emergence in the critical literature, and to the point at which, in the context of Thatcherite reforms, consensus appears to have been reached as to the most appropriate way to define and distinguish between them. Despite being used in multiple (and not necessarily compatible) ways, the existence of a particular approach that defends PSB against deregulation, that praises the advantages of the former in terms of citizenship and/or its importance for the public

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sphere, that denigrates the latter for reducing the public to consumers and damaging the public sphere, and that draws upon the concept of neoliberalism to account for the shift from a public service ethos to a rationale of consumer choice, has been well documented (Collins, 1993; Dahlgren, 2000; Flew, 2006); it has also been the subject of critique by those arguing for the abandonment of the link between PSB, citizenship and the public sphere, and an embrace of commercialism and the imbrication of citizenship and consumption instead (Jacka, 2003; Nolan, 2006).

By situating this 'paradigm' (which I see as including the alternative approach, which relies on similar terms of debate and exists largely in dialogue with the more 'critical' variant) within a historical account of theoretical approaches to broadcasting, the extent to which this perspective has achieved a level of dominance can also be appreciated. As others have noted, in the context of Thatcherite reforms and the threat to the BBC, many left-leaning media scholars in the UK were 'tiring of Frankfurt School-style critique and seeking, instead, to advocate a positive vision for public institutions' (Lunt & Livingstone, 2013: 90), and the association of PSB with the public sphere armed proponents with the emancipatory arguments they needed to challenge those of the privatising marketeers (Collins, 1993: 246-247). The move away from both Marxist and free press approaches to broadcasting regulation (despite both continuing to be influential) was advocated even by those who were sceptical of the public sphere as an appropriate alternative (Curran, 1991; Thompson, 1995), so the embrace of public sphere theory as a means to transcend the state/market dichotomy (Garnham, 1986) can be placed in the context of the longer-term convergence of critical and liberal-pluralist approaches, and the 'rise to dominance' in the 1980s of a broadly intermediate perspective (Curran, 1990: 144). The journal *Media, Culture & Society* has been a forum for many of the scholars adopting this intermediary position, and, as Lunt and Livingstone have demonstrated, although there were only 23 references to the 'public sphere' in its pages throughout the 1980s, and only 58 in the 1990s, there were 247 in the 2000s (Lunt & Livingstone, 2013: 87), suggesting a paradigmatic spread of the framing of critique in terms of public sphere theory and its associated concepts (whether linking it with PSB or not), rather than in terms of the more traditional Marxist or free press categories.

Having traced the history of this approach, the thesis proceeds to explore the key concepts more closely, to offer a more informed, reflexive and critical engagement with the ways in which they can be applied to an understanding of broadcasting regulation. The Arendtian attempt to 'stretch and compact distinctions' between these concepts, and the Foucauldian 'dismantling' of the traditional approach to applying them, is a means of 'flushing out assumptions' and enriching and strengthening critique, rather than undermining or abandoning it. Concomitant to the work presented in this particular thesis, for instance, I have also undertaken a similar approach to the history of press regulation and the legal approach to balancing privacy with press freedom in the UK (Dawes, 2014). The critical thrust of that research is perhaps more clearly evident, as what was dismantled was the media law perspective that ignores issues of economic ownership, and what was flushed out were the assumptions behind the liberal theories of press freedom and privacy that saw them in terms of freedom from the state, rather than freedom from both the state and the market. Once market power and economic ownership are acknowledged, the News International phone-hacking scandal and the power and influence of Rupert Murdoch can more effectively be critiqued within the dominant framework of debate. However, in the case of broadcasting regulation, the contemporary dominant approach is one that is already a compromise of conventional left and liberal-pluralist approaches; a media organisation perspective (dominant in regulatory discourse) already addresses the issue of economic ownership, and both Marxist and public sphere perspectives have already roundly critiqued the assumptions behind the free press rhetoric of the traditional liberal-pluralist approach.

The task, therefore, is a more delicate and less obviously critical one, but one that, I would argue, is all the more necessary for it. For despite its many strengths, through a focus on empirical research and relatively limited theoretical debate, the strand of the dominant approach that draws on the various concepts discussed in this thesis for the defence of PSB risks merely preaching to the converted, while regulators and policymakers, academics of the opposite opinion, and specialists of those concepts from other disciplines (not to mention the media itself), often simply dismiss the whole approach. A theoretical engagement, however, that privileges critical engagement with the concepts it deplores, as well as those it favours, with its critics as well as like-minded colleagues, and with its own weaknesses and shortcomings,

promises to do much more than preach to the converted. Moreover, rather than merely adding more of the same to the contemporary literature, the theoretical and methodological approach in this thesis offers not only a more solid (and original) contribution to academic debate, but it also encourages engagement with the dominant literature from those who would otherwise ignore it.

Aims and Objectives

In the light of the above, this thesis can be regarded as a theoretical and methodological engagement with the extent to which the public-private dichotomy is an appropriate and effective framework within which to critically approach the history of broadcasting regulation in the UK. This has entailed not only a close examination of the critical literature on broadcasting regulation and detailed analyses of regulatory documents themselves, but also an engagement with the wider literatures on citizenship, consumption, neoliberalism and the public sphere (as well as associated concepts, such as press freedom and public opinion). A Foucauldian approach has been applied throughout this thesis to historically situate the discourses drawn upon in the various approaches to each of the key concepts of debate, and to identify those discourses drawn upon and ignored by critics of broadcasting regulation in the UK. By supplementing the critical approach to discourse analysis with the Foucauldian archaeological approach in the analyses of regulatory texts, the thesis is able to link the analyses to the theoretical literature and provide a genealogical account of broadcasting's regulatory history. As well as providing a critique of power in broadcasting regulation, therefore, the thesis is also able to provide a reflexive critique of knowledge in the traditional approach to the critique of power.

The research began as a critique of the prevalence of the term 'consumer' in the contemporary discourse of broadcasting regulation in the UK, and thus an engagement with the literature that has diagnosed and critiqued a shift in the way in which the public are perceived in this context, from citizens to consumers, where the former are assumed to be the active members of a political community and the latter

the self-interested individuals of civil society. Concomitant with this shift in emphasis from citizenship to consumerism, this literature argues, is a shift from an ethos of public service to a logic of consumer choice, whereby the former is deemed by scholars to be in the public interest, establishing the conditions and supporting the aims of the public sphere, while the latter is revealed to be nothing more than a mask for private interests, whereby a neoliberal faith in market logic undermines those conditions and is detrimental to those aims.

Closer analysis of contemporary documents suggested, however, that the reality was somewhat more complex, and that such texts featured discursive elements that couldn't so easily be captured by a strictly dichotomous distinction between citizenship and consumerism. Expanding the scope of the research to survey the history of broadcasting regulation in the UK proved even more problematic, as analysis of early documents revealed a similarly complex discursive terrain, and even evidence of certain traits more typically associated with the contemporary influence of neoliberal ideology. As well as casting doubt on the assumption of a clear shift from public to private values, and the fruitfulness of a dualistic distinction between public and private interests, this also suggested that the critique of neoliberalism needed to be more analytically distinguished from the earlier critique of liberalism. Finally, critical engagement with the wider literatures (beyond broadcasting scholarship and even beyond the disciplines of communication, cultural and media studies) on the concepts of the public sphere, citizenship, consumption and neoliberalism further necessitated a qualification of the distinctions amongst them, of the assumption of linear shifts, and of the conflation of potentially contradictory concepts (such as social citizenship and the public sphere, for example).

Much of the literature on UK broadcasting regulation, this thesis has found, is theoretically weakened by a lack of careful consideration of the meanings and implications of the concepts employed, reducing what are actually protean distinctions between contentious concepts to unitary oppositions of commonsensical terms. Where discussion is more conceptually self-reflective, one reading of a distinction is often privileged over others, with little evidence of awareness of the wider range of alternative frameworks in which it is employed. Although this can be simply a matter of a variation in terminology, a particular reading of the public-

private or citizen-consumer dichotomies often reflects deeper theoretical or ideological commitments or assumptions that can have normative implications for the arguments they are drawn on to support (Weintraub, 1997).

Taking this claim as its starting point, the thesis will attempt to clarify the ambiguity of the key concepts of debate on broadcasting regulation, acknowledging the difficulties involved in working within a dichotomous framework, and recognising the need for the complexification of distinctions rather than their simplification, without entailing the abandonment of the concepts themselves. Further, it will argue that a protean appreciation of the public-private dichotomy is not just superior to the unitary reading on which broadcasting scholars are dependent, but all the more necessary in the contemporary era of neoliberalism, as it can help explain the ways in which public and private interests, and citizen and consumer identities, are currently being reconfigured, and in which they have been perpetually reconfigured over time. Although not arguing that the assumptions or conclusions in the dominant literature are incorrect, the aim of the thesis is nevertheless to move away from an approach that appropriates citizenship and the public sphere for a conceptual defence of public service broadcasting (PSB), and to explore instead the ways in which the distinction between public and private has always been a negotiated and unresolved process.

The shadow of Foucault has loomed over much of the wider literature surveyed, and his approach has played a significant role in both the theoretical and the methodological development of the research behind this thesis. While his recently translated lectures on liberalism (Foucault, 2009) and neoliberalism (Foucault, 2010) have been particularly useful for an enriched understanding of neoliberalism, as well as contributing to a more critical engagement with Habermas's history of the liberal public sphere (Habermas, 1989), a general Foucauldian approach has also influenced, either implicitly or explicitly, much of the critical scholarship on citizenship, consumption and the public sphere. Further, his genealogical approach to teasing out governmental problematisations has proven essential for reframing the critical or ideological approach that has been dominant in broadcasting scholarship since the 1980s.

A counter tendency has, of course, existed, whereby the propensity of critical scholars to defend PSB against privatisation or marketisation, and to frame their defence by reference to the concepts of citizenship and the public sphere in contrast to those of consumerism and neoliberalism, has been dismissed in favour of an engagement with the imbrication of cultural citizenship and consumption, and a consideration of the benefits brought to the public by commercialisation (Hartley, 1999). While this thesis shares this interest in sceptically addressing the extent to which citizenship and consumption can be contrasted, and to which the public sphere can be appropriated for the defence of PSB, however, it argues that this approach (as discussed in Part Two) is equally partial in its engagement with only some perspectives on some concepts, and much more problematic, relativistic, and superficial in its treatment of those theories deployed (or dismissed). The critique of the association of PSB with citizenship and the public sphere, for instance, fails to offer a convincingly more substantiated interpretation of those concepts, so that they are equally guilty of partial and selective readings of theoretical debates, treating them as dismissively as they treat their supposed conflation. Likewise, the most explicitly Foucauldian scholarship (on consumption and neoliberalism, especially) runs the risk of relativism in privileging exceptions, differences and discontinuity over structural (and potentially hegemonic) similarity. Sensitivity to the theoretical arguments of both perspectives, and an attempt to bridge methodological approaches to actually existing practices can avoid both the elitist, moralist and partisan tendencies of the critical approach, as well as the relativist and agnostic tendencies of the more Foucault-inspired approach. (These debates are addressed in Parts Five and Six, while an attempt at methodological compromise is made in Part Eight.)

A critique of these approaches is, however, largely beyond the remit of this thesis, which is only able to deal with them relatively fleetingly. Nor is the purpose of this thesis to provide a coherent alternative account of the history of broadcasting regulation, or to dramatically uncover something from the archive that has hitherto remained hidden or neglected. This thesis will make no attempt, furthermore, to cast judgment on whether or not a particular change in policy approach or regulatory mechanism is a good or a bad thing for democracy, or even to predict or recommend future changes in regulation or policy. Its focus is more limited and its scope more modest than this. Instead, its theoretical and methodological aim is to show what is

missing from the dominant approach, and to 'flush out assumptions' (Kendall and Wickham, 1999: 30) typically made by broadcasting scholars, so as to enrich and strengthen critique. Sharing Arendt's view of history as an 'untidy heterogeneity' (Baehr, 2003; xxxii), this thesis seeks to 'stretch distinctions' between generally familiar terms, such as 'public service' and 'public interest'; compact generally dissimilar terms, such as 'citizen' and 'consumer'; and 'dismantle' the traditional approach to broadcasting regulation by revealing the 'dissension of things', rather than a temporal contrast between original meanings and contemporary ideological masks (Foucault, 1977: 140-142). Rather than challenging the arguments made in favour of PSB, or dismissing the dependency on certain concepts and theories, therefore, this thesis argues for greater and even more 'critical' engagement with them if the defence of the public sphere is to be efficacious. Such critical theoretical engagement demonstrates how rich the citizen-consumer and public-private dichotomies are as a source of theoretical debate, and how indispensable an appreciation of that richness is for a critique of the history of broadcasting regulation.

Although some critics of neoliberalisation have acknowledged that potentially arbitrary distinctions between citizens and consumers may actually obfuscate new spaces and practices of public connection (Couldry, 2004), and thus frustrate the attempt to defend the public sphere, the call for a more nuanced approach to citizenship and consumption has thus far been limited to accounts of media reception and practice, and a closer engagement with the public's own understandings of citizenship, consumption and media use, rather than the deployment of the terms in regulatory documents. While these accounts share with this thesis a similar concern to avoid presumptuous distinctions, however, they neglect a more thorough engagement with theory and the wider literatures on these concepts, and do little to develop a more theoretically robust account of the history of broadcasting regulation; consequently, they not only remain on the same conceptual terrain they set out to transcend, but often commit yet more category errors (see Part Two). Consequently, this thesis approaches the public-private dichotomy historically and, more specifically, genealogically. As more than just a methodology, genealogy is 'a means of distancing oneself from certain conceptual tools which have a powerful hold over critical thought' (Rose, 1987: 61). Although the critique of the public-private dichotomy is 'frequently revealing and insightful', its insistence on conceptualising

the dichotomy as ideology and on demonstrating its falsity (Rose, 1987: 66) overstates the privatisation and consumerisation of the public sphere. Further, it suggests not only a previous golden age of broadcasting regulation, but that the normative criterion of 'citizenship' is somehow the true original state of broadcasting regulation, whereas 'consumption' is a relatively contemporary and false usurper, tied to ideological manipulation and particular class interests. The task of this thesis is therefore to 'fragment, disturb and disrupt' (Rose, 1987: 66) the conceptual tools of the critical approach to broadcasting regulation; not to prove them inadequate or wrong, but to identify what they miss and to qualify their deployment.

It is not the intention of this thesis, therefore, to argue that it is incorrect to label contemporary regulatory trends as neoliberal; or that there has not been a shift in the construction of the public from citizens to consumers, or in ethos from public service to market competition and consumer choice; nor that it is inappropriate or futile to evaluate media regulation in terms of its effect upon the public sphere. Rather, it is the contention of this thesis that such terms require qualification; that the distinctions between them be treated as protean and mobile, rather than unitary and static; and that engagement with the theoretical debates around each concept be more critically engaged with than at present. It is not a case, therefore, of arguing that neoliberalism is an inadequate term and that a more appropriate alternative be used instead, but that what is meant by the term neoliberal needs to be explicitly stated, and that the extent to which the features described can be explained in terms of that particular use of neoliberalism, in contrast to other understandings of that term (or any other term), be substantiated. Neither is it a question of privileging consumption over citizenship, but of engaging critically with what is meant by each term, and the extent to which they overlap and complement, as much as they compete with or undermine, one another. Nor is it a matter of demonstrating the fallacy of associating PSB with the public sphere, but rather an insistence that the extent to which both PSB and the market simultaneously enable and undermine the public sphere be critically addressed. This would make more visible the specific points of conflicts or agreements, the agonistic arena in which negotiations take place, and the power relations that shape specific policies and practices. Ultimately, the extent to which neoliberalism and the public sphere can be unproblematically contrasted, and the potential of neoliberal techniques to contribute towards citizenship and the public

sphere, and even undermine a neoliberal hegemonic project, rather than merely serve powerful corporate interests, must also therefore be considered.

Those wary of such an approach would maintain that an emphasis on PSB, citizenship and the public sphere remains *politically* necessary (Freedman, 2008; see also Hall, 2011), and that an acknowledgment of conceptual contradictions and ambiguity, or of theoretical debate or disagreement, risks agnosticism towards power relations as well as undermining the political defence of the public sphere. But while this thesis is primarily *theoretical*, it contends that a theoretically more nuanced critique of broadcasting regulation also contributes to a more convincing *political* critique of corporate power, private interests and market influence, as well as to an elaboration of a public sphere that is more efficacious for its critical acknowledgment of both the contradictions of PSB and the complexity of neoliberal thought (Dawes, forthcoming).

Rather than being uncritical, therefore, this thesis aims to refuse moralism and actually deepen critique (cf. Slater in Schor et al, 2010: 281-282), by acting as a riposte to those who have dismissed the critical approach, as much as a 'critique of critique' itself. It aims not to *supplant* but to *supplement* an ideological approach with a governmental one, bridging the gap between contrasting approaches so as to avoid the former's inclination towards elitism and the latter's towards agnosticism (for an elaboration of this in the context of the critical sociologies of consumption and neoliberalism, see Parts Five and Six, respectively). In drawing on multiple perspectives and engaging critically with the theoretical debates around each of the key concepts of the traditional approach, it recognises that by constituting consumption, privatisation and neoliberalisation as social problems, the critique of broadcasting regulation is reduced to a narrow and singular analytical framework, in which the social and political location of the researchers becomes unreflexive, unchallenged and moralistic. As such, the political impulse to critique power actually becomes the opposite of politics, so that the only questions worth asking are those that would occur to a certain type of researcher, whether they are right to ask them or not.

Its aim, therefore, is to theoretically and methodologically engage with the extent to which the public-private dichotomy is an appropriate and effective framework within which to critically approach the history of broadcasting regulation in the UK. Its objectives are to problematise the ways in which the key concepts of debate (public sphere, citizenship, consumption and neoliberalism) are drawn upon within that critique. By adopting a Foucauldian genealogical approach, the critical-archaeological analysis of regulatory texts is considered in light of the governmental problematisation of the public-private dichotomy in the critique of broadcasting regulation. Taken together, the governmental problematisations in the theoretical chapters of this thesis and the archaeological analyses in the case study material contribute towards a genealogy that aims to balance a nuanced historical account of discursive change with a critique of contemporary regulation; providing a history of the present for the purpose of providing a critique of the present.

Although this thesis emphasises that public-private and citizen-consumer distinctions are protean and processual, it maintains that sensitivity to such complexity and nuance promotes rather than hinders the task of critique. It is ultimately hoped, therefore, that although its contribution to the literature on broadcasting regulation is not as was expected at the outset of this research project, its contribution is potentially greater for it.

Methodological Challenges

This theoretical-methodological research project began as a simple expansion of the scope of inquiry into those debates taking place within the wider literatures and other disciplines. In exploring the various literatures, however, it has been clear that a variably implicit or explicit Foucauldian approach has been drawn upon by many of those offering critical accounts of the historical imbrication of citizenship and consumption, or counter-histories of the public sphere or neoliberalism. The intellectual vigour and engagement with the issue of power of many of these contributions is a far cry, however, from the literature that (citing Foucault as an

influence) celebrates commercialism and consumption in the context of broadcasting regulation (Fiske, 1987; Hartley, 1999). The suspicion with which the 'ambivalent legacy' (Curran, 1990: 140) of Foucault in this domain is treated by 'critical' scholars is perhaps therefore understandable, but such scholars are representative neither of Foucault nor a Foucauldian approach, which should by no means be dismissed as somehow ignoring power. Indeed, as the opening methodological chapter to this thesis attempts to illustrate, critical and Foucauldian approaches have as much in common as they have that sets them apart.

While the critical tradition is more reflexive than the early positivist tradition of social scientific research, seeing social reality as a set of relations hidden behind the biases of an ideological veil that needs to be removed by the theorist to enable critique (Delanty & Strydom, 2003: 1-6; Martin & McIntyre, 1994: xxvii), the Foucauldian approach is still more reflexive in that it understands social reality as a set of discourses that can be understood only from within, and which necessitates the situating of disciplinary knowledge within its larger social context (Delanty & Strydom, 2003: 3-6). This approach argues that the critical tradition's assumption that it can stand outside of the power relations it identifies in social reality entails an unacknowledged complicity in such power relations (Conway, 1999: 82). As with every approach (including the Foucauldian one), the critical tradition 'stubbornly defends' its own hard core, auxiliary hypotheses and 'problem-solving machinery' (Lakatos, 1978: 4-5), and would not accept the Foucauldian critique. However, each tradition also has their margins, and it is at the margins of critical and Foucauldian traditions that this thesis seeks to engage at both theoretical and methodological levels.

While materially realised observational processes are always conceptually interpreted, and the meaning of concepts depends on the way they structure observational processes and abstract from them (Radder, 2006: 1), 'personal value judgments' can lead to 'conceptual confusion' in social scientific research (Weber, 2014: 7), and much of the literature surveyed in Part Two is either unreflexive about its use of concepts, or limited to a particular perspective that often ignores even the existence of alterantive frameworks (Weintraub, 1997).

This literature suggests that the 'true' essence of historical reality can be portrayed in particular readings of certain theoretical concepts (such as the citizen and the consumer), by the forcing of history into these constructs (such as the elaboration of PSB in terms of the public sphere), as well as the hypostasisation of ideas (such as neoliberal ideology) as real forces, which operate behind the passage of events and which work themselves out in history (Weber, 2014: 51). The Foucauldian reading of such arguments as discourses, and the discursive and historical account of the public-private dichotomy (such as that performed by Nikolas Rose), however, offer an alternative framework to the critical and liberal traditions drawn upon by those who make most use of these concepts in the context of broadcasting regulation.

Although the critical approach is successful at empirically discerning and analysing these concepts as 'elements of meaningful human conduct' (Weber, 2014: 65), the validity of the concepts themselves cannot be deduced from empirical data, which is always related to the concepts which alone make the data worth knowing (Weber, 2014: 65). While critical discourse analyses, for example, are therefore effective at demonstrating the shift from the privileging of citizenship to the privileging of consumption, the proof of the validity of the concepts (of both citizenship and consumption) themselves is actually 'empirically impossible' (Weber, 2014: 65), and unreflexively presumed by the traditional approach. This thesis, therefore, aims to redress the balance between empirical and theoretical research by working towards a more reflexive account of the history of broadcasting regulation.

If a distinction can be made between 'subject matter specialists' and 'interpretative specialists' (Vischer in Weber, 2014: 65), one could argue that broadcasting regulation tends to be critiqued by the former, privileging the analysis of legal documents and the production of statistics and questionnaires, while being insensitive to the 'refinement of new ideas'. On the other hand, while the alternative approach is more sensitive to intellectual subtleties, its taste for theoretical nuance may dull that for facts. Both share the aim to understand the cultural significance of historical developments (Weber, 2014: 65), however, and the approach adopted in this thesis aims to reconcile such approaches by supplementing (rather than supplanting) the former with the latter, using a Foucauldian approach to strengthen the critique of the history of broadcasting regulation.

Any social scientific research, once it is oriented towards a given subject matter through particular settings of problems and the establishment of its own methodological principles (Weber, 2014: 66), will tend to regard the analysis of data as an end in itself, and to be relatively unreflexive about the validity of the concepts it uses. While the critique of broadcasting regulation has been effective at critiquing a particular aspect of broadcasting history from a particular perspective, this thesis argues that it too has tended to privilege the analysis of data (and the critique of the shift from citizen to consumer) over a reflexive engagement with citizenship and consumption themselves. Although for a time 'it is well that should be so' (Weber, 2014: 66), 'there comes a moment when the atmosphere changes' and the 'significance of the unreflectively utilised viewpoints becomes uncertain' (Weber, 2014: 66). At this point, it becomes necessary to engage more with theory than with empirical research; to 'view the streams of events from the heights of thought' (Weber, 2014: 66).

While this research project has become primarily theoretical, aiming to correct the tendency in the dominant literature to over-rely on empirical case studies at the expense of robust theoretical engagement, it has ultimately endeavoured to apply such theoretical engagement to the recasting of the dominant methodological approach to the critique of broadcasting regulatory discourse along more Foucauldian lines. It is hoped that an appreciation of theoretical nuance and complexity, therefore, neither ignores questions of power, nor undermines the critique of power, but that it actually enables a more thorough form of empirically-supported critique.

The methodological contention of this thesis is that a rapprochement between critical and Foucauldian forms of discourse analysis leads to an approach that is able to balance a long-term and nuanced historical excavation with a more urgent form of social critique, and the final chapter of this thesis is an attempt to put that rapprochement into practice.

Nevertheless, the decision to write a thesis with such a heavy emphasis on theory brings with it its own set of methodological challenges. Firstly, if research projects

that privilege empirical studies over theoretical engagement risk producing research that contributes only towards a particular perspective and already established theoretical arguments, the contrary can be said of theoretical research projects: that their privileging of theory and interdisciplinary debates over empirical research risks providing only a superficial account of the object of study. The decision to not only include a case study, however, but to link theoretical and methodological concerns to a case study in which those theoretical and methodological engagements are applied in practice, is an attempt to address this challenge. Further, the analysis of these regulatory texts is something that this author has been working on for over a decade, originally from the critical perspective that this doctoral thesis now questions. It is not so much that actual analyses have been subordinated to theoretical engagement, therefore, but that theoretical limitations in the original analyses have necessitated greater emphasis on an engagement with theoretical complexity than on yet more empirical detail. Nevertheless, further postdoctoral research into international and multimedia regulation is planned to deepen and broaden the scope of this doctoral research project.

Secondly, the selection criteria applied in the identification of topics to address, arguments to include, and documents to analyse (as well as those to exclude), is also a potentially thorny issue. The absence of an engagement with the concepts of privacy and the commons (both in the critical literature and in discursive analyses), is justified, however, by the relative lack of attention given to them in both regulatory documents and the critique of broadcasting regulation, despite their potential relevance to broadcasting and their explicit use in the critique of other aspects of media regulation (such as the press and the internet). This is explained by the way in which different sectors of media regulation have traditionally been approached. While privacy issues inevitably arise when press regulation is debated from a media law perspective, for instance, they are drowned out in broadcasting regulation by the debate between public service and free market arguments that arise in the media organisation perspective. Similarly, while the pre-history of alternative (press freedom, Marxist) approaches is surveyed in Part Two, it remains subsidiary to the primary focus of this thesis; the scope of which was defined by the initial identification of a particular approach to critiquing the use of 'citizen' and 'consumer' signifiers in broadcasting regulatory discourse, and the tracing back,

through their rise to dominance to their initial emergence, of the key concepts and arguments drawn upon in this literature.

Thirdly, the extent to which critique may be undermined by the questioning of the assumptions that inform it has also been a source of concern throughout this research project, and I'm grateful for the constructive criticisms I've received over the past couple of years from those voicing this concern. The emphasis placed, however, on the strengthening of critique, the critical treatment of more relativistic arguments and the rapprochement of contrasting approaches has been an attempt to resolve this, and it is hoped that the arguments and evidence contained in this thesis can contribute to the ongoing attempts of critical and Foucauldian-inspired scholars to do this, as well as to the contemporary scholarly critique of broadcasting regulation and its history.

Thesis Structure

The thesis is split into eight parts, beginning with an account of the methodological perspective employed, and ending with a summary of the research findings. Between these methodological chapters, a critical review of the literature on broadcasting regulation in the UK will set the scene for the debates that follow, and the theoretical and methodological conceptual tools deployed by critical analysts will be addressed in turn through in-depth engagements with the specialist literatures on each concept.

Part One will provide a methodological review of CDA and genealogical approaches. By elaborating debates on the concept of power, history and critique, an attempt will be made to seek a rapprochement between the two approaches, and to develop a theoretical approach to the key concepts of debate that is as sensitive to the complexity of power as it is critical, as well as a method for performing discursive analyses that is as empirically detailed as it is critical of discursive change. In seeking a compromise between sweeping accounts of hegemony, on the one hand, and ambivalence towards hegemonic undercurrents, on the other, the normative thrust of the critical approach is made less explicit in favour of an account of the

perpetual 'problematisations' of the public-private and citizen-consumer dichotomies (in Part Eight).

Part Two will provide a critical review of the literature on broadcasting regulation in the UK, focusing in particular upon the recent literature on the balancing of the interests of citizens and consumers in contemporary regulatory discourse. Much of this literature draws upon CDA in its examination of regulatory documents, and aims to reveal the rhetorical preference for 'consumers' over 'citizens', or the discursive reconstruction of 'citizens' as 'consumers'. More broadly, scholars have also critiqued the redefinition of the 'public interest' in market terms, the rise of an audit culture and market mechanisms within the BBC, and the regulation of the broadcasting sector as a whole in terms of market competition. Such processes are associated with a 'neoliberal' logic, whereby neoliberalism is seen as a free market ideology that serves powerful private interests, and which undermines both PSB and the public sphere.

Critical scholars' association of PSB with citizenship and the public sphere is traced back to debates that took place in the 1980s, in the context of Thatcherite reforms of public services and the threat of the privatisation of the BBC and the deregulation of PSB. Underlying this literature is an assumption of a dichotomy between broadcasting as a public service, which caters to the benefits of citizens, and broadcasting as a commercial market, in which the consumer is sovereign and individual choice is valued above all else. Such an approach also views PSB as an ideal type of public sphere, and negatively interprets the history of its regulation as a shift from a public service to a free market, which has undermined its capacity to contribute to the informed and engaged citizenship upon which a public sphere is built.

The unequivocal appropriation of the public sphere as a normative concept and its association with an abstract idealisation of PSB, however, has led some to suggest that the reading of Habermas has been somewhat selective (Collins, 1993: 257-258; Keane, 1995), considering that much of Habermas's argument seems to actually contradict such a manoeuvre. Further, there has been an increasing weariness with the ubiquity of these terms, and dissatisfaction with the level of engagement or

appropriateness of their application to PSB (Flew, 2006; Jacka, 2003; Nolan, 2006). Rather than dismissing the deployment of such terms, however, the chapter concludes with the proposition that these terms be yet more critically engaged with.

Parts Three, Four and Five then deal more closely with the public sphere and the wider public-private dichotomy. While Part Three provides an overview of literature on the associated concepts of press freedom, public opinion and the public-private dichotomy more generally, Part Four offers a particularly close (and relatively unselective) reading of Habermas's seminal publication on the public sphere, and Part Five summarises the subsequent engagement with both this early work and the ongoing development of the concept.

Habermas's original aim in developing his concept of the public sphere was to balance liberal and republican approaches to the public-private dichotomy. These contrasting traditions are thus juxtaposed and traced back to their roots in antiquity (throughout Parts Three-Five), while 18th and 19th Century theorisations of the role of public opinion and a free press in liberal democracy, and the concomitant development of the notion of 'publicity' or 'publicness', are elaborated (in Part Three) to put Habermas's own theoretical intervention in context.

Equally, a comprehensive reading of Habermas's book (in Part Four) also allows for his critique of the commercialisation of the press and the rise of consumer society to be assessed in the context of his more wide-ranging critique of the welfare state, and his identification of the passive citizenship it produced as the main cause of the decline of the public sphere. Habermas's surprisingly nuanced treatment of the relation between citizenship and consumption, and his more explicit and controversial handling of the distinction between society and politics, are shown to pose particular problems for the appropriation of his concept by defenders of PSB against the threat of commercialisation; especially when tied to an account of social citizenship and an emphasis on democratic inclusion.

Indeed, in highlighting the exclusivity of Habermas's bourgeois model, revisionist and alternative accounts of Habermas's history of the 'rise and fall' of the public sphere suggest that it may be better understood as a 'fall and rise', and that counter-

examples of consumer movements, in being relatively more inclusive and participative, may even be more appropriate sources on which to build a public sphere model. Much of the post-Habermasian debate has revolved around this legitimacy deficit in his ongoing elaboration of the public sphere concept and wider theoretical approach, and around the most appropriate definitions of, and balance between, inclusion, participation and rationality for the development of a legitimate and efficacious public sphere. Engagement with the complexity of this debate (in Part Five) is essential for a truly critical account of broadcasting regulation, as it raises questions concerning not only the form and content of public communication, but also the distinction between formal and informal citizenship, and, therefore, between citizenship and consumption.

Although distinguishing between the two has been an effective way of warning citizens of the threat of commodification and corporate power, the distinction has also been accused of legitimating the exclusion from the public sphere of those without formal citizenship rights. While an opposition between the *public* duties and ethics of citizenship and the *private* pleasures and aesthetics of consumption is assumed in the broadcasting literature reviewed in Part Two, debates within public sphere theory suggest that a more nuanced account of the relation between citizenship and consumption is required. Consequently, Part Six offers a review of theoretical developments in interdisciplinary studies of both citizenship and consumption, as well as the more recent literature on the imbrication of the two concepts.

Turning towards a view of citizenship and consumption as ever-shifting, overlapping and sometimes complementary categories, rather than opposing ideal types, these literatures also share a move away from normative theory towards an account of citizenship and consumption as practice and process. Although broadcasting scholarship maintains an attachment to earlier approaches to citizenship and consumption, many contemporary theorists of citizenship have distanced themselves from TH Marshall's work on citizenship rights, and from a reduction of citizenship to a matter of status or rights more generally, while contemporary consumption scholars have, in turn, distanced themselves from the various traditions of consumer critique. The chapter begins, therefore, with a critique of Marshall's distinction between

political, civil and social rights, and of the passivity inherent to the liberal tradition within which the focus on rights is framed, before introducing the turn in citizenship studies towards an engagement with the practices and experiences of everyday life, and the significance of culture as well as politics to citizenship. The traditional critiques of consumerism are then summarised and contrasted with a critical sociology of consumption that is more informed by empirical and historical research than by normative theory. Such research has demonstrated the productive and active aspects of consumption, and revealed that consumption practices can be important sources of collective and political engagement, especially for those formally excluded from citizenship and the public sphere, as well as sources of individualistic and private pleasure. The parallel trajectories of both these bodies of literature, however, suggests that it is not so much the terms themselves that are unhelpful for understanding broadcasting regulation, but rather the binary opposition that has been constructed between them.

In contrast to the willingness to engage with theories of citizenship and the public sphere, however, there has been a notable reluctance among broadcasting scholars to engage with theoretical debates around not only consumption, but also neoliberalism. While neoliberalism is persistently and loosely evoked as an antonym of PSB and as the cause of perceived shifts from citizen to consumer, its features are either taken for granted or predictably described (Collier, 2012). Part Seven therefore begins with an overview of neoliberalism's assumed features and an account of the meteoric increase in the term's occurrence in scholarly literature over the past decade, before engaging in theoretical debates within the recently emerging discipline of the critical sociology of neoliberalism.

Neoliberalism is traditionally approached by broadcasting scholars as an ideological and hegemonic project (Harvey, 2007). There is a contrasting Foucauldian perspective, however, which views it instead as a form of governmental rationality, and both approaches are critically evaluated. However, in light of the ongoing financial crisis (2008-ongoing), whereby neoliberalisation has unexpectedly been exacerbated in response to a crisis seemingly of its own making, and following a recent wave of publications that have rewritten the history of the development of neoliberal thought (Mirowski & Plehwe, 2009; Peck, 2010; Stedman Jones, 2012),

efforts to develop both ideological and governmental approaches, and to bridge the seemingly insurmountable gap between them, have been renewed. The chapter subsequently concludes with an elaboration of the theoretical and methodological debates that are currently taking place at an interdisciplinary and international level, as a means of negotiating a compromise between the critical approach to broadcasting regulation and a more nuanced governmental approach that avoids ideological or normative reductionism.

Such a compromise, developed in detail in Part One, is then put to the test in Part Eight as the CDA approach commonly drawn on to critique regulatory documents is reframed within a Foucauldian genealogical perspective to provide a relatively more detailed, nuanced and yet more critical account. From this methodological perspective, a corpus of texts, extending from around 1920 (the inception of broadcasting) to 2013 (the year of writing), and including committee reports and white papers on broadcasting regulation in the UK, is analysed. Rather than simply presenting a chronological history of the increasing occurrence of the consumer signifier, such a long-term genealogical approach enables the identification of the underlying debates, concerns and conflicts that determine the reconfiguration of certain terms. Detailed analysis coupled with a nuanced appreciation of the distinctions between relevant concepts also enables a more critical understanding of the differences, still only just emerging, between the more recent approaches to broadcasting regulation of the previous and present governments. Specifically, three distinct (although overlapping) problematisations are identified: those regarding the relation between public control and private enterprise; public interest and public service; and citizenship and consumption. Although the identification of the public as consumers has been only a recent phenomenon, for instance, the analyses demonstrate that the underlying concern to resolve tensions between a view of the public as a mass or as a differentiated entity, and between a view of individuals as active or as passive, can be traced back to at least the mid-20th Century – long before the advent of the political appropriation of neoliberal theory.

The thesis concludes with an appreciation of the continuing relevance of the public-private dichotomy to any attempt to engage, either politically or theoretically, with both contemporary broadcasting regulation and its history. It maintains, however,

that there should be greater (and more critical) engagement with the dichotomy, and recommends an emphasis on the theoretical-methodological *rapprochement* of critical and more differentiated or empirically-based perspectives. Rather than dispensing with the dichotomy, rejecting critique or abandoning political intervention, therefore, the thesis argues that they be supplemented with, and thus strengthened by, an acknowledgment of their flaws and the incorporation of approaches more sensitive to the historicity of the developments and the stratagems of power that animate them.

Part One: Methodology

While the following chapters will endeavour to provide a more critically nuanced and protean account of the theoretical concepts and discourses most often drawn upon in broadcasting regulation scholarship, and while a final chapter will provide an illustrative summary of the results of discourse analyses undertaken as part of the research for this thesis, this opening chapter will be limited to a discussion of the methodological approach of this thesis, and the method applied in the analyses themselves.

Although Critical Discourse Analysis (CDA) is often utilised by scholars to critically contrast contemporary regulatory documents with earlier ones, there is unfortunately very little critical engagement with CDA itself. Further, while CDA lends itself well to policy analysis and is crucial for revealing the contradictions and sources of tension within and between texts, its theoretical underpinning in structural and ideological-hegemonic approaches means that it is also complicit in broadcasting scholars' uncritical appropriation and unitary reading of the aforementioned concepts. Ultimately, in reducing complex relations and processes to a question of ideology, such an approach risks misunderstanding the most pertinent aspects of long-term social and discursive change. In contrast, a genealogical approach avoids dependency upon simple dualities of public-private or citizen-consumer, which treat one as original and proper, and the other as evidence of ideological manipulation and dominant class interests. Rather, in transgressing distinctions between public and private, and between power and freedom (Tully, 1999: 134), it recognises that the tactics of 'government' make possible the redefinition of what is within the competence of the state or market, and of what is public or private (Foucault, 1991: 103). Following the lead of those critics of neoliberalism that seek to bridge ideological and governmental approaches (as discussed in Part Seven), this thesis will propose supplementing CDA with a genealogical approach. The task at hand, therefore, becomes one of looking at how the public-private dichotomy has been (re)configured over time, and how this has always been linked to power, whether the

emphasis is on public service and citizenship or on the free market and consumer choice.

In analysing a corpus of texts that includes committee reports and white papers on broadcasting regulation, and which extends from around 1920 (the inception of broadcasting) to 2013 (the year of writing), such an approach, it is argued, is able to contribute towards a more nuanced account of broadcasting regulatory history. The final chapter will present a summary of the research findings, splitting the discourse analysis into three distinct (although overlapping) 'problematisations': those regarding the relation between public control and private enterprise; public interest and public service; and citizenship and consumption.

This chapter, however, will begin by outlining the CDA approach as explained by its proponents and critics, before outlining the genealogical approach and developing a synthesis of the two for the purposes of this thesis.

1.1 CRITICAL DISCOURSE ANALYSIS

CDA: Language, Discourse and Text

Rather than referring to a homologous method, or even a particular school of inquiry, the label CDA encapsulates a cross-disciplinary approach to the study of text, united by a shared perspective on the role of language in society (van Dijk, 1993a), a view of text as simultaneously product and process (Fairclough, 1989; 1992), and an analytical focus on the dialectical relations between discursive and non-discursive social practices (Fairclough, 1989). Language, it is argued, is particularly important in politics and communication media (Thompson, 1990) – which is seen as playing a hegemonic role in the reproduction and restructuring of the relationship between the public and private realms of social life (Fairclough, 1992: 13) – and plays an

increasingly important role in the contemporary era due to a shift in its social function, from one committed towards communication to one more strategically oriented (Habermas, 1996). Discourse, which subsumes language and other forms of semiosis (such as body language and visual images), regulates the production of meaning within particular textual and institutional conditions, determining what can and cannot be said within historically and temporally specific situations. It is organised through the formation of imaginary symbolic figures, or subject positions, such as the 'citizen' and the 'consumer,' which provide a dichotomy of discursive oppositions, such as the 'public/private' dichotomy, between which meaning can be produced. Through the analysis of texts, approached as points of articulation and tension between practices and structures, the active construction of discourse can be made manifest.

While some practitioners of CDA are rooted in the functional paradigms of linguistic traditions, others come from a broad range of disciplines across the humanities and social sciences. Most deal with power in some form, and with the reproduction and concealment of power in language, as well as the ways in which it is resisted (van Dijk, 1993a). While Foucault and Bourdieu are occasionally drawn upon, practitioners are most theoretically influenced by Gramsci and Hall, or by early Habermas and the Frankfurt School, and there is a consensual rejection of postmodern approaches and relativist assumptions, which are dismissed for ignoring discourse structures (van Dijk, 1993b) and for providing weak textual analyses (Fairclough, 1993). Some have prescribed that to qualify as CDA, analyses should have an explicit socio-political stance, be 'unabashedly normative' and motivated by social concern, and draw on theories and methods in terms of their relevance to achieving a particular socio-political goal (van Dijk, 1993b). The analysis of texts as instances of socio-cultural practice consequently foregrounds the connections between language, power and ideology, which may be hidden in articulations of commonsense assumptions (Fairclough, 1989: 4). CDA aims to deconstruct such assumptions as ideologies, seeing them as dependent upon the underlying social relations and differences of power that they serve to legitimise through the recurrence of the ordinary and the everyday (Fairclough, 1989: 2).

Methodologically, CDA proponents distinguish themselves from 'linguistics proper', which they see as not being critical or socio-political enough, insisting instead on the necessity of explaining findings in terms of power relations. Alternative linguistic approaches to textual analysis, it is argued, ignore social theory and give insufficient attention to the social and historical influences on discourse (Fairclough 1992: 4), limiting themselves to observing and describing, rather than explaining, linguistic variation, and ignoring the ways in which everyday life and commonsense assumptions are determined by, and determinative of, wider social structures (Fairclough, 1989).

Arguing against this 'demarcated and hierarchically related branch system' of language *studies*, a broader conception of language *study* has been called for (Fairclough, 1989). While language studies and social theory have traditionally treated texts as finished products that are reflective of external, social processes, branches of both disciplines have questioned this conception of texts. For example, some branches of language studies emphasise the processes of production and interpretation, and the situational contexts in which texts are produced and interpreted. In this case, texts become only one dimension of discourse - the written/spoken product of processes of text production – and the social effects of discourse become a further addition to the linguist's object of study. Likewise, some social theorists see discourse as a way of structuring knowledge and social practice, as well as a type of language specific to a social situation (advertising discourse, for example). As such, discourses do not so much reflect or represent social entities or relations, as construct or constitute them. Further, different discourses constitute key entities – such as citizenship and consumption – in various ways, and position people in various ways as social subjects – such as citizens or consumers (Fairclough, 1992: 4), construing the world in selective and partial, or even reductive, ways. By locating discourse in the context of social change, analysts aim to connect particular representations with particular interests and relations of power.

However, the causal relations of social change are not simple or one-way, and social change, it is argued, is being increasingly discourse-led. This change is initiated through dialectical processes, such as the recontextualisation of discourses within new fields, which are 'enacted in new ways of inter/acting,' 'inculcated as new ways

of being' and 'materialised as new ways of organising space' (Fairclough, 2004: 3). These processes are, however, contingent on the ways in which they are resisted and accepted, so that there is often a tension within texts between the various ways of addressing subjects; and it has been argued that these tensions have been particularly evident in the language of New Labour, as the tendency to construct the public as consumers has been resisted by even the party's own members (Fairclough, 2000).

While 'hegemony' is used to explain the ongoing process of discourse production and the instability and transitivity of certain representations, 'intertextuality' is used to emphasise a historical view of texts. Fairclough's focus on historical change, for example, sees discursive events (such as a government white paper) as attempts to negotiate unstable and changing social-cultural circumstances, which draw on and transform available discourse practices (those of regulatory documents) and orders of discourse (such as those of government or business). CDA can therefore be used to explain shifting discursive practices across domains and over time as a facet of social change (Fairclough, 1993).

Critique of CDA

However, the lack of a coherent and comprehensive theoretical model, as well as the unsystematic use of certain methods (Widdowson, 1995a; 1995b; 1996; Tian, 2004), have led to the accusation that CDA is more descriptive and interpretative than theoretical or analytical, remaining more sociological-political than linguistic, and little more than literary theory (Widdowson 1995b). It has been suggested that the ambiguous and contradictory use of terms deployed by Fairclough, for example, should be treated more as 'labels for descriptive devices' than as 'concepts which cohere to a theory' (Widdowson 1995b). The equation of theory with political commitment and the downplaying of empirical rigour have also brought forth from more traditional linguists the accusation of 'partiality'; that CDA is partial, both in the sense that analyses are selective and not whole, and in the sense that they are prejudiced and partisan (Widdowson 1995b). Likewise, the explanation of pervasive practices in terms of ideology, and the interpretation of instances of heterogeneity as

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evidence of ideological contradiction, have also been criticised for failing to even consider alternative or additional explanations (Toolan, 1997).

In response, proponents of CDA have countered that because CDA is a multidisciplinary and non-neutral approach, distinctions between theory, description and analysis are irrelevant (van Dijk, 1993b: 252). Consequently, its success should be measured not in terms of the impressive detail of the analysis or in the contribution it makes to a particular discipline, but in how effective it is in intervening in or changing the current state of affairs (van Dijk, 1993b). The linguistic critique of CDA is dismissed for assuming the possibility of objective analysis, for failing to differentiate between 'critical' and 'partisan', or between 'scientific' and 'neutral' (Rajagopalan, 2004), and for confusing 'ideology' with a political perspective rather than assumptions that maintain relations of dominance (Fairclough, 1996).

Although the adoption of a particular perspective 'from which some things become salient and others merge into the background' (Hammersley, 1999: 14) suggests the possibility of bias, there remains a 'fundamental distinction between those versions of partisan research which retain a commitment to objectivity, to the possibility of knowledge that is valid from all points of view, and those that do not' (Hammersley, 1999: 5), and, while some analysts are determined to foreground their socio-political goals (van Dijk, 1993b), others are more sensitive to balancing theory, politics and analysis. There remains, however, a more subtle but fundamental problem with the critical approach to discourse analysis. While Fairclough refers to Foucault's work on biopower, for instance (Fairclough, 1993), his view of neoliberalism is dependent upon Bourdieu and Bauman (Fairclough, 2000), and his view of power is drawn principally from the work of Gramsci, Althusser and Hall on ideology and hegemony, a perspective which tends towards the interpretative reduction of power conflicts to binary oppositions in certain analyses (Wodak, 2000; Wodak & Meyer, 2001), as well as to a reductive interpretation of neoliberalism (as discussed in Part Seven) and of discursive phenomena and social change more generally. In contrast, Foucault's theoretical approach to the concept of power leads towards a methodologically different form of discursive analysis.

1.2 GENEALOGY

Genealogy, Power and the Historical Critique of the Present

The mechanisms by which power is exercised and analysed within the framework of 'a new economy of power relations', along with the question of the subject, have been central to Foucault's whole work (Foucault, 1982: 210). This economy of power, he says, is more empirical in approach than abstract theories of power, for it 'consists of taking the forms of resistance against different forms of power as a starting-point' (Foucault, 1982: 211). He adds that what is in common amongst struggles against the power of some groups against others – men over women, etc – and the power 'of administration over the ways people live' is an 'opposition to the effects of power which are linked with knowledge, competence, and qualification: struggles against the privileges of knowledge. But they are also an opposition against secrecy, deformation, and the mystifying representations imposed on people' (Foucault, 1982: 211-212). The emphasis that Foucault puts on knowledge, 'representations' and the open flow of information as targets of struggles clearly applies to the domain of media and culture. It foregrounds discourses and 'technical capacities' invested in practices whereby power seeks to operationalise the government of individuals and groups. It is for these reasons that Foucault's 'analytics of power', and its emphasis on the mechanisms of how power works and how it is effective in real life, has guided the turn towards practice and process, rather than normative criteria and fixed statuses, in the various literatures explored in this thesis.

In Foucault's work, what is normally called 'power' is better understood as 'domination'; that is, a particular type of power relationship that is hierarchical, asymmetrical and difficult to reverse (Foucault, 1988: 19). In contrast, Foucault's understanding of 'power' is as a strategic game between liberties, which also

involves the attempt to determine the conduct of others. Between these games of power and these states of domination 'you have governmental technologies' (Foucault, 1988: 19), which are the primary source of power and domination, and which must therefore be analysed to understand how power and domination operate. In practice, this 'analytics of power' involves establishing genealogies of power/knowledge and the practices in which they are inscribed to produce 'technologies of the social'; technologies that are the *dispositifs* of governmentality. Genealogy thus has a central place in Foucault's methodology.

For Foucault, genealogical analysis proceeds through three specific displacements; three ways of 'moving outside the institution...This kind of method entails first of all going behind the institution and trying to discover in a wider and more overall perspective what we can broadly call a technology of power' (Foucault, 2009: 117). Such an approach, he says, 'allows us to replace a genetic analysis...with a genealogical analysis...which reconstructs a whole network of alliances, communications, and points of support' (Foucault, 2009: 117).

A second displacement concerns the problematisation of the function of institutions, such as the prison or the BBC, to search for an 'external point of view of strategies and tactics' instead of focusing on 'the internal point of view of the function' (Foucault, 2009: 118). This is because the degree to which an institution succeeds or fails is secondary to the wider strategies framing governmentality as 'a general economy of power'; it is this wider transformation which is more important (Foucault, 2009: 117-118). Besides, the shift from functions to wider relations enables one to ask questions about what is at stake in specific practices; as Foucault points out, 'by de-institutionalising and de-functionalising relations of power we can grasp their genealogy; i.e., the way they are formed, connect up with each other, develop, multiply, and are transformed' (Foucault, 2009: 119).

The third shift 'concerns the object...refusing to give oneself a ready-made object, be it mental illness, delinquency, or sexuality' (Foucault, 2009: 118), or citizens or consumers. For, the question is: how did these objects come to be constituted; which discourses and apparatuses conditioned their constitution; under what circumstances; and what effects did they have on subsequent developments?

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Foucault says that what is at stake in the genealogies he is theorising is the recovery of a 'historical knowledge of struggles [and] a memory of combats...that had until then been confined to the margins' (Foucault, 2003: 8). The connection with critique is clear when he concludes that 'we can give the name "genealogy" to this coupling together of scholarly erudition and local memories, which allows us to constitute a historical knowledge of struggles and to make use of that knowledge in contemporary tactics' (Foucault, 2003: 8). It is in that sense that one can understand genealogy as a history of the present; that is, as a specific combination of critique and 'desubjugated historical knowledges' (Foucault, 2003: 10) that support 'an insurrection against the centralising power-effects that are bound up with the institutionalisation and working of any scientific discourse organised in a society such as ours' (Foucault, 2003: 9).

So, in Foucault, the methodological approach described as genealogy is still about power, power relations and the interests inscribed in them, but genealogy, as a 'critique of the present' (in the sense of producing a counter-discourse and counter-history that feeds into resistance), adds analytical techniques that other positions (or 'critical' approaches to discourse analysis), do not sufficiently do. Indeed, it is often in the context of the attempt to bridge a critical or ideological approach with a historical and empirical analysis that many of the scholars discussed throughout this thesis (and many that are explicitly Marxist, such as Lazzarato, 2000) turn to Foucault; not as a means of proving critique wrong and embracing the alternative, but of supplementing a Marxist approach and addressing change by reference to the heterogeneity and strategically mobile character of the conflicting forces shaping it. For while the more typically 'critical' critiques of neoliberalism, for example, are successful at capturing many of the rationales, motivations and effects of neoliberalism (whether in terms of ideology, hegemony or the withdrawal of the state), they are dependent upon the dualisms of state/market or citizen/consumer that play important roles in constituting liberal-capitalist societies (Lemke, 2001). This is why, for their critique of Thatcherite reforms, Nikolas Rose and colleagues (discussed in detail in Part Seven) turned to the history of public-private distinctions to understand liberal and neoliberal governmental rationality, rather than merely echoing the more dominant critiques of privatisation and neoliberal ideology.

Genealogy, Archaeology and Problematisations

While Foucauldian research is sometimes referred to as 'history of the present', it is not interested in achieving a complete understanding of the present and how it emerged from the past, but to use history to diagnose the present (Kendall & Wickham, 1999: 4). Finding causes and effects should be avoided (Kendall & Wickham, 1999: 5-6). Rather, history for Foucault is a perpetual problematisation, and in his archaeological analyses he selects to tease out and examine these problematisations rather than to examine easier to define historical periods (Kendall & Wickham, 1999: 22).

He distinguishes between the historical approach that seeks overarching principles (total history) and his own approach, that which describes differences (general history); although general history also seeks continuities, the focus is on defining new sets of possible relations and the analysis's own spatio-temporal terrain – i.e. rather than adopting a presumed start and end date and presumed series of causal relations, the general historian seeks to avoid accepting the imposition of such reductive parameters (Kendall & Wickham, 1999: 24).

Genealogy, however, adds to Foucault's archaeological tools a new concern with the analysis of power and the 'history of the present'. It is concerned more with flushing out assumptions than with claiming what is right or wrong (Kendall & Wickham, 1999: 30). The emphasis is on the 'processual aspects of the web of discourse – its ongoing character,' rather than in judging it as the past to see what light it sheds on the present. Whereas archaeology emphasises the 'historical slice', genealogy emphasises the 'historical process'. Foucault suggests that the difference between them is that archaeology is the 'analysis of local discursivities', while genealogy is the tactics which bring subjected knowledges into play, on the basis of the archaeological analysis'; archaeology can therefore be seen as a precondition of genealogy, or as the method, while genealogy is the strategic development of

archaeology, the linking of it to present concerns (Kendall & Wickham, 1999: 31); one could also say that Foucault's critical reflection was genealogical in design and archaeological in method (Owen, 1999: 32).

The role of the analyst isn't, therefore, to promote or oppose resistance, but to describe how it operates as part of power (Kendall and Wickham, 1999: 50), and how we come to experience this form of subjectivity as universal, necessary or obligatory, by tracing its historical emergence and demonstrating how it is in fact singular, contingent and the product of historically constituted limits (Owen, 1999: 33-34). This is not the same as ideology, however, and by tracing the emergence of a particular way of thinking or acting, genealogists do not claim to be able to identify a particular cause of an emergence; nor do they dare to denounce the introduction of one perspective into another context as false or wrong.

Genealogy is not concerned with a pursuit of origins and the removal of masks to reveal original identities or meanings (Foucault, 1977: 140-142), for 'what is found at the historical beginning of things is not the tangible identity of their origin; it is the dissension of things. It is disparity' (Foucault, 1977: 142). History cannot be described in terms of linear development. Words do not keep their meaning, nor do ideas retain their logic (Foucault, 1977: 139). As such, Foucault proposes that, while remaining sensitive to recurrences, a genealogical analysis should avoid the urge the trace a gradual curve of evolution, and aim rather to isolate the different scenes in which words and ideas are engaged in different roles (Foucault, 1977: 140).

Foucault also uses the terms 'emergence' – to describe the 'non-place', the scene where conflicting concepts are superimposed – and 'descent' – to qualify the relative strength or weakness of those concepts. The aim, therefore, is to 'record the history' of the different points of emergence, understood as the result of substitutions and displacements (Foucault, 1977: 151-152). For Foucault, an 'event' is not a text or a battle, but the 'reversal of a relationship of forces' (Foucault, 1977: 154), and genealogy must deal with these events in terms of their unique characteristics, rather than with the relations between events and continuity; not to discover the roots of identity (to try to understand the contemporary subject, individual, society etc.), but to 'commit to its dissipation', to 'make visible the discontinuities' and to 'reveal the

heterogeneous systems which actually inhibit identity formation' (Foucault, 1977: 162). So, in terms of the consequences for identity, the analyses that follow are not so much interested in identifying the type of subject constituted throughout the discursive history of broadcasting regulation, but with identifying the discontinuous and heterogeneous constructions of the subject that co-exist and interact at any one time, and which change over time. Rather, it is more a question of approaching the 'arrangement' or 'disposition' of things (Foucault, 1991: 95; 98).

Accepting that it is no longer possible to define a totality, but only to delimit local constellations (Collier, 2009), Foucault also elaborates his concept of the 'episteme', understood as the 'totality of relations for a given period', rather than as a form of knowledge or perspective (Venn, forthcoming: 7). Distinct from a typically structuralist approach, the episteme is part of a project to uncover 'submerged' discourses and events, to search for 'lines of descent', and to recognise that discourses constitute intersecting series which, in turn, constitute a 'history of the present', from which one can understand the privileging of one discourse over another in the present (Venn, forthcoming: 7-8). In 'cultivating the details and accidents' (Foucault, 1977: 144) of the construction of the public and of public service, 'maintaining passing events in their proper dispersion and identifying the deviations that gave rise to that which still exists' (Foucault, 1977: 146), the following analyses challenge the assumption that broadcasting discourse was stable in the longer, earlier ('pre-neoliberal') period of 1920s-1970s. They also move away from the assumption that past changes have 'culminated' in the present, recognising instead that the present is a myriad of 'current episodes in a series of subjugations' (Foucault, 1977: 149), and that the linguistic conflict, or 'hazardous play of dominations', is still and always will be ongoing.

I have therefore attempted to develop the theoretical underpinnings of CDA along more Foucauldian genealogical lines, while concomitantly supplementing Foucauldian archaeological methodology with the close textual methods of CDA. By avoiding limiting the research scope to local and partial inquiry (by performing instead a long-term analysis that avoids the assumptions often made about citizens and consumers), the analyses in Part Eight attempt to avoid being complicit in the very power relations they set out to identify, and to flush out some problematic

assumptions of the critical approach to broadcasting regulation – and so contribute towards a greater understanding of, and more critical engagement with, the issue at hand.

1.3 A METHODOLOGICAL BRIDGE

Critique, Power and History

If language is indeed becoming more strategic than communicative, a CDA approach to revealing ideological manipulation is increasingly justified. The flip-side of this, however, is that if language was not as strategic in the past as it is now, the justification for a critical analysis of older texts is relatively weakened. Further, while the close linguistic analysis of contemporary texts may be capable of identifying the ways in which certain discourses are drawn upon, ignored or mixed with one another, similar analyses of older texts are (relatively) less able to draw upon that shared contextual knowledge, suggesting that CDA may not be as effective at long-term historical comparisons as it may be at diagnosing shorter-term discursive shifts. Rather, for long-term historical studies, such as that undertaken for the purposes of this thesis, the use of CDA on contemporary texts could best be supported by an alternative approach to analysing older texts; one which relies less on close linguistic analysis and the need to unmask strategic language use.

While the importance of Foucault's account of neoliberal governmentality (discussed in Part Seven) suggests the need for a more critical theoretical engagement with the concept of neoliberalism, developments in Foucault's genealogical approach (also discussed in Part Seven) are also important for a methodological reframing of CDA. Concomitant with Foucault's turn to an interest in the roots of neoliberalism was a shift in his framing of power/knowledge and historical analysis (Venn & Terranova, 2009: 5), so that his analyses were redirected towards recognising 'patterns of correlation' (Collier, 2009) and the strategic disposition of heterogeneous elements in

the formation of the *dispositifs* (assemblages or ensembles of discursive and non-discursive apparatuses) that constitute societies as particular realities (Lazzarato, 2009). Echoing Arendt's view of history as an 'untidy heterogeneity' (Baehr, 2003: xxxii) rather than a linear narrative characterised by epochal shifts from one paradigm to another, such an approach is more appropriate to the history of broadcasting's public and private emphases, and particularly to the complex ways in which citizen and consumer interests are rhetorically combined in more recent regulatory documents.

Such an approach does not, however, equate to a relativisation of discursive change. Neoliberalism's recasting of the public domain according to the market logic of civil society blurs the boundaries between the public and private realms (McNay, 2009: 64-65). One of the significant features of civil society is that it is a space which envelops both the subject of rights and the subject of choices, the differences between which are modified in contemporary civil society by neoliberal governmentality (Lazzarato, 2009). This governmentality operates by enveloping civil society with an economic ontology (McNay, 2009), relegating the juridical discourse of rights to a secondary role of containing the fragmenting effects of normalising governmental techniques.

But it is precisely the relations between the subjects of rights and choices and between public and private realms that require analytic attention if scholars are to understand what neoliberalism actually does. What changes is more the dominant characteristic or system of correlation than the form of power itself (Collier, 2009: 88). This dominant characteristic guides and even determines how the other elements are combined, but it does not saturate them (Collier, 2009: 89). It is a mistake, therefore, to refer to neoliberalism in broadcasting simply as a shift from the public service ethos of before to the commercial interest of today, suggesting that the latter has 'saturated' the former. It is also a mistake to exaggerate the erosion of the public domain, overestimate neoliberal hegemony or misrecognise the relation between public and private domains as one of a struggle between two forces.

These Gramscian assumptions lie behind much of the CDA literature that broadcasting scholars draw upon for their own analyses. Although useful in

explaining discursive change, hegemony is incapable of accommodating the protean character of the public-private dichotomy, which cannot be reduced to a binary, let alone a case of 'us' versus 'them' (Wodak, 2000). For Foucault, partisanship always entails an aggressive complicity in power relations, as limiting analysis to a partial and local inquiry risks having the interpretation determined by general structures (Conway, 1999: 82). This criticism could be made of most CDA studies, and certainly the CDA research undertaken into broadcasting regulation. Such research avoids a long-term analysis, even when analysing shifts over time, and concentrates more on the present than on a 'history of the present'. These studies are also partial in the sense that they intervene in judging their immediate object of study negatively.

While CDA's approach to discourse as that which structures knowledge and social practice, not so much reflecting or representing social entities or relations, as constructing or constituting them (Fairclough, 1989; 1992), and its approach to texts as only one dimension of discourse, shares much in common with a Foucauldian critique, its use of close linguistic analysis to 'unmask' strategic language use and its foregrounding of the connections between language, power (as dominance) and ideology (Fairclough, 1989: 4) lead to an 'unabashedly normative' (van Dijk, 1993b) form of critique. Genealogy, in contrast, is not concerned with the pursuit of origins and the removal of masks to reveal original identities or meanings (Foucault, 1977: 140-142). Instead of approaching texts to reveal what is hidden, therefore, this thesis is more interested in highlighting the ways in which certain concepts and themes have been constructed as problems to be addressed, and in revealing the 'historically sedimented underpinnings of particular problematisations', rather than assuming a linear historical process or single underlying cause (Barry et al, 1996: 5). To achieve this, it aims to supplement CDA methods with a Foucauldian archaeological approach to the analysis of perpetual (governmental) problematisations, and to frame this within a genealogical theoretical-methodological approach to a history of the present, which places less focus on detailed linguistic analysis and avoids the ideological-reductiveness of much CDA research.

Method

For the purposes of these analyses, I have endeavoured to supplement CDA methods with a Foucauldian archaeological approach to the analysis of perpetual (governmental) problematisations, and to frame this within a genealogical theoretical-methodological approach to a history of the present, which places less focus on detailed linguistic analysis and avoids the ideological-reductiveness of much CDA research.

The aspects which are relevant for genealogical explorations are the following. Firstly, at the general level, an analytical framework that works as the broader theoretical context, and which provides the coherence for the genealogical account. Secondly, a set of methodological concepts, such as 'emergence' and 'line of descent from the present'. Their application requires an archaeological excavation of the archive to search for specific discourses or cases that work as points at which crucial shifts happened, or decisions were taken, that functioned as key conditions for later developments. Thirdly, genealogy also requires the researcher to establish both intra- and inter-discursive relations through detailed analyses of specific documents, texts and archival material, so that the less visible traces of discursive shifts can be reconstructed by reference to a discursive formation and the power relations inscribed in discourses.

While closer linguistic analysis and more recognisable CDA techniques have proven relatively effective in the analyses of the more recent texts, those of the earlier documents are more obviously Foucauldian. I have not simply used one method for older texts and another for recent ones, however, and there is no clear point in the middle at which one method is suddenly replaced by the other. Rather, the two approaches have complemented and supplemented one another throughout the study.

In undertaking the analyses, I have (drawing upon particular aspects of Wodak, 2000; Wodak and Meyer, 2001) triangulated the historical dimension of discursive events (i.e. intratextual and intertextual relationships) with the historical background of the extra-linguistic variables and institutional frames in which discursive events are embedded (i.e. the history of broadcasting regulation), as well as close

engagement with relevant theoretical and methodological debates (i.e. around the concepts of citizenship, consumption, neoliberalism and the public sphere). Rather than applying a preconceived set of certain theories to interpret the findings – such as the presumption of a neat fit between PSB, citizenship and the public sphere – I have also followed Wodak's lead in 'abductively' or dialectically 'to-ing and fro-ing' between theory and practice. By focusing on the structuring processes of texts over time, and the longer-term construction of 'orders of discourse,' the relations between discursive and social change can thus be located historically.

Although critical discourse analysts accept that changes are not uni-linear or part of a top-down process, and that there is always a struggle from below over the structuring of texts and the orders of discourse, which resists such changes (Fairclough, 1992: 9), they argue that discursive relations are hidden from, or, at least, not transparent for, all people, especially for those most disadvantaged by changes (Fairclough, 1992: 9), because there is an unequal access to (institutionally controlled) social and linguistic resources. Instead of approaching the texts in order to reveal what is hidden, however, I will (in the next section) be more interested in highlighting the ways in which certain concepts and themes have been constructed as problems to be addressed, and in revealing the 'historically sedimented underpinnings of particular problematisations', rather than assuming a linear historical process or single underlying cause (Barry et al, 1996: 5).

However, in seeking a methodological compromise between sweeping accounts of hegemony that gloss over contradictory hybridity, and fine-grained accounts of hybridity that betray an ambivalence about hegemonic undercurrents across contexts (Peck, 2013a: 20), I have extended the selection of cases in relational or conjunctural terms, rather than in terms of terrain or typicality (Peck, 2013a: 21), and 'in an orthogonal or awkward relation to emergent explanatory conceptions' (Peck, 2013a: 20). That is, rather than dealing with the corpus of texts in chronological order and suggesting a linear narrative or chain of cause and effect, I have allowed my engagement with problematisations and the less dominant aspects of certain texts to lead me in non-linear directions, and I present these findings by themed problematisation rather than by chronology.

CONCLUSION

This opening chapter has elaborated the methodological perspective of the thesis. It has set out the attempt to supplement the critical approach to power and history with a more Foucauldian-inspired one that focuses on discourses and governmental problematisations, and to, more specifically, supplement the critical approach to discourse analysis with an archaeological-genealogical one. This recast theoretical approach will now be applied to a critical review of the literature on broadcasting regulation, as well as concomitant engagements with theoretical debates on each of the key concepts identified. A recast analytical method, framing critical discourse analysis within a genealogical perspective, will then be applied in the closing chapter to the corpus of regulatory texts, so as to continue the problematisation of the public-private dichotomy, and ultimately provide a genealogy of broadcasting regulation.

Part Two: Broadcasting Regulation

This chapter provides a critical overview of broadcasting regulation in the UK from a historical perspective. More specifically, it places the contemporary theoretical and methodological approach to critiquing broadcasting regulation in the UK in historical perspective.

For the purposes of this thesis, the term 'regulation' has been adopted in preference to 'policy'. While Hesmondhalgh (2013: 123) distinguishes between legislation (general issues, such as privacy and competition) and regulation (agencies and rules regarding particular institutions and sectors) as distinct elements of government policy, and Freedman (2008: 13-14) distinguishes between policy (broad ideas and general assumptions) and regulation (specific institutional mechanisms for realising policy aims), both nevertheless agree that there is considerable overlap between them. As the remit of this thesis seems to fall somewhere between policy and regulation, considering that it is concerned with both general issues and specific mechanisms as far as they relate to the approach(es) of successive governments to the broadcasting sector, the term 'regulation' has been chosen to distinguish between relatively abstract theoretical debates (as covered in Parts Two to Six) and their more concrete application to broadcasting (covered in Parts One and Seven).

The historical approach has been adopted to provide critical distance from the contemporary context (Curran, 2002: 3), in an effort to clarify issues that may be blurred by a more direct and politically-motivated approach. Because the contextualization of media history dissolves (both positive and negative) linear narratives (Curran, 2002: 51), this chapter will deconstruct contemporary theoretical approaches to broadcasting regulation, rather than attempt to offer a neutral and descriptive chronology of regulatory change, and critically evaluate them in reference to earlier theoretical approaches as well as contemporary critiques of dominant debates.

Underlying the contemporary critical literature is the assumption of a dichotomy between broadcasting as a public service catering to the benefits of citizens, and broadcasting as a commercial market, in which the consumer is sovereign and individual choice is valued above all else (Garnham, 1983; Murdock, 1993, 1999; Scannell, 1990). Citizenship is here rooted in TH Marshall's (1969) account of political, civil and social rights, to which are added an elaboration of information-cultural rights to provide a rationale for the particular importance of broadcasting to democracy (Murdock, 1999). Such an approach also interprets the history of broadcasting regulation, from public service to market (Tracey, 1998), in the same mood of decline as Habermas (1989) interpreted that of the bourgeois public sphere in its free press guise. Whether scholars are critical or not of the extent to which broadcasting has in practice conformed to the normative ideal, the trend in regulation since the late 1980s, understood in terms of marketisation and neoliberalism, is deemed almost unanimously to have had a detrimental impact on the public sphere.

Taking into account critiques within media studies of the assumptions behind this approach, tracing its emergence back to the politically-charged debates of the 1980s, and placing it in the context of previously dominant approaches to broadcasting regulation, this chapter will provide a review of the most relevant scholarship. Beginning with the earlier approaches, it provides a brief overview of the mass society thesis, liberal-pluralism and the 'critical' paradigm, and distinguishes between populist, radical-libertarian and liberal approaches, focusing in particular on the liberal approach to press freedom. It then summarises the distinction made in the 1980s between PSB and the commercial market, the equation of citizenship with the former and consumerism with the latter, and the application of the public sphere concept to the defence of PSB against impending privatisation (Garnham, 1986; Scannell, 1989). The history of broadcasting regulation in the UK is then summarised from this perspective, first in terms of the theoretical critique of marketisation and neoliberalism (Hesmondhalgh, 2013; Freedman, 2008), then in terms of the guiding principles of regulation, focusing on the diagnosed shifts in ethos from public service to consumer choice, and debates on the meaning and significance of the public interest. The contemporary concern with discursively analysing, especially with recourse to CDA methods, the strategic representation of citizens and consumers in regulatory documents is then examined and critically

evaluated. Finally, the increasing weariness of certain broadcasting scholars with the ubiquity and predictability of such an approach is placed in the context of more established critiques, which have found fault with the selectivity of theoretical appropriations, and the arbitrariness of public-private and citizen-consumer distinctions.

2.1 EARLY APPROACHES TO BROADCASTING REGULATION

The emergence of public sphere theory as an appropriate perspective from which to engage with the role of broadcasting in the UK can be situated in the context of the absence of a theoretical and methodological orthodoxy (Thompson, 1993). Following the respective dominance of the mass society tradition, the liberal-pluralist positivism of US social science and the later 'critical paradigm', a conceptual vacuum existed in which the emergence of a diverse range of perspectives, drawing on liberal, populist or radical libertarian traditions, had been predicted. Before going on to describe the subsequent public sphere paradigm, therefore, this section will review these theoretical antecedents to public sphere theory, focusing in particular on the liberal theory of press freedom to which the public sphere can be seen as a corrective response.

From Mass Society Thesis to Liberalism

The mass society tradition can be traced back to reactions to the 18th century rise of urban commercial culture, though it was revived in the latter half of the 19th century to frame the terms of debate on the transition to monopoly forms of advanced capitalism (Hall, 1982: 57), and became the dominant paradigm in the earliest scholarship on broadcasting and the media in the 1930s to 1950s (Bennett, 1982: 31; Gurevitch et al, 1982: 8). Less an integrated body of theory than a loosely defined

outlook, the mass society tradition had evolved from the works of a range of social, cultural and political theorists, and consisted of such intersecting themes as the decline of the organic community, the rise of mass consumer culture, and the social atomisation of man, viewing pessimistically the processes of industrialisation, urbanisation, political democracy, popular education and mass communication (Bennett, 1982: 32).

Although the mass society thesis that the media were influential enough to change the attitudes and beliefs of a susceptible public was empirically repudiated in the 1940s-1960s by the liberal-pluralist approach, which demonstrated both the limited influence of the media and the manipulation of media messages by active audiences (Curran et al, 1982: 12), the equation of the absence of media conversion with the absence of influence was, in hindsight, rather simplistic. The 'new look' generation of researchers within the empirical effects tradition returned to the small print of these early studies, and even re-examined their original data, to reinterpret the findings as actually revealing the central role of the media in 'consolidating and fortifying' (albeit not converting) the values and attitudes of audiences (Curran et al, 1982: 13-14). Further, the empirical research of the liberal-pluralist approach came to be more resolutely dismissed by the 'critical paradigm' (Hall, 1982) of the 1970s, which saw capitalist society in terms of class domination (Curran and Gurevitch, 1977: 4-5), and the media as ideological agencies (Curran et al, 1982: 13), whether analysed from structuralist, culturalist or political-economy perspectives, within a general Marxist framework that tended to merge explicitly Marxist concepts with elements of the mass society thesis (Curran et al, 1982).

Although sharing in common a critique of the liberal perspective and assuming a connection between economic interests and ideological representations (Curran, 1990: 139), however, there were important differences between the political-economic and radical-cultural wings of this critical paradigm. Whereas the former emphasised the significance of economic ownership and critiqued the indirect influence of both state and market (Murdock and Golding, 1977; Murdock, 1982; Hood, 1980), the latter focused more on the meda's subordination to ideological control (Hall, 1977). As far as journalism and the media are concerned, the Glasgow University Media Group's 'concerted assault' on the liberal-pluralist conception of

PSB and the fourth estate rhetoric of press freedom is perhaps the 'most salient development' of this ideological approach (Curran, 1990: 137). Their critique of the extent to which much of supposedly objective TV reporting was actually grounded in the assumptions of dominant groups in society (Glasgow University Media Group, 1976; 1980; 1982; 1985) was accompanied by others, particularly from the Birmingham Centre for Contemporary Cultural Studies, who also argued that broadcasting coverage was structured in dominance and that the media had an 'ideological effect' (Hall, 1977), served dominant class interests and even misrepresented reality in a way that promoted false consciousness (Curran, 1990: 138). The distinction between these critical approaches, as well as that between the critical and liberal-pluralist traditions, has, however, since broken down somewhat, as the political-economists moved towards more of an ideological approach, the ideologists incorporated some of the arguments of the liberal-pluralists, and those 'flirting' with cultural relativism became increasingly critical (for an overview, see Curran, 1990: 140-158).

Following the dominance of the mass society tradition, the liberal-pluralist empirical repudiation of its thesis, the amendments, revisions and qualifications to that repudiation by the 'new look' approach, and the absolute dismissal of its claims by the Frankfurt School-influenced and ideology-focused 'critical paradigm', there existed no clear 'orthodoxy' in media research by the beginning of the 1980s. In addition to the plethora of new linguistic and psychological methodologies for analysing the media, a range of theoretical perspectives also vied for dominance. Among the traditions drawn upon, those most relevant to the public-private dichotomy (and the subsequent emergence of the public sphere concept) were the populist (or culturally democratic), radical-libertarian and liberal approaches (Curran, 2002). While the populists praised commercial culture and critiqued the paternalism of PSB and state intervention, the liberals focused on the independence of the media, particularly from state power, and the potential of such independence to empower the public; in contrast, the radical-libertarians critiqued both the state and the market as the indirect means by which powerful elites maintain their influence over society.

According to the populist narrative, the market's transfer of arts from the court to a fee-paying public, and the concomitant rise of a potentially assertive consumer society (the history of both of which are covered more critically by Habermas, 1989) were inherently democratising processes (Curran, 2002: 15). Similarly, the press's privileging of human interest stories over political coverage from the end of the 19th Century onwards is interpreted by populists as the emergence of a popular and increasingly accessible form of journalism (Curran, 2002: 18). Conversely, the Arnoldian and Reithian notion of 'public service' (Scannell, 1990), the explicit focus on maintaining editorial standards and the curbing of corporate power, which PSB supposedly represented, are criticised by the populists, therefore, for frustrating via state intervention an essentially egalitarian market (which had contributed towards the creation of an otherwise democratic common culture), with the aim of reasserting an elitist and exclusionary cultural hierarchy (Curran, 2002: 19).

The radical-libertarian narrative, on the other hand, views both the state and the market as a dual system of control from which PSB is not immune. While PSB may be between public and private forms of control, its emphasis on impartiality has been shown by radical media sociologists to mask the indirect and insidious influence of political elites, while its ostensible independence from government has been similarly countered by claims of its lack of ideological independence from underlying power structures (Curran, 2002: 37-38). The liberal narrative, in contrast, views media history in terms of the increasing freedom of the media from state control and public authority, as well as in terms of the associated empowerment of the public (Curran, 2002: 4-6), with the market in the role of guarantor of the media's democratic potential.

However, the 'sufficient diversity of contending perspectives' (Gurevitch et al, 1982: 8), which existed at the beginning of the 1980s, would not last until the end of the decade. On the one hand, the populists' emphasis on consumption practices and distrust of state power, mixed with the liberal rhetoric of free markets, achieved hegemonic status as guiding values of media regulation (Curran, 2002: 22), articulated through a 'neo-liberal rhetoric' used to justify the destruction of PSB (Curran, 1990: 156). On the other hand, and largely in response to the new right's assault on PSB and the welfare state in the UK, political concerns returned to the fore

and led to a revalorisation of the role of the state, citizenship and PSB, as a more intermediate theoretical perspective rose to dominance (Curran, 1990: 144; 156-157) and as media critics came out explicitly in defence of the BBC. In this local socio-political context, in which critics 'sought to articulate how PSB could and should underpin the public interest and civic culture in a realm otherwise dominated by commercial or state power' (Lunt & Livingstone, 2013: 90), the emergence of the public sphere concept, which appeared to bridge the Marxist and free press approaches, introduced a new theoretical framework for such ideas, which enabled both a scholarly critique of this neoliberal hegemony and a simultaneous defence of PSB, consequently quashing the 'lively and productive climate of [theoretical] debate' (Gurevitch et al, 1982: 8) that had been predicted.

Press Freedom and the Public Sphere

Critical engagement with the realities of media history allowed an acknowledgment of both the positive and negative aspects of media independence from the state, and set the scene for an engagement with the theory of press freedom itself. Habermas's history of the press in terms of the public sphere seemed to offer a way of simultaneously critiquing corporate as well as state power, and enabled the elaboration of the idea of independent regulation; that is, a sphere between public and private realms that could be protected from both the state and the market. Before going on to discuss broadcasting scholars' appropriation of this concept in their defence of PSB, a brief overview of the critique of press freedom is required (see Dawes, 2013b; 2014 for a fuller account of the following).

In 1855, the last of the state-imposed taxes on newspapers in England was abolished in the context of increasing literacy and a more universal franchise, whereby public reasoning had become more inclusive of non-business and non-professional classes (Thompson, 1995). The theory of press freedom, whether as an educational or representative ideal, as an influence on public opinion or as a reflection of public opinion and provider of news and facts (Hampton, 2001), derives from this mid-Victorian era of newspapers making politics a public affair and the promise of a free

market in ideas. Originating as a practical means to combat the secret politics of the absolute state, the liberal faith in public opinion, the openness of political life and the freedom of the press evolved into an absolute value for liberalism, and became the guarantee of the elimination of secret politics, making the misuse of power unthinkable in a society in which public opinion had such a controlling force (Schmitt, 2010: 76-77).

However, although the press achieved its freedom from the state in the nineteenth century, and achieved many positive things in making politics a public affair, by the end of that century, the rise of the press barons and the decline in content standards (or the democratisation of content, as the populists would argue) had already weakened press freedom from the market and cast doubt upon its democratic potential and its legitimacy as a form of public opinion. Although institutions such as the press had been originally 'protected from interference by public authority by virtue of being in the hands of private people', their critical functions have since, Habermas has argued, been threatened by 'precisely their remaining in private hands' (Habermas, 1989: 188), so that, owing to commercialisation and concentration, they have become '…the gate through which privileged private interests [invade] the public sphere' (Habermas, 1989: 185). As conflicts hitherto considered private emerged in public, the public sphere became an arena of competing private interests and reasonable consensus degraded into compromise (Habermas, 1989: 132), so that scepticism about the importance of a free press and the political role of public opinion grew.

The theory of press freedom also assumes that the press is a property right exercised by publishers on behalf of society, their free-market regulated actions being consistent with public opinion and the public interest, which in turn becomes synonymous with self-regulation and the market (Curran & Seaton, 2003: 346-347). As Curran (1979, 1991; Curran & Seaton, 2003) and others (Keane, 1991; Thompson, 1995) have pointed out, the liberal theory of press freedom makes a series of unconvincing assumptions. The idea of the press as a form of public opinion assumes that a market democracy is representative of the will of the people. But this ignores the distorting effects of capital in the marketplace, and the politically charged publishing environment in the UK that, despite the rhetorical independence from

politics, has tended to produce newspapers that are biased and partisan and more susceptible to influence from both politicians and political pressure groups than they are objective or neutral. The idea of the press as an agency of information highlights the numerous successes in holding political authority to account, but ignores the reality of the full range of newspaper content and the role of the press as an entertainment industry, not to mention the increasing blurring of the boundaries between information, entertainment and advertising. And the view of the press as an independent watchdog assumes, on one hand, that it is independent of economic interests, ignoring the size of the multinational corporations that own them and the fact that newspapers are often a subsidiary of a much larger network of multimedia and other industries, so can rarely be said to be free of vested interests. And it assumes, on the other hand, a political independence, ignoring the mutual advantage and lack of transparency in the relation between the press and political parties, the role of opaque lobbying and the influence of the media on government policy and on electoral results, which threatens not only the media's independence from government, but government's independence from the media.

Because liberal theory conflates the freedom of the press with that of media owners, it overlooks the employee rights of journalists and disregards their freedom from the restraint and whims of their employers, and fails to recognise the reality of the incentives and constraints, inherent to an environment of market competition, that guide journalist behaviour. Consequently, press freedom from regulation fails to protect the press from the negative effects of competition and the needs to cut costs and boost profits. It also allows media owners to pursue their own private interests, using their power to influence public policies which, in turn, further deregulate media or other sectors in which they have vested interests, thus granting them even greater power in the name of press freedom. Such manifestations of market censorship (Jansen, 1991; Keane, 1991) undermine the liberal theory of press freedom, and suggest that a certain amount of state intervention (as in the broadcasting sector in the UK) would, in ensuring that the press met the obligations that attend its right to freedom of expression (Petley, 2012: 19), actually empower the press to express itself more freely.

2.2 Citizenship, the Public Sphere and Neoliberalism

PSB and Citizenship

In the 1980s, the distinction between a public service regulated environment and an unregulated commercial market became more entrenched in critical broadcasting scholarship in the UK. While the former was attached to citizenship and praised for its potentially positive contribution to the public sphere, the latter was associated with consumerism and denigrated for its negative impact on democracy.

Debate in the first quarter of the 20th Century on how to establish the most legitimate and effective regulatory framework for the emerging broadcasting industry had depended on the interpretation of broadcasting's power, and the extent to which it needed to be controlled, and on the classification of spectrum, whether understood as public resource or private property (Hesmondhalgh, 2013: 129; Streeter, 1995). While a commercial model had been developed in the US, whereby private companies 'made profits by packaging audiences for sale to advertisers and beckoned their viewers and listeners to join the democratic community of consumers', a public service model had been adopted in the UK, whereby a licence fee funded a public corporation which 'didn't take advertising and which addressed audiences as members of a national and imperial community' (Murdock, 1999: 31).

This distinction foregrounded two overarching identities, those of 'citizen' and 'consumer' (Murdock, 1999: 31), which traditionally denoted *either* the public *or* the private sphere:

> Within the political realm the individual is defined as a citizen exercising public rights of debate, voting etc, within a communally agreed structure of rules and towards communally defined ends. The value system is essentially social and the legitimate end of social action is the public good. Within the economic realm on the other hand the individual is defined as producer and consumer exercising

> private rights through purchasing power on the market in the pursuit of private interests, his or her actions being coordinated by the invisible hand of the market.
>
> (Garnham, 1990: 110)

This left-wing critique of media policy in the name of citizenship, which has continued to dominate and develop since the 1980s, called for market power to be tempered through regulation (Flew, 2006: 295) and counterposed the 'citizen' and the 'consumer' as exemplars of 'social democratic' and 'neoliberal' approaches, respectively (Flew, 2006: 296). PSB is thus praised as the rejection of market definitions and the refusal to deliver commodities to consumers (Garnham, 1983), or consumers to advertisers (Murdock, 1999); rather, it is shown to foster a shared public life (Scannell & Cardiff, 1991) among rational citizens in the public sphere (Scannell, 1989).

Drawing on the work of TH Marshall, Graham Murdock identifies four 'clusters' of rights that are constitutive of the ideal type of citizenship that emerged alongside the development of mass media communication. To the civil (freedom of belief and action, from torture and arbitrary detention) and political (the universal franchise and jury system that allows individuals to participate in the laws under which they are governed) rights of the 19th Century, the socio-economic and information-cultural rights of the 20th were added. Murdock argues that socio-economic (employee, consumer and welfare) rights are the minimum material basis for the exercise of civil and political rights, and that information-cultural rights are important for securing the symbolic and discursive resources necessary for the exercise of citizenship. More specifically, while information rights require that the fullest range of information is provided within a framework of arguments and concepts (that is, not simply that *all* information is made available, but that all *relevant* information is made available, alongside *informed* opinions from a range of perspectives), cultural rights signify that complex spaces should be made available within which individuals can recognise themselves and affirm themselves for what they wish to be (Murdock, 1999: 29-30). These rights of representation, or 'rights of everyday life', relate to social identities that cannot be neatly subsumed within the master-categories of 'citizen' or 'consumer' (Murdock, 1999: 30), thus blurring the traditional boundaries between public and private. The complexity of these social identities and the significance of

these 'rights of everyday life' contribute, Murdock argues, towards a tension in the way that communicative and representative rights are addressed in government literature on broadcasting regulation. The significance of the mass media communications sector lies in both the role it plays in organising the symbolic world (where these rights can be guaranteed), and in its position as a link between the economic structures and cultural formations of modern capitalist societies. It connects a 'productive system rooted in private ownership to a political system [of] a citizenry whose full social participation depends in part on access to the maximum possible range of information and analysis and to open debate' (Murdock, 1993: 4).

References to citizenship in regulatory discourse, however, have been accused of equating it merely with formal participation in the political process, ignoring its participatory aspects and limiting links between broadcasting and citizenship to news and current affairs, while leaving drama and entertainment to be subsumed under the signs of 'culture' or 'quality' (Murdock, 1999: 29). Although users of public services continued to be depicted as citizens in Conservative government documents throughout the 1990s (Keat, Whitely & Abercrombie, 1994: 15), and their rights to decent standards of public services set out in charters, such as John Major's Citizen's Charter (1991), some have argued that this merely conflated citizenship rights with consumer rights (Murdock, 1999: 29; Needham, 2003). Nonetheless, the representation of consumer rights in terms of citizenship does not necessarily exclude other aspects of citizenship rights; rather, a conceptual space for these rights is left remaining. There exists, however, the very real possibility that this space could be filled by 'consumerist redefinitions of non-market forms of citizenship', which would lead to confusion over the distinction between consumer sovereignty and the position of the citizen in the political sphere (Keat, Whitely & Abercrombie, 1994: 15).

PSB and the Public Sphere

The idea of a public, as opposed to a private or commercial, system of communication usually makes reference to Habermas's work on the public sphere (Stevenson, 2003); 'a realm of our social life in which something approaching public opinion can be formed' (Habermas, 1996). In the three decades between the publication in German of *Strukturwandel der Öffenlicheit* in 1962 and its English translation as *The Structural Transformation of the Public Sphere* (Habermas, 1989), the issues raised by Habermas had been largely neglected in the English-speaking world (Thompson, 1993: 173), which had until then favoured approaching the role of broadcasting (as we saw in the previous section) within either the framework of the state/civil society dichotomy and the liberal theory of the free press (Garnham, 1986: 39-40), or an alternative 'critical paradigm' (Hall, 1982; Scannell, 1989) that was dismissive of press freedom and the democratic potential of the mass media.

As well as filling a theoretical void in British media studies, however, the appropriation of the public sphere concept and its application to PSB can also be seen as part of the British left's defence of PSB against Thatcherite reforms (Thompson, 1993) – and successive waves of marketization (Hesmondhalgh, 2013) – as well as their protest against the shift towards market interests, rather than the idea of public service, in the cultural sector, and the shift in the definition of public information from a public good to a private commodity (Garnham, 1986: 40). Although there were also criticisms of PSB from the left (in terms of the BBC's paternalism), and supplementary praise for the democratic importance of commercial PSB (Garnham, 2003; Scannell, 1990), the association of PSB with the public sphere armed proponents with the emancipatory arguments they needed to challenge those of the privatising marketeers (Collins, 1993: 246-247). It also established commercial TV, or, at least, the possibility of an unregulated broadcasting market, as a threat to democracy (Dahlgren, 2000: 13), to such an extent that even writers more critical of PSB and some of the assumptions made by Habermas (Curran, 1991; Thompson, 1995) advocated a move away from both Marxist and free press approaches.

There were, however, differences in the ways in which Habermas's work was appropriated. Paddy Scannell's employment of the public sphere concept was in reaction to the dominant view of broadcasting among British academics 'from F.R.

Leavis through Richard Hoggart to Stuart Hall' (Scannell, 1989: 136), which devalued broadcasting's role as a 'form of social control, or of cultural standardisation or of ideological (mis)representation' (Scannell, 1989: 136). Emphasising instead broadcasting's role as a public good contributing to the democratisation of everyday life, Scannell's appropriation shared assumptions with the liberal-pluralist approach that saw the media as providing a forum for debate that reflected the attitudes of society (Curran et al, 1982: 21), and as performing the liberal democratic function of a fourth estate, independent of government and essential for democracy (Bennett, 1982: 31). Whereas the mass society tradition had seen the media as a threat, whether to cultural values or to democracy, for Scannell it was the unfettered market that was the threat to that which the publicly regulated media could help sustain. Taking from Habermas a historical approach to the formation of the public sphere, Scannell provided a historical account of broadcasting as a public service, both in terms of its content, which produced a new form of public life, and in terms of its audiences, which constituted a new kind of general public (Scannell, 1989: 136-137).

For Nicholas Garnham, on the other hand, the relationship between public and private was inherently problematic in broadcasting, and meant that PSB occupied a unique position that defied analysis within the framework of contemporary debate, which had 'traditionally been carried on within the terms of the Hegelian state/civil society dichotomy' (Garnham, 1986: 39), within which the dominant theory had been the liberal theory of the free press, derived from the history of print communication. Garnham argued that even the wealth of substantiated evidence used to critique this theory had failed to suggest better alternatives, with the public service model of broadcasting being seen as an unfortunate necessity of technical limitations rather than as a positive good in itself. Garnham proposed approaching broadcasting from the perspective of public sphere theory as an escape from the bind of the state/market dichotomy (Garnham, 1986: 40), as the public sphere was distinct from both the economy and the state, opening up instead a space between the two (Garnham, 1986: 41). The concept offered for the first time a viable democratic alternative to the free press, as well as a seemingly accurate description of PSB: hypothetically insulated from control by both the state and the market, and presupposing, it was alleged, a political rather than an economic audience (Garnham, 1986: 45-47).

Although the legitimacy of the class-based definition of the public good, and the efficacy of imposing this public good upon the public through a monopoly, are among the weaknesses of the practical application of this ideal, because the mass media operate simultaneously across the political and economic realms, as both commercial operations and as political institutions, PSB presupposes political rather than economic social relations, addressing the public as political beings rather than as consumers, and insulating itself from control by both the state and the market (Garnham, 1986: 45-47). Comparing the PSB model of the UK (which included the regulated commercial sector) favourably against both print communication and the commercially driven broadcasting model of the US in terms of their contribution to democracy, and acknowledging the role of commercial TV (within the former model) in making advances as part of the public sphere in the UK, he argued that a public service regulated environment was the most effective, if imperfect, embodiment of the public sphere ideal (Garnham, 1983; 1986; 2003; Murdock, 1993, 1999; Scannell, 1990).

The public-private dichotomy, however has never been rigid or clear cut in the historical development of modern societies. States continuously modified the legal and political frameworks within which the capitalist economic organisations emerged, and were, in turn, constrained by the development of the economy (and its effect on their ability to raise taxes). While the state has been increasingly interventionist, private individuals have united to form pressure groups to influence government policy. The boundary between the two realms has become a focus of political debate as governments either try to expand public services, by bringing parts of the private sector under state control, or dismantle them through privatisation, by selling off state responsibilities to individual companies (Thompson, 1990), while the increasingly relational nature of public communication has contributed to ever more interactive relationships between public and private life (Scannell, 1989: 161).

Nevertheless, academic thinking on broadcasting is now grounded (albeit not uncritically) in the links between PSB, citizenship and the public sphere. Admittedly, increasing attention has been paid to questions about the culture-politics divide and the normative or empirical, universal or plural application of the public sphere

concept (Born, 2006: 106; Fenton & Downey, 2003), as well as to political philosophical debates on democracy and difference (Born, 2006), and the contested nature of citizenship and the public interest, particularly in postcolonial societies (Wasserman, 2013; Wasserman & Jacobs, 2013). But despite such qualification and recognition of complexity, the category of the public sphere continues to be employed in a 'generic' sense to see how it can be most productively understood today (Dahlgren, 2000: 90), and these questions tend to be incorporated into a recasting of citizenship and the public sphere along less universal, exclusive or rational lines, or into an updated account of either citizenship (Coleman, 2001; 2005a; 2005b) or the public sphere (Dahlberg, 2001; Dahlgren, 2005) in the context of technological changes.

Marketisation and Neoliberalism

Although PSB has been criticised from the left for not being as impartial as it has claimed to be (Glasgow University Media Group, 1976), for reproducing class power through its labour relations (Garnham, 1990) and for failing to provide programming for non-elite audiences (Ang, 1991), in the absence of better alternatives the tendency has been to address particular weaknesses in actually existing PSB and to propose reforms. The critique of PSB from the right, however –in terms of market impact and the illegitimacy of public intervention in the private realm – has tended to advocate the privatisation and deregulation of the broadcasting sector, and the wholesale replacement of PSB by a free market.

Since the 1980s, two distinct approaches have dominated debate over the regulation of broadcasting in the UK, whether they are conceived as left-wing and right-wing, political-social and economic (Born, 2006), the cultural and economic 'ends of the telescope' (Barnett, 2002), social values-led and economy-driven (Ofcom, 2004), or social democratic and neoliberal (Flew, 2006; Lunt & Livingstone, 2012). The former has been preoccupied by the protection of broadcasting from corporate power and market logic, emphasises the importance of broadcasting for democracy, and considers the contemporary issue of digitisation in terms of e-government, the

'digital divide', achieving 'universal digital access', and mitigating social exclusion. The latter perspective, on the other hand, is treated as continuous with the Peacock Report (1986), and is concerned with competition, market failure, the limits/scope of public intervention/funding and, currently, the role of digital media in boosting the UK's prosperity and competitiveness. Issues include replacing the licence fee with subscription, and limiting PSB to market failure provision, with benefits seen in terms of consumer choice and interactivity (Born, 2006: 104).

Contrary to fears about the privatisation of the BBC under Thatcher's government, however, the Peacock Report (1986) argued against the government's suggestion of replacing the licence fee. Nevertheless, Thatcher's influence has been evident in regulatory change since Peacock, as the BBC have introduced internal markets (Born, 2003), and controls on market concentration and cross-media ownership have been weakened through legislation, such as the Broadcasting Act (1996) and the Communications Act (2003) (Hesmondhalgh, 2013: 142). Although the positive contribution to society since the 1980s of principles that recognise individual rights, such as value for money, transparency and accountability, have been acknowledged by some, they are nevertheless regarded as consumerist values. These have been accompanied by a change in language, with 'customers' replacing more specific appellations (such as 'viewer'), as well as the quantification of quality, and the increasing dependence upon quantitative measures of performance, league tables and auditing, which privilege quantifiable performance and ignore that which is difficult to quantify (Barnett, 2002: 37).

More recently, New Labour's desire to correct the market distortion of PSB institutions (Freedman, 2008: 158) has led to a recasting of 'public service' in terms of programming rather than institutions, and the reconceptualisation of the BBC's relation to the rest of the broadcasting environment, to the extent that the BBC is no longer regulated as an institution in its own right, but only insofar as it is tied to its commercial rivals (Freedman, 2008: 149), who may also be providers of public service content. Although praise continues to be offered for PSB, and even the BBC, in regulatory documents such as the White Paper (2006), such praise is now almost entirely from the perspective of market competition (Freedman, 2008: 169).

Such changes are part of a wider trend, understood as either 'marketisation' and/or 'neoliberalisation' (Freedman, 2008; Hesmondhalgh, 2013). Dating back to the 1970s/1980s, this trend is seen as involving processes of privatisation (the expansion of private ownership and the outsourcing of service provision to the private sector), deregulation (the lifting of state restraints) and liberalisation (the opening up of barriers to national markets), whereby audiences are reconceptualised as 'consumers'. While 'marketisation' is understood as the privileging of market exchange as the guiding principle of the cultural industries (Hesmondhalgh, 2013: 126-128), 'neoliberalism' is more ambiguous. Hesmondhalgh sees it as the political context of marketisation (Hesmondhalgh, 2013: 102) and equates it with the shift in government policy towards an unregulated free market (Hesmondhalgh, 2013: 99-100), often expressed by the 'information society' rhetoric of policymakers over recent decades. Contradictions between the typically neoliberal critique of the BBC in terms of market distortion, on the one hand, and the concomitant re-envisaging of the BBC's information society role in 'building digital Britain' are, consequently, interpreted as evidence of the incoherence of neoliberal policy (Born, 2005).

The neoliberal perspective is contrasted with the Marxian critique of culture commodification (Hesmondhalgh, 2013: 128; 156), whereby marketisation is resisted by advocates of the public interest and PSB (such as Murdock). While Sylvia Harvey has identified the ethos of communications regulation under the New Labour government and the regulator it established as neoliberal, dismissing it as appropriate for an analysis of markets and competition, but not of 'social significance and cultural value' (S Harvey, 2006), Hesmondhalgh has argued, drawing on David Harvey (2007), that their media policy approach represents more of a hybrid of neoliberal and social democratic perspectives, combining marketisation with public service and public interest concerns (Hesmondhalgh, 2005). Meanwhile, others have seen the New Labour perspective as primarily a variant of economic neoliberalism with only overtones of social democracy, where neoliberalism is more explicitly seen as a free market ideology that serves powerful private interests, and which undermines both PSB and the public sphere (Leys, 2001).

Des Freedman, for example, has emphasised that media policy and regulation need to be understood in terms of political acts and ideological influences (Freedman, 2008:

13), rather than as a disinterested process that is impartially applied in the public interest (Freedman, 2008: 2), focusing our attention on the informal and relatively invisible influence of corporate lobbying as much as official policymaking processes (Freedman, 2008: 12). Although such an approach sees neoliberalism as aversion to state intervention in markets (Freedman, 2008: 11), it sees debate less in terms of a regulated market versus a free market, and more in terms of a distinction between regulation that is either in the public interest or for private interests (Freedman, 2008: 17). Although technological convergence and the hybrid status of the internet have disrupted easy distinctions between public (press and broadcasting) and private (telecommunications) forms of communication, scholars such as Freedman and Garnham maintain that there remain distinctions between private transactions on the model of the market and public communication in the public sphere (Freedman, 2008: 16; 21; Garnham, 1990).

Heavily influenced by the ideological critique of media regulation (in the work of Garnham and Murdock) and neoliberalism (D Harvey, 2007), Freedman's engagement with those alternative approaches (including the work of Jamie Peck and colleagues, discussed in detail in Part Eight) that have emphasised the contradictory, historically-specific and ongoing nature of neoliberalisation ultimately concludes that, despite such contradictions and theoretical nuance, neoliberalism remains fundamentally connected to a limited set of core ideas; namely, free markets, individual rights, personal choice, small government and minimal regulation (Freedman, 2008: 25; 36). And despite acknowledging that neoliberalism shares certain features with classical liberalism, such as competition, marketplace democracy and freedom from the state, Freedman nevertheless argues that neoliberalism's privileging of private property as one of its fundamental principles distinguishes it from earlier guises of liberalism (Freedman, 2008: 37). He warns, however, that in providing long lists of its negative tendencies (as described in Part Seven), or in treating it as shorthand for marketisation, neoliberalism is 'flattened and homogenised', to the extent that it comes to be little more than an 'umbrella term for all that is wrong with a more commercialised society', simultaneously dehistoricising the process (and suggesting that market obsession is only a recent phenomenon) and marginalising the tensions and competing interests at the heart of neoliberal projects (Freedman, 2008: 37-38). He also acknowledges, by reference to

David Harvey, the multiple forms of neoliberalism, distinguishing between the circumscribed Swedish variant and the more sustained UK variety, for example, as well as Jamie Peck's elaboration of the differences between neoliberalism's roll-back and roll-out policies within such variants (see Part Seven for an elaboration of this). Further, he accepts that the reification of neoliberalism as something that is manifested everywhere risks conflating distinct aspects of neoliberal thought and missing the links between ideas and practices (Freedman, 2008: 42-45).

Nevertheless, Freedman maintains that a singular conception of neoliberalism that foregrounds its links with increasing social inequality remains both useful and necessary (Freedman, 2008: 46), and recommends understanding neoliberalism instead (Freedman, 2008: 41) as a range of discourses that legitimate the market and delegitimate the social (Couldry, 2006), with the aim of transforming the balance of forces so as to facilitate capital accumulation (D Harvey, 2007). He maintains that while appreciating varieties of neoliberalisation and acknowledging the nuances of neoliberal thought is a useful area of research, it remains limited compared to research that develops a sense of what links such variation and nuance together, approaching neoliberalism instead as a purposeful political project with an overarching commitment to private over public institutions and interests (Freedman, 2008: 223-224).

This 'social democratic' approach, which associates PSB with citizenship and the public sphere, contrasts it with consumerism, commercial media and the free market, and sees broadcasting history in terms of increasing marketisation or neoliberalisation, has dominated academic debate on broadcasting regulation in the UK since the 1980s. In the following section, the history of broadcasting regulation, as it has been depicted throughout this literature, will be summarised in terms of its relevance to the key concepts of debate and the public-private dichotomy, focusing on the principles of public service, public interest and consumer choice.

2.3 PUBLIC SERVICE, PUBLIC INTEREST AND CONSUMER CHOICE

Public Service and Press Freedom Approaches

Broadcasting in the UK has traditionally been regulated from the perspective of media organisation and framed in terms of the debate between 'public service' remits and the invisible hand of the free market. Conversely, the UK's legal approach to press regulation presupposes a market and frames debate in terms of the paternalist-libertarian dichotomy of privacy versus free speech, whereby the 'public interest' functions as little more than a defence for particular activities carried out within a market framework (Curran & Seaton, 2003). Consequently, while the public interest-supplemented self-regulation of the press views newspaper readers primarily as consumers, the public service remit of broadcasters and the independent regulatory broadcasting environment has, in contrast, traditionally viewed audiences as citizens first, consumers second.

Over the course of the 20th century, however, this dichotomous relationship between the public service and press freedom approaches to media regulation became less distinct as attempts to address more popular tastes, as well as the representation of minority or marginalised groups and interests, coincided with broadcasting's acceleration into the corporate system (Curran & Seaton, 2003; Murdock, 1993; 1999). The dichotomous relationship between the models began breaking down in the mid-1950s, following the introduction of commercial television in the (quasi-corporate) form of ITV. While this second channel (now Channel 3) was privately owned by independent companies that sought profits, it represented a 'half-way house' between a public and a commercial service, with corporate logic being restrained by extensive public service requirements, and controls on advertising and ownership (Murdock, 1999: 32). Whereas the BBC continued to represent a nationally unified community (and in so doing, deny the differences between citizens), ITV emphasised the differences of class, region and generation among the public.

In comparison with the more inclusive commercial model of US broadcasting, the BBC was criticised in the 1970s for its condescending attitude towards the lower classes and for failing to represent a range of groups, from women, the disabled, the elderly and the young to national minorities, the latter of which brought the very definition of national culture under scrutiny. These 'crises of representation' coincided with broadcasting's acceleration into the corporate system (Murdock, 1999: 33), and it was in this context that the Annan Committee met in 1977. Breaking with 'imagined unities of national culture' and abandoning the commitment to an undivided public good, they embraced Britain as a 'fractured cultural formation' and replaced the ideal of public service with the principle of liberal pluralism (Curran & Seaton, 2003: 304; and Murdock, 1999: 33). Breaking with the Pilkington Report's (1962) hostility towards advertising, the Committee proposed that, while the new channel (Channel 4) should 'address constituencies of interest that were under-represented in mainstream terrestrial programming' (Murdock, 1999: 34), it should also be funded by a mixture of advertising revenue and public funds[1]. Murdock regards this contradiction as a source of tension in the way the channel constructs and represents difference. 'The remit clearly works with a conception of social interests whilst advertisers work with a map of market niches' (Murdock, 1999: 34). The distinction between the two overarching identities of 'citizen' and 'consumer' becomes, therefore, significantly blurred, and the 'tone, language and style of everyday life' increasingly ambiguous, as the contested representations of the public become depoliticised and re-presented in the private realm.

Whereas 'the concept of public service is elaborated in all broadcasting reports before that of the Annan Committee', the ideal of broad consensus on the public interest is abandoned and replaced by the principle of a free marketplace in the private realm 'in which balance could be achieved through the competition of a multiplicity of independent voices' (Curran & Seaton, 2003: 303). This pluralist view of the Report left broadcasters defenceless against the threats posed by technological developments. By redefining public service there were left no grounds upon which to

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[1] C4 was originally funded by the already existing, and advertising funded, commercial companies, specifically so that it would be removed from the direct pressure of advertisers. The 1990 Broadcasting Act, however, removed this barrier.

regulate the impact of the inevitable introduction of cable, video, satellite and digital broadcasting.

Further, with the end of spectrum scarcity, the case for deregulation was reinforced. The technical justification for state regulation had been the scarcity of spectrum frequency, which, considered as a public resource, needed to be managed in the public interest. In contrast to the press, broadcasting had been organised as a public service for precisely this technical reason. Curran and Seaton (2003) claim, however, that the argument had always been more of an ideological than a technical one, as it presupposed that public interest management was better entrusted to the state than the marketplace. Whereas the rhetoric of the (very real) technical limitations had been used to mask the ideological incentives for regulation by the state in the 1920s, the increasing inapplicability of the rhetoric in the late 1970s coincided, it is argued, with a shift in ideology towards the effectiveness of the market (Curran & Seaton, 2003; Murdock, 1993; 1999).

From Public Service to Consumer Choice

From the 1920s to the 1970s, broadcasting regulation in the UK assumed an ethos of public service. Although the earliest reports − Sykes (1923) and Crawford (1926) − had focused on ensuring that PSB was set up in a way that guaranteed its independence (the independence of what was at the time just one institution) and the service of the national interest, little attention was paid to debating these issues between then and the 1960s/1970s, both because governments had been more concerned with technical matters, and because there had been little disagreement over what constituted the national interest (Curran & Seaton, 2003). The Annan Report (1977) is regarded as the last example of a formal, systematic attempt to examine the role, future and contribution of broadcasting in cultural rather than economic terms, coinciding as it did with the political turning point of the corporatism of the 1960s and 1970s giving way to the individualism, market liberalism and private enterprise of the 1980s.

During the 1980s, however, the Conservative government of Margaret Thatcher followed a radical programme of economic and institutional reform, grounded in economic liberalism, which appealed to market efficiency, individual liberty and a non-interventionist state (Keat & Abercrombie, 1991: 1), and consisted of the transfer of state-owned industries to the private sector, and the reorganisation of publicly funded bodies. Under the Thatcher government, such bodies were reconstructed in the model of a commercial enterprise, with the term 'consumer' becoming increasingly commonplace in its displacement of other terms that were 'more closely tied to the ways in which the specific nature and purposes of these institutions' activities had previously been understood' (Keat & Abercrombie, 1991: 3).

With these developments in mind, the Peacock Report (1986) went on to reinterpret the role of the market in broadcasting, by defending PSB insofar as it was a 'successful attempt to replicate artificially a true broadcasting market,' and thus more in its function as protector of consumer sovereignty than as a service for the public good. It is the report that set the tone of economic priorities and an economic approach to PSB, establishing the ideological position for the subsequent White Paper (1988) and Broadcasting Act (1990), as well as the new vocabulary of regulatory discourse throughout the 1980s and 1990s (Curran & Seaton, 2003). In the context of Thatcherite Britain, however, the Peacock Report (1986) could be praised for at least putting public service temporarily back on the agenda, by stressing the social importance of broadcasting, espousing the libertarian value judgments distrusted by Thatcherites, and advising against the replacement of the licence fee by advertising, albeit in the name of consumer sovereignty.

David Ward has suggested that public service nevertheless continued to evolve, regardless of the various funding regimes for the different channels, until the 1990s (Ward, 2005: 1608), at which point the Broadcasting Act (1990), representing the 'first major reform' of PSB regulation, increased competition and shifted public policy objectives to account for it (Ward, 2005: 1607). All the same, even this document was less terminal for PSB than would have been expected in the 1980s, due to the insistence on the cultural value of PSB from across the political divide (Barnett, 2002: 34).

Although the Royal Charter (1996) and the Broadcasting Act (1996) encouraged the BBC to increase its commercial activities rather than relying on an increase in the licence fee, 'economic priorities qualified by cultural considerations' led to a 'more muted market-led approach' throughout the 1990s under both Conservative and New Labour governments (Barnett, 2002: 34). Barnett claims that the advent of New Labour was an ideological continuation of the cautious mixture of market and culture approaches of the Major government, with the rhetoric of culture remaining subservient to the substance of market objectives. While the Davies Report (1999) recommended an increase in the licence fee to support digital switchover, consultation papers on the future of the BBC, reforming ownership and digital proposals, represented a mixture of market-led reforms and an acknowledgment of the cultural-political role of PSB (Barnett, 2002: 35). Despite the Davies Report's (1999) request that there be clear and separate accounts to distinguish between the BBC's public service and commercial activities (Ward, 2005: 1628), however, there has been little acknowledgment of the problems of consolidation between different commercial media corporations, whereby a newspaper may report news from a perspective that serves the interests of a TV channel (or vice versa) within the same empire. Barnett has accused the newspaper industry, for example, of reporting the arguments around charter renewal almost exclusively from an economistic perspective (Barnett, 2002: 36).

Finance became more of an issue from the Broadcasting Act (1990) onwards, which gave only two paragraphs worth of attention to 'quality programmes' but fifteen pages worth to financial arrangements. Throughout the 1990s, the content of programmes became a side issue as the main concern in broadcasting regulation became the means of delivery of new services (Curran & Seaton, 2003: 305). In short, attention turned away from an ideal of serving a unified public, regardless of cost, and, taking into consideration technological developments and costs to the service providers, moved towards an understanding of the public as a community of private individuals, and of quality programming as 'what the public would be willing to pay for.'

While these transformations were subtler in the cases of broadcasting, health and education than those taking place in the railway, mining and telecommunication sectors, the Conservative agenda of privatisation was always overt. It has been argued that under the New Labour government, however, the rhetoric of transcending the citizen-consumer divide has concealed the continuation of this trend, and the priority of the economy over culture in significant aspects of public policy (Steemers, 1999: 235), by foregrounding technological developments and constructing the free market as 'already there.' In the case of broadcasting, this has involved managing the remodelling of the public service broadcasters to the agenda of the development of digital technology and the converging media sectors. In response to the complexity of technological and economic convergence, as well as the public's confusion with so many regulators, the Communications White Paper (2000) established Ofcom (the Office of Communications) as a single meta-regulator. Following the Communications Act (2003), the National Audit Office now audits all BBC activities (Ward, 2005: 1623), even though the BBC had previously been exempted from a full external audit so as to protect its independence, and the BBC has itself since internalised accountability structures through mechanisms such as 'public value' tests and key performance indicators (Ward, 2005: 1625-1626).

However, while privatisation and technological developments make the convergence of media sectors possible and the economic merger of corporations across sectors likely, it has been argued that this, in turn, increases the amount of power corporations have over media production and service provision. Consequently, prior to corporations taking advantage of these new opportunities, a change in the political context is also required (Murdock, 1993: 2-3). This context has been one of deregulation and liberalisation. Successive governments have transferred ownership from the public to the private sector, whereby the power of the leading conglomerates has been reinforced and extended. However, while the private sector was heavily regulated (to spread ownership and limit foreign programming) when competition was first introduced into the market in 1954, with the contemporary agenda of liberalisation, such regulation is being weakened so that national markets are opened up to the major international corporations (Murdock, 1993: 10) – indeed, Murdock argues that with each new incarnation of the regulator, the rationale has been to extend corporate influence further (Murdock, 1999: 39). He sees

'deregulation' as a misnomer, however, as it becomes not so much a reduction in the number of rules that is signified, as a 'shift in their overall rationale, away from a defence of the public interest and towards the promotion of corporate interests' (Murdock, 1993: 12). This 'reregulation' reinterprets the defence of the civil right to freedom of speech, for example, so that corporate promotion can be seen as a continuation of individual speech, and advertising as 'commercial speech' (Murdock, 1993: 14).

Consequently, critical scholarship on broadcasting regulation tends to represent these developments as a shift: in ethos, from one of public service to one of consumer interest; in emphasis, from the public to private interests; and, in address, from constructing the audience as citizens to constructing them as consumers. As part of this shift, both paradigms, and the relations between them, have gone through a process of renegotiation.

In the first instance (in the 1920s), the UK model of PSB was set up as the opposite of the commercial model in the US. With the following introduction of competition to the market (in the 1950s), the BBC's direct responsibility to the public was compromised by the need to compete with ITV. Likewise, the restrictions that were put on ITV meant that definitions of consumer interest were made to include aspects of the public service ethos. Both models were, therefore, redefined through competition, and the differences between the two models reduced. With the arrival of Channel Four (in the early 1980s) as a response to the 'crises of representation,' however, public service was redefined to emphasise the individual in the (increasingly commercial) private realm. By the mid-1980s, PSB was regarded as a protector of consumer sovereignty in the pre-digital environment, and, therefore, in strictly private (and corporate) terms. Meanwhile, state restrictions to the corporate logic of the commercial model have been continually weakened, while the corporations involved in the sector have become increasingly powerful.

Public Interest and Private Interests

Since the 1990s, economic and technological convergence has weakened justifications for regulating broadcasting as a public service, and therefore differently to other media (Barnett 2002, 36), while consumer choice and market objectives, equated with the 'public interest' (Goodwin & Spittle, 2002; Naranen, 2002), presuppose broadcasting as a market much like any other. Despite Ofcom's aim to balance the interests of both citizens and consumers (Lunt & Livingstone, 2012), it sees public service as only one subset among others, such as competition and a thriving market, of this new public interest (Dawes, 2007: 12).

Although deriving from liberal debates in economic regulation and the history of consumer rights (McQuail, 1992), however, the common good conception of 'public interest' has traditionally been a countervailing force to markets and private interests, rather than an accessory to it (Freedman, 2008: 67). It remains, however, a 'narrowly consumer-oriented' standard compared to the concept of 'public service', which rejects the (neo)liberal view of society as an aggregation of contracting and exchanging individuals (Curran & Seaton, 2003). The 'neoliberal privatisation' of the public interest has, furthermore, jettisoned the common good interpretation, and linked it firmly with individual consumer choice instead (Freedman, 2008: 68-69), while New Labour has redefined its use in media regulation more in terms of consumer sovereignty and market competition than the common good (Freedman, 2008: 70).

Concomitant to this displacement of the 'public service' ethos by market logic and the 'public interest' has been the increasing influence of private interests upon the policymaking and regulatory process. The Communications Act (2003), which introduced three tiers of (external, co- and self-) regulation into broadcasting and weakened the rules on cross-media ownership (Ward, 2005: 1616), is seen, for instance, as a prime example of the result of an unequal struggle between the corporate lobbyists, on the one hand, and groups such as Public Voice and Voice of the Listener and Viewer, on the other (Barnett, 2002: 36). This gulf in lobbying power between corporate interests and public interest or consumer groups is even more pronounced at the EU level, where global corporations can more easily operate across national boundaries and target individual commissioners (Barnett, 2002: 36), and where the economic perspective of the European Commission, focusing almost

uniquely on competition policy, is particularly explicit. The TVWF (Television Without Frontiers) Directive (1989) is regarded as the liberalising centrepiece of audio-visual policy, discussing cultural provisions only 'by the economic back door', while the subsequent Annex (1997) to the Treaty of Amsterdam is seen as the key text specifically concerned with the public funding of PSBs in the marketplace. While the Green Paper on Convergence (1997) has been held responsible for the emergence of the technocentric 'information society' rhetoric (distinct from an education- or community-based rhetoric), which is often drawn upon to substantiate the lack of a contemporary justification for PSB, the Competition Directorate (2001) has dealt with the extent to which PSB can be considered as an exception to the rules against state aid. Regulating media concentration uniquely in terms of competition policy, however, may not be the best or only way, as it fails to grasp the symbolic and cultural power of broadcasting (Wheeler, 2004).

This shift in rhetoric from 'public service' to 'public interest' constitutes a shift in rationale for the regulation of broadcasting, from public service regulation to free market competition, where 'public interest' is the defence referred to when market logic leads media players too far, and 'public service' is reduced to a limit placed on the freedom of the media; a shift which has led some to investigate the discursive use of such terms in more detail (as discussed in the section), and others to interpret in terms of the refeudalisation of the public sphere (Freedman, 2008: 71). Certainly, this history of broadcasting suggests that we have come full circle, and that broadcasting is now being regulated from a free press perspective. However, while the UK press has maintained its independence from the state and its freedom from constraints, such as public service obligations and independent regulation, it has been defenceless against the market and the associated conflicts of public and private interest. And while PSB in the UK was originally protected from both the state and the market by independent regulation, as well as public funding, ownership and service obligations, contemporary regulatory trends that confuse public service with a narrowly redefined view of public interest, and the narrative (familiar from the history of the press) of commercialised content and the corporatisation of public life, suggest that its protection from the market is now also being undermined.

2.4 DISCURSIVE CONSTRUCTIONS OF CITIZENS AND CONSUMERS

The recognition of such a terminologically charged debate invites discursive analysis of broadcasting regulation texts (Livingstone et al, 2007a), and there has been a trend over the past decade to map the discursive terrain at national and international levels. While some have critiqued the contradictory distinctions made between citizenship and consumption throughout New Labour's literature on public service reform, as well as the then government's fetishisation of 'choice' and 'plurality' (Clarke et al, 2007; Needham, 2003), others have monitored the development of 'public value', succeeding concepts such as the 'public good' and even 'public service', as the guiding principle of broadcasting policy under New Labour (Lee et al, 2011).

These studies critique the policymaking preoccupation with ensuring an effective market and limiting government action to market and technical matters (Goodwin & Spittle, 2002), and reveal regulatory attempts to equate citizenship with consumption (Harrison & Woods, 2000, 2001; Harrison & Wessels, 2005), and the public interest with market objectives (Dawes, 2007; Freedman, 2008; Harrison & Woods, 2001; Naranen, 2002). Harrison and Woods (2001), for instance, demonstrate tensions between the European Commission's contrasting and contradictory approaches to the 'public interest' and the 'common interest', and critique the Commission's review of the scope of PSB in terms of the latter (Harrison and Woods, 2001: 479), where that limits the review to an account of PSB's impact on competition. Meanwhile, others have noted the rise of external and internal auditing and accountability cultures within broadcasting, the internalisation of market discourse by PSBs themselves, and the role played by such discourse in reforming public service, redefining public interest, and recasting citizens as consumers (Born, 2003; Coppens & Saeys, 2006; McQuail, 2003). Although they tie PSB to citizenship and the public sphere, and contrast it to the market that merely 'entertains consumers' (Harrison & Woods, 2001: 485), others have warned against judging the public and private systems with too contrasting criteria, as both public and private broadcasters share a common inheritance of the notion of the 'good society' (McQuail, 2003: 17).

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In demonstrating the shift from national, sector-specific content regulation in the interests of citizens to international, cross-sectoral competition policy and the increasing focus on consumers (Naranen, 2002: 31), such studies often draw on Murdock and Habermas to substantiate their critique of the reduction of citizenship to consumer rights, and on Norman Fairclough to inform their application of Critical Discourse Analyses (CDA) to regulatory documents (Dawes, 2007; Goodwin & Spittle, 2002; Harrison & Woods, 2000; Livingstone et al, 2007b), or at least performing similar analyses (Born, 2003). Such an approach examines the ways in which the public are not only represented, but actually constituted, as citizens and consumers. Through comparative analyses, it also ties particular discourses to particular interests and relations of power, and sets out to reveal evidence of ideological manipulation or tension within or between texts (Fairclough, 1992). This methodological approach to the analysis of discursive change has proven to make a valuable contribution to the critique of broadcasting regulation (and will be looked at more closely in Part Eight).

Peter Lunt and Sonia Livingstone have perhaps made the most important contribution to this particular area of inquiry. Through a series of publications (ultimately 2012), they have demonstrated the ways in which the UK's New Labour government (1997-2010) and media and communications regulator Ofcom (established in 2003) have framed the public interest in terms of citizen and consumer interests, and shifted, as a consequence, the concept of the 'public' (however conceived) and the role of the regulator itself (rather than that of the BBC) to the centre of the new regulatory framework (Livingstone et al, 2007a). The distinctive focus of their approach is to assess the extent to which Ofcom performs the function of an institution in the public sphere, principally in terms of its role in relation to the public interest, and the rather peculiar way in which the public interest has been framed (and reframed) over time by government and regulator in terms of the interests of citizens and consumers. Because already ambiguous terms such as 'audience' or 'user', as had traditionally been used in the respective regulatory discourses of broadcasting and telecommunications, fit poorly in a converged media environment, a converged regulator needed a new language. Covering a 'key decade in the history of the digital age' (Lunt & Livingstone, 2012: x), Lunt and Livingstone

present Ofcom as a new breed of regulator for new times – the embodiment of a social democratic response to changes in the 'relations of power and legitimacy in representative liberal democracies' (Lunt & Livingstone, 2012: 20) brought about by economic convergence and globalisation, on the one hand, and technological convergence and digitalisation, on the other. Established as a hybrid between an economic regulator, on the one hand, and a proactive consultative body with its own 'philosophy', as well as a wide remit to conduct research and consultations with 'stakeholders' through a mixture of regulatory regimes (self- and co-regulation), on the other, Ofcom represents an 'uneasy compromise', the authors argue, between free market and state intervention approaches.

Lunt and Livingstone chart two distinct stages in the discursive process. Firstly, they analyse the period from 1997, and the beginning of the New Labour government, to the publication of the Communications Act 2003 that established Ofcom, in which the 'plethora of everyday notions of the individual or audience or viewer or public' were resolved into 'citizen' or 'consumer' (Lunt & Livingstone, 2012: 43-44). The White Paper, *A New Future for Communications* (DTI/DCMS, 2000), had proposed a new framework for communications regulation that would protect the interests of both citizens and consumers. It intended to do this via, on the one hand, a Consumer Panel that would be semi-independent of the new regulator, and which would further the interests of consumers where they were not met by the market; and, secondly, via a Content Board within Ofcom to ensure citizen interests in relation to content standards. By the time of the Draft Communications Bill (2002), however, both terms had been replaced by 'customer'. Thanks to the efforts of Lord Puttnam, both through a Joint Select Committee report in 2002 and a House of Lords debate in 2003, first the consumer interest – in the Communications Bill (2002) – and then the citizen interest – in the Communications Act(2003) – were re-instated and enshrined as Ofcom's statutory duties. In the second stage, the authors analyse the almost immediate unravelling of the 'citizen-consumer' solution, from when Ofcom began its work, in late-2003, to the transition, in 2010, to the Conservative-led coalition government, which has threatened to reform or replace the regulator (Lunt & Livingstone, 2012: 43-44). They also reveal some surprising contradictions, such as arguments that the market delivers citizen interests, and that what is in the interest of consumers is not necessarily in the long-term interests of shareholders; also

surprising are the claims of the government – in a reply to suggestions by the Joint Committee, chaired by Lord Puttnam, on the draft Communications Bill (2002) – that 'customer' was a convenient term to cover both 'citizen' and 'consumer', and that they had received legal advice not to use 'citizen' in legislation to refer to 'all members of the public in the UK', as it would conflict with its narrower use in the sense of 'nationality' (Livingston et al, 2007a: 623).

For Ofcom, the 'social values-led' approach to citizen interests and the 'economy-driven' approach to consumer interests are 'not so different' after all, and 'can, in fact, be captured in a wider economic framework'. Seeing itself as primarily an economic regulator, and interpreting as such a fundamental ambiguity in the Communications White Paper (2000) and Act (2003), Ofcom has seen fit to redefine 'public service' and the market as non-conflicting subsets of the 'public interest' (Dawes, 2007), and by conjoining the citizen and consumer as the 'citizen-consumer' – and latterly simply as 'consumer' – they have foregrounded competition as the primary instrument to further the interests of both (Lunt & Livingstone, 2012: 49).

Because of this focus on competition, and despite the ostensible freedom from both state and market, and the splitting of citizen and consumer interests, Ofcom's 'uneasy compromise between free market and state intervention approaches' (Lunt & Livingstone, 2012: 20, 35), or 'social democratic and neoliberal perspectives' (Lunt & Livingstone, 2012: 19, 192), has meant an inconsistent approach to distinguishing between them. Some of the authors' findings demonstrate the ways in which Ofcom's aims and outcomes, already inconsistent from one policy area to another, evolve over time in not always coherent and often contradictory ways. While their study of Ofcom's efforts to promote media literacy, for example, shows how what began as a technocratic rationale to deregulate grew over time into a policy to strengthen the democratic infrastructure of society (Lunt & Livingstone, 2012: 140), their analysis of Ofcom's approach to community radio reveals how, even in such a citizen-focused area of regulation, the outcomes can still be shaped and constrained by consumer interest and market logic (Lunt & Livingstone, 2012: 192). Other studies are more significant for what they reveal about the role of the regulator. Contrary to Conservative criticisms of Ofcom's unaccountable independence, the study of the regulation of advertising to children, for instance, demonstrates both

how an evidence-based regulator can be forced to rethink its objectives when the evidence challenges its expectations, and how the state continues to intervene when the regulator is heading in a direction that contravenes its interests (Lunt & Livingstone, 2012: 191). The most significant of the case studies, however, evaluates Ofcom's reviews of PSB, in which are demonstrated both the changing balance of citizen and consumer interests, and the changing role of the regulator. The comparative analyses of the two reviews reveals a shift in the importance given to PSB's 'public value', and a more even balance between the interests of citizens and consumers (where the interests of the latter had been more prominent in the first review), as well as a shift in Ofcom's role, from that of a confident and independent regulator pushing forward its own radical agenda, to that of a mere evidence-gatherer, acting 'neutrally' on behalf of government (Lunt & Livingstone, 2012: 113).

Although the Act mapped purposes onto structures by aligning citizen interests with a Content Board and consumer interests with a Consumer Panel, realignments saw the Consumer Panel take on some citizen interests (Lunt & Livingstone, 2012: 55), and Ofcom's rhetoric about the extent to which the two interests could be conflated became increasingly ambiguous and contradictory. The source of this tension is not purely down to the technological difficulties of a converged media environment, however, but to the incorporation of the idea of 'society as a whole' or the 'generality of consumers'. Although Ofcom can see how individuals are sometimes citizens and sometimes consumers, and distinguish between these two roles, when it comes to imagining the public more generally they are incapable of addressing the public as citizens, or acknowledging the ways in which citizens may be 'plural, diverse, alternative, radical or justifiably disaffected' (Lunt & Livingstone, 2012: 60, 66).

Ultimately, in applying Habermasian criteria to their evaluation of Ofcom as an institution in the public sphere – assessing it in terms of its success at articulating the public interest, balancing conflicting requirements, combining effectiveness with legitimation, and acting reflexively (Lunt & Livingstone, 2012: 10) – the authors conclude that the regulator has not been entirely successful. Their criticism focuses, in particular, on the unconvincing influence of consultation exercises upon the

decision-making process, as well as the tendency to weigh consumer interests over those of citizens, and to weigh business interests over both (Lunt & Livingstone, 2012: 189). That being said, they nevertheless praise Ofcom as a 'neutral, independent, principled regulator', and stress that the balance struck between citizen and consumer interests is never disastrous, even if sometimes unsatisfactory (Lunt & Livingstone, 2012: 192).

But although the authors demonstrate the interplay between discursive debates and practical activities, and the complex ways in which these develop over time, they seem to stop short of explicating the significance of the tensions they identify, or of extrapolating the wider consequences for governance and regulation. Despite identifying the cause of tensions in the very setup of Ofcom as a hybrid between an economic regulator and a proactive consultative body with its own 'philosophy', the authors' conclusion that it represents an 'uneasy compromise' between free market and state intervention approaches (Lunt & Livingstone, 2012: 35) says nothing about the tensions within New Labour's third way politics itself. Further, there is an inconsistency throughout the book in the way that Lunt and Livingstone distinguish between the social value and economic perspectives of Ofcom, leading to a conceptual confusion that undermines attempts to make broader claims. Although they make a fairly standard distinction (Lunt & Livingstone, 2012: 37) between civic republicanism (which they suggest underpins expectations regarding the citizen interest) and liberalism (which they link to the consumer interest), civic republicanism is sometimes presented as a synonym for social democracy (Lunt & Livingstone, 2012: 19; 192), and sometimes as a particular form of social democracy (Lunt & Livingstone, 2012: 37), despite the fact that social democracy incorporates the neo/liberal view that markets must be deregulated (Lunt & Livingstone, 2012: 20). Likewise, Ofcom is held to be the embodiment of social democracy because it balances the free market with state intervention (Lunt & Livingstone, 2012: 20), whilst also displaying a liberal-pluralist tendency because it generally favours the former over the latter (Lunt & Livingstone, 2012: 39-40). Such confusion of public and private interests, however, potentially threatens the public sphere, even as Ofcom tries to engage public deliberation. A clearer delineation of civic republican, social democratic and third way perspectives could, on the other hand, have facilitated a more nuanced grasp of the significance of the tensions these authors identify, and

prevented them from naively repeating Ofcom's own strategic conflation of incommensurable approaches. There is, furthermore, little elaboration on the types of citizen and consumer envisaged by the regulator or government, beyond comparisons of liberal and republican archetypes; nor is there any engagement with the literature on citizenship, consumption or the public sphere, or much of a sense of the complexity of each of these concepts. Indeed, the authors even assume that citizenship was once defined in terms of active participation in public life, and that the merging of this term with 'consumer' constructs a different meaning of civic life (Livingstone et al, 2007a: 615). Despite their call for a public discussion on the meaning of citizenship (Livingstone et al, 2007a: 633), this belies their own limited appreciation of the complexity of different forms and practices of citizenship, and the ways in which it may not be a republican version of citizenship that is merged with (one of many interpretations of) consumption at all.

2.5 CRITIQUES OF THE DOMINANT APPROACH

While early critics of PSB (such as the Glasgow University Media Group, for example) had focused on its paternalism or its promulgation of consumerist ideological frameworks, contemporary critiques tend to come from a pro-market perspective. Both proponents and critics of PSB often agree that the lack of consensus on a clear definition of PSB has been problematic for policy-makers, broadcasters and scholars alike (Harrison & Woods, 2001: 479; Jakubowicz, 2009: 155; Ward, 2005), while the original (technological, economic, political, social and cultural) conditions for PSB have undergone such radical transformation that the concept requires reconceptualisation anyway (Born, 2006: 102; Cowling & Tambini, 2002: 4). Consequently, numerous efforts have been made over the years (Born & Prosser, 2001; Brants & Siune, 1992; Blumler, 1992: 102; Tracey, 1998: 26-9; Hesmondhalgh, 2013: 137) to identify the key features of PSB – or PSC (public service communications), to update the concept for the post-broadcast digital world – privileging concepts such as public accountability, public finance, content regulation,

universal service, citizens and the public sphere, and contrasting it with those of the market, consumers and neoliberalism.

There has recently, however, been an increasing weariness with such efforts, as well as the simplicity and rigidity of this distinction, the ubiquity of these terms of debate, and dissatisfaction with the level of engagement or appropriateness of their application to PSB-market distinction (Flew, 2006; Jacka, 2003; Nolan, 2006). While some have warned that arbitrary distinctions between citizens and consumers may actually obfuscate new spaces and practices of public connection (Couldry, 2004), others have been more explicitly critical of the arbitrariness of the distinction that informs much of the above literature, arguing that the binaries of universal versus multiple public spheres, PSB versus commercial, and 'market approach' versus 'public service approach' need to be transcended (Born, 2006: 117; Ward, 2005: 1655). Many authors have argued that the debate has already moved on from a dichotomy of 'public intervention only in the case of market failure' versus the public sphere related arguments, and that there is now more consensus on the need to return to first principles and the civic role of communication (Cowling & Tambini, 2002: 173). Elaborating a 'new public interest' for a PSC environment, which privileges empowerment and interactivity to reinvigorate the public sphere (Cowling & Tambini, 2002: 175), they stress the importance of an environment that includes small independent developers and grassroots not-for-profit content creators, as well as publicly-owned communications (Cowling & Tambini, 2002: 176).

John Hartley, in particular, has criticised both the distinction between PSB and commercial TV (Hartley, 1999: 144), and that between citizenship and consumption. Arguing that the defence of PSB against commercialisation teaches us little about the relation between TV and the public, or about what TV has been or could be for (Hartley, 1999: 23), he demonstrates through an examination of *Housing Problems*, a commercially-funded social campaigning film from 1935, the ways in which public and private interests had converged to form a 'mixed economy' even before the advent of television (Hartley, 1999: 97-98). Further, arguing that the theoretical divide between citizenship and consumption is more complex and problematic than the 'public service critique' suggests, he elaborates the ways in which consumption practices actually inform citizenship (Hartley, 2002: 37-38). Rather than

consumption eroding citizenship and civic rights, therefore, Hartley argues that the acknowledgment of a differentiated audience and the privileging of choice, typical of cultural citizenship, actually promote a new (fifth) form of DIY citizenship that overlays and supplements the older forms outlined by Murdock and Marshall (Hartley, 1999: 158-159). No longer about a social contract between state and subject, the common heritage of a given community, or even the relatively more recent recognition of cultural or subcultural difference, his DIY incarnation of citizenship is self-determined and the result of choices people make for themselves. Reversing the PSB/citizenship versus market/consumption dichotomy of Garnham and Murdock, Hartley even suggests that the early PSB model treated the public as an undifferentiated mass of infantilised consumers, whereas commodity culture not only recognises difference, but enables autonomy and agency, empowering individuals to use TV in 'public' ways (Hartley, 1999: 179-178).

Drawing on Hartley's supposedly more nuanced reading of citizenship, Elizabeth Jacka (2003) attempts to recast the relation between media and democracy by embracing plurality, breaking the public-private binaries that limit debate on the future of broadcasting, and questioning the ongoing privileging of PSB. Taking particular issue with Garnham's exemplification of the 'public service critique', she dismisses the dependence on the public sphere concept to link PSB to democracy, and argues against the efficacy of the public-private dichotomy at capturing the ways in which citizenship has historically expanded as society has become more pluralised. Further, in drawing on Chantal Mouffe and the radical democratic recognition of differential power relations, she argues for moving beyond a conception of citizenship rooted in either the liberal or civic republican traditions, arguing that there is no general good nor universal public in a society of difference, but only an ethical bond between citizens, and shared values rather than shared identities. Garnham (2003), however, acknowledges the difficulty of making a dichotomy between public and commercial broadcasting, praising the role of commercial TV in making advances as part of the public sphere, though always (in the UK) within a public service regulated context, and recognising commercial print media as the founding model of Habermas's public sphere concept. Rather than favouring public over private institutions, as such, his approach is better understood as the comparison of the democratic contribution of the PSB model of the UK (which

includes the regulated commercial sector) against that of the commercially driven model of the US.

Taking up Jacka's critique, on the other hand, and taking issue more generally with the critical-normative approach that assesses PSB in terms of abstract theorisations, David Nolan (2006) has proposed an alternative Foucauldian approach, which analyses instead the material forces and practices that socially shape the 'actually existing' public sphere, and which assesses the way that PSB performatively defines citizenship (Nolan, 2006: 227-228). In contrast to Scannell's idealisation of PSB, and both Murdock's and Dahlgren's diagnoses of a civic deficit between reality and their Marshallian or Habermasian ideals of citizenship (Nolan, 2006: 229), Nolan argues that PSB produces both membership of, and exclusion from, the political community. The methodological task becomes, therefore, to analyse conflicting definitions in terms of their consequences, rather than in comparison with a normative standard.

Unfortunately, these critiques tend to dismiss outright both the public sphere and PSB, without sufficient engagement with the relevant theoretical debates or adequate regard for an account of power. While they valuably turn attention to the positive aspects of contemporary neoliberalisation that 'may promote core social democratic values such as programme diversity and media pluralism' (Flew, 2006: 298), they tend to dismiss rather than critique the social democratic defence of PSB, and describe rather than critically engage with the alternative literature on which they draw, as well as risk glossing over the ways in which distinctive features of neoliberalism have had an undeniably negative impact upon the public sphere. Less dismissive critiques have, on the other hand, questioned the extent to which there has really been a shift from a golden to a neoliberal age of media regulation (Hallin, 2008). Providing exhaustive accounts of the many uses of the 'public service' concept in broadcasting, many of which have more to do with public utilities or passive audiences than with the public sphere, Syvertsen (1999) has demonstrated, for instance, the ways in which the term is used strategically to serve the self-interests of various groups; even John Reith's definition of 'public service' is shown to resemble 'public utility' more than 'public sphere', addressing it almost exclusively in terms of universal access and engineering quality.

Others have engaged more substantively with the 'perilous strategy' of tying the public sphere to PSB (Keane, 1995: 4), and the forcing of a normative concept, such as the public sphere, upon an abstract idealisation of PSB without an account of how such institutions actually operate (Sondergaard, 1999). Although the splitting of the public sphere from its association with both PSB and Habermasian normative criteria (Keane, 1991: 90, 155), and the recasting of press freedom in terms of freedom from both the state and the market (Dawes, 2013b; 2014), have been proposed as alternatives, however, such ideas have met with a cool reception (Scannell, 1992) when applied to broadcasting because of their consequences for the public ownership of PSB. The Habermasian inheritance (Habermas, 1989; 1992a; 1992b; 1996) that has informed this perspective has been misleadingly selective and particular, it is argued, as it remains unclear that there is 'a *necessary* irreconcilability' between the market and either PSB or the public sphere (Collins, 1993: 257-258). Certainly, Habermas demonstrates that the initial potential of the market to produce a public sphere is thwarted in the long-term by the rise of press barons, the manipulation of public opinion by private interests, and the reduction of the public to a mass of *consumers*, all consequences of a public sphere separated from the state but not sufficiently separate from the market. But he also demonstrates the negative impact of the welfare state on the public sphere. For despite making the private lives of the public more equal as a supplementary corrective to the destabilising effects of capitalism, the construction of the public as a passive *citizenry* of recipients of state aid, requiring state interference and thus compromising their freedom from the state (and the legitimacy of the liberal state as one which does not interfere in the private realm), broke down the public-private distinction between politics and economy, and undermined just as much as market processes the ability of citizens to form an active public and hold political power to account. The rise of spin and marketing discourse within politics and the subsequent manipulation of public opinion by the state have only exacerbated *both* these trends.

In other words, the liberal equation of the free press with the free market simultaneously enabled and undermined the public sphere by making the public free from the state but defenceless against the market, frustrating the extent to which they could act as citizens rather than as consumers. Similarly, in correcting the failure of press freedom, the liberal compromise of PSB enabled the public sphere by making

the public free from the market and private interests (their own as well as those of powerful corporations), but simultaneously undermined it by reducing citizenship to a passive, top-down relationship between community and nation-state. As important as this type of citizenship may be as a corrective to press freedom's merging of citizenship and consumption, the extent to which it can be equated with a *political* community and seen as more significant for the public sphere is dubious.

In contrast to the willingness to engage with theories of citizenship and the public sphere, however, there is a notable reluctance to engage with theoretical debates around consumption and neoliberalism. Consumption is held to be the opposite of citizenship, and suggestions to the contrary are treated with understandable suspicion by those wary of the application of free market rhetoric to broadcasting regulation. Similarly, despite rare acknowledgments that references to neoliberalism require greater nuance (Hesmondhalgh, 2005), or warnings that the 'intuitive' focus on a big picture narrative of global neoliberal trends risks privileging similarities in privatisation and liberalisation over 'diverging accents' in their implementation (Parthasarathi, 2010), such accounts limit themselves to the ways in which neoliberalism is combined with other ideologies in policy and regulation, avoiding engagement with neoliberal literature itself or with critical theoretical debates on neoliberalism that aren't limited to viewing it simply in ideological terms. When these literatures and debates are engaged with (Freedman, 2008), they are nevertheless dismissed for downplaying the political importance of neoliberal hegemony. Further, neoliberalism is widely seen in broadcasting scholarship as the process by which consumption and the market undermine citizenship and public service to the detriment of the public sphere. But as convincing (and convenient) as this is, it ignores the ways in which the relation between citizenship and consumption is reconfigured over time, and in which both liberalism and neoliberalism, understood as political-economic governmentalities, simultaneously enable and undermine the public sphere.

CONCLUSION

This chapter has reviewed the contemporary theoretical and methodological approach to broadcasting regulation by placing it within its historical development. By doing so, we are reminded that scholarly assumptions about regulatory change are typical of a particular theoretical perspective, which is contingent, temporally- and spatially-specific, and not necessarily universally endorsed. The fact that British scholars today tend to approach PSB in terms of citizenship and the public sphere, for instance, means neither that they have always done so, nor that they always will. Nor should it be assumed – as useful, and as practically and politically convenient, as it may be to do so – that words like 'citizenship' or 'consumption' adequately resume the plethora of overlapping and conflictual forms of each, or that their opposition is as clear-cut or as permanent as the opposition suggests.

The contemporary preoccupations with critically analysing the strategic use of terms such as 'citizens' and 'consumers' in regulatory discourse, critiquing the shift in regulatory emphasis from 'citizens' to 'consumers' as symptomatic of neoliberalisation, and assessing the impact of regulatory change in terms of its impact upon the public sphere, have been situated within a particular scholarly paradigm. This paradigm comprises overlapping narratives and approaches, and the citizen-consumer, public sphere and neoliberalism concerns are not necessarily shared by each approach, nor are the respective specialisms always mutually compatible. However, the assumptions made by (for example) those broadcasting scholars writing about citizenship and consumption are often shared by those writing about neoliberalism or the public sphere. Likewise, the critique of neoliberal hegemony, and the implicit or explicit elaboration of this hegemony in terms of inequality, private interests and dominant class power, may not be manifestly related to public sphere theory, but such scholars are hardly likely to argue that neoliberalism is good for the public sphere. More often than not, though, even when only one aspect of this paradigm is under analysis, the other terms tend to be drawn upon to some extent. Despite the prevalence of such terms and their significance to the critique of broadcasting regulation, however, it is surprising that there is only sparse acknowledgment of conceptual nuance, and often little engagement with the theoretical debates around each concept. This is equally the case for the uncritical

appropriations of Marshall's citizenship, the Habermasian public sphere, Harvey's approach to neoliberalism and the various traditions of consumer critique, as it is for the denial of alternative approaches.

But although regulatory trends necessitate a critical counterbalance (Freedman, 2008: 23), and as *politically* useful and important as these critiques are, they are weakened *theoretically* by their rudimentary readings of neoliberalism as an ideology, citizenship as a set of rights, and consumption as synonymous with consumerism. While arbitrary distinctions between citizens and consumers may actually obfuscate new spaces and practices of public connection (Couldry, 2004), they may also obstruct the diagnosis of emerging threats to the public sphere. Likewise, while the misrecognition of neoliberalism, as simply the undermining of citizenship by consumption, risks ignoring the ways in which neoliberal techniques can sometimes contribute towards citizenship and actually enable the public sphere, it also risks undermining the efficacy of the critical counterbalance itself. The linking of civic republicanism and liberalism, for example, to Ofcom's expectations regarding the citizen and consumer interests, respectively (Lunt & Livingstone, 2012: 37), leads to a conceptual confusion that undermines attempts to make broader claims about the significance of media regulation to the public sphere. It confuses liberal and republican traditions, and assumes untenable distinctions between social democracy and neoliberalism, attributing a relative importance to citizenship that somehow rings hollow, and presenting Ofcom as a blend of neoliberal and republican approaches, rather than as the very embodiment of neoliberalism (Dawes, 2013a).

Ultimately, what each of these distinct and occasionally conflictual approaches share is a similarly un-Foucauldian approach to the public-private dichotomy. While all tend to fall back on an overly rigid distinction between what is public and private, even those that call into question the dichotomous construction of the distinction (by envisaging a sphere between state and economy, as with public sphere theory, or by blurring the state-civil society dichotomy, as with Gramscian approaches to ideology and hegemony) presume that civil society, for example, is either a reality (normally in opposition to the state) or an ideological construct (of the state). A Foucauldian approach, however, would regard it instead as a 'correlate of a particular technology of government' (Burchell et al, 1991: 141), arguing for the 'historical and artefactual

nature of the distinction' (Bennett, 1998: 74), and explicating the ways in which liberal 'government' has continually established and amended the relations and distinctions between realms that may be considered public and private. As Dahlgren has suggested, it is necessary to explore more fully the concepts of 'public' and 'private', and to consider the trajectories that have determined the relation between them in the present (Dahlgren, 2000: 90).

This thesis will therefore investigate the extent to which the dominant critique of broadcasting regulation has been made within an appropriate or effective theoretical and methodological framework. Taking the criticisms in the preceding section into account, and echoing the Foucauldian turn suggested by Nolan, this thesis will address the public-private dichotomy on multiple levels. As well as engaging critically with the literatures on citizenship and the public sphere, it will engage just as critically with those on consumption and neoliberalism. Although the dominant approach has been reluctant to engage with either the theoretical debates within critical sociologies of consumption and neoliberalism, or with the contradictions inherent to their application of citizenship and public sphere theories to PSB, the subsequent chapters of this thesis will ardently approach those contradictions and inconveniences. Finally, the thesis will then apply a more nuanced and theoretically-informed account of these key concepts to a rereading of the history of broadcasting regulation. As Part One has demonstrated, this will also necessitate some fine-tuning of the typical methodological approach to the analysis of relevant documents. Ultimately the aim of the thesis will be to establish the extent to which the critical approach to broadcasting regulation can actually be strengthened by a closer and more critical engagement with each aspect of the public-private dichotomy.

However, before investigating the discursive reconfigurations of public and private concepts throughout the history of broadcasting regulatory documents (in Part Eight), and in advance of the engagements with the theoretical and methodological debates in studies of neoliberalism (Part Seven), and citizenship and consumption (Part Six), this thesis will turn to public sphere theory (Parts Four and Five) and earlier debates on the role of public opinion and press freedom (Part Three), beginning with an elaboration of the public-private dichotomy more generally.

Part Three: The Public/Private Dichotomy

Underlying Habermas's concept of the public sphere, and the application of that concept to PSB, are assumptions regarding the distinction between what is public and what is private. This chapter begins, therefore, with an introduction (in section 3.1) to contrasting perspectives on the public-private dichotomy and their respective roots in antiquity. For reasons of space, and to maintain the focus on the public sphere rather than privacy and other aspects of the public-private debate, however, feminist and other criticisms of the dichotomy will be dealt with in more detail later in Part Five only in as far as they critique directly Habermas's model of the public sphere.

Drawing explicitly on 18th and 19th Century theorisations of the role of public opinion and a free press in liberal democracy, Habermas built on the defences and critiques of the state-society distinction and the extent to which public opinion was undermined by private interests and both political and economic forces. He ignored almost completely, however, the early 20th Century equivalents that took particular aim at the supposed rationality of the citizen. The middle sections of this chapter (3.2 and 3.3) will offer a selective summary of this background literature on publicity, public opinion and press freedom, highlighting those particular debates that are of relevance to the problematic of the public sphere as later developed by Habermas and his critics.

The normative weight behind the Habermasian emphasis on the idea of 'publicity' or 'publicness' will then be traced back through the republican tradition via the work of Hannah Arendt. Whereas Arendt's abstract account of the 'rise of the social' emphasises the loss of the original meaning of publicity and of the public-private distinction in modernity, however, Habermas provides a historical account of the rise and fall of publicity throughout the development of liberal democracy, providing an explicit account of both the positive and negative significance of media and communication to the representation, rationalisation and manipulation of publicity.

3.1 PUBLIC AND PRIVATE

The practical and theoretical distinction between public and private has been a central preoccupation of Western thought since classical antiquity, with the concepts 'public' and 'private' serving as organising categories in social and political analysis, jurisprudence and legal practice, as well as in moral and political debates (Weintraub & Kumar, 1997: xi) to distinguish different kinds of human action, realms of social life, and physical and social spaces (Weintraub, 1997: 6). The most significant of the 'grand dichotomies', according to Norberto Bobbio, its usefulness is in its capacity to comprehensively subsume a wide range of other important distinctions within a binary opposition (Weintraub, 1997: 1). Yet the countless realities it does not explain and conflicts it cannot resolve have led to attempts, such as Habermas's, to trichotomise the problem of recognising the importance of both individual autonomy and collective purpose without absolutising either (Wolfe, 1997: 200-201).

A distinctive emphasis of Western modernity, and of liberal thought particularly, has been upon demarcating the 'public' domain of state power from the 'private' domain of the market and civil society (Weintraub & Kumar, 1997: xiii). In recent decades, claims regarding the erosion or 'colonisation' (Bauman, 2000) of the public by private processes – where the changing relationship in the role of the 'public sector' and the process of 'privatisation' is just one aspect of this – and concern regarding the impact of rapid advances in technology on 'publicity' and 'privacy', have increased interest in the distinction between public and private, and in the validity of the public/private distinction itself. Feminist approaches, in particular, have critiqued the exclusionary potential of the boundary between them (Weintraub & Kumar, 1997: xi-xii), while others have proposed dispensing entirely with the dichotomy, arguing that nothing much of contemporary social life can be said to remain on one side or the other (Sheller & Urry, 2003: 122).

But much of this 'infantile' discussion (Sheller & Urry, 2003: 113) is weakened by a lack of careful consideration of the meanings and implications of the concepts

themselves, reducing what is actually a protean distinction to a unitary reading of 'public this' and 'private that'. It is often taken for granted, for instance, that the distinction is equivalent to a boundary of the political, but this depends on whether the political is conceived as state administration or a realm in which society acts as a public, rather than just an aggregation of individuals (Weintraub, 1997: 2). Where discussion is more conceptually self-reflective, one reading of the distinction is often privileged over others, with little evidence of awareness of the wider range of alternative frameworks in which it is employed. Here there has traditionally been a concern with the blurring of the distinction between two realms that had previously been clearly distinguished, or more recently with the shifting of the always mobile boundary between them. But the reduction to a single binary of what is better understood as a complex family of interdependent and mutually constitutive oppositions, tends to fragment different fields of discussion and result in conceptual confusion rather than fruitful cross-fertilisation (Weintraub & Kumar, 1997: xii), and attention is shifting to the deterritorialisation of 'publics' and 'privates', and the fluid hybridising between them (Sheller & Urry, 2003: 108).

Broadly speaking, and at the root of the various theoretical traditions to be discussed shortly, there are two kinds of imagery behind the contrast between public and private: the distinction between what is hidden and what is accessible, and that between what is individual and what is collective, or between what is part and what is whole (Weintraub, 1997: 4-5); imagery that can be summarised as the invariably overlapping criteria of 'visibility' and 'divisibility' (Dawes, 2011a: 116). Whether an attempt to ascertain if issues are of common concern or a matter of individual discretion, or to distinguish between public and private space in terms of whether it is accessible to all or just for the individual, questions of both visibility and divisibility will have a propensity to arise. The criteria are also interdependent and mutually constitutive, guaranteeing or helping to define one another. When the views of individuals are aggregated to form 'public opinion', for example, it is the privacy and invisibility of the secret ballot that safeguards the individual voter from 'private pressure', enabling them to act as citizens and perform their 'public function'.

Drawing upon the multiplicity of ways in which these criteria of distinguishing between 'public' and 'private' are employed in social and political analysis, Jeff

Weintraub has identified four overlapping theoretical discourses: the liberal-economistic model dominant in public policy and law, in which the distinction is drawn between the state and the market; the classical civic republican perspective which distinguishes between the public sphere of political community and citizenship, on the one hand, and both the state and the market on the other; the approach of social historians and anthropologists which tends to oppose sociability and the intimacy of backstage life; and the feminist perspective which views the distinction as between the political and economic order (or state and market) on the one hand, and family on the other (Weintraub, 1997: 7). Although sometimes simply a matter of variations in terminology, these differences often reflect deeper theoretical or ideological commitments or assumptions that can have normative implications for the arguments they are drawn on to support. Any discussion of public and private should begin therefore with an attempt to clarify the ambiguity of the concepts (Weintraub, 1997: 3), acknowledge the difficulties involved in fitting modern civil society into a dichotomous framework (Weintraub, 1997: 35), and recognise the need for the complexification of the distinction rather than its simplification (Weintraub, 1997: 34).

Within liberalism (itself a contested term), for instance, there is an implicit assumption of the naturally self-interested character of individuals behind the debate over market self-regulation and government intervention (Weintraub, 1997: 8). At the same time, the dual register of the 'public' as 'political' (referring either to the state or the public sphere) in the republican tradition needs to be clarified by placing the terms 'public' and 'private' in historical context. Beneath the distinction between institutional domains of household and body politic set forth in Book 1 of Aristotle's *Politics*, there lies a further distinction between modalities of agency within the individual (Gobetti, 1997: 104). Although the model of the public realm as a self-governing *polis* of active citizens derives from the Roman Republic, the model of sovereign power over a society of private and passive individuals, who bear rights granted to them by the sovereign, comes from the Roman Empire (Weintraub, 1997: 11). Although a tendency in other civilisations and in some periods of Western history (Baehr, 2000: xxx) has been to approach politics from the same perspective as the Empire, thus focusing on rulership or domination, and assuming a separation of the rulers and the ruled, classical moral and political philosophy has tended to

approach politics from the perspective of the Republic, focusing on participation and defining the citizen as one who is (in Aristotle's words) capable both of ruling and of being ruled (Weintraub, 1997: 12). In contrast to the liberal conflation of citizenship with community membership, republican citizenship entails the active participation and collective decision making of equal members of a 'willed community' (Weintraub, 1997: 13).

Whether understood as Tocqueville's 'political society', Arendt's 'public realm' or Habermas's 'public sphere', this political sphere of social life problematises the public-private dichotomy, or at least the extent to which the public can be reduced to the state, and civil society identified as private, suggesting instead a tripartite distinction between state, civil society and the public sphere. The tendency in social and political theory to fall back on the public-private distinction and to focus attention upon defining the public, however, has led to a relegation of the private to a residual category of interest. As well as trivialising the domestic sphere, some feminists have argued that this lack of interest has also been responsible for shielding abuse and domination in the home from political scrutiny or legal redress. Further, the gendering of the distinction between public and private has excluded women from the public sphere and confined them to a sphere of inferior interest and value (Weintraub, 1997: 28). The increasingly explicit distinction between the public realms of the *polis* and the sovereign, and greater interest in fine-tuning the distinctions between the private realms of civil society, family and intimacy, however, have moved debate beyond dichotomous models (Weintraub, 1997: 15).

Perhaps of even greater significance to the irreducible complexity of the public-private distinction, however, is the increasing centrality of the market economy in modernity, which has made it no longer possible for the household (*oikos*) to comprise both the family and economic life, as it had done for Aristotle (Weintraub, 1997: 35). In response to the difficulty in recognising the civil society of modernity as either public or private, Hannah Arendt developed her own tripartite model of public, private and what she called 'the social' (Weintraub, 1997: 35), and although Habermas makes only one fleeting reference to Arendt in his 1962 book, her account of the significance of the breakdown in the distinction between public and private corresponds to his narrative of the shift from critical to manipulative publicity.

Before discussing the civic republican view of an agonistic or discursive public space in the work of Arendt and Habermas, however, the next section will deal with the more dominant legal and liberal tradition of civil society's freedom from state, through a review of its earliest and most prominent critiques.

3.2 PRESS FREEDOM, PUBLIC OPINION AND PUBLICITY – THE LIMITS OF LIBERALISM (KANT, HEGEL, MARX AND MILL)

Anglophone discussion of the 'public sphere' has been hampered by problems of translation. The late 18th Century German word *Offentlichkeit* can be translated as 'publicness' or 'publicity', but this fails to grasp Habermas's use of the term. Its designation as a sphere of open (public) spaces and communication where public discourse on matters of common concern can take place, which leads to the formation of public opinion that in turn may influence political decision-making (Gripsrud et al, 2010: xv), captures only part of Habermas's model. The public sphere is more than just a description of a network of institutions; it is the expression of the 'publicness' that Arendt argues is lost in modernity. Its normative content advances a principle of democratic legitimacy that goes beyond liberalism. The exercise of governmental and state power should be 'public' (in contrast to 'secret') and reflect the power of a rationally and critically deliberating public of nominally free and equal citizens (Gripsrud et al, 2010: xv). This emphasis on the rational-critical debate of the public sphere, in contrast to the irrational and self-interested discourse of the private realm, is the republican dimension that Habermas adds to the liberal principles of political participation and press freedom.

Political participation in liberal democracies is based on citizens' right to vote, to express opinions freely and to have free access to information and ideas. The extent to which reasoned public opinion based on principled deliberation can be formed, however, has been a source of debate since the very beginning of the era of press freedom (Gripsrud et al, 2010: xv). For the philosophers of the Enlightenment,

reason was tied to publicity and public agreement (Gripsrud et al, 2010: 1). Immanuel Kant argued that, although difficult for a 'separate individual' (Kant, 2010: 4), the public could enlighten itself provided it had the freedom to make 'public use of one's reason in all matters' (Gripsrud et al, 2010: xvi); that is, where men of learning address 'the entire reading public' (or literary public sphere), and where the 'private' use of reason refers only to the actions of a civil servant, which can be restricted without 'undue hindrance' to enlightenment (Kant, 2010: 3). Kant also distinguished between someone in their function as a priest or a teacher, using their reason before their congregation, and that same person in their function as a citizen scholar (or, more specifically, a philosopher as representative of the public), using their reason through publishing (Kant, 2010: 5). For Kant, only the latter could be considered public and free, while the former remained private and subject to institutional constraints. Kant qualified this faith in publicity, however, by emphasising the slowness of enlightenment reform against the revolutionary replacement of old prejudices with new ones to 'control the great unthinking mass' (Kant, 2010: 4).

This public use of reason was connected not only to personal autonomy but also to political legitimacy, made just by the principle of publicity, whereby laws had to pass the test of public scrutiny to guarantee that restrictions on freedom were justifiable to all (Gripsrud et al, 2010: xvi) as members of the public, so constituted by the public sphere (Habermas, 1989: 106). This broke with Rousseau's view of public opinion as derived simply from a permanent and consensual assembly of passive citizens (his view of the 'public place' being inspired more by the spatial imagery of the Greek *polis* than its normative connotation), rather than from any critical debate that occurred there. For Kant, it was precisely the rational-critical public debate of an enlightened public that could form the basis for public opinion (Habermas, 1989: 99). 'Human beings' were only constituted as 'citizens' whenever they engaged in rational-critical debate concerning the affairs of the 'commonwealth', forming a public sphere in the political realm which became the organisational principle of the liberal constitutional state, within whose framework civil society was established as the sphere of private autonomy (that is, the personal freedom to pursue happiness in one's own way) (Habermas, 1989: 106-107). In the sociological conditions that Kant deemed necessary for a public sphere, paramount was its dependence upon social

relationships within this sphere of private autonomy among the freely competing commodity owners emancipated from domination and insulated from intrusions of power (Habermas, 1989: 111). Consequently, only property-owning private people were to be admitted to the public sphere (Habermas, 1989: 109), whereupon they would be 'pathologically forced' to behave outwardly as if they were inwardly free persons, a condition which conflated the selfish *bourgeois* with the unselfish *homme*, and which considered the *citoyen* under a twofold aspect of legality and morality (Habermas, 1989: 111).

It was Jeremy Bentham who first explicated the connection between public opinion and publicity, stressing not just the importance of the openness to the public of parliamentary discussion, but firmly positing the public deliberation of parliament as only one part of the public deliberation of the public in general. Critical political debate could be secured only by publicity both inside and outside parliament, he argued (Habermas, 1989: 99-100), referring to Guizot's classic 19th Century formulation of the 'rule of public opinion', where the legitimacy of the representative system is guaranteed by the incessant search for reason, justice and truth that regulates actual power in three ways: through parliamentary discussion, the openness or publicity of these discussions so that they are always under citizen control, and the freedom of the press as a stimulant for citizens to search for these things (Habermas, 1989: 101).

The Kantian grounding of the public sphere in an inherently conflicted civil society, the dubious relationship of *bourgeois-homme-citoyen* and the bourgeois interpretation of 'public opinion', however, was soon to be questioned (Habermas, 1989: 116-117). For GWF Hegel, this normative vision of an enlightened public ignored how ill-informed and irrational the public could be. He also feared that public opinion could represent the interference of private interests in government decisions (Gripsrud et al, 2010: xvii). Although the 'principle of subjectivity' entails the freedom of individuals to express their opinions on affairs of the state, collectively manifested as public opinion, the mixture of the substantive with the particular and the private, and the dubious link between the passion with which opinion is urged and its substantive content (Hegel, 2010: 10), meant that this unorganised opinion offered an inferior alternative to legislative assemblies as a

mediating force between state and citizens. His demotion of 'public opinion' to merely 'opinion' (Habermas, 1989: 121) was a consequence of his critique of civil society as an antagonistic system of needs, in which the liberal interpretation of public opinion as plain reason was but pretence (Habermas, 1989: 118). Further, the liberal view that political authority was legitimated by what Hegel saw as particularistic public opinion and conflicted private interest, meant a confusion of civil society and the state, whereby the former tended to absorb the latter (Habermas, 1989: 119).

Rejecting liberal freedom as an abstraction for splitting individuals from their communities, he argued that concrete freedom required individuals to also pursue their lives as members of the state (Gripsrud et al, 2010: 2), the sphere of true universality, and made clear distinctions between the state, civil society (market economy, law, corporations) and the family sphere of emotional ties. In Hegel's triadic system, the public sphere is located between civil society and the state, but it little resembles the model that Habermas was later to develop. Hegel praised the legislative assembly of estates that represented members of civil society, and its public transactions that educated citizens about their 'true' interests, as the crucial mediating organ between the state and the isolated individuals of civil society (Gripsrud et al, 2010: 9). The public sphere was thus demoted to education rather than the realisation of reason, and the publicity of the estates demoted to the function of integrating the subjectivities of citizens into the objectivity of the state from above (Habermas, 1989: 120). Developing a nuanced theory of civil society in terms of privacy and legality, plurality and association, and publicity and mediation, his inclusion of the economy within civil society, and the paternalistic and statist character of the public sphere he envisaged, limited political-philosophical debate to a statist-economist dichotomy (Cohen & Arato, 1992: xiv). Rather than constituting the sphere of autonomy and emancipation from domination in which private people could relate to one another and form a public, Hegel saw civil society as antagonistic, naturally tending towards disorganisation and requiring integration by political (statist) force, and thus as an inappropriate basis on which to translate political into rational authority (Habermas, 1989: 122).

For Karl Marx, however, the estates on which Hegel based his constitutional model were incapable of linking state and society. Locating these estates in the political sphere was illusionary because, in a prerevolutionary society, they had dissolved into little more than social classes of civil society (Habermas, 1989: 122). In the way that elements of civil life determined an individual's relation to the state, however, society had nevertheless some sort of political character. But political revolution, and the making of the state a general concern, would abolish this limited political character and dissolve civil society into individuals and material and cultural elements, while the 'political spirit', fragmented by feudalism, would be reassembled and liberated from its confusion with civil life into a sphere 'common to all', the 'general affair of the people', independent of the particularism of civil life. Professions and ranks, no longer the link between individuals and state, would sink to individual importance, while public affairs would become the general affair of each individual and politics a general occupation (Marx, 2000: 63).

Marx exposed the contradictions in the rooting of the public sphere in the private realm of civil society, arguing that the emancipation of civil society from state regulation did not insulate it from power, but introduced instead new relations of power between owners and wage earners. Because access to property and education was unequal, the public sphere contradicted its own principle of universal accessibility. And because the 'public' and 'civil society' represented property owners rather than the whole of society, 'public opinion' was nothing more than false consciousness, hiding the particular interests of this bourgeois class (Habermas, 1989: 124-5).

Although the separation of state and society corresponded to the division of man as public and private person, as a property owner 'unfree' of private interests the *bourgeois* (property owning private person) could never actually assume the functions of a *citoyen* or engage as an *homme* (human being) representing society as a whole. In Marx's interpretation, it was the very separation of the public and private realms of the bourgeois constitutional state that prevented the dissolution of political domination that it promised (Habermas, 1989: 124-5).

The bourgeois public sphere arose historically in conjunction with a society separated from the state, whereby the 'social' was constituted as a separate sphere by the reproduction of life taking on private form, and the private realm assuming public relevance. But with the expansion of the franchise the public sphere would come under the control of groups that, because they lacked control over property, had no basis of private autonomy and consequently no interest in preserving society as a private sphere. The enlarged public and democratically revolutionised public sphere would, in theory, represent the real civil society of 'society as a whole', and only then become a sphere of deliberation capable of subjecting political domination to reason (Habermas, 1989: 126-8). With the dissolution of class distinctions and of 'political' power (as the organised power of one class for oppressing another) into 'public' power, Marx supplied a socialist alternative to the liberal model of the political public sphere. In this counter-model, with public control extended to the non-property owning portions of civil society, autonomy is no longer based on private property or grounded in the private sphere but founded in the public sphere itself: 'Private persons (come) to be the private persons of a public rather than a public of private persons' (Habermas, 1989: 128-9). Rather than the citizen of a state being a function of the freedom of a property owner, the freedom of private people becomes a function of their role as citizens of society. As such, the public sphere no longer links a society of property-owning private persons with a state; rather, the autonomous public of citizens of a society secures for itself a private sphere of personal freedom, such as in an intimate sphere set free from economic functions, in which marriage, for example, becomes private in the sense of no longer the concern of society (Habermas, 1989: 129).

As literacy increased and the taxes on newspapers came to end, and as the franchise became more universal and participation in public reasoning became more inclusive of non-business and non-professional classes, scepticism about the political role of public opinion also grew throughout the 19th Century (Gripsrud et al, 2010: 1). As conflicts hitherto considered private emerged in public, the public sphere became an arena of competing private interests and reasonable consensus degraded into compromise (Habermas, 1989: 132). Considering the pressure on legislators to respond to public opinion as presented by the popular press, John Stuart Mill moderated his faith in individual autonomy and the liberal freedom of expression

with his reservations about the moral coercion of public opinion, and the old tyranny of inherited power being replaced by a new 'tyranny of the majority', endorsing without scrutiny or debate only the most popular views and received opinion, and constraining the expression of minority opinions (Gripsrud et al, 2010: xvii; 2). As well as the partial character and infallibility of prevailing opinions (Mill, 2010: 20), Mill acknowledged the impossibility of fixing the bounds of fair discussion (Mill, 2010: 21). However, because the denunciation of intemperate discussion is mostly applied as a restraint of its employment against the prevailing opinion (discouraging, for example, offensive attacks on religion), opinions contrary to those commonly received can only obtain a hearing by studied moderation of language (while religious attacks on infidelity are exempted from consideration of the offence they may cause) (Mill, 2010: 21-22). As such, Mill argued against the qualification of free expression by legal or political authority, leaving it to public opinion itself to adjudicate on an individual basis the morality of public discussion (Mill, 2010: 22) through the process of open and principled deliberation in which participants are required to think from the perspective of 'those who think differently from them', 'to accord them equal respect' and to state their opinions without distortion or exaggeration; conditions to which Habermas would later refer for the development of his own position (Gripsrud et al, 2010: 15). But by warning that the power of public opinion should not be allowed to swallow up all other forms of power, Mill had shifted the function of public opinion from one of dissolving power to one of less ambitiously limiting and dividing power (Habermas, 1989: 136).

3.3 MASS SOCIETY, LIBERAL DEMOCRACY AND THE PRIVATE CITIZEN (SCHMITT, LIPMANN, SCHUMPETER AND DEWEY)

Though the principle of publicity and public opinion had been the topic of the 18th Century, electoral reform and the extension of equal political rights became the focus of the 19th Century. The enlargement of the public sphere did not in principle lead to its undermining, but it did lead to an ambivalent conception of the public sphere in the theory of liberalism, as its social-philosophical representatives took on board and

developed the socialist critique while economic liberalism reached its peak (Habermas, 1989: 130). Whereas the socialists had demonstrated that the basis of the public sphere did not actually meet its preconditions and so needed to be set up differently, the liberals went further and challenged the presuppositions of a natural basis upon which the idea of the public sphere rested – proposing instead the conservation of a relativised or realistic form of bourgeois public sphere (Habermas, 1989: 131).

By the 1920s, universal suffrage in most European countries and the abolishment of illiteracy laid the foundation for a well-informed public. But according to the developing 'mass society' critique, it also offered new possibilities for the manipulation of the masses through advertising and propaganda. Both the political left and the conservative elite viewed democracy with scepticism, interpreting it respectively as a bourgeois regime or mob rule, while the rise of Fascism liquidated democracy in Italy, Germany and Spain.

Carl Schmitt saw the theory of liberal democracy as a mask for what was, in reality, a system whereby parliament was influenced by organised interest groups, and decisions were made behind closed doors by committees (Gripsrud et al, 2010: xvii), rather than a system whereby the public's representatives participated in open and public discussion (Schmitt, 2010: 83). Because of both this influence of such groups on the state, and the state's expansion and intervention into society, Schmitt dismissed as invalid and outdated the dualism of state and society (Gripsrud et al, 2010: 73). For Schmitt, the liberal faith in public opinion was really a concern with the openness of opinion. At first a practical means to combat the secret politics of the absolute state, he argued that openness became an absolute value for liberalism, so that the openness of political life became the benchmark of the extent to which politics was right and good. A free press became the guarantee of the elimination of secret politics, making the misuse of power unthinkable in a society in which public opinion has such a controlling force. Referring to Mill's caution that public opinion could result in the crushing of minority opinion, however, Schmitt emphasised the contradiction between democracy and freedom, and critiqued the misplaced Enlightenment faith in the progress of publicity (Schmitt, 2010: 76-77). Demonstrating that openness and discussion had become empty and trivial, he

argued that the freedom of the press had lost its rationale and parliament its foundation and meaning (Schmitt, 2010: 83-84). (This line of argument also, however, formed part of Schmitt's defence of dictatorships and led to his membership of the Nazi Party.)

In the USA, however, growing tensions between the ideal of the public sphere and the reality of democracy also led to distinctively different approaches to democracy and the role of the public. On the one hand, Walter Lipmann and Joseph Schumpeter dismissed as pretence the normative emphasis on citizenship and public opinion; arguing that voters were merely consumers, and parties like entrepreneurs that aggregated consumer interests as public opinion, they modelled democracy on principles derived from the market. On the other hand, John Dewey emphasised a view of democracy as a forum for public debate among active citizens, legitimated by its capacity to distinguish between truly public opinion and that which has been manufactured (Cohen & Arato, 1992: 4-8).

Lipmann's 'realistic' approach dismissed the unattainable ideal of the 'sovereign and omnicompetent citizen', replacing it with the portrait of the private citizen, detached from public affairs (Lipmann, 2010: 25-27) and disenchanted by his failure to embody that false ideal (Lipmann, 2010: 32). Distinguishing between the specific opinions of the private citizen and the general opinions of the public citizen, Lipmann argued that the two opinions 'merged insensibly' into one another, with general notions influencing individual decisions, and direct experiences unconsciously governing general notions, so that public opinion became nothing more than the 'attempt to control the actions of others from the outside' (Lipmann, 2010: 34-5). Citing statistics on the decline of the percentage of votes cast as those eligible to vote had risen, he denounced as fallacy the assumption that the people desired to participate, and suggested that public opinion would not be improved by more people being asked to express their opinion more frequently (Lipmann, 2010: 31). Disregarding also the idea that the press could be effective at informing the public (Gripsrud et al, 2010: 23), particularly in the context of a society increasingly too complex for unqualified citizens to understand, he proposed that only experts should be given the task of understanding public affairs, and relegated the public to the role of choosing among given alternatives (Gripsrud et al, 2010: xvii), aligning

itself for or against a proposal, personalising whatever it considers (Lipmann, 2010: 38), rather than forming public opinion (Gripsrud et al, 2010: 25; Lipmann, 2010: 37).

Likewise, Schumpeter was sceptical of the ability of the public to form a rational opinion and to choose representatives capable of giving effect to that opinion, arguing instead that the public's role should simply be to choose a government, with democracy being nothing more than a competitive market for votes among elites, and the public sphere an arena for persuasion (Gripsrud et al, 2010: xvii). He argued that it was unrealistic to attribute either rationality or independence from influence to the individual citizen, and presumptuous to interpret the will of the people in the aggregation of the wills of individuals (Schumpeter, 2010: 56-58). Schumpeter saw the ordinary citizen as ignorant, irresponsible and infantile in political matters, regardless of the amount and quality of information to which they have access (Schumpeter, 2010: 62). As such, he also proposed that the deciding of issues by the electorate should be secondary to the election of representatives (Schumpeter, 2010: 67).

On the other hand, Dewey, another prominent critic of actually existing politics, saw democracy as a way of life rather than simply a political decision making system. Rather than reducing democracy to the electoral system and the actions of experts and elites, Dewey saw democracy as more than simply majority rule, a technical means to an idealistic end (Gripsrud et al, 2010: 24); it was 'the means by which a majority becomes a majority through debate' (Gripsrud et al, 2010: 43). Although the recognition of common interests can be confused by popular government, it recognises at least the existence of common interests, which are clarified to some extent by the democratic need for discussion and publicity (Dewey, 2010: 49). Dewey emphasised the significance of the public sphere as an arena of deliberation in which majorities and minorities share common knowledge and become competent at discussing and judging. Responding to Lipmann's elitist view of democracy and pessimistic appreciation of the public, he argued that experts were far removed from the common interest and ignorant of the needs of the society they were supposed to serve (Dewey, 2010: 49), becoming effectively a class with private interests and private knowledge, and consequently an illegitimate check on power. In contrast,

public deliberation is legitimated by the implication of citizens in the political affairs by which they are affected (Gripsrud et al, 2010: xviii). Furthermore, the very individualistic characteristics supposed to incapacitate the public from participation in public affairs, he argued, actually made them unfit for passive submission to intellectual elites (Dewey, 2010: 48). The role of the technical expert was, rather, to manifest their expertise and to make known the facts upon which decision making depends, the bearing of which upon the common concerns of society the public can then debate and judge (Dewey, 2010: 50).

In the ideological ecology of the Cold War era, the survival and extension of communism replaced fascism as an alternative to democracy, and helped shape a new type of social critique, in which the idea of the public sphere was rediscovered and elaborated (Gripsrud et al, 2010: 91). Diagnosing a breakdown in the distinction between public and private, both Hannah Arendt and Jurgen Habermas outlined accounts of how this came to happen. While Arendt drew upon Ancient Greek distinctions to diagnose a political deficit in modernity, Habermas drew upon the 18th and 19th Century critics of public opinion and press freedom to elaborate the changing function of rationality in the liberal public sphere.

3.4 PUBLIC, PRIVATE AND THE RISE OF THE SOCIAL – THE LOSS OF DISTINCTIONS AND BORDERS (ARENDT)

Arendt's position is difficult to situate between mass society, republican and liberal traditions, however. Although she defended fundamental liberal rights and stressed the importance of civic engagement and collective deliberation, Arendt criticised the theory of representative democracy and opposed the construction of political community on the basis of apolitical categories, such as religion or race (Gripsrud et al, 2010: 91). Contributing to the 'classical' political republican tradition, Arendt adopted the language of 'mass society' theory to argue that politics was irreducible to other spheres of human life, having its own space and principles. In her theoretical model, politics occupies a public space (visible to oneself and others) constituting a

common 'world' that both relates and separates. The 'world' is an artificial space that connects us to and separates us from our fellows. Its 'spatial, in-between quality' is the condition for human freedom, for having a self capable of political relations. The Arendtian view of politics requires spaces that separate people, as only with distance and divisibility are people enabled to act as plural persons. It is important to note, however, that not all that is public (such as a school) is political for Arendt; for a public space to become political, people must meet in it as equals, neither being ruled nor ruling, a principle derived from citizenship rather than from being human. Politics as the public space of equality is distinct from both the private and the social. In the private realm, people meet as intimates, conducting private life in isolation from the *polis*, and tending towards exclusivity, the result of personal choice. Whereas the political realm belongs to all, private life requires a place of one's own. Although privacy is less than human in the Greek view of the private realm, a life without privacy, for Arendt, would be meagre; likewise, a life continually in the public realm would be equally detrimental (Baehr, 2000: xxxiii-xxxiv).

In terms of historical approach, Arendt saw history as an 'untidy heterogeneity' rather than as a sequence of episodes devoid of inherent value and significant only in their contribution to the direction in which history is moving (Baehr, 2000: xxxii). Her technique was to 'dismantle' traditions (Baehr, 2000: xlv), methodologically 'making, adapting and stretching distinctions between terms that were generally familiar' (such as 'labour' and 'work') (Baehr, 2000: xix). Although her work is often interpreted as a nostalgic history of decline, her methodology was rather 'the attempt to think through human history, sedimented in layers of language' (Benhabib, 1992: 76). Opposed to 'rupture, displacement and dislocation', she emphasised the continuity between the past origin and the present condition, and sought to uncover at the origin the 'lost and concealed essence'. In the case of her historical reading in *The Human Condition* of the dignity of political life from ancient to modern times, this amounted to a search for the 'original meaning of politics' and the 'lost' distinction between the public and the private (Benhabib, 1992: 77).

Focusing on an elaboration of theoretical distinctions and taking the ancient Greek distinction between *oikos* (household) and *polis* (city) as her starting point, Arendt's

opposition of the public and private realms unquestionably privileged the former. But of utmost importance to Arendt was the maintenance of the distinction between the two realms, emphasising the significance of the Ancient Greek border between them, and presenting the 'rise of the social' as the unfortunate blurring of that distinction.

In Ancient Greek, there was no clear distinction between the 'social' and the 'political', as there was in Latin or in the medieval recognition of the 'common' interests of private individuals (Arendt, 2000a: 189), only between private and political life; where what is one's own (*idion*) is always private and where what is communal (*koinon*) is always political, and where the former was located in the home and the family (*oikos*) and the latter in the *polis* (Arendt, 2000a: 183). The later concept of 'society as mankind' was less a human condition for the Greeks than an individual dependency upon others imposed by the needs of biological life, and therefore also confined to the *oikos*, in opposition to the specifically 'human' capacity for political organisation transcending such 'natural' association (Arendt, 2000a: 183). In ancient thought, 'society' referred merely to a collection of families organised economically; the political form of this organisation was referred to as the 'nation'. Anything that was economic related to the individual and the survival of the species, and was essentially non-political. For the Greeks, it was unthinkable that politics could ever exist as a function of society, or that social freedom could ever justify the restraint of political authority (Arendt, 2000a: 187). The means of politics was 'power', an energy derived from collective action, and its vital condition was the equality of citizenship and the plurality of human beings (Baehr, 2000: xxx). Society was the realm of unfreedom (Arendt, 2000a: 187), and to be equal in the *polis* meant nothing more than the freedom to neither rule nor be ruled among one's peers (Arendt, 2000a: 188).

Although the rise of the city-state institutionalised the rise of the public over the private realm, boundaries (*horoi*) between public and private parts of the world prevented the *polis* from violating the private lives of its citizens out of respect for private property as the guarantee of a man's location in the world and his participation in world affairs (Arendt, 2000a: 186). Despite the facts that necessity dictated the activities performed within the *oikos*, and that the *polis* was the sphere of freedom, the two spheres were linked by the mastering of the former being the

condition for participation in the latter (Arendt, 2000a: 186-187). The *horoi* therefore served as a link as well as a division between the two realms, 'relating and separating' them (Arendt, 2000a: 201), guaranteeing the integrity of the public realm by protecting privacy for its political function. This border between the privacy of the home and the publicity of political life was mutually constitutive. Privacy was the hidden side of publicity; while to be political was to attain the height of existence, to be deprived of privacy was to be no longer human (Arendt, 2000a: 208).

But when economic activity rose to the public realm and when private interests assumed public significance, the *horoi* were breached and the two realms flowed into each other, constituting a new hybrid realm of the social (Arendt, 2000a: 188-189), in which neither private nor political life were protected. Consequently, Arendt saw the social realm as undermining privacy as much as it undermined the political realm (Arendt, 2000a: 191). The 'rise of the social' refers to the emergence of society as a realm of social interaction between the state and the household, and the differentiation of a narrowly political realm, on the one hand, from the no longer commensurate economic market and household, on the other (Benhabib, 1992: 74). With the emancipation of the economic realm from the household, the pursuit of economic self-interest developed within the midst of ethical life (Hegel), and the political realm of individuals acting as citizens was occluded by the social realm in which they merely behaved as consumers. The shift is from the agonistic space of the Ancient Greek *polis* to an associational space of modern society; from competition between political elites in order to transcend the futility of everyday life, to the association of people merely acting in common; and from a strict separation between politics and society, based upon a homogenous but exclusive community, to a porous model of public space in which the distinction between politics and society has broken down.

The rise of the social has blurred the borderline between the private and the political, changed their meanings and their significance for the individual and the citizen (Arendt, 2000a: 191). Viewing individualism as nothing more than the equal absorption of all social groups into mass society, Arendt argued that its enrichment of the private realm had led us to overvalue privacy and to equate it with intimacy, rather than valuing it merely as a temporary refuge from the *polis* or *res publica*, too

long spent in which would be 'deprivation' (Arendt, 2000a: 193). Likewise, the democratic increase in the size of the body politic made it unwieldy, and increased the likelihood that the social rather than the political would constitute its public realm (Arendt, 2000a: 194). When the only thing people have in common is their own private interests, the non-privative traits of privacy, such as its function as a hiding place from publicity, and those of property, such as its significance as a worldly place of one's own, are threatened (Arendt, 2000a: 211-212). Devouring both political and private realms, this constantly growing social realm constitutes the public organisation of the life process and transforms modern communities into societies of labourers (Arendt, 2000a: 196-197) and consumers.

For Arendt, maintaining the distinction between public and private was important for nothing less than the constitution of reality. In terms of the visibility dimension of Ancient Greek thought on the distinction, reality is constituted by public appearance, so that in public life everyone is capable of seeing and hearing, and of being seen and heard by, everyone else with the widest possible publicity (Arendt, 2000a: 199). The reality of the public realm relies on the condition of plurality; the simultaneous presence of innumerable perspectives concerned with the same object, that of 'common concern' or 'public interest'. In mass society, however, people behave as if members of the same family, multiplying and prolonging the perspective of their neighbour and becoming entirely private, deprived of visibility and imprisoned in the subjectivity of their own privacy (Arendt, 2000a: 204-205). Because it blurs the border between public and private realms, mass society is incapable of relating and separating people, of discerning the sameness of the object and ultimately of assuring reality (Arendt, 2000a: 201-205).

Arendt's distinction between public and private has since been contended, however, notably by feminists who argue that the domains are porous, that domestic issues can be politically important, and that the private realm has traditionally been a realm of patriarchal power (Baehr, 2000: xxxiv-xxxv). Seyla Benhabib, for instance, has criticised Arendt's idealised account of the agonistic political space of the Greek *polis*, which was only possible because large groups of human beings were excluded while their labour made possible the leisure of politics for the few. Arendt's critique of the rise of the social is also, for Benhabib, a critique of the emancipation of these

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groups and their entry into political life, seeing public space as necessarily elitist and exclusionary, and therefore opposed to political emancipation and the extension of citizenship rights (Benhabib, 1992: 75). The distinction between the social and the political, for Benhabib, is no longer possible in modernity because the struggle to make something public is a struggle for justice, with every new group bringing with it an extension of the scope of what can be called public matters (Benhabib, 1992: 79). In contrast to Arendt's agonistic view of public space, seeing it procedurally in terms of either a certain type of activity (action rather than work or labour) or content (public dialogue), she proposes an associational model (adapted from Habermas's discourse model) which can emerge whenever and wherever 'men act together in concert' (Benhabib, 1992:78). An associational view, she argues, avoids relegating all economic and technological issues to the private realm, recognising instead the extent to which they can be based on power relations and therefore become matters of public dispute (Benhabib, 1992: 80). For Arendt, however, the personal could never be political, and the blurring of the two realms is unfortunate. The 'social', a product of the modern market economy (the rise of mass culture, and the transformation of property into wealth), impinged on both the public and the private. The social is typified by its instrumentalism and uniformity; instead of the equality of the public sphere, there is only the conformism of mass taste (Baehr, 2000: xxxv).

Sometimes Arendt's remarks on the social were more restrained, however – while she deprecates it in *The Human Condition*, she defends it in 'Reflections on Little Rock'. In the latter work, it is a realm that is nevertheless worth protecting; because it is a hybrid realm between the political and the private, it is the first realm one encounters upon leaving the privacy of one's home, before entering the political realm, and in which in the modern age, men spend most of their lives (Arendt, 2000b: 237). If the principles governing the political and the private are, respectively, equality and exclusivity, then that governing the social is 'discrimination': 'the ability to choose not who your fellow citizens are, or with whom you share your home, but what occupation you wish to pursue, what people you wish to congregate with…'. As equality is a political right, discrimination is a social right (Arendt, 2000b: 238), indispensable and legitimate within its borders (Baehr, 2000: xxxvi). Without discrimination, society would cease to exist, as would free association and group formation (Baehr, 2000: xxxv-xxxvi; Arendt, 2000b: 237-238). So Arendt isn't

against 'society' as such, but 'mass society' which blurs lines of discrimination, and the encroachment of discrimination (a specific type of choice) into political and personal realms. Mass society is a danger to society rather than personal identity, which has its source beyond the social realm (Arendt, 2000b: 238). Controversially, Arendt argued that government interference in social discrimination (to impose upon society a political ideal such as equality) would be an infringement on civil liberties. Specifically, she argued against the enforcement of civil rights where no basic political right was at stake, and where social and private rights could be affected (Arendt, 2000b: 243). Arendt rallied to prevent the political from being threatened by the social and the personal, but also vice versa – it was the distinction and border between them that was important (Baehr, 2000: xxxvi).

Writing later on the 'social question' (distinct from her writings on the 'social' and a question that preceded the emergence of 'mass society'), Arendt contrasted the American and French revolutions, and the conflation of the political and the social in the latter. The French revolution made the political freedom of a leisured few to speak and act upon the public stage of the commonwealth equivalent to social equality and freedom from poverty (Baehr, 2000: xxxvii). In contrast, the American Republic became a public space that both related and separated, encouraging political freedom (Baehr, 2000: xxxix) and making social issues irrelevant to politics.

In contrast to modern representative democracy, Arendt praised the republicanism of the American founding era and the short-lived, interstitial, local and small-scale political bodies that arise at revolutionary junctures, for the emphasis on political participation and self-governance, free from statist rules and a concern with the social question. The flaw in the American Constitution was its barrier to participation, displacing power from local politics to federal government (Baehr, 2000: xli). Arendt echoed Thomas Jefferson's critique that a centralised system made citizens remote from government, and his fear that the Constitution had given all power to citizens *as private people*, without giving private people the space to act *as citizens*. In the context of increasing economic development (and the rise of the social), this meant a decreasing concern for public duty and a turn to private interests. (Baehr, 2000: xlii). In this occlusion of the political by the social, the intimate spheres of society lose their function, authority and authenticity, dissolving

into a sphere of pseudo-privacy (Wolfe, 1997: 184), while the public space of politics is transformed into a pseudo-space of interaction in which individuals no longer 'act' as citizens but 'merely behave' as urban city dwellers, economic producers and consumers (Benhabib, 1992: 75),

CONCLUSION

This overview of the literature upon which Habermas drew for his 1962 book, as well as of the literature he perhaps should have drawn upon, serves the purpose of contextualising his own subsequent account of the public sphere and of introducing the following chapter of this thesis. It also highlights problems with assuming too clear and simple a distinction between public and private, and suggests as much for that between citizenship and consumption.

Although Arendt sought to 'dismantle traditions', 'stretch distinctions' and emphasise the 'continuity between the past origin and the present condition', her distinction between citizens and consumers, and her critique of the lost values and functions within contemporary modernity, certainly suggest a narrative of decline to parallel that of Habermas. Arendt's emphasis on the public-private distinction is qualified, however, by her insistence upon their mutual dependence and, in particular, upon the private realm's importance for the public realm. Similarly, Lipmann's and Schumpter's critiques of the extent to which private citizens can become public citizens without the two roles 'merging insensibly' into one another, and the earlier critique of the extent to which public opinion can be distinguished from private interests, cautions us against too simplistic a reading of the public-private dichotomy. The republican critique also suggests that, in liberal thought, citizenship is little more than the counterpart of consumption, both as potentially passive (and active) as the other. What Habermas takes from the critiques of liberalism (as we shall see in the next chapter) is a republican emphasis on citizenship as rational-critical debate rather than as merely a legal-political status or

set of rights. As well as scepticism towards the supposed neutrality of the market, he also (more controversially) takes on board a wariness regarding the effect of democratic inclusion on the 'publicity' of public opinion, which has led, in public sphere theory, to political-philosophical debates on the distinction between politics and the social. For media and communications critiques of broadcasting regulation, however, such debates pose fundamental problems for the appropriation of the public sphere concept, and for opposing a vague concept of citizenship to an equally vague notion of consumption, as a means to defend PSB against a market alternative.

This early literature offers a powerful critique of liberal press freedom, to which the public sphere can be counterposed as a theoretical corrective, and substantiates in part the more contemporary critique of commercial pressures in the media and the associated defence of PSB. But it also offers a critique of accounts that valorise the citizen (in contradistinction to the consumer) as someone capable of acting rationally and critically, and therefore problematises the extent to which PSB and citizenship can be simplistically opposed to consumption and the market. While doubt has been cast upon the extent to which market-based press freedom can produce rational-critical citizenship, the extent to which this can be produced by PSB must also be more critically examined, and the following chapters will endeavour to do that.

Having outlined the Arendtian view of an agonistic public space and the critiques of the liberal approach to public opinion, the next chapter will deal with the Habermasian view of a discursive public space, providing a close reading of his seminal book on the history of the bourgeois public sphere, before dealing in-depth (in Part Five) with the theoretical debates it subsequently engendered.

Part Four: Habermas and the Bourgeois Public Sphere

While the model of the public sphere depends upon a clear separation of public and private realms, Habermas's intention with his *The Structural Transformation of the Public Sphere* (*STPS* from hereon) was to elaborate and improve upon the Hegelian (public-private) distinction between state and civil society, by developing the notion of a sphere that was fundamentally private, but which was capable of becoming public. Whereas Hegel equated civil society with the economy, and saw the legislative system of estates as the force that mediated state and civil society/economy (from above), Habermas developed the model of the public sphere of civil society as that which mediates state and civil society (from below), simultaneously (although not unproblematically) distinguishing between society and the economy, and liberating politics from the state.

Part Four of this thesis will engage directly with the literature on the Habermasian public sphere. It will offer a close reading of Habermas's *STPS*, teasing out the intricacies of his argument, as well as the tensions (subsequently criticised by others) within his own approach, to suggest that the dominant reading of his theory within broadcasting scholarship has been somewhat selective. In particular, Habermas's focus on the welfare state and passive citizenship as the main cause of the decline of the public sphere, more so than the commercialisation of the press and the rise of consumer society, poses particular problems for the appropriation of his concept by defenders of PSB against the threat of commercialisation. Habermas's more nuanced treatment of the relation between citizenship and consumption, as well as the problems with his approach to doing so, also pose problems for a strictly dichotomous approach to active citizens and passive consumers, as well as a simplistic and negative account of the shift from one to the other.

Although originally published in 1962, Habermas's *STPS* wasn't translated into English until 1989. Until then, the only available text in English remained the 1974 translation of his 1964 encyclopaedia article on the public sphere. This chapter appropriates the clearer structure of that short article to offer a close, comprehensive

and unselective reading of Habermas's argument, as developed throughout both the book and its more accessible encyclopaedic condensation. Beginning with an account of Habermas's concept of the public sphere, it will then summarise his account of its history from antiquity to modernity; although his narrative echoes that of Arendt, he pays far more attention to the role played by media, and his focus is more explicitly related to the political-economic rise of mercantilism and liberalism than an abstract account of modernity. His interrogation of both the bourgeois and welfare-state models of the public sphere will then be elaborated in detail, and those aspects that have been selectively unread by advocates of PSB as a public sphere will be highlighted and critically discussed in the conclusion.

4.1 THE CONCEPT

Habermas's threefold intention is to provide: a historical understanding (from classical antiquity, through feudalism, to early mercantilist capitalism and the birth of liberalism) of the structures of the public sphere; a sociological clarification of the concept (defining it as the sphere occupied by 'society' in between the political and economic spheres) (Habermas, 1989: 68); and a systematic comprehension of contemporary (mass democratic) society through one of its central concepts (1989: 5).

As the translator notes at the beginning of the English language version of Habermas's book, originally appearing in German under the title *Strukturwandel der Öffentlichkeit*, the term *Öffentlichkeit* can be translated as either '(the) public', 'public sphere', 'publicity' or 'publicness'. Originally a function of public opinion, Habermas argues, the term 'publicity' has become, via the mass media, an attribute of whatever attracts public opinion (1989: 2). The term *Bürger*, as in *Bürgerliche Öffentlichkeit*, can also be rendered as either 'bourgeois', 'middle class', 'civic' or 'citizen' (Burger, 1989: xv). Habermas's account of the historically-specific category of the bourgeois public sphere limits itself to an investigation into the emergence and

transformation of its 'post-literary' *liberal* model, leaving aside its 'illiterate' *plebeian* 'variant' (Habermas, 1989: xvii-xviii).

Drawing on CW Mills's distinction between 'public' and 'mass', Habermas contrasts public and mass communication. In an autonomous public, as many people express as receive opinions; there is the possibility to answer back; discussion can lead to effective action; and authoritative institutions do not penetrate it. By contrast, in a mass, fewer people express than receive opinions – the community of publics becomes an abstract collection of individuals who receive opinion from the mass media; it is difficult or impossible to answer back; the realisation of opinion is controlled by authorities; and authorised institutions penetrate the mass and reduce its autonomy (1989: 249).

According to Habermas's interpretation of the model, citizens became a 'public body' when they were free to assemble and express their opinions about matters of general interest (Habermas, 2010a: 114). When discussion turned to the role or activities of the state, this literary public sphere became a political public sphere (2010a: 115). Both these literary and political public spheres were located within civil society, which had in turn been established as a realm of commodity exchange governed by its own market laws (1989: 3). Through the subordination of political control to the democratic demand that information be 'made public', the executor of the political public sphere was the state; although it was itself set apart from the public sphere (2010a: 115). The metaphor of the sphere serves to illustrate that the public sphere mediated between society and the state (2010a: 115).

Today, *mass* communication links informal and formal opinion only through *manipulative* publicity, integrating non-public and 'publicly manifested' opinions through the culture industry's unquestioning promulgation. *Public* communication in the contemporary social-welfare state, in contrast, can only be brought about through *critical* publicity within intra-organisational public spheres (1989: 249), thus linking formal quasi-public opinion with informal and hitherto non-public opinions (1989: 250).

As the public sphere is the product of a historically-specific epoch, Habermas stresses the difficulty of applying the concept synchronically to either an industrially advanced social-welfare state or the Greek *polis*, despite both the appropriateness of such a term and the absence of a more precise alternative (1989: 1). He warns that any attempt to restore the liberal public sphere through the reduction of its plebiscitarily expanded form would only weaken those functions that remain, albeit residually, within it (1989: 208). He proposes instead the extension of publicity (as the subjection to the public's supervision) to political parties, special-interest associations and the 'politically influential mass media'. All are 'societal power centres whose actions are oriented to the state - private organisations of society that exercise public functions within the political order' (1989: 209). In accord with the principle of publicity, such organisations (including political journalism) should: have an inner structure that institutionally permits unhampered communication and rational-critical debate within; be open to the public to assure the link between the intraorganisational public sphere and that of the entire public; make their activities, whether applying pressure on the state or using power against one another, or in demonstrating relations of dependence or economic influence, transparent by making public their sources and use of financial means (1989: 209).

The process by which societal power is transformed into political power is as much in need of criticism and control as the state's use of political power over society; not only the state, but all institutions that are publistically influential in the political public sphere are bound to publicity. Although publicity is institutionalised no differently in the social welfare state than in the bourgeois constitutional state, it can no longer be realised in the same way. Whereas before it was rationalised through critical public debate, today it can only be rationalised through the exercise of societal and political power through their internal structures, and their interaction with one another and with the state (1989: 210).

4.2 HISTORY

Antiquity

Although the public sphere had not required a name of its own prior to its emergence in the 18th Century, he follows Arendt in tracing its underlying distinction between public and private back to its Greek and Roman origins (1989: 3). According to the 'stylised self-interpretation' (1989: 4) of the Ancient Greek city-state, the *polis* that was common to all citizens was strictly separated from the *oikos* that was specific to each individual, and public life was constituted for the most part in discussion (*lexis*) or common action (*praxis*) in the marketplace (*agora*). Participation in public life depended on a citizen's private autonomy as the master of a household in a patrimonial slave economy that freed him from labour (1989: 3). Within the ideological template of this Hellenic public sphere, citizens interacted as equals but also did their best to excel, forming public opinion through the open discussion of issues that were made topical (1989: 4). Although the social formation of the slave economy upon which this model was based was dispensed with, the public-private distinction and the public sphere, reconceived as the *res publica*, was later enshrined in Roman law and passed down through the Middle Ages. With the rise of the modern nation-state and the separate civil society, these categories have undergone a renewed application, serving both the political self-interpretation and the legal institutionalisation of the bourgeois public sphere.

Feudalism

The Roman law distinction between *publicus* and *privatus* could only be precariously applied to the lower and higher sovereignties of the feudal system of domination, in which private law provided no status by which private people could step forward into a public sphere (1989: 5). However, it corresponded more to the ancient Germanic legal distinction between the 'common' and the 'particular'; whereby common use and public wealth were opposed to the special and private interests that formed the core of the feudal 'public'. The feudal absorption of both Germanic and Roman legal

traditions led to both the conflation of the common man with the private man (i.e. the private rank of the common soldier), and the constitution of publicity as more a status attribute than a social realm (1989: 6-7). Because the feudal prince and his estates were inseparable from the territory, their publicity was represented before the public, rather than on the public's behalf (1989: 7-8). In contrast, the final form of representative publicness, receiving greater emphasis despite being reduced to the monarch's 18th Century court, and serving as a vehicle for the representation of the monarch rather than a representation of its own lordliness, had become 'an enclave within a society separating itself from the state', formally distinguishing for the first time between public and private spheres in the modern sense (1989: 10-11). In this modern sense, the 'public' state authorities served the public welfare, and the 'private' subjects excluded from public office pursued their own private interests (1989: 11).

At the end of the 18th Century, the representative publicness of the feudal powers disintegrated into public and private elements; religion became a private matter (1989: 11) and the public budget was split from the territorial ruler's private holdings, while occupational status groups developed into 'civil society' as a domain of private autonomy opposed to the state (1989: 12).

Modernity/Mercantilism

According to Habermas, early capitalism simultaneously stabilised the feudal mode of production, based on an enserfed peasantry and urban craftsmen, and unleashed new commercial relationships, such as the traffic in commodities and news, which would eventually dissolve it (1989: 15). The political order was initially unthreatened by the shift from the estate system to the far-reaching network of economic dependencies that it could no longer manipulate (1989: 15). But once merchants' market-oriented calculations required more frequent and exact information to deal with expanding trade, they set up the first mail routes between the great trade cities. The institutionalisation of regular communication through the press and postal services, making news accessible to the general public via the published word,

threatened what had, until then, been the traditional domain of communication; representative publicity (1989: 16). No longer satisfied with limited markets, from the 16ᵗʰ Century onwards the merchant companies became stock companies, and town-based economies became nationalised in the form of the nation-state (1989: 17).

4.3 THE LIBERAL MODEL OF THE PUBLIC SPHERE

As 'public' no longer referred to the representative court, but to the functioning of a depersonalised state apparatus (1989: 18), civil society and the market, rather than the household economy, became its 'private' corollary (1989: 19). Referring to Arendt on the rise of the social, Habermas stresses that the privatisation of economic reproduction, oriented towards a market economy that had expanded under public supervision, was of general interest beyond the household, taking on a public relevance beyond private interests (1989: 19). Concomitant with the emerging distinction between a political and social order in the mercantilist phase of capitalism, the rise of the commercial press developed both in connection with the needs of commerce, and in terms of news as a commodity itself (1989: 20-21). Although the state began to use the press as its own administrative instrument, addressing its announcements to 'the public' and in principle to all subjects, they tended to reach only the educated classes rather than the 'common man', so that a new 'bourgeois' and reading public arose within the public as a whole (1989: 21-23). Increasingly aware of itself as an opponent to public authority, this reading public subsequently developed into a public sphere of civil society (1989: 23).

Habermas compares the paradoxical intent of the state to both control commercial activity and encourage initiative through regulation, and the equally paradoxical commercial policy of the mercantilists towards both state enterprise and private business. The peculiar ambivalence between public regulation and private initiative made problematic the state's interventions, principally through taxes, into the private

sphere. Because, on the one hand, civil society now saw a strict distinction between public authority and a private domain, and because, on the other, the state reconstructed (through the press) life as a subject of public interest beyond the confines of the private household, state interventionism 'provoked the critical judgment of a public making use of its reason' (1989: 24). This led to a change both in the constitution of the public, from receivers of regulations from above to the adversary of the state (1989: 26), and in the function of the press, from the medium by which the state instructed the public, to the critical medium of public opinion (1989: 24-25). The public sphere now 'cast itself loose' as a forum in which private people came together to form a public, for the purpose of 'compelling public authority to legitimate itself before public opinion' (1989: 25). And from the mid-17th Century, references to a critical 'public' rather than merely the 'world' or 'mankind' became common (1989: 26).

The bourgeois public sphere was a sphere of private people come together as a public via the medium of the people's public use of reason (1989: 27), initially in apolitical form to debate culture (1989: 29), before evolving into a post-literary form of public opinion to put the state in touch with the needs of society. It reclaimed the public sphere regulated from above, and turned it against the public authorities themselves, engaging them in debate over the rules governing the privatised but publicly relevant sphere of commodity exchange and social labour (1989: 27), confronting state power with their own principle of control – publicity (1989: 28).

Following the polarisation of state and society, the process was repeated within society itself, with the separation of commodity exchange and the family, on the one hand, and the new public spheres in the worlds of politics and letters, on the other; private men thus comprising the roles of heads of family and property owners, as well as political members of a bourgeois public (1989: 28-30).

The town took over the social functions of the court, strengthened by new institutions, such as the coffee houses in Britain (1680-1730) and then the salons in 18th Century France (between regency and revolution), which became centres of literary and then political criticism (1989: 32). Within these institutions, the prestige and power of public office or private interest were left at the door, and inequalities of status were disregarded, the better argument carrying, in principle, more weight than status or rank (1989: 36). The public were free to determine their own common concern, debating issues that were unquestioned within the parameters of state or church discussion (1989: 36-37). And no matter how exclusive any given public might become, however, it could never be equated with *the* public, or with its mouthpiece or educator, and remained always in principle 'immersed within a more inclusive public' (1989: 37). Concomitant with these new institutions was the rise of a reading, theatre- and concert-going public, who paid to attend performances which were now more commodities to be consumed, judged and debated than passive celebrations of courtly splendour (1989: 39-40).

At the same time, (an individualising process of) privatisation made the home more suited to individuals than the family. The representative functions of the family's display before their servants in the parlour gave way to the conjugal family's living room, while family festivities gave way to social evenings at which private people gathered to form a public, or *salon* society (1989: 45). Habermas claims that such a scene represented the emancipation of the family and commodity owners from governmental directives and controls, but that nevertheless the family was never truly independent of society, labour and commodity exchange, and that commodity owners were now subject to the economic rationality and laws of the market. The rhetorical independence of the individuals in the family corresponded to that of the property owners in the market, to the extent that the bourgeois family's consciousness of its private autonomy denied its economic origins (1989: 46).

By the mid-18th Century, the public's communication with itself through the conjugal family had evolved into the rational-critical debate in the world of letters, held

together more by the professional press than early institutions such as coffee houses and salons (1989: 51).

The public sphere in the world of letters, already equipped with institutions of the public and forums for discussion, was then functionally converted into a sphere of criticism of public authority, so completing the appropriation of the state-governed public sphere by the public of private people making use of their reason (1989: 51), and giving rise to a battle between public opinion and public power over the regulation of society (1989: 52). In contrast to the *ancient Greek* public sphere, which was constituted by the *political* tasks of a citizenry acting in common to administrate law and defence, the *modern* public sphere was constituted by the *civic* tasks of a society engaged in critical public debate to protect a commercial economy (1989: 52). In contrast to the *res publica*, its political function was to regulate society (1989: 52). It was inherently, therefore, both private and polemical, whereas the Greek model was neither. In the former, the citizen's private status as master, upon which his political status as citizen depended, was based merely on domination, and was only agonistic *rhetorically*, such as in the mock war context of sporting events. The bourgeois citizen, in contrast, depended on the freedom and intimacy accorded him by the private family, and was *properly* agonistic through his disputes with his own government (1989: 52).

The Bourgeois Model

For Habermas, the family or intimate sphere was the core of the market or private sphere (1989: 55). In both the political and literary public sphere, the public of private people, whose autonomy rested on private property, represented itself as the bourgeois family and humanity (1989: 55). The privatised individual was both *bourgeois* (owner of goods and persons) and *homme* (human being). Importantly, there was a fundamental ambivalence in the private sphere(s): on the one hand, the family was bonded by human closeness and represented the individual's emancipation from society; on the other, the family was bonded by patriarchal authority that was representative of society. This ambivalence was shared with the

public sphere(s), whereby privatised individuals could communicate through rational-critical debate, in either the political realm or the world of letters, as both *bourgeois* (serving his own private interests) and *homme* (1989: 55-56). There was also a lack of congruency between the two publics; while women were active members of the literary public, they were excluded from the political public sphere (1989: 56). But in the self-understanding of bourgeois public opinion, both spheres were identical. The conflation of property owner and common man, and thus the fiction of *one* public, was accomplishable because ownership and education often went hand in hand. But the convergence of the private interests of property owners with the freedom of the common man was acceptable because it served a positive function in emancipating civil society from both mercantilist rule and absolutist regimentation (1989: 56).

Habermas uses Britain as the model case for the critically debating public's gradual assumption of political control. In the first instance, at the end of the 17th Century, the government was constitutionally based on law (via the Habeas Corpus Act and Declaration of Rights) (1989: 62). Secondly, by the end of the 18th Century, government could be said to be influenced by 'public opinion' – understood as the considered opinion of an educated and informed public formed by public discussion, rather than simply 'vulgar' or 'common opinion' (1989: 66). And thirdly, by the early 19th Century, parliamentary proceedings could legally be reported on.

The liberalised market and the general privatisation of civil society were the social preconditions for the public sphere (1989: 74). Civil society under absolutism was private only in the privative sense of social relationships stripped of their quasi-publicness, neither free from state authority and mercantilist regulation, nor having political functions of its own. Nevertheless, mercantilism had already paved the way for privatisation in accordance with the laws of the market (1989: 74). Civil society's status as private in a positive sense came to be associated with the freedom and autonomy of property owners, and social relationships subsequently assumed the form of exchange relationships (1989: 74), reduced by private law to contracts on the model of the free market, whereby commodity owners were assumed to be fundamentally equal and freely competing, and the legal status of the person was no longer defined by estate (1989: 75). This emancipation of civil society from public

authority and mercantilism, and the subsequent development of the political public sphere within the bourgeois constitutional state, were made possible only by the principles of *laisser faire* and a particular form of competitive capitalism that 'determined the entire phase we call liberal' (1989: 78).

The free (self-regulated) market was protected by law from state interventions (unless empowered by law), because of their arbitrariness rather than their violation of justice (1989: 79-80). In this law-based state, all state activity was bound to a system of norms legitimated by public opinion, so that legislation, distinct from executive power, would be the result of rational agreement rather than political will. Public opinion, as the consensus on what was politically necessary in the interests of all, brought about by the public competition of private arguments (1989: 83), was intended to be neither a check on power, nor a source of power, nor power itself, but the very dissolution of domination (1989: 82).

This constitutional state, founded on legislation, set out in law the functions of the public sphere through a series of rights. The first set of rights (freedom of opinion and speech, freedom of press, freedom of assembly and association) concerned the public engaged in rational-critical debate, and the political function of private people in this sphere (right of petition, equality of vote). The second set (personal freedom, inviolability of the home) concerned the individual's status as free human being in the intimate sphere. The third set (private property rights) concerned the transactions between private property owners in civil society. These rights guaranteed: firstly, the public and private (with the intimate sphere at its core) spheres; secondly, the institutions and instruments of the public sphere (press, political parties) and private autonomy (family, property); and thirdly, the political functions of private people as citizens and the economic functions of private people as commodity owners and human beings (1989: 83). The constitutional state predicated on civil rights claimed to be the embodiment of public power, organised to ensure its own subordination to a neutralised private sphere. But the presupposed model of civil society, based on historical tendencies rather than universal categories, failed to correspond to the reality, and the claim that 'power' came from the people betrayed the public sphere's character as an order of domination itself. The private people, upon whose property-guaranteed autonomy and education the constitutional state was built, were in fact a

minority of high and petty bourgeoisie, while the landed nobility continued to exercise power in accord with the political laws of pre-capitalist society (1989: 84).

Although the public sphere rested on the assumption of universal access, the public itself assumed a very particular form, as the dual criteria for admission to the public sphere of education and property ownership tended to demarcate the same circle of persons. The restriction of the franchise was not however synonymous with the restriction of the public sphere, as long as it was understood as merely the legal ratification of the status of the educated and property-owning private person, to which there was universal accessibility (1989: 85). This universal accessibility was decided by the structure of civil society from the outset, not ex post facto by the subsequent constitution and bestowal of franchise (1989: 85-86).

Such universalism was rooted in the economic, sociological and theoretical presuppositions of classical economics, whose assumption of free competition and independently formed prices, dependent upon a society of commodity producers in which the ownership of the means of production was evenly distributed, led to the conclusion that supply and demand would always be in equilibrium (1989: 86). If everyone had the chance to become a citizen, only citizens should be allowed entry to the political public sphere. The interests of the bourgeois class could be equated with the general interest of the nation as only such people, i.e. property owners, had private interests that could converge into a common interest that preserved the integrity of civil society as a public sphere. Only such private people could represent effectively the general interest, as it was unnecessary for them to distinguish between their roles as *homme* or *citoyen*, or to leave their private interests at the door, because as owners of private property their political task was to protect the property order as a private one. Class interest was therefore the basis of public opinion (1989: 87).

4.4 THE PUBLIC SPHERE IN THE SOCIAL WELFARE STATE MASS DEMOCRACY

Structural Transformation

When the social conditions that had given rise to the public sphere underwent a profound transformation, the contradictions that had been institutionalised in the constitutional state came to the fore, and exposed the identification of domination's dissolution with the continued prevalence of domination within a new political order (1989: 88). Over time, the original relationship between public and private dissolved, and the contours between them eroded. Neither liberal nor socialist models were adequate to make the diagnosis that as the public sphere penetrated more spheres of society, it lost its political function of subjecting public affairs to critical debate. The contradictory tendencies toward too much publicity and disregard for privacy, on the one hand, and too little publicity and an increase in secrecy, on the other, meant that the more the public sphere expanded, the more both the public and private spheres were undermined (1989: 140).

The public sphere emerged in a 'tension-charged field' between state and society in such a way as to remain part of the private realm (1989: 141). Even neo-mercantilist state interventionism at the end of the 19th Century, while restricting the autonomy of private people, didn't affect the private character of their relations with one another. Society as a private sphere only became questionable when the 'powers of society' assumed public authority, leading to the 'refeudalisation of society' (1989: 142). This state *interventionism* was due to the irreconcilability of conflicts of interest in the private realm, and had its counterpart in the transfer of public functions to private corporate bodies, constituting a dialectic between the societisation of the state and the stateification of society, and gradually destroying the separation of state and society that was the basis of the public sphere. The public-private distinction could no longer be usefully applied to the repoliticised social sphere (1989: 142).

By the end of the 19th Century, the restriction of competition and the onset of the long depression led to the abandonment of *laisser faire* principles across the capitalistically advanced countries, who now recognised that Say's Law of the

automatic equilibrium between production and consumption was a function of *historical* circumstance rather than a *natural* state of affairs. In the reality of imperfect competition and dependent prices, social power was concentrated in private hands, contrary to the theory of perfect competition, independent prices and horizontal exchange between equal commodity owners (1989: 144), and the liberal state's role of night-watchman was recast in light of the need for a strong state (1989: 144). This inequality and power in the private sphere translated into the public sphere, so that the common man could justifiably claim to be excluded from both spheres. With the extension of the franchise, and the rise of the unions, organised interests aimed to influence legislation as well as act as a counterweight to the labour market (1989: 145). As public services and social welfare were extended, the 'public costs of private production were complemented by the public costs of private consumption' (1989: 147). As state and societal institutions fused within the repoliticised social sphere of the social welfare state, the reciprocal permeation of state and society (1989: 151) meant that *public* and *private* law had to be superseded by '*social* legislation' (1989: 148).

As the private sphere of work and organisation became increasingly public, the family and intimate sphere, becoming ever more private, moved from the core to the periphery of this deprivatised private sphere (1989: 152). The objectification of the realm of work between public and private realms broke down the distinction between public bureaucracy and private enterprise, and the extent to which a large enterprise could ever remain under the private control of an owner or shareholder became questionable (1989: 152). Large enterprises developed into social institutions, or organisations, whether public or private (1989: 154), and private property no longer served to distinguish between owner and employee; instead, employees were linked to an institution rather than to each other via the status of 'function performance' (1989: 153). Meanwhile, the family lost its productive functions in favour of consumptive ones, and more importantly disengaged from social labour (1989: 154). No longer having to bear as private risk the eventualities of illness, age, underemployment etc, the family's individual members became publicly protected by the welfare state, which took over responsibility for shaping the conduct of the privacy of family life (1989: 155). Instead of control, the private autonomy of the family is maintained as consumption of income, leisure time and publicly guaranteed

benefits. This pseudo-privacy (1989: 157), or illusion of intensified privacy, comprises the family only insofar as it is constituted as a community of *consumers*, whose control is replaced by state guarantees within a framework of rights and obligations bestowed by the *welfare state* (1989: 156). As the public-private distinction broke down, private reading and rational-critical debate gave way to a fetishism of community participation and watching television together (1989: 158).

Mass Society and the Media

When the literary public sphere collapsed, it was replaced by the 'pseudo-public or sham-private world of culture consumption' (1989: 160), which blurred the distinction between *bourgeois* and *homme* (1989: 160). When the laws of the market pervaded the sphere reserved for private people as a public, rational-critical debate devolved into consumption, the public as audience became a passive body, and public communication unravelled into the individuated reception of the culture industry's products via the mass media (1989: 161). This transmutation of the original relation between the intimate domain and the literary public sphere, which from the beginning provided the illusion of bourgeois privacy, now uncoupled intimacy and the family from property ownership and capital. Although this freed private people from the ideological fusion of *bourgeois* and *homme*, it brought with it *new relations of dependence*; upon *public state guarantees* rather than *private property or participation* in the political public sphere (1989: 161).

Literary family periodicals were replaced by popular advertiser- and subscriber-financed magazines (1989: 162-163), and bourgeois forms of sociability were more generally replaced by diverse substitutes that nevertheless shared in common the abstinence from literary and political debate. Convivial discussion among individuals gave way to noncommittal group activities that lacked the institutional power to form a 'public' around them. With TV, radio and the cinema, privacy was no longer 'oriented towards an audience'. Whereas critical debate was dependent upon the reading done in the privacy of the home, the culture-consuming public didn't require any further discussion (1989: 163). Nevertheless, some critical debate persisted, but

only in the form of a secondary business, staged as panel discussion in the form of a consumer item. Although the commercialisation of cultural goods had once been the precondition for rational-critical debate, it had been in principle excluded from the exchange relationships of the market, and remained at the centre of the sphere in which private people met only as 'human beings', paying for what they consumed (books etc) but not the conversation about what they had consumed. In contrast, Habermas argues that conversation itself is now administered, and critical debate has become just another commodity. Consensus on content, now reduced to a matter of etiquette, is superfluous to consensus on form, the balancing of positions bound to prearranged rules and the demotion of conflicts from public polemic to personal incompatibility (1989: 163), and consensus developed in debate is itself yielded to compromise imposed nonpublicly (1989: 179). Critical discussion amongst a public becomes exchanges about taste between consumers (1989: 171). While performing important functions, it lacks a 'publicist' function and acts as a substitute for action (1989: 164), replacing a reading public with a mass public of culture consumers (1989: 168).

The function of the market had been restricted to the distribution of cultural goods and their removal from the exclusive use of a wealthy minority; the market didn't affect the quality of the good itself. Mass culture, however, adapts to the needs of the relatively uneducated consumer strata, bringing culture down to the masses, rather than bringing them toward the appreciation of a culture undamaged in substance through the guidance of an enlarged and educated public (1989: 165-166). Habermas distinguishes between, on the one hand, the market's function of economically easing access to culture and reducing culture to a commodity in form only, and, on the other, psychologically facilitating access to culture and reducing it to a commodity in content too (1989: 166). The latter criterion of consumer culture is accompanied by the destruction of the public sphere (1989: 167). The commercialisation of participation in an expanded public sphere led to depoliticised content and the transformation of the 'psychological facilitation' provided by the market from a means to an end, to an end in itself (1989: 169). The distinction between fact and fiction, journalism and literature, information and rational-critical debate, is abandoned, and the news becomes more superficially just news stories (1989: 170).

The 'new media' (by which Habermas meant broadcasting as a 'culture industry') reduced the distance between the public and culture, affecting both the privacy of its appropriation and the publicity of its debate (1989: 170), and reducing both public and private sphere to illusions. The public sphere becomes privatised as the sphere for the publicising of the private biographies of a consuming public (1989: 171), split into specialist minorities who use their reason nonpublicly, and the mass of consumers whose public receptiveness to culture remains uncritical (1989: 175).

Contrary to Marx's view that the entry of the propertyless and uneducated masses into the public sphere would bring about a truly public sphere, Habermas argues that it resulted in the interlocking of state and society, removing the public sphere from its former basis in the liberal public-private distinction without supplying a new one, and undermining its function as a go-between linking state and society. Instead, its mediating function has passed to special interest associations from the private realm and parties from the political realm, which attempt to gain the acquiescence of a mediatised public through the now autonomous mass media (1989: 177). The critical publicity of public opinion is consequently supplanted by the manipulative publicity of non-public opinion (1989: 178).

Habermas focuses on the press as the 'preeminent institution' of the public sphere to demonstrate the shift in its function as a special realm, arguing that its commercialisation led to the blurring of the public-private distinction within the private domain, while its dependence upon political guarantees of independence meant that it ceased to be exclusively located within the private domain (1989: 181). He criticises the rise of the editorial function and shift from publishing as the provision of news (that contributed towards public opinion) to the provision of public opinion itself (1989: 182). From the 1830s onwards, the press developed from taking ideological sides to seeing itself primarily as a business (1989: 184), increasingly influenced by private people as private individuals rather than as a public, and becoming the 'gate through which privileged private interests invaded the public sphere' (1989: 185).

But compared to the press, the economic concentration, technological-organisational coordination and capital requirements of film, radio and TV were so great that in

some countries they (at least broadcasting) had to be brought under government direction from the start. These developments turned private institutions of a public of private people into public corporations. Taking the telegraph industry as his example, he demonstrates the level of indirect dependence upon government, and the bestowing of semi-official status upon agencies by exploiting rather than eliminating their commercial character (1989: 187). The experience of press concentration gave cause (outside of the US) to block 'natural monopolies' in broadcasting as private business enterprises, organising them instead into public or semi-public corporations to prevent their capitalistic function encroaching upon their publicist function. The basis of these publicist institutions was thus reversed; no longer protected in the hands of private people from public authority, as in the liberal model, because in the long-run the economic, technological and organisational concentration had turned them into 'societal powers'. Although the mass media reaches a greater public than the liberal press, it has abandoned the public sphere for the once private sphere of commodity exchange. The more effective they are at publicity, the more accessible to private interests. While the liberal press transmitted and amplified debate, the mass media shape it (1989: 188), and *private interests are no longer left to the market as regulating force*, but are allowed instead to shape opinion, while private people as property owners are now able to influence private people as the public (1989: 189). He argues also that the broadcasting of parliamentary debates is inadequate as a means of providing opportunity to public participation, as it distorts debate and disrupts parliamentary work, making parliamentary deliberation secondary to its documentation (1989: 206). Further, *consumer culture*'s distortion of judicial publicity matches the *plebiscitary* distortion of parliamentary publicity. The mass media documentation of criminal trials constitutes more the packaging of court proceedings for consumers than it serves the control of the jurisdictional process by the assembly of citizens of the state (1989: 207).

The flood of advertising into the public sphere was not entirely due to the liberalisation of the market and the commercialisation of the press, however (1989: 189), nor did this necessarily entail a negative effect on the public realm. A separation of the media's publicist functions into those of the debating public and those of the presentation of private interests, along the lines of newspapers' distinctions between classifieds and editorials, could have protected the public realm.

But a clear distinction between an economic and political public sphere was never achieved; and both the *horizontal competition between private interests* through advertising, and the *vertical competition between class interests* (through the expanded franchise and the appeal to the mass of consumers) invaded the public sphere (1989: 192).

Through public relations, economic advertising became aware of its political character. Although private adverts are directed to consumers, opinion management claims to play a political role in the public sphere. The message sender hides their business intentions in the role of someone interested in public welfare, and the addressee of public relations is public opinion and the public of private citizens, 'not directly consumers'. This influencing of consumers exploits the idea of the public sphere for its own ends, integrating the functions of the public sphere into the competition of organised private interests (1989: 193), and the subsequent engineering of consent leads to consumers' false consciousness that they contribute responsibly to public opinion (1989: 194).

The original basis (and the double condition) for the convergence of opinions into the public interest collapses; the public is no longer restricted to private people as members of civil society, and debate is no longer restricted to the foundations of civil society as a sphere of private control. The fake version of the public sphere, shaped by public relations under the aegis of a sham public interest, produces a mood of conformity among its customers, and imitates the feudal features of representative publicity. The refeudalisation of the public sphere occurs also in another sense; the state itself is subjected to the code of public relations and the more general fusing of entertainment and advertising. 'Because private enterprises evoke in their customers the idea that in their consumption decisions they act in their capacity as citizens, the state has to "address" its citizens like consumers. As a result, public authority too competes for publicity' (1989: 195).

With the interpenetration of state and society, the bridging functions of the public sphere (including parliament as the 'public sphere established as an organ of the state') were lost. Correlative to the weakening of parliament was the strengthening of both bureaucracy, on the one hand, and special-interest associations and political

parties, on the other; i.e. the means by which state was infused into society, and society was infused into state. The new public sphere integrated state and society in a different fashion (1989: 197).

In aiming to transform the private interests of many into a common public interest, special-interest associations represent their particular association's special interest as the general interest, manipulating public opinion without being controlled by it themselves. Publicity work aims at strengthening prestige without making the matter on which compromise is to be achieved a topic of public discussion (1989: 200). Critical debate is no longer carried on within the public sphere; rather, the public sphere becomes the court before whose public prestige is displayed (1989: 201). Although representative publicity itself is not revived, it lends traits to the refeudalised public sphere of civil society, so that modern publicity has an affinity with feudal publicity (1989: 200).

With the collapse of the institutions of social-convivial interchange (1989: 202), as well as the parallel developments of the commercial mass circulation press and the reorganisation of parties run by dignitaries on a mass scale, the public sphere was transformed. *Equal citizenship rights* for all altered the structure of parties, now mobilised around the *mass of citizenry* rather than just the bourgeois class. Mass-based parties, trading on surface integration, replaced class parties and became the dominant type (1989: 203); no longer strictly class or special-interest parties, but representative of the interlocking of organised interests and the political machinery that, Habermas argues, in reference to Schmitt, transforms parliament into a committee for airing party lines (1989: 205).

4.5 FROM RATIONAL-CRITICAL DEBATE TO NON-PUBLIC OPINION

Political and Social Rights

In the liberal constitutional state, basic rights guaranteed society as a sphere of private autonomy in contradistinction to the limited functions of a public authority. Linking state and civil society was the realm of private people, who, assembled into a public of citizens, could transform political authority into rational authority (1989: 222). Citizens' rights guaranteed that, freed from state interference, private people would act according to the general rules of the legal system and the inherent justice of the market mechanism, which, through the guarantee of liberties over and against the state, assured equal opportunity for the generation of both societal wealth and public opinion (1989: 222-223). For Habermas, the liberal constitution was meant not only to define the state and its relation to society, but 'the system of coexistence in society as a whole' (1989: 223). The guarantee of the autonomy of private people in both public and private spheres assured the proper function of the public sphere and the market (1989: 224).

The transformation of the liberal constitutional state into a state committed to social rights, however, marked a point of departure and reversal of relations (although it was marked more by continuity than a break with liberal traditions). In moving from a negative to a positive view of liberty, it altered the function of basic rights and shaped social conditions to continue the legal tradition, which also wanted to ensure a legal order to encompass both state and society (1989: 224). Although there is a historical continuity between liberal basic rights and social rights to welfare, there is a fundamental shift from a passive state that limits its own power in order to guarantee the liberty of individuals, to an active state that comes to the aid of the individual in an otherwise merciless society. Although institutional guarantees concerning property and family serve well the public-private demarcation that underlies basic liberal rights, once it is recognised that the positive consequences no longer come about automatically, these rights need to be supplemented by basic social rights, even though this no longer honours the original demarcation (1989: 226). Rights that were once *exclusionary* over and against the state are subsequently reconceived as *participatory* rights, extending the idea of equality and participation throughout the entire economic and social order (1989: 226-227). Freedom of the press, which in its *negative* interpretation guaranteed public opinion, can no longer claim to express the opinions of individuals as private people because of the flooding of the public sphere by private interests and because of the mediatisation of

individual opinions, to the extent that such rights must now be reinterpreted as *positive* guarantees of participation in order to fulfil their original function. Press freedom is then reconceived (cf. Ridder) as a *social* rather than a *political* right, aimed at providing citizens with the *equal opportunity to participate in public communication*, rather than the *individual or collective freedom from government interference* (1989: 227). Equal access to the public sphere can only be guaranteed by *active state interference* rather than the guarantee of *freedom from state interference* (1989: 227-228). Press freedom as a social right thus undermines press freedom as a political right, and therefore the original basis for the public sphere.

Because state and society interpenetrate, the middle sphere becomes one of semipublic-semiprivate relations ordered by social legislation, changing the significance of the private sphere that precedes the state, and the public sphere that connects society with the state. Exemption can no longer guarantee a share in social benefits (via the market), nor participation in the public sphere; instead they have to be positively guaranteed. But as the political authorities of an interventionist state take over the functions of commerce and labour (and as political functions are taken over by societal powers), public and private are relinked, and society is refeudalised (1989: 231).

Because the social welfare state 'administers, distributes and provides', it reduces the political interests of citizens to private claims (1989: 211). For Habermas, a problem with public service is that it makes *citizens* relate to the state in a demanding, yet *unpolitical* and indifferent way, encouraging their expectations of being provided for, and making for a passive citizenship that is not so dissimilar from consumption.

In critical reference to Berelson's essay on the voter's 'personality structure', setting out the ideal psychological characteristics of the active republican citizen, Habermas emphasises the difficulty in assessing the democratic behaviour of citizens, advocating instead the relative importance and superiority of the sociological constituents of the political public sphere. Further, he stresses that if voters *are* deviating from these norms, it is *because* of the structural transformations to the public sphere (1989: 212). He argues that the social composition of those politically active members of the mass enfranchised society echoes that of the bourgeois public,

in that they tend to be wealthier and better educated, and that there is even a correspondence between those who vote and those who are organised as members of private associations. However, the principle of debate is not respected as this stratum tends to not subject their opinions to debate, holding on to them and frustrating their evolution into public opinion (1989: 212-213). The tendency to target the marginal voters, despite them being those who know and care the least, relies heavily on the mass media and adaptation to this group's unpolitical consumer attitude, rather than through the enlightenment of citizens (1989: 215). The temporary manufacturing of a political public sphere by electoral managers social-psychologically integrates the political realm into the realm of consumption, addressing the 'political consumers' that Riesman referred to as the 'new indifferents' (1989: 216); not non-voters, as such, but the peer-group exchange of consumption preferences, viewing politics as if they were its spectators (1989: 217).

The political public sphere of the social welfare state contradictorily represents, on the one hand, the *collapse* of the public sphere of civil society and its devolution into a *manipulative* publicity displayed by organisations over a mediatised public, and, on the other, the *preservation* of the public sphere of civil society and *critical* publicity, and the conflict between the two. The degree of democratisation is hence determined, not simply by the exercise of *critical* publicity, but by the extent to which *critical* publicity prevails over *manipulative* publicity (1989: 232). Optimistically, Habermas insists that the outcome of the battle between the *critical* publicity regarding the exercise of the power of the social welfare state, and the *manipulative* publicity of private interests, is far from inevitable (1989: 235).

(Critical and Manipulative) Publicity and (Public and Nonpublic) Opinion

While publicity remains today an organisational principle of the political order, 'more than a mere scrap of liberal ideology that a social democracy could discard without harm', and while its scope has continued to expand, Habermas argues that its function has become progressively insignificant since the mid-19th Century (1989: 4).

Habermas differentiates between 'public opinion' as understood as the subjection of political and social power to *critical* publicity, and 'public opinion' as *manipulative* publicity in the service of private persons and consumer goods. Both these forms of publicity compete in the public sphere, but both address 'the' public opinion. The critical and manipulative functions are of different orders; the public of each are expected to behave in different ways – one is premised on public opinion, the other on non-public opinion – and each are at cross-purposes (1989: 236). Rather than a distinction between facts and norms, *critical* publicity is understood as more than a norm (as a constitutionally institutionalised norm), and *manipulative* publicity is more than a fact (it is accompanied by a particular self-interpretation that may stand in opposition to *critical* publicity) (1989: 237). While the publicity of parliamentary deliberations and the juridical process was the cornerstone of the liberal public sphere, the *plebiscitary* deviations from this model towards a more *representative* publicity for the benefit of *consumers* undermines the public sphere (1989: 207).

In the context of a factual decline of the public sphere, and the empirical impossibility of identifying it, the necessity of defining it normatively remains, of which there are two dominant paths. The first desires to salvage an inner circle of a critically debating public amidst the more acclamatory common opinion, sacrificing the element of publicity that guarantees universality at the expense of that which guarantees rationality. The second, in contrast, abandons considerations of rationality and representativeness in favour of institutional criteria (1989: 238), equating public opinion and an active citizenry with that of parliament, and, more specifically, with the party in majority at any given time. But it is impossible to discern whether this account of public opinion is brought about by public communication or opinion management (1989: 239). When public opinion becomes neutral to both the public-private distinction and the difference between reasonable communication and irrational conformity, the relationship between group opinions and public authority is abandoned to public administration (1989: 242-243). And when it is no longer concerned with political problems or bound by rules of public discussion, public opinion becomes little more than an object of domination (1989: 243).

In distinguishing between the system of informal, personal, non-public opinions and the system of formal, institutionally authorised public opinions, Habermas splits non-public opinions into three levels of obligatoriness. The lowest level tends to be commonsensically held, *unreflected*-upon beliefs, such as views on the death penalty; the second level are *subreflective* 'refractory results of socialisation shocks', such as attitudes to war and security; finally, the third level are often-discussed matters, presented as self-evident, but which remain 'other-directed opinions', influenced by family, peers and the culture industry (1989: 245). Taken for granted assumptions rooted in deep-seated traditions can be seen as 'sub-literary', while those manufactured by the culture industry are 'post-literary'. The disconnection between public reason and the literary medium means that the 'integrative culture' delivers only a '*public service for private consumption*'; the public of which is as little a 'public' as the pre-bourgeois society that produced traditionally rooted, unpolemically circulated opinions. Although there remain people who, in having reflected-upon opinions formed through literary and rational controversy, are still capable of forming a public, they remain outside of the communication network of an intact public, and therefore also form part of non-public opinion (1989: 246). Against this stands a sphere of quasi-public opinion, officially or semi-officially authorised announcements that circulate within a narrow circle that skips the mass of the population. Because they are privileged and there is no correspondence with the non-organised mass, such opinion fails to fulfil the criteria of rational-critical debate. Public opinion is thus decomposed into the informal opinions of private citizens without a public on the one hand, and the formal opinions of publistically effective institutions on the other (1989: 247). Only when these two domains are mediated by a third of *critical* publicity can public opinion properly be formed (1989: 249).

CONCLUSION

This chapter's close engagement with Habermas's historical and normative approach to the public sphere raises questions about the appropriateness of its application to a

defence of PSB. Certainly, there is much here to substantiate the critique of market forces in broadcasting, and Habermas's history of the rise and fall of the liberal public sphere (albeit a flawed and partial history, as we shall see in the next chapter) provides a powerful narrative with which to make sense of the development of broadcasting. His critique of the mass media and public relations, in particular, has obvious relevance to a media environment saturated by the private interests of powerful multinational corporations and the strategic discourse of political spin. But there's also plenty here to suggest that the application of the public sphere concept to PSB is far from straightforward, and that the defence of PSB in the name of the public sphere is somewhat problematic. The sticking point usually picked up on is the relative absence of broadcasting from the *STPS*. Habermas only fleetingly refers to the rationale for PSB as a defence against the commercialisation that was so harmful for the press, in contrast to the amount of space he devotes to dismissing all mass media technologies (including broadcasting and in contradistinction to the press) as inherently destructive of the public sphere. The naivety of his views on media technology and reception have been widely criticised, though, and he has since acknowledged the arbitrariness of that original distinction. What is of far greater concern for the direct appropriation of the concept, however, is Habermas's treatment of citizenship and the welfare state, and ultimately his distinction between citizenship and consumption.

In the shift from seeing press freedom as a *political* right (the negative liberty from government interference to participate) to seeing it as a *social* right (the positive guarantee of equal participation through active government interference), the political basis for the public sphere is actually undermined, Habermas argues, the more inclusive and egalitarian it becomes (Habermas, 1989: 227-228). The development of the welfare-state, the expansion of the franchise to include (in principle) all social groups, and the bestowal of social citizenship rights upon a passive and dependent citizenry, are analysed in *STPS* for their negative effect on the public-private distinction that underlies the public sphere. This is in direct contrast to the account of social citizenship developed by TH Marshall and appropriated by Murdock to defend PSB against marketization. Comparatively, the rise of commercialised mass media and public relations are of only secondary concern to Habermas, and are even treated as merely symptomatic of the more fundamental

process of social democratisation. Although Habermas exposes the tendency of *critical* publicity to be undermined by *manipulative* publicity when the public sphere is grounded in the free market, he suggests that it is equally undermined by *representative* publicity when grounded in public service. Because the *political* public sphere of the *social* welfare state contradictorily represents both the collapse and the preservation of critical publicity, therefore, one should perhaps avoid distinguishing too neatly between the negative influence of the market and the positive influence of public service.

Indeed, the paternalist character of Reithian PSB and Paddy Scannell's celebratory account of modern public life, in particular, resemble more Hegel's reduction of the public sphere to the education of a passively consuming citizenry, as well as Habermas's critique of the welfare state's reproduction of the 'traditionally rooted, unpolemically circulated opinions' typical of a pre-bourgeois society (Habermas, 1989: 246), than it does Habermas's own elevation of the public sphere to the rational-critical debate of an actively participating citizenry. Although Habermas accepts that broadcasting media perform the function of widely circulating information and opinions, and while, we may add, the quality and inclusivity of debate in the public service variety may be noteworthy, the role of broadcasting is not the only or most important aspect of public communication (Habermas, 2010b: 186). While PSB shields citizens from economic power and the declining standards associated with the need to cut costs and boost profits, because autonomous citizenship cannot be brought about through intervention from above (Habermas, 2010b 192-193), PSB simultaneously reduces the citizenry to a community of private consumers of public service by relating them to the state in a passive, unpolitical way (Habermas, 1989: 156; 211; 246-247). Both the consumer culture of the commercial market and the welfare-state's bestowal of equal citizenship rights upon the 'mass of citizenry' (rather than the 'public of citizenry'), therefore, constitute for Habermas the plebiscitary distortion of publicity and the undermining of the public sphere (Habermas, 1989: 207).

Although Habermas's Millsian distinction between public and mass culture, where the former brings the public towards culture and the latter brings culture down to the masses (Habermas, 1989: 165-166), corresponds to Scannell's appropriation of

public life and the public sphere to PSB, Habermas emphasises that commercialisation was neither solely responsible for the decline of the public sphere, nor necessarily negative in its effect upon it (Habermas, 1989: 189-192). Contrary to support for PSB as a public sphere, and corresponding more to Keane's approach to broadcasting, Habermas suggests that a separation between the public sphere's economic and political functions, and between public and private interests (along the lines of the distinction between classifieds and editorials), could have protected the public realm. Instead, it was invaded by both *horizontal* competition (private interests) and *vertical* competition (class interests) (Habermas, 1989: 192). Although the broadcasting literature focuses on the horizontal competition of producers (and private interests) and the vertical competition of consumers (and the appeal to the masses), seeing them as antithetical to PSB, vertical competition also includes the expanded franchise of citizens to which PSB and the welfare state relate, problematising the extent to which PSB/citizens and market/consumers can be constructed as respectively good and bad for the public sphere. Although it may be essential to distinguish between the public sphere's economic and political functions, such a distinction, to the extent that it is realisable, cannot be limited to that between public service and the market, or between citizens and consumers.

Before going on to address the respective literatures on citizenship and consumption (in Part Six), however, the next chapter will offer a review of the most dominant critiques of Habermas's model. As well as the more widely understood criticism of the historical selectivity of his model, and the associated temptation to produce 'golden age' narratives, Part Five will also outline the more complex critique of Habermas's distinction between politics and society (that which underlies the distinction between citizenship and consumption), as well as the ways in which others have subsequently developed the relation between these spheres.

Part Five: A 'Dialectical Alliance': Critiques, Developments and Divergences

Critical engagements with Habermas's model and more general approach to deliberative democracy have led Habermas himself to amend many elements of his original intervention, and this chapter deals in turn with the most significant themes of subsequent debate. While the veracity of his historical account has been questioned, and the exclusion of women and other social groups from the bourgeois model has been highlighted, Habermas's own normative assumptions have proven more problematic to resolve, and the extent to which his approach can be adapted to accommodate its critiques has its limits. Although some have developed his model of the public sphere to provide a more effective procedure for holding power to account in a world of transnational states, corporations and publics, most critiques have been more concerned with addressing a legitimacy deficit in his wider theoretical approach. The significance of inclusion to a truly 'public' sphere has not been as unproblematic as common sense would suggest, and the relation between inclusion, participation and rationality, and the significance of each to the public sphere, raises questions concerning not only the make-up of the public and the role of citizens' rights, but also the form and content of public communication among citizens.

In light of the many critiques that his *STPS* has stimulated, Habermas has revised his outline of both the ideal type and the history of the public sphere, but the significance of this early book to his intellectual approach perhaps requires qualification. Among those who have engaged with the general Habermasian approach to deliberative democracy, there appears to be a consensus that the real Habermas emerges only around 1970, whereupon he distances himself from both his theoretical roots in the Frankfurt School and the historical methodology of *STPS* (Hohendahl, 1992: 100-101). Although the public sphere certainly remains an ideal in his later writings, it becomes contingent upon, rather than the basis of, his subsequently developed theory of communicative action (Calhoun, 1992: 32), and the book can retrospectively be read as a first step towards the elaboration of his discourse theory model.

The normative aspect of Habermasian theory, certainly present in *STPS* but which gains prominence over the historical approach in his later writings, becomes the priority for Habermasians such as Benhabib and McCarthy, who ground the public sphere in abstract principles rather than historical analysis, which they use only to illustrate the limitations of less complete theories and realisations of the public sphere (Hohendahl, 1992: 100-101). Attempts to revise and develop the Habermasian model along more inclusive or effectual lines, however, have raised significant questions about the extent to which such a task is possible. Consequently, the critical engagement with Habermas's model can perhaps best be presented as a 'dialectical alliance', simultaneously critiquing and embracing its paradoxically exclusive egalitarianism (Benhabib, 1992: 94-95), and continuing its project of merging and transcending liberal and republican traditions.

This chapter will begin by critically examining Habermas's discursive project in light of the liberal and republican traditions he hoped to transcend. It will then summarise the critiques of his historical narrative of the rise and fall of the public sphere and his normative emphasis on reason, before outlining the theoretical developments of his model that seek to improve upon its inclusiveness and effectiveness. It will conclude by summarising the key issues of debate within public sphere theory, and highlighting those areas of particular consequence for the problematic application of the public sphere concept to the role and regulation of broadcasting.

5.1 HABERMAS'S DISCOURSE MODEL – BEYOND DICHOTOMOUS THINKING?

Habermas's approach to the relation between state and society draws on both the legalistic model of liberalism and the agonistic model of civic-republicanism to propose a discourse model of public space (Benhabib, 1992: 73). Starting with his theory of the public sphere as distinct from both state and society, he attempts to overcome the dichotomous thinking that limits both liberalism's and republicanism's

distinction between public and private, but it is the distinctions and conflations within his own model that have caused controversy.

Within liberal (and communitarian) and republican approaches, political discussion tends to start with the state rather than society. In liberalism, the state is neither synonymous with country nor population, but rather a 'specialised apparatus of rule'; it is the administrative guardian of a market-structured society, and public opinion, as the competitive aggregation of private interests, mediates between these two sources of social integration. In the republican tradition, the state is the very 'institutionalisation of an ethical community', while public opinion and the common good are themselves a third source of social integration (Benhabib, 1996: 6; Habermas, 1996: 21). Rather than neutrally mediating between state and society, as part of the *vita activa* the independence of politics and public communication are preserved from both administration and the unpolitical social realm (Calhoun, 1997: 75-76; Habermas, 1996: 21). While the liberal perspective hinges on the legal institutionalisation of an *economic* society, which guarantees a non-political common good by aggregating private interests, the republican perspective is grounded in the self-constitution of a *political* society by its citizens' deliberation on matters of public interest.

Even within the republican tradition, however, the content of citizens' deliberation and what constitutes the public interest is determined by a distinction between justice (a political matter) and the good life (a social matter). Arendt, for example, concluded that public intervention into matters of private interest was one of the causes of the unfortunate breakdown in the republican distinction between politics and society. But Benhabib argues that because supposedly private domains, such as the economy and the household, are premised upon power relations, they have the potential to become publicly (both socially and politically) relevant (Benhabib, 1992: 80). Distancing herself from Arendtian distinctions, she stresses that the struggle to make something public is a question of justice (Benhabib, 1992: 78-79), which transcends public-private distinctions and which cannot be reduced to a social/private matter of the good life.

In contrast to the republican model, liberalism makes such questions of power and legitimacy explicit in its model of public space, but it depoliticises politics by reducing it to law, and lacks the emancipatory dimension of the agonistic model (Benhabib, 1992: 81). Further, the liberal emphasis on providing a private space in which individuals are free from the state to develop the good life, rather than on ethically moulding them as republican citizens, leads to a similar distinction between *public norms of justice* and *private values of the good life*; a distinction which is itself exclusionary. Politics for Benhabib, however, is about renegotiating public-private distinctions between justice and the good life (Benhabib, 1992: 82-83). Public life in terms of liberal dialogic neutrality is, consequently, no more inclusive than the agonistic model, as it excludes questions of the good life from public dialogue concerning universal or general questions of justice (Benhabib, 1992: 84).

In contrast to the views in both traditions of the relation between state and society, Habermas's discourse theory model (normatively weaker than republicanism but stronger than liberalism) depends on the state only as the institutionalisation of the *procedures and conditions* necessary for public communication. This proceduralist compromise moves away from a view of society as a state-centred and goal-oriented whole, towards recognising a decentred society (Habermas, 1996: 27) that, in the first instance, produces influence (through public opinion), then communicative power (via elections) and ultimately administrative power (in the form of legislation); the extent to which one level can be guaranteed to lead to another, however, raises questions of efficacy (discussed below). More than *legitimating* political power (as in the liberal model), though not quite *constituting* it (as in republicanism), public opinion in the discourse model *rationalises* political power (Habermas, 1996: 28). Habermas's model, if not Habermas's own articulation of it, also holds out the prospect of transcending the distinction between justice and the good life (Benhabib, 1992: 85). Although Habermas shares the republican emphasis on reason and political participation, he is relatively less hostile to the market as he engages with the complex reality of modern societies, seeing the possibility of contemporary participation not only within the narrowly defined realm of politics, but in the social and cultural spheres too (Benhabib, 1992: 86).

Contrary to the argument that the public sphere represents a third sphere between state and society, however, Habermas's reliance upon the public-private distinction undermines his explicit task of transcending the dichotomous thinking that limited both liberal and republican traditions (Calhoun, 1992: 37).

For Habermas, the rationalisation that he sees as having emerged in the bourgeois public sphere was undermined by the blurring of the public-private distinction, which meant that the private realm could no longer create the autonomous and equal individuals who could address the general interest through public discourse. The distinction was undermined when inequalities in society were no longer 'bracketed' but became the basis of public (i.e. no longer political but social) discussion, thus disrupting the distinctions upon which Habermas's liberal-republican compromise depended. Although many have chosen to focus on the rise of social inequalities and the emergence of giant corporations as the reason behind this, for Habermas it was also due to the democratic inclusion of more people into the public sphere (Calhoun, 1992: 21). As interest groups in civil society used the public sphere to demand social rights and move towards the formation of the welfare-state, consensus on the general interest was replaced by a compromise among interests, and rational-critical debate shifted towards (relatively irrational) negotiation (Calhoun, 1992: 22). Excessive state intervention into the economy prevents a Marxist focus on the contradictions of capital, of course, but it has additional consequences for the public sphere. It also 'orients politics away from fundamental transformation [and] toward the state itself' (Calhoun, 1992: 29-30), depoliticising citizenship and reducing politics to a matter of state administration.

Additionally, although Habermas clearly states that critical public discourse has been replaced by a passive culture of consumption, he also emphasises the shift towards an 'apolitical sociability' (Calhoun, 1992: 23). Certainly, the dependence upon the early Habermas's orthodox critique of 'mass culture' can be criticised by reference to the large body of literature on audience research and 'new reception studies' (Hall, Fiske, Kellner, Livingstone & Lunt), as can Habermas's arbitrary and unconvincing distinction between print and audio-visual media (Calhoun, 1992: 45), but another important point here is that Habermas doesn't uniquely see this in terms of *consumption*, but also as part of a concomitant *depoliticisation of citizenship*; caused

in part by the extension of the franchise. His assertion that consumption levels increase with wealth and status reminds us that the public sphere is undermined by a dual process; not simply by the inclusion of new substandard participants who are more consumers than citizens, so diluting the public sphere around the edges, but by both the inclusion of new entrants with their demands for social rights, *and* the rise of consumption among the bourgeois core; that is, a mixture of new citizens passively dependent upon the welfare-state, as well as the shift from active citizenship to passive consumption among the former bourgeois elites (Calhoun, 1992: 25).

A central paradox in the liberal theory that Habermas reformulates is in the rooting of the public sphere in civil society, and its dependence upon an organisation of private life that enables citizens to transcend their private interests (Calhoun, 1997: 83), which means that it must 'bracket' rather than recognise difference. Breaking with the liberal presumption that politics revolves around a unitary (nation) state, and that membership (such as legal citizenship) of a common society is a precondition for deliberation (Calhoun, 1997: 84), efforts to resolve this issue have concentrated upon reformulating identity-formation as part of the process of public life rather than a separate and private concern, and upon the shift from a single to multiple public spheres as the ideal type of deliberative democratic public space. This recognition of difference also has consequences for the content and form of discourse that is permissible in the public sphere(s), abandoning the emphasis on rational-critical debate on matters concerning the distinction between state and economy, to potentially 'irrational' confrontations regarding all matter of concern to sections of the body politic (Calhoun, 1997: 85; Fraser, 1992: 116-118).

Unable to ground in contemporary social institutions the valuable critical ideal he uncovered in this early work, Habermas has shifted his focus away from the historically specific grounding of institutions to a transhistorical reliance upon universal validity claims (Calhoun, 1992: 31). In doing so, he has moved away from an explicit and simplistic focus on the public-private distinction, to a recast and more nuanced distinction between the lifeworld (personal relationships and potentially communicative action) and the system (money and power). Although he maintains his insistence upon the need to preserve this distinction, and to defend the lifeworld

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against the encroachment of systemic media (Calhoun, 1992: 30-31; 35), he sees the colonisation of the lifeworld as occurring in both private (whereby individuals are socialised as consumers by the economic system) and public realms (where they are socialised as citizens by the state-administrative system) (Owen, 1999: 27).

5.2 EXCLUSIONS AND OMISSIONS – A HISTORICAL REVISION

The development in Habermas's approach away from historical research and an explicit distinction between public and private, suggests Calhoun (1992), may be, in part, because of fundamental weaknesses in his first book. His history of the idea of the liberal public sphere certainly seems overly simplistic, and somewhat idealistic, when read in light of 'Foucault-inspired' (Habermas, 1992a) revisionist historiographies. Habermas fails, for instance, to treat the bourgeois and post-transformation public spheres symmetrically, judging the 18th Century in terms of Locke and Kant, the 19th Century by Marx and Mill, and the 20th Century by the 'typical suburban television viewer'. He completely ignores both the 'fairly large outpouring of literature on democracy and public life' by 20th Century thinkers (such as those discussed in 3.1), as well as the 'less than rational-critical' examples of the press and public speakers of the earlier periods (Calhoun, 1992: 33; 43). Questioning through his own historical research the extent to which such debate characterised colonial era America, for example, Michael Schudson finds that the riot was a more typical manifestation of public opinion than learned discussion; and that even in the relatively more inclusive 19th Century, the increase in political participation had not gone hand in hand with a rise in rationality (Schudson, 1992: 160).

Problematically, while the first half of Habermas's book ignores power relations and influence completely, the second half is devoted to how such power and influence bring about the decline of the public sphere (Calhoun, 1992: 38). As such, neither his idealisation of early print media and salon culture, nor his dismissal of audio-visual media and consumer society, is ultimately convincing. Habermas's account of the

shift to a mass-mediated public sphere is limited to one of refeudalisation (Calhoun, 1997: 87) precisely because of his distinction between an argument-constituted public sphere and an identity-constituted community, which fails to recognise the lifeworld's constitution through asymmetrical power relations (Calhoun, 1997: 86).

Also absent from Habermas's account are an appreciation of the importance of nationalism (Calhoun, 1997; Eley, 1992), science and religion (Habermas, 2006; Zaret, 1992), and the role of political struggles in redefining identities and interests (Warner, 1992) that Habermas sees as settled in the private realm and brought fully formed into the public sphere (Calhoun, 1992: 34-35). The absence of such political struggles and wider social movements, as well as a general inattention to agency, reflects Habermas's failure to account for the ways in which the public sphere and its participants are 'actively made and remade', proposing instead a view of their transformation as reflective of underlying developments in state and civil society (Calhoun, 1992: 37). Instead, feminist critics, in particular, have emphasised the ways in which public deliberation isn't just about the common good, but an occasion for the constitution of interests and identities, including the distinction between or conflation of *bourgeois* and *homme*, upon which Habermas places such importance. His subsequent acknowledgment of the gendered nature of this distinction has not been enough to assuage his critics, who argue that, as well as advocating gender neutrality, it is essential to thematise gender itself as an issue of public debate, and to address the problematic way in which the public-private distinction neutralises difference by establishing publicness as 'abstraction from private identity' (Calhoun, 1992: 34-35).

His account is shown to ignore the histories of other competing public spheres and fail to appreciate the complexity of the relation between publicity and status, as well as the ways in which the emphasis upon rational publicity may be deployed as a strategy of distinction (Fraser, 1992: 115). Joan Landes (1996), for instance, has highlighted the exclusion of women from the French republican public sphere, which was actually constructed, she argues, in deliberate opposition to a more woman-friendly salon culture that it dismissed as 'effeminate' and 'irrational' (Fraser, 1992: 113-114).

Even among feminists, however, initial readings of Habermas's argument had been positive. Early readings of Habermas's Encyclopaedia Article had offered feminists in the 1960s a key resource for conceptualising women in public (whereas even Arendt's elaboration of the concept reified the traditional patriarchal alignment of the household with the private realm), as his outline of the bourgeois public sphere and inclusive citizenship seemed to free politics from the state, which through its historical denial of franchise to women had effectively defined the public in masculine terms (Ryan, 1992: 261). By the time of the eventual publication of the fuller monographical outline, however, feminist readings (among others) had become more critical, and contradictory accounts of the development of the public sphere, such as Mary Ryan's history of the ascension of women into American politics, offer a striking counternarrative to Habermas's depiction of 'chronological decline' (Ryan, 1992: 262). She documents the ways in which women from various classes and ethnicities, excluded from the liberal (19th Century North American) public sphere, forged a counter civil society of voluntary associations and support for male-dominated working-class protests. Despite the absence of suffrage and formal citizenship, such women found alternative routes to access political life (Fraser, 1992: 115-116). Instead of decline, the history of women in public emphasises the importance of open access and insurgent social movements that expand the rights of all citizens, and suggests that identity and interests need not be seen as antithetical to the public good, but rather as an advance toward inclusion and empowerment (Ryan, 1992: 285). That said, the extent to which women can be integrated on equal terms into a public sphere, whose structures remain founded upon the patriarchal separation of public and private realms, remains a source of debate (Habermas, 1992a: 428-429; Pateman, 1983).

Such gender exclusion has been linked (in England and Germany, as well as in France and the US) to processes of class formation, and, in particular, the distinction of bourgeois men as a universal class from both the old aristocratic elites, whom they wished to displace, and the popular-plebeian strata that they wished to rule (Fraser, 1992: 114). Eley's account (1992) demonstrates, contra Habermas, that the boundaries between public and private domains are always permeable, and suggests that it is difficult to fit Habermas's dichotomous treatment into the older tradition of theorising around 'civil society', in which political theorists of the 18th and 19th

Centuries applied the state/civil society couplet in a variety of undichotomous ways (Eley, 1992: 317). Eley also suggests that the bourgeois claim to rational discourse was 'simultaneously a claim to power in Foucault's sense' (Eley, 1992: 331; Tully, 1999: 138), arguing that the bourgeois public was therefore defined by both the struggle against absolutism and towards a form of popular containment (Fraser, 1992: 116), and that the emergence of this bourgeois public sphere represented little more than the shift from a repressive mode of domination through acquiescence, to a hegemonic mode of domination through consent (Fraser, 1992: 117).

Nancy Fraser praises Habermas's concept of the public sphere for circumventing both the Marxist failure to distinguish between the state and the public of citizens, and the feminist conflation of the state, the economy and public discourse (Fraser, 1992: 109-110). Habermas's public sphere is distinct from – and potentially critical of – the state as well as the economy and market relations, and is therefore, she argues, indispensable for critical theory's understanding of late-capitalist democracy. However, Fraser finds Habermas's idealising history of the rise and fall of the liberal model inappropriate for theorising the limits of actually existing, welfare-state mass democracy (Fraser, 1992: 111).

Seeing the public sphere as an indispensable model for the good society, Schudson nevertheless warns against the 'retrospective wishful thinking' that imagines a previous golden age. Acknowledging that the contemporary public sphere is different to the bourgeois model, he suggests that it is not necessarily inferior, arguing that thinking through the conditions and possibilities for rational-critical debate and political participation today will not profit from maintaining illusions about the public sphere of the past (Schudson, 1992: 160-161).

Accepting the weaknesses exposed by Foucauldian inspired revisions of his historical account, and praising the value of a Foucauldian approach for revealing hidden asymmetries and power structures in liberal and alternative models of the public sphere, Habermas nevertheless argues for the continuing merit of the public sphere concept, which remains at least an attempt to eradicate such asymmetries (Habermas, 1992b), and maintains that the rights to inclusion and equality built into

the public sphere prevent Foucauldian exclusion and provide the potential for self-transformation (Habermas, 2010b: 194).

As a result of such weaknesses, however, which Habermas apportions to not only the neglect of certain aspects but also to the ideology-critical approach he undertook, he now accepts that the contrast between a glorified past and a distorted present requires revision (Habermas, 1992a: 430). Indeed, he acknowledges that his diagnosis of a unilinear development from a politically active and culture-debating public to a culture-consuming public withdrawn into a 'bad privacy' was too simplistic (Habermas, 1992a: 438). (Similarly, he accepts that his simplistic treatment of media ignored both institutional and cultural contexts (Habermas, 1992a: 439).) However, he maintains that the social welfare-state negates the separation of *bourgeois* and *citoyen*, which had made economic independence and equal opportunity the preconditions for autonomous citizenship, as it makes democratic will formation instrumental to social equality. In the contemporary welfare-state, the 'public role of the citizen and the private role of the client' become interlinked as the paradoxical 'societalised private person' (Habermas, 1992a: 445). It remains important for Habermas to critically bridge this gap between the enlightened self-interest of the client and the orientation to the common good of the citizen (Habermas, 1992a: 449).

5.3 LEGITIMACY AND EFFICACY – FROM BOURGEOIS PUBLIC SPHERE TO TRANSNATIONAL PUBLIC SPHERES

In light of Habermas's omissions and the exclusiveness of the model of the public sphere he outlined, it has been necessary to theoretically reformulate and amend that model. While the exclusion of social groups and problems from a unitary model of the public sphere raises questions of legitimacy, global changes to the status of nation-states and their citizens highlight issues of efficacy. Efforts to theorise both legitimacy and efficacy problematise the presumed link between states and societies that underlies the original Habermasian model of national citizenship and a single,

universal public sphere, and lead to a more nuanced approach that elaborates a model of multiple public spheres and plural publics.

Perhaps the earliest theoretical critique of Habermas's account of the bourgeois public sphere comes from Oskar Negt and Alexander Kluge's dialectic of bourgeois and proletarian counterpublic spheres. Criticising Habermas's 'history of ideas' approach for the illusion it provides of the continuous historical progression of a unified sphere, they propose an alternative approach that examines the substance of aggregated and conflictual spheres that exploit the idea of the unified public sphere (and the related concepts of public opinion and press freedom) for their own interests (Negt & Kluge, 2010: 124).

Rejecting Habermas's reduction of the '*plebeian* public sphere' to merely a variant of the bourgeois public sphere, Negt and Kluge argue that the '*proletarian* public sphere' is rather an 'entirely separate conceptualisation of the overall social context'; an alternative or counter public sphere. Particular examples of out-of-routine expressions of public opinion (such as the protests, strikes and the riots that Schudson demonstrated, rather than periodic voting), therefore, are reconceived as the essential core of an alternative conception of the public sphere (Negt & Kluge, 2010: 125).

Although Eley (1992: 305) further distinguishes between a plebeian public that was easily suppressed and a radical one that was both combative and literate, in Negt and Kluge's Marxist critique of bourgeois society, they are keen to develop a left-wing space for workers to form a public 'rooted in production' (Negt & Kluge, 2010: 125), potentially in opposition to both the manipulative publicity of capitalist production and the critical but exclusive publicity of the classical public sphere. They criticise the bourgeois public sphere for contradictorily claiming, on the one hand, to represent society as a whole while, on the other, excluding the particular life contexts and interests of the majority of society (Negt & Kluge, 2010: 123).

Because the bourgeois public sphere insists on splitting public and private, and distinguishing between public and mass culture, they argue, it excludes the experiences and interests of the proletariat, thus preventing expressions of social

criticism and of a counterpublic sphere, and frustrating the attempts of the majority of society to organise themselves and secure their emancipation from political and economic authority (Negt & Kluge, 2010: 124).

Although Habermas is well aware, according to Calhoun, that the bourgeois public sphere was constituted as both a defence of civil society against the state, and as a means of domination within civil society, he ignores the ways in which it was always permeated by demands from below, with bourgeois ideals such as press freedom being carried out mostly by activists within what Habermas dismissed as the plebeian public sphere. Contrary to Habermas's dismissal of the plebeian variant to the bourgeois model, therefore, bourgeois publicity itself was constituted only in relation to 'insurgent discourses' (Calhoun, 1992: 39).

Fraser develops this argument further in her own rethinking of the public sphere in a post-bourgeois society. In stratified societies in which subordinated social groups have been formally or informally excluded from or disadvantaged by the dominant public sphere, *subaltern counterpublics*, although they may be antidemocratic, antiegalitarian or exclusive themselves, may enhance the participation of subordinate strata and provide the form of public life that comes closest to realising the ideal of the public sphere within actually existing democracies (Fraser, 1992: 122-123). Such counterpublics perform a dual function as both spaces of withdrawal from, and bases for agitation directed towards, wider publics (Fraser, 1992: 124). In more egalitarian, multicultural societies, multiple public spheres are preferable as they combine participatory democracy with both social equality and cultural diversity (Fraser, 1992: 128). In both types of society, they allow the possibility of membership of multiple overlapping publics, 'including at least one public in which participants can deliberate as peers across lines of difference about policy that concerns them all' (Fraser, 1992: 127).

In critiquing the necessity of the distinction between state and civil society, she dismisses first of all the classical liberal claim that limited government and laisser-faire capitalism are necessary preconditions for a public sphere, not only because they fail to foster social equality, but also because the privatisation of economic issues as off-limits for state activity impedes free discussion. Secondly, she takes

issue with Habermas's insistence that the public be made up of private individuals without official capacities, eventuating in public opinion that can serve as counterweight to the state. For Fraser, the limitation of public discourse to public opinion rather than binding, sovereign decisions, results in *weak publics*. Contrary to Habermas's critique of political parties as contributing to the decline of the public sphere, she argues that parliamentary politics constitutes *strong publics* that combine public opinion with decision-making (Fraser, 1992: 133-134). Critical inquiry should then turn to questions of accountability, contextual preferences for representative or direct democracy, and the relation between strong and weak publics, as well as hybrid forms of 'quasi-strong' decision-making publics within civil society (Fraser, 1992: 135; Fraser, 2007: 12).

For Calhoun, however, the shift towards an appreciation of multiple public spheres risks leaving unaddressed the communicative relationships among them, and he proposes instead a view of the public sphere as a field of discursive connections, in which there will be small and large clusters of communication (Calhoun, 1992: 37).

The all too often conflation of the public-private distinction with that of state and society implies that to each state corresponds a public, but the suggestion that there has ever been a united 'national' public sphere has been widely criticised. A politics of 'identity/difference', emerging from new social movements in liberal capitalist democracies (and distinct from that which has emerged out of ethnonationalisms in Eastern Europe, North Africa and the Middle East, and which aims at constructing cultural homogeneity through the sovereign-state form), has prioritised the contestation and representation of difference beyond the state (Benhabib, 1996: 4).

Critics of the national public sphere model point out processes of both internal segmentation and external fluidity, and recast questions concerning the public sphere in terms of inevitable differentiation in modern societies, and the extent to which that differentiation leads to fragmentation and threatens integration (Peters, 2010: 237). Although the classical concept of the public sphere denotes a field in which no-one is excluded and all participate and belong equally, we find in practice that public spheres are differentiated in terms of the degree of participation, visibility and influence among members. As well as this unequal distribution among the public, we

find a second level of structural differentiation in which the public splits into multiple publics, within each of which internal communication is denser than that between publics. There is also structural differentiation in terms of the competence and prestige of publics and different types of media (Peters, 2010: 238). That this differentiation has always existed raises doubts about the extent to which we are seeing an increasing fragmentation of public communication. Indeed, contrary to Scannell, some have argued that it is 'hardly plausible' to claim that the public is fragmenting because people no longer sit down to watch the news at a given time, and that despite playing an important part in unifying public communication at a particular period of its development, the obsolescence of PSB 'implies little' about fragmentation (Peters, 2010: 240).

The failure so far to develop in the EU more than a meagre transnational public realm suggests only the relative unity of national publics (Peters, 2010: 243). The cultural differences that hinder the European public sphere are as prevalent within its member states, but here they are linked to social practices and institutional structures rather than consisting entirely of media markets and organisations (Peters, 2010: 244). Consequently, challenges to the centrality of the nation-state have led to an unhooking of the public sphere from its liberal-modern realisation through the institutions of the state (Bohman, 2010: 249). The rhetorical grounding of the public sphere in a nation-state depends on individualism as much as communality, as the nation is established as both a category of similar individuals and as a superindividual entity that denies difference (Calhoun, 1997: 93). Consequently, Fraser has called for national citizenship to be bypassed so that 'publicity' can be retheorised directly, while Randeria has called for transnationalism to be outlined in a way that highlights the mutual imbrication of national publics and overlapping sovereignties (Randeria, 2007:40).

Fraser recasts the theory of the public sphere in light of global changes that have reorganised relations between nation-states and their peoples to such an extent that the simple Westphalian model of the public sphere is inadequate. Since Habermas's 1962 text and until just recently (due to globalisation and post-Cold War instabilities), public sphere theory (including many of its critiques) has been informed by a Westphalian political imaginary, assuming a bounded political

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community with a territorial state. If a post-Westphalian version of the concept is to be designed, she contends, it will not be enough to conceptualise transnational spheres as actually existing (Fraser, 2007: 8), but one must rather reformulate the critical theory of the public sphere to illuminate the emancipatory possibilities of the present, and so repoliticise the theory, which she claims is in danger of being depoliticised. Hence, the idea of a transnational public sphere needs to reconstruct the conceptions of the normative legitimacy and political efficacy of communicative power, where the former have traditionally referred to the equal rights and shared community of participants, and the latter to the relation between those participants and a sovereign state. A Westphalian framing of political space is assumed tacitly on both empirical-historical and ideological-critical-normative levels of Habermas's model. Empirically, he highlighted the historical processes of the democratisation of the Westphalian state; normatively, he articulated a model of deliberative democracy for a territorially bounded polity. But Fraser argues that because of these presuppositions, Habermas conceptualises the public sphere in terms of a historically specific political project: the democratisation of the modern territorial nation-state (Fraser, 2007: 10), and situates a deliberative model of democracy within it. In this model, democracy requires national public opinion, a national language and national media. Fraser argues that rather than trying to recast a theory of the public sphere beyond a Westphalian frame, critiques of the legitimacy and efficacy of public opinion have also been guilty of Westphalian presuppositions, seeking only to enhance the legitimacy or efficacy of public opinion within it (Fraser, 2007: 11). Likewise, she accepts that her previous work, while critiquing the theory from both streams, was also guilty of this. Nevertheless, all these critiques failed to transcend the social-theoretical (Westphalian) underpinnings of Habermas's theory.

She criticises much of the literature for focusing on cultural aspects such as hybridisation and glocalisation, neglecting as it does the critical function of democratising governance, the legitimacy of public opinion (without a *demos* or political citizenry) and the efficacy of public opinion (without a sovereign state to hold accountable). As such, she proclaims the absence of a critical theory of the (transnational) public sphere (Fraser, 2007: 15). In general, the previously theorised national citizenry is now made up of dispersed interlocutors who do not form a *demos*; national interest and economy is replaced by transnational risk; national

territory is now deterritorialised cyberspace; print media is being superseded by translinguistic visual cultures; and the territorial state to be held accountable is now a mix of public and private transnational powers (Fraser, 2007: 19).

Fraser's solution to the problem of rethinking the public sphere for a transnational context is to rethink the concepts of normative legitimacy and political efficacy that she regards as intrinsic to any conception of publicity, regardless of context. She breaks legitimacy down into two parts – inclusiveness and participatory parity – where the inclusiveness condition concerns who participates (all with a stake in the outcome), and the parity condition concerns how they participate (with equal chances). Within the Westphalian frame, these two conditions could be fused under the ideal of shared citizenship, so that citizenship was the model for the legitimacy of public opinion. Fraser argues that the Westphalian frame encouraged debate about the parity condition at the expense of the inclusiveness condition (Fraser, 2007: 20). Today, political citizenship no longer suffices as a demarcation of the public, and Fraser proposes that Habermas's 'all-affected principle' be applied directly to the framing of publicity without having to go through citizenship (Fraser, 2007: 21), so that the relevant public should match the reach of the structures and institutions that affect its members. Likewise, she splits efficacy into two elements – the translation condition and the capacity condition. The former refers to the translation of the communicative power of civil society into binding laws and administrative power. The latter refers to the capacity of public power to implement this discursively formed will, whether negatively or positively (Fraser, 2007: 22). Within the Westphalian frame, these two elements were linked within the idea of the territorial state; although the focus was on the translation condition and the strength of public power to constrain state administration, rather than the capacity condition and the state's capacity to regulate private powers. Fraser thus concludes that a critical conception can no longer restrict its attention to communicative flows, and that new transnational public powers need to be constructed, and made accountable to new transnational public spheres (Fraser, 2007: 23).

Retrospectively, Habermas accepts the need for both 'greater internal differentiation' in the composition of the bourgeois public as well as recognition of the coexistence of competing public spheres and processes of communication, conceding that

although the recognition of difference could be accommodated easily enough within his earlier account, the latter critique is more problematic (Habermas, 1992a: 425). More attuned to the exclusion of women and no longer seeing the 'plebeian' public sphere as just a variant of the bourgeois model, he nevertheless emphasises the particular dialectic of inwardness and publicness that typified the 'audience-oriented privateness' of the bourgeois public, in contradistinction to Richard Sennett's more simplistic narrative of the decline of public life, whereby representative publicity merely gives way to intimacy (Habermas, 1992a: 426-427). The dialectic of rhetorically equal and active participation for all, on the one hand, and the actual denial of that for women and other groups, on the other, contradicted the bourgeois public sphere's self-understanding from its very inception. Habermas explored this dialectic through a Marxist critique of domination and ideology, demonstrating the effect upon the relationship between public and private by both the expansion of the right to participate and by the welfare state's compensation for disadvantages, but acknowledges now that neither aspect of the structural transformation affected the patriarchal character of society (suggesting that his critique of mass media and consumer society is treated as a consequence or variant of, or at least of secondary importance to, these more fundamental aspects), and that, therefore, the exclusion of women was indeed more significant than that of 'the people' as it has a structuring and constitutive effect on the constituents of the 'public' and on the gender-specific relation between public and private realms (Habermas, 1992a: 428).

5.4 'ON THE SOCIAL QUESTION' – INCLUSION, PARTICIPATION AND RATIONALITY

Although some critics have addressed the exclusivity of the public sphere in the procedural terms of legitimacy and efficacy, the exclusion of certain social groups and issues from the bourgeois public did little to delegitimise the 'publicity' of the public sphere in Habermas's original view. Indeed, he saw their subsequent inclusion as partly, perhaps mostly, to blame for the gradual demise of rational publicity. Taking issue with this particular aspect of his model, and prioritising the inclusion of

people and topics previously relegated to the private realm, critics have since debated the link between inclusion and participation, and the importance of rational-critical debate to a genuinely inclusive public sphere.

If the more that people engage in debate as citizens, the closer one gets to the public sphere, then one could argue, contrary to Habermas, that the history of increasing enfranchisement, and the formal recognition of legal citizenship to social groups that had previously not been recognised as citizens, actually demonstrates 'the rise' of the public sphere. But increasing recognition does not necessarily lead to increasing participation, as Lipmann and Schumpeter argued, nor does increasing participation necessarily entail rational-critical debate (Schudson, 1992: 148). While historical revisionists have highlighted the non-rational aspects of the bourgeois public sphere, and by extension suggested the rational dimensions of the mass mediated public sphere, others have dismissed the extent to which public opinion can ever be equated with rationality. For Niklas Luhmann, in particular, the history of the rise of public opinion and the bourgeois public sphere has little to do with an emerging reason, nor does the history of its decline has much to do with its subsequent manipulation (Luhmann, 2010: 181). Renouncing Kantian expectations of rationality and hopes of a civic republican revival of active citizenship (Luhmann, 2010: 180), Luhmann sees public opinion as neither a liberal aggregation of individual self-interests, nor a republican consensus on the common good, but merely a self-regulating communicative system (in which communication merely reproduces more communication). Within this 'social system of society', 'public opinion' can never be 'what actual persons actually think' (Luhmann, 2010: 174), whether as *bourgeois* or *homme*, while the 'public' itself can only ever be an imaginary body (Warner, 1992: 379).

For Habermas, however, plebiscitary democracy and (liberal) political involvement is not enough; increasing participation *must* go hand in hand with the (republican) quality (of rational-critical debate) that the public sphere concept evokes. Because of this, the polity must be defined by factors beyond those that formally enable participation (i.e. legal citizenship) (Schudson, 1992: 146-147).

Addressing this 'social question' (Fraser, 1992: 113), Fraser criticises the bourgeois public sphere's assumption that participants could act 'as if' they were social and economic peers by merely 'bracketing' rather than eliminating inequalities (Fraser, 1992: 118-119). Contrary to the liberal preoccupation with insulating equality-oriented political institutions, on the one hand, from inequality-premised social, cultural and economic institutions, on the other, Fraser argues that a more or less equal society and the acknowledgment and elimination of systemic social inequality would remove the necessity of erecting barriers between politics and society (Fraser, 1992: 121). Recognising the impossibility of achieving this is stratified societies, however, and emphasising the significance of informal as well as formal 'impediments to participatory parity' (Fraser, 1992: 119), she proposes instead that inequalities be 'unbracketed' and explicitly thematised (Fraser, 1992: 120), arguing that making visible the ways in which social inequality infects supposedly inclusive public spheres should be a primary task of critical theory (Fraser, 1992: 121).

In terms of content and Habermas's exclusion of 'social issues' from the public sphere, Fraser stresses that there are 'no naturally given, a priori boundaries' between public and private realms, and that what is of common concern can only be decided by discursive contestation (Fraser, 1992: 129). Although she praises the civic-republican preference for the common good over individual interests, she criticises its presumption of the common good in advance of deliberation, and its reduction of private interests to pre-political concerns, emphasising instead that the acknowledgment of private interests can help the less powerful recognise whether or not they are included in the public, and so better contest the common interest (Fraser, 1992: 129-130). For Benhabib, these boundaries should be fluid, so that questions concerning the good life are included as well as problems of justice.

But Arendt's idealistic view of the agonistic *polis*, for example, ignores its exclusiveness, while her negative narrative (to the extent that it is a narrative) of the rise of the social, in ignoring the concomitant rise of inclusiveness, suggests that hers is also a critique political universalism. This poses a fundamental problem with reconciling public space with the extension of citizenship rights (Benhabib, 1992: 75). However, as Benhabib points out, Arendt was not concerned with narrating a history of decline, but with analysing the extent of continuity between past origins

and present conditions, and with revealing what has been lost; in this case, the original meaning of politics and of the public-private distinction (Benhabib, 1992: 76-77).

Habermas's novel view of public space, which is more democratic than agonistic, seeing the public sphere as coming into being only when all those affected by a public issue engage in practical discourse to evaluate its validity, suggests there may potentially be as many publics as there are issues (Benhabib, 1992: 87).

But Benhabib accuses Habermas of having inherited from the liberal social-contract tradition some dubious distinctions between public and private on the one (moral-theoretical) hand, and justice and the good life on the other (sociological-theoretical) hand. Despite its proceduralist claim to egalitarian reciprocity, the discursive model of public dialogue in ideal speech situations predefines the nature of the issues appropriate to the public sphere, excluding issues that affect only some members of society. But distinctions between universal norms of justice and the more subjective values concerning the good life are not external to discursive will formation, and the way they have traditionally been differentiated has been of particular detriment to women, whose values are excluded from public debate (Benhabib, 1992: 89-90). Habermas is therefore continuing a tradition of political thinking that is blind to difference and to the power relations that sets beyond the scope of justice issues such as the unremunerated work of women in the home (Benhabib, 1992: 92).

As well as raising doubts about political and institutional limits of deliberative democracy, Benhabib (2010) also questions the extent to which there is a cognitive and affective bias inherent to the model. Despite echoing Habermas's defence of the model's ability to correct its own prior exclusions and biases, she argues that the centrality of rationality and reason-giving to the republican tradition is unavoidably exclusive.

The problems with the universal and rationalist framework of Habermas's liberal-republican compromise have led Chantal Mouffe to formulate a radical-democratic alternative that substitutes agonistic pluralism for deliberative democracy. Drawing on Schmitt's critique of liberal democracy, she critiques the centrality of rational

communication and consensus to the institutionalisation of 'politics' in the deliberative democratic model, and argues instead for the adversarial and therefore 'political' expression of collective passions in the agonistically pluralist public sphere. Although the deliberative model, by emphasising political participation in terms of rational argumentation, improves on the market-inspired view of democracy as the aggregation of interests, Mouffe argues that Habermas's move from an economic to a moralistic model fails to account for the 'political' dimension (Mouffe, 2010: 271), and ignores the crucial role of conflict in the formation of collective identities.

Mouffe therefore reverses Habermas's republican distinction between politics and society, so that it is the very passions that he sought to relegate to the private realm that become the basis for politics, and the rationality he emphasised as the core of the public sphere that becomes just another means of social discrimination.

The radical democratic alternative has consequences for the conception of power and the role of rights, in that power is no longer a relation between identities, but constitutive of those identities, and political practice is no longer concerned with protecting the rights of preconstituted identities, but in constituting them. This approach recognises the link between power and legitimacy, recasting the role of politics so that it accepts power as legitimately constitutive, and seeking to produce democratic forms of power rather than grounding legitimacy in rationality and the elimination of power (Mouffe, 2010: 275).

For Mouffe, rational consensus is inevitably exclusive, even when it attempts to transcend an us/them distinction. The radical democratic task is therefore to establish a form of discrimination that is compatible with pluralist democracy (Mouffe, 2010: 276). This entails the democratic mobilisation of passions rather than their relegation to the private realm, the recognition of necessarily 'conflictual consensus' (Mouffe, 2010: 277), and the rejection of the idea of a nonexclusive public sphere of rational debate (Mouffe, 1996: 255).

Hohendahl has argued, however, that questions concerning the good life are not necessarily excluded from Habermas's model, as culture (and such questions) plays a

pivotal role in the literary public sphere, upon which the political public sphere (and debate concerning problems of justice) depend (Hohendahl, 1992: 108). Although exclusion mechanisms remain necessary for the constitution of publics, whether episodic (coffee houses and streets), occasional (party assemblies and rock concerts) or abstract (readers and media audience), there is no exclusion rule without a proviso for its abolishment (Habermas, 2010b: 194). Because they are cultural values and cannot be generalised, however, they cannot be *settled* in the same way as universal questions of justice (Hohendahl, 1992: 101).

Likewise, Habermas now acknowledges that class- and gender-specific social issues, as well as values concerning the good life, can legitimately become issues of public debate after all, because of the links between citizens' positions within the political public sphere and civil society. Public and private are not sealed off from one another; instead, the threshold separating the private from the public sphere is marked by *different conditions of communication* rather than by a fixed set of issues or relationships (Habermas, 2010b: 189). This suggests that Habermas has turned to a view of the public sphere as made up of *social* as well as *private* persons come together as a public, although the discourse remains public in character.

Ultimately, there is a 'conceptual unclarity' as well as 'political contestation' in contemporary debates (Benhabib, 1992: 93). Any theory of the public, public sphere or publicity presupposes a public-private distinction that is exclusive, and that tends to disadvantage women (Benhabib, 1992: 93). But Benhabib encourages feminists to engage in a dialectical alliance with Habermas's critical model of public space and discourse, critiquing its assumptions and distinctions while simultaneously embracing the emancipatory and egalitarian aspirations it has in contrast to the liberal and republican models (Benhabib, 1992: 94-95).

CONCLUSION

The close engagement with Habermas's historical and normative approach to the public sphere (in Part Four), assessed in light of both earlier theorisations of public

opinion (Part Three) and subsequent critiques of the Habermasian model (this chapter), highlights the theoretically rich and diverse climate of debate that exists around the public-private dichotomy. It reminds us of the need to avoid making simplistic assumptions about where to draw the line between what is public and what is private, or arbitrary distinctions between politics and society, or, by extension, between citizenship and consumption. And it cautions us against the temptation to narrate a tale of decline from a past golden age to a more sceptically assessed present. Thinking through the conditions and possibilities for public communication and political participation in the present will, to paraphrase Schudson (1992: 160-161), benefit neither from maintaining illusions about the broadcasting public sphere of the past, nor from misleadingly conflating the public sphere with PSB today.

The extent to which Habermas regards both citizens (of the welfare-state) and consumers (of the commercial market) as potentially threatening to the public sphere becomes even clearer in his later writings, when he explicates the colonisation of the lifeworld by both the market and state-administration. More complex than a shift from public to private, individuals are socialised as both consumers in the economic system, and as citizens in the political system (Owen, 1999: 27). In terms of Habermas's emphasis upon active participation and rational-critical debate, what liberal citizens and consumers have in common is their socialised, apolitical irrationality. The loss of the original republican meaning of citizenship that Arendt diagnoses in modernity is what Habermas identifies as having fleetingly been institutionalised in the bourgeois public sphere, when a particular mixture of liberal citizenship rights and consumption activities, in the transitional context of relative freedom from both political and economic power, enabled individuals to put their reason to use and become a public. This mediating sphere between state and society was constituted from below by citizen-consumers, who transcended their roles as *both* citizens *and* consumers. Although the critique of the distinction between politics and the social in Habermas's approach, particularly Mouffe's recasting of reason as social rather than political, confounds the identification of contemporary occurrences of this lost transcendence, it would certainly be misleading to reduce it to the kind of passive citizenship that is merely the liberal counterpart of passive consumption. Consequently, a closer engagement with the critical literature on both citizenship and consumption (see the next chapter) is required to elaborate a more nuanced

appreciation of their relative typographies and the not necessarily antagonistic relation between them.

In the meantime, it is difficult to reconcile the delicate balance struck between liberal and republican traditions in Habermas's original model with contemporary proposals for its revision. More specific to the purpose of this thesis, it is likewise a challenge to accept the wholehearted appropriation of the public sphere concept to the PSB model, when certain aspects of the concept, particularly Habermas's republican commitment to active citizenship and rational-critical debate, seem at odds with the liberal passivity implicit in Scannell's praise of national culture and Murdock's embrace of citizenship rights. In the same way that Habermas's idealisation of the liberal model neglected an acknowledgement of the ways in which its elitism repressed broader participation, as well as an appreciation of alternative sources of participation in popular radical traditions (Eley, 1992: 306), the dominant broadcasting literature risks idealising PSB and citizen interests to the point of neglecting the ways in which they may also depoliticise and pacify participation in the public sphere, while alternative contexts of commercial media and consumer interests may occasionally offer the potential for political participation and resistance to economic and political power. In light of the less selective reading in this chapter of Habermas's account of the public sphere, the wholesale equation of PSB with the political public sphere, critical publicity and active citizenship seems somewhat unconvincing. Instead, the task Habermas appears to suggest becomes one of analysing the extent to which broadcasting also functions within the economic public sphere, performs manipulative publicity and produces a passive citizenship that is actually equivalent to private consumption. Such an approach would reveal the extent to which one type of publicity prevails over another within PSB and the wider broadcasting regulatory environment, and demonstrate the ways in which both PSB and the market, through a mixture of citizenship and consumption, simultaneously enable and undermine the public sphere.

Part Six: Citizenship and Consumption

The dominant perspective on citizenship and consumption assumes an opposition between the *public* duties and ethics of citizenship on the one hand, and the *private* pleasures and aesthetics of consumption on the other, as well as a trajectory from the former to the latter, whereby contemporary society is characterised by the undermining of citizenship by consumption (c.f. Bauman, 1998: 31; 2000; Bourdieu, 1984). This perspective is drawn upon in the critical scholarship on broadcasting policy and regulation (outlined in Part Two) to critique policy initiatives that seem to favour deregulation and individual choice over public service regulation and community, as well as an alternative scholarly perspective that suggests instead that consumption should be embraced as a new form of post-national citizenship. However, while constituting an important way of theorising the relationship between citizenship and consumption, and while performing an important role in warning citizens of the threat of commodification and corporate power, this dichotomy has, like the public-private dichotomy, also been guilty of constructing citizenship as masculine and consumption as feminine, effectively relegating women from the realm of politics. Further, these terms of debate have become narrow and self-limiting, ignoring the growing body of literature on citizenship, consumption and, more recently, the long-term and complex relationship between the two (Soper & Trentmann, 2008: 4; Stevenson, 2003: 127; 132). This literature suggests that the presumed distinction between these isolated ideal types has in practice not held true, re-presenting them instead as ever-shifting categories that complement and overlap as much as they exist in tension, highlighting the permeability of the politics-economy divide, and shifting attention to the ways in which both citizenship and consumption together redraw the boundaries of public life (L Cohen in Daunton & Hilton, 2001: 203).

This chapter will therefore address the literatures on citizenship and consumption in turn. Beginning with arguments drawn from citizenship studies, section 6.1 will summarise TH Marshall's seminal account of citizenship rights and the main points of contention, before dealing with more recent elaborations of citizenship as practice

and its relation to culture as well as to formal politics. Section 6.2 will then turn to empirical accounts of consumption that emphasise consumer agency and ethics as much as objectification and passivity, and collective and critical consumption as much as individual and self-interested materialism. Finally, section 6.3 will address citizenship and consumption as overlapping processes, which both mutually reinforce as well as undermine one another, before explicating the philosophical theories of individualisation, subpolitics and reflexive modernity that inform problematisations of the citizenship/consumption and politics/culture dichotomies.

6.1 CITIZENSHIP

This section will begin with a brief outline of Marshall's arguments and the now well-established critique of his account of citizenship and its relation to social welfare and egalitarianism on the one hand, and to liberalism and capitalism on the other. It will then address the consequences of both this critique, and of contradictions in Marshall's own approach, for debate on the policy changes to social welfare in Thatcher's Britain that motivated the political-economic critique of the privatisation of the UK's public services in the 1980s. Theoretical developments in the literature on citizenship, motivated in part by empirical studies of citizenship practice, will then be summarised, and an account of citizenship as process developed, before the specific engagement with cultural and cosmopolitan citizenship is drawn upon to demonstrate the shift from formal citizenship and explicitly political participation to the practices and experiences of everyday life.

6.2.1 CITIZENSHIP AND SOCIAL RIGHTS – TH MARSHALL AND HIS CRITICS

While references to 'citizen' in the literature on broadcasting draw on the important work of TH Marshall, they ignore developments in citizenship studies that have

engaged more critically with both Marshall and with citizenship more generally, to elaborate a more nuanced and complex account of 'citizens'.

Writing in the context of the burgeoning welfare state, Marshall (1950) traced the historical development of citizenship in Britain from the end of the 17th to the end of the 19th Century, dividing it into three elements: civil and legal rights (such as the right to property), political rights (such as the right to vote in a newly emerging parliamentary democracy), and socio-economic rights (to economic welfare and the right to assert one's rights on equal terms). As we have already seen, in elaborating his case for PSB, Murdock supplemented Marshall's triptych with his own idea (anticipated by Parsons' work on cultural rights and the university) of information-cultural rights, which he argued were necessary to ensure that relevant information and arguments, as well as opportunities for representation and recognition, would be available to all citizens. The narrative Marshall provided demonstrated that although civil rights had developed throughout the 18th Century (becoming formally established around the time of the first Reform Act in 1832), and the extension of political rights had characterised the 19th Century (with 'the principle' of universal political citizenship eventually gaining recognition between the two world wars of the 20th century), social rights were actually diminished in the 18th and early 19th Centuries, achieving parity with political and civil rights only with the development of the welfare state at the mid-point of the 20th Century. Marshall maintained that although civil and political institutions and rights had been fused at the national level in feudal societies, social status distinctions between nobles and commoners, affecting the extent to which justice was available to the latter, meant that there had been no equality of citizenship among all men (and certainly not among all people). Although local forms of equal citizenship could be discerned in medieval towns, there existed no principle of citizenship equality at the national level to use as a benchmark against class inequality. The welfare state, he argued, finally offered just such a principle of universally applicable rights and duties by which to measure and judge the inequality produced by capitalism (Marshall, 1950: 149). For Marshall, citizenship was fundamentally a principle of equality that had developed alongside, though not always in conflict with, the rise of capitalism, which was in contrast a system of inequality (Marshall, 1950: 150). His analysis traced the relation between these two opposing principles, demonstrating that early forms of citizenship,

characterised more by civil rights and legal contract than the other elements, offered an individualism that was indispensable to the competitive market economy, in that it simultaneously granted autonomy and denied social protection to the public, conferring the right to acquire property without guaranteeing the right to possess it (Marshall, 1950: 150-151). However, such civil rights were instrumental, he argued, in laying the foundations of equal citizenship. The emerging sense of national community membership and the awakening public opinion, which Habermas also traced throughout the 19th Century, did little to alleviate social inequality only because of the lack of political and social rights (Marshall, 1950: 151). Once these were granted, citizenship was able to 'impose modifications' on capitalism, and subordinate market price to social justice and the declaration of rights (Marshall, 1950: 154).

In defining modern citizenship as the recognition of social as well as political and civil rights, and therefore dependent upon the welfare state as much as liberal democracy and the rule of law, Marshall's legacy has been to cement a view of citizenship as a status with corresponding rights to social welfare support, and as a principle mostly in conflict with the market. Consequently, it is his particular account of citizenship that is drawn upon to support the view that erosion of the welfare state is synonymous with erosion of citizenship rights (Saunders, 1993: 61). But, as influential as Marshall's social history has been, it makes some problematic assumptions that the uncritical appropriation of his account into broadcasting scholarship has perpetuated. Liberal accounts of citizenship, such as Marshall's evolutionary and ethnocentric view of the attainment of homogenous rights, tend to emphasise the institutional development of rights passed down to a passive citizenry by a sovereign state (Weintraub, 1997; Stevenson, 2003: 7), glossing over issues of social struggle and difference beyond class (ignoring issues of gender and race, for example), and neglecting a republican focus on the opportunities for citizens to actively participate in public life. Although Marshall's account captures sufficiently the legal dimension of citizenship, it fails to distinguish between active and passive types of citizenship and so falls short of capturing the ethical dimension of civic virtue (Dagger, 2002:153).

Further, the ambiguity in Marshall's account of the relationship between citizenship and capitalism (Turner, 1993: 8), and between liberalism and socialism, necessitates a greater degree of critical engagement than that which is conventionally offered. In retrospect, his account of the 'compromised formation' (Hall, 2011) that was the British welfare state can be seen as a liberal defence of the 'hyphenated society', which attempted to reconcile the egalitarianism of parliamentary democracy with the class inequalities of the capitalist market (Turner, 1993: 15). As such, the development of the welfare state in Britain can be seen as the exemplar of a liberal strategy to incorporate the working class into the private market (Mann, 1987; Turner, 1990: 196). Indeed, Marshall's objective to elaborate a compromise between citizenship and the market entailed recognising that citizenship and the economic system applied different standards to the levels of inequality that could be legitimated, suggesting that there were therefore limits to the extent to which citizenship could be equated with egalitarianism (Hindess, 1993: 21).

While Marxist critics have focused on Marshall's legitimation of class inequality, supporting the welfare state as a supplement to the market rather than as a substitution, it is his emphasis on the link between welfare and citizenship that is more problematic for those concerned with the public sphere, because it relegates citizens to a passivity that precludes their participation in public life. For Habermas, of course, it was the construction of the passive citizen of the welfare state as much as the passive consumer of the free market that undermined the bourgeois public sphere. In Marshall's later work (1981), he defends his model of the hyphenated society against the idea of society organised around a single principle such as citizenship, emphasising instead the importance of a mixed economy and economic freedom as well as welfare (Hindess, 1993: 21). Murdock's appropriation of Marshall, however, appears to neglect this particular aspect, which would suggest a less antagonistic relation between citizenship and consumption than that commonly presumed by broadcasting scholars.

6.2.2 CITIZENSHIP, THE MARKET AND THE WELFARE STATE

Within the wider political debate about welfare, critics from both the right and the left have lambasted the state provision of welfare services for being unnecessarily bureaucratic, and rethinking citizenship's relation to the market in an 'individualist age' has been a particular concern of some scholars (Hoover & Plant, 1989; Saunders, 1990). Those on the right have built on this to argue for the dismantling of public welfare and its replacement by market or quasi-market modes of provision (Warde, 1991). Peter Saunders, in particular, has been critical of the equation of citizenship with egalitarianism and collectivism, questioning the view that sees compulsory collectivism as morally superior to voluntarist market relationships (Saunders, 1993: 76). Echoing the earlier critiques of Schumpeter, for example, he maintains that competition between individuals in a market does not necessarily lead to social atomisation (Saunders, 1993: 83), and claims that voting behaviour and support for welfare may be as motivated by self-interest as they are by altruism (Saunders, 1993: 75). He argues instead that the pursuit of such seemingly noble goals actually undermines citizenship, while market capitalism and privatised consumption are in practice better equipped to ensure its attainment (Saunders, 1993: 57; 62).

Focusing his attention on changes to UK state welfare in the 1980s and early 1990s, he argues that the shift from socialised to privatised service provision was not simply the result of Thatcherism, but the response to the public's preference for the role of customer to that of 'client of the patronage state', as well as the expression of more fundamental and widespread trends (Saunders, 1993: 59). More a structural feature of mature capitalism than a short-term product of right-wing governments (Saunders, 1993: 60), he argues, the shift in service provision was due to the growth in the real purchasing power of households and the rising cost for the state of service provision, while the shift from socialised to privatised consumption was the product of enhanced individual choice and the public's experience (or perception) of deteriorating public services (Saunders, 1993: 59). In those areas where privatised consumption is advanced (such as in housing), he acknowledges that the task must be to extend it to the poorer sections of the population in danger of being marginalised; but in those areas in which it remains relatively small (such as in health and

education, at least in the early 1990s), he insists that the problem is how to overcome the entrenched interests of state sector producers (Saunders, 1993: 88).

This assumes, however, that the manner of delivery of state provided service is necessarily bureaucratic whereas market delivery is not; it also assumes, by extension, that clients of state services are unsatisfied whereas customers of commercial services are not. But this is to confuse the 'manner of delivery' (un/satisfactory) with the 'mode of provision' (state/market), when there is no necessary connection between them at all (Warde, 1991). Arguments for the privatisation of public services also presuppose that consumer satisfaction, choice and service quality are paramount, when alternative values, such as universal access or improved working conditions for producers, may be preferred by users. Such a perspective also ignores dissenting arguments that suggest that impersonal bureaucratic service delivery may have advantages over more direct and interactive relations between producer and consumer, which may inadvertently widen the scope for class inequalities and prejudice (Warde, 1991). On the other hand, Warde's intervention also suggests that similar arguments in favour of state over market provision may also suffer from blindness with regards to the more nuanced differences in manner of delivery. Similarly, it requires us to qualify the argument that the shift in the mode of provision of broadcasting, from PSB to the market, necessarily entails all the negative features attributed to it, and encourages us to look more closely instead at the manner of delivery of broadcasting services, as well as the experiences of the public, however they are constructed.

In focusing on the inadequate delivery of state welfare provision and the poor experiences of clients, Saunders ignores issues of production and access, while his critics' focus on the exploitation of capitalist production and the inequalities of market relations disregards the issues of delivery and enjoyment (Warde, 1991). As Warde has pointed out, both sides of the debate tend to be 'highly selective in identifying the essential features of different modes of provision'. Indeed, shifting the focus from the 'mode of provision' to the 'manner of delivery', and recognising that the relation between production and consumption varies within both state and market modes of provision, weakens the effectiveness of the 'state versus market' dichotomy (Warde, 1991) as a framework for debating the relative strengths and

weaknesses of both state and market service provision. Of course, this also has theoretical and methodological implications for the effectiveness of the 'PSB versus market' dichotomy.

Saunders's arguments are important, however, for questioning assumptions about the character of neoliberalism and presumptions about the effects of privatisation. Distinguishing between the market mode of consumption typical of mid-19th Century classical liberalism, the socialised consumption of the mid-20th Century welfare-state, and the late-20th Century emergence of privatised consumption typical of neoliberalism (Saunders, 1993: 60), he argues that whereas the market (liberal) mode entailed the withdrawal of the state, the privatised (neoliberal) mode entails only a change in form ('and perhaps scale') of state intervention, away from direct provision and more towards indirect support and subsidy (Saunders, 1993: 65). Similarly, he argues that it would be a mistake to assume that privatised (neoliberal) consumption will necessarily lead to mass poverty, as if it was no different to the earlier market (liberal) mode, because the social contexts are so different, not least in the fact that real income and purchasing power are so much higher than 150 years ago (Saunders, 1993: 64). (This distinction between liberalism and neoliberalism will be addressed in more detail in Part Six.)

As such, Saunders argues against the necessity of egalitarian social rights for the attainment of citizenship, emphasising instead their negative effect upon equality enshrined in the more fundamental political and legal rights of liberal citizenship. Rather than signalling the breakdown of collective social life (Saunders, 1993: 83), he suggests, privatised consumption may actually hold out the prospect of 'new and active forms of citizenship' grounded in both individual competence and a genuinely collective sociability from below (Saunders, 1993: 88).

6.2.3 FROM CITIZENSHIP RIGHTS TO CITIZENSHIP AS PRACTICE AND PROCESS

Beyond the debate about the relative significance of different citizenship rights, however, scholarly interest in citizenship has turned towards other aspects that are

often neglected in the traditional liberal approach. Consequently, a turn towards participation and an account of citizenship as a set of practices has been developed as an alternative to Marshall's account of citizenship as a set of rights.

Arguing that different historical circumstances produce different forms of citizenship participation (Turner, 1990; 1993; also Mann, 1987), Turner has suggested two axes of four ideal types (below/above, public/private) of citizenship. On one axis, citizenship from above is contrasted with citizenship from below; while the other axis gauges the extent to which it is developed in public or private space. The ways in which public and private space are structurally related, and whether citizenship is handed down from above or struggled for from below, will affect the extent to which citizenship is active or passive (Turner, 1993: 9). In his Foucauldian critique of citizenship and individualism, Jean Leca has argued from a republican perspective that citizenship can be neither too public and produced by the state, nor too private and the result of conflicts between particular interests, but only really exist between public and private realms (Leca, 1992; Stevenson, 2003: 19).

Once this is taken into account, however, liberal citizenship is inherently passive – requiring nothing more than membership of a given community – as well as privatistic and materialistic, as individuals are defined primarily through private property, contract and the market (Schuck, 2002: 131-133). Republican citizenship, by contrast, requires more than membership of a given community (Weintraub, 1997: 13), and less privileging of the private individual. Rather, commitment to the common good over individual self-interests, and active participation in public life, are required. Such civic virtue and 'publicity', as well as an emphasis on self-government rather than individual freedom (Dagger, 2002: 146-149), are the cornerstones of republicanism, and constitute the kind of active citizenship that Habermas argued was necessary for a public sphere. Consequently, the liberal approach to citizenship, which emphasises the institutional development of rights, has since tended to be supplemented in citizenship studies by a republican emphasis on participation (Lister, 1997).

Since the emergence of citizenship studies in the 1990s, citizenship has been redefined and reconfigured in three more fundamental ways: in terms of extent

(inclusion/exclusion), content (rights/obligations) and depth (thickness/thinness). Its modern liberal conception as a state-bestowed legal status has been challenged and broadened to more adequately include struggles for recognition and redistribution (Fraser & Honneth, 2003), and the flexible, differentiated nature of citizenship beyond the nation-state (Ong, 1999), while emphasis has increasingly been placed on citizenship as a non-linear and non-universal process of losing as well as claiming and expanding rights (Isin & Turner, 2002: 2-9). Psychoanalytical elaborations of citizenship have also emphasised the importance of feeling, affect and even irrationality to citizenship (Elliott, 2001; Frosch, 2001), weakening the extent to which citizenship can be presented as the rational counterpart to the irrational consumer.

Globalisation has perhaps had the most significant effect on the traditional approach to citizenship as an inherently national concept. Although citizenship as the legal relationship between an individual and the polity was originally located within the city, it assumed its most developed form in the nation-state. The extent to which citizenship can still be equated with nationality or the sovereign nation-state, however, has been challenged by transnational developments in politics (such as the EU and devolution in the UK) and the economy (the rise of multinational corporations), and by the emergence of multiple actors and cross-border networks, partly facilitated more recently by the internet, which strengthen alternative forms of post-national community (Sassen, 2002: 278). One consequence of the expansion of citizenship rights has been to actually weaken the national framework of citizenship, which is currently being reconfigured as a multiple and dispersed rather than a unitary and fixed concept, only some dimensions of which are necessarily linked to the nation-state (Sassen, 2002: 277; 287). Increasingly, it is recognised that the nation-state is no longer (if it ever was) the exclusive site for the enactment and understanding of collective identities, citizenship practice, the protection of (human) rights, or even the formal recognition of legal status (Sassen, 2002: 278; Turner, 1993). Further, and concomitant to the process of 'post-nationalisation' *across* nation-states, a distinct process of the 'de-nationalisation' of citizenship has been diagnosed *within* the formal institutions of nation-states, notably in the changing relation of citizens to the state in the context of privatisation and the withdrawal of the state from citizenship entitlements. And because the global is partially embedded

within the national by both the international human rights regime and the nation-state's granting of rights to foreign businesses and markets, particularly in the provision of what were formerly public services, the attention of some scholars has turned to the capacity (or incapacity) of citizens to hold global corporations to account through national and supranational institutions, and to the tenability of a simple distinction between the national and the global (Sassen, 2002: 287).

While many of these issues are taken into account by broadcasting scholars, the extent to which they complicate the distinction between citizenship and consumption is often dismissed as capitalist, consumerist or neoliberal ideology, when such complexity requires closer critical examination. Rather than diverse entitlements and capabilities being incorporated within a territorialised bundle of universal rights, elements of citizenship are in fact being disarticulated from one another and rearticulated in global assemblages that replace the nation-state as the exclusive site of political mobilisation. As diverse groups claim diverse rights, the multifarious dimensions of citizenship are rearticulated in the shifting political landscape. Although this often entails the recasting of citizenship in terms of neoliberal values of flexibility, mobility and entrepreneurialism, resisting this shift in the ethics of citizenship (in the context of broadcasting and beyond) by maintaining a distinction between a juridically and legally recognised political body and those excluded from it, fails to capture the varied assemblages that are the sites of contemporary – post-national, flexible, technological, cyber-based, biological – political claims for resources, entitlements and protection (Ong, 2006). In short, it risks looking for politics in the wrong place.

6.2.4 CITIZENSHIP AND CULTURE

While the associated turn to an emphasis on cultural citizenship often remains within a national context and statist frame, it problematizes the extent to which citizens can be universalised as a unitary body politic, and moves away from the reduction of citizenship to a legal recognition of rights. Although Marshall's advocacy of rights-

based liberal citizenship at least acknowledged the relation between rights and other duties and loyalties, he nevertheless ignored the substantive dimension of citizenship better addressed by the republican approach. On the other hand, despite the republican emphasis on agency and participation, scholars in that tradition have also tended to avoid paying particular attention to culture (Delanty, 2002: 60). Raymond Williams's emphases on communication and culture, by contrast, helped shift attention away from the liberal focus on rights within a nation-state and the republican disparagement of the unpolitical, towards a closer engagement with the relation between citizenship and culture (Stevenson, 2003: 9). Over the last two decades, accounts of citizenship have consequently moved away from both the Marshallian focus on production, class and rights, as well as the republican emphasis on explicitly political participation, to more of an interest in cultural diversity and subcultural leisure and consumption (Delanty, 2002: 60).

While political theorists such as Will Kymlicka (Kymlica & Norman, 2000) seek to bridge the gap between universal citizenship and cultural diversity, cultural sociologists such as Nick Stevenson (2001; 2003) emphasise the necessity of an engagement with culture to a full understanding of citizenship (Delanty, 2002: 61). For Gerard Delanty, while Kymlicka's normative approach seeks to expand an already existing framework of state-bestowed citizenship to include the excluded, Stevenson's approach, which is more concerned with issues of identity and belonging, and theoretical debates around group representation, the accommodation of difference and the limits of tolerance, seeks to address inclusion by going beyond the state (Delanty, 2002: 61).

In highlighting the accommodation of cultural diversity and citizenship in communitarian traditions such as those of Canada (and by extension the problems with its accommodation in republics such as France and the US, which see them as antithetical), Kymlicka outlines the possibility of equating citizenship with groups rather than with individuals, so as to allow individuals to maintain a strong affiliation to their ethnic subgroup and only a relatively minimal commitment to a national identity (Delanty, 2002: 61). Kymlicka's elaboration of group-differentiated rights involves devolved assemblies and minority community rights to self-government, polyethnic rights and cultural tolerance, as well as special forms of representation to

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counter the invisibility of minority groups. It has met with criticism, however, from both liberals who fear the effects on individual rights, as well as cosmopolitan critics (Waldron, 1999) who emphasise the cultural heterogeneity within communities that Kymlicka appears to treat as homogenous (Stevenson, 2003: 50-51).

While both approaches ostensibly deal with cultural rights and cultural citizenship, a distinction can perhaps be drawn between Kymlicka's liberal communitarian focus on *minority* rights and *cultural* citizenship, which sees identities as fixed entities, and Stevenson's greater concern with *cultural* rights and *cosmopolitan* citizenship (Delanty, 2002). In basing citizenship on 'common experiences, learning processes and discourses of empowerment', the latter approach offers a more fluid account of citizenship that engages directly with the more recent theoretical problematisations of citizenship outlined above (Delanty, 2002: 64). For Delanty, however, there remains an uncertainty in both approaches about the relation between the necessarily narrow focus on cultural rights and the relatively wider aspects of cultural identity and belonging (Delanty, 2002: 66), which may be articulated in domains of culture beyond (and even considered antithetical to) citizenship.

While some have suggested that there need be no antinomy between liberal rights-based and republican participation-based approaches, as rights are essential for participation and not necessarily productive of passivity (Cohen & Arato, 1992), others have grappled directly with the exclusionary aspects of both liberal and republican approaches to citizenship, and with the extent to which culture and citizenship can be reconciled with liberalism and republicanism. Judith Vega (2010), for instance, has attempted to resolve this tension by developing a neo-republican account of cultural citizenship and cultural politics, which draws on the politics of difference literature (Mouffe, outlined at the end of Part Four) rather than that of identity politics or cultural studies. Such an agonistic approach sees 'culture as a realm of contestation' (Vega, 2010: 270), and distinguishes more subtly than classical republicanism between different kinds of participation; that is, addressing cultural and economic, as well as political participation. For Vega, a cultural citizen is one who, in recognising that culture is also political, is sensitive to issues of social exclusion and to possibilities for participation within culture (Vega, 2010: 271). Such an approach blurs the boundary between citizenship and consumption, but in

maintaining an emphasis on the political it transcends the confining rigidity of such a distinction, and allows for a more nuanced theoretical approach to the practice and process of politics beyond both formal and explicit citizenship, such as that advocated by those who seek to prescribe a public service environment for media regulation.

In seeking politics beyond the strictly political realm, however, and in developing notions of citizenship that evolve within the cultural realm and from below rather than from the state, it becomes necessary to address practices and processes which neither the participants themselves nor those researching them would immediately recognise as citizenship. Although a rather limited and idealised conception of the citizen has tended to be contrasted with an equally limited but degraded conception of the consumer, elaborations of citizenship disturb the extent to which this contrast holds true. The next section, therefore, will address the ways in which *consumption* practices, as distinct from explicit (liberal and republican) citizenship, can influence politics and effectively contribute to citizenship in a wider sense.

6.2 CONSUMPTION

Until recently, however, the literature on citizenship has shown little interest in consumption, maintaining the distinction between the individualised consumer in a 'neoliberal world of markets' and the citizen of the state, while the literature on consumption has likewise tended to leave implicit any connections to citizenship. But this divide between public-citizen and private-consumer ignores the complexity of consumer cultures and the role of consumption as an important source of political engagement, as well as local and global spheres of politics above and below the level of the nation-state (Soper & Trentmann, 2008: 1-2). Over the last couple of decades, academic literature has gone beyond the reduction of the consumer to either a quantitative economic indicator or a pejorative object of manipulation, understanding consumption instead as a communicative act and as a moment of both *social* and *political* exchange (Wyrwa, 1998), and clearing the way for a more balanced

assessment of consumerism (Schudson, 1998) and the relation between citizenship and consumption (Soper & Trentmann, 2008).

This section begins with a brief summary of the traditional critique of what is variedly described as consumption, consumerism, consumer culture or consumer society. It then draws on the critique of this critique, and the empirical research that has revealed a very different account of consumption practices and of the significance of consumption to both personal and communal ethics. The ways in which this notion of an active consumer problematises the relation between production and consumption on the one hand, and between citizenship and consumption on the other, will then be elaborated to develop an alternative account of the active, productive, ethical and political consumer. Finally, by drawing upon a recent debate on the difference between critique and moralism in consumption studies, the extent to which such accounts of consumption are guilty of falling back on relativism and ignoring power relations will be addressed.

6.3.1 THE CRITIQUE OF CONSUMERISM

Since Thorsten Veblen highlighted the significance of luxury and 'conspicuous consumption' to social stratification in North America, and John Kenneth Galbraith examined the constant promotion of demand and consumption in American industrial society, terms like consumerism and consumer society have been recurrent characterisations of 20th Century (Americanised) society (for an overview, see Featherstone, 2007; Wyrwa, 1998). American consumer culture has subsequently been critiqued as a system that simultaneously compensates for and justifies what is otherwise a repressive society (Gorz, 2011). It imprisons the 'eternal consumer' (which is in reality little more than a product of the 'culture industry') in a circle of manipulation (Adorno & Horkheimer, 2002), deceiving them to accept false needs and to subordinate themselves to an obsessive compulsion to consume useless things (Lefebvre; Marcuse). Consumption is thus characterised as a capitalist-produced

passivity that atomises and isolates individuals (Debord, 1994), cutting off their inner selves from the social world, and leaving them perpetually unsatisfied (Lasch, 1991).

Michael Schudson has distinguished between five traditions of consumer critique, ranging from elitist and potentially anti-democratic assumptions about the inferior qualities of mass-produced commodities (the Aristocratic critique), a concern for the disregard of labour and the exploitation of the worker (the Marxist critique), and anxiety about unnecessary waste – which, in its more recent guise, is more specifically and understandably concerned with environmental consequences (the Quaker critique) – to those more preoccupied with the detrimental effect of possessiveness on character (the Puritan critique), or with withdrawal from the public and political realm (the Republican critique) (Schudson, 1998; Warde, 2010: xxii-xxiii).

While the Quaker critique allows for *ethical* consumption that is practical and useful, and which is distinct from *excessive* consumption that is wasteful and ostentatious, the Puritan critique maintains that goods only ever have an instrumental rather than an innate value, and that the aesthetic dimension of human experience is unrelated to either ethics or the truly good life; dismissing as a contradiction in terms, therefore, the possibility of such a thing as ethical consumption. Following on from the latter, the Republican critique is more concerned with the privatising influence upon public life of this good's orientation in private life, arguing that it produces social and political passivity among the public, and reduces political participation to a matter of choice between predetermined alternatives.

The republican perspective and the Frankfurt School's critique of the culture industry have proven to be the most influential traditions of critique, while in recent decades it is Zygmunt Bauman (2000) who has made the most significant contribution to the critique of consumption, within his theoretical frame of individualisation and liquid modernity. In his narrative of the shift from the producer society of solid modernity to the consumer society of liquid modernity, morality becomes more a contingent process than a stable and inherited condition (Bauman, 1992), and flexibility replaces solidity as the ideal condition to be pursued in the negotiation between negative and positive freedoms (Bauman in Dawes, 2011b: 132-136). Whereas consumption (as

merely an animal necessity) and production were balanced in the producer society, they are divorced from one another in the consumer society, in which 'consumerism' becomes the 'operating force of society', and consumers are transformed into commodities (Bauman, 2007). The accompanying process of (enforced) individualisation divorces individual from collective freedoms, devolving to individuals powers (and responsibilities) previously assumed by the state (Bauman 2000; Gane 2012: 621). In Bauman's Arendtian reading, the erosion of public institutions and civic virtue by private processes and the market (Warde, 2010: xxviii) constitutes the privatisation and depoliticisation of the public sphere; a process he insists must be reversed by a counter-process of decolonisation (Bauman, 1995). This critique of consumerism has proven especially influential in the field of broadcasting regulation, where it is drawn upon to substantiate the critique of the shift from public service to a market regulated environment, and to tie the debates about citizenship and consumption to those concerning the public sphere and neoliberalism.

But Daniel Miller (2001), among others, has critiqued the assumptions behind such accounts, exposing the anti-materialist ideology behind them, problematizing the links between consumption and capitalism, and proposing even that the Americanisation thesis is itself simply another form of Americanisation. He emphasises instead that the fear of materialism is shared by consumers even in the process of acquisition, evidenced by measures taken by consumers to curb the anti-social potential of material culture. Although he prefers the moralist critics to the amoral stance of those they critique (Miller, 2001: 226), he rejects deterministic views of consumption that assume an essentialist, natural citizen, masked by an artificial commodity culture of consumers (Miller, 1987: 192-193).

Rather, consumption for Miller is about studying wealth and poverty as a means of exposing historical contradictions, such as the incompatibility between individual liberty and social reciprocity, and the tensions between the interests of 'real' and 'virtual' (mediated by auditors) consumers (Miller, 2001: 240). Social scientists, he insists, would do better to 'acknowledge consumption' as more of a context of social change than a cause of social ills (Miller, 2012: 184), and take contradictions in consumption (as well as those in citizenship, one might add) as the starting point for

historical analysis. Such an approach, when applied to an analysis of the historical contradictions in broadcasting regulation, for example, could be more fruitful than the comparatively simple ideological reading of a binary relation between citizenship and consumption.

6.3.2 CONSUMPTION AS PRACTICE AND PROCESS

Such ideological readings, typical of normative critiques of consumer culture, assume the possibility of neatly distinguishing between necessary and artificial needs and wants, ignoring their cultural and social constitution in even the poorest of societies (Schudson, 1998). More recently, however, these assumptions have been challenged by the shift from economic and psychological accounts of consumption to more socio-cultural accounts of actual practices that recognise the importance of consumer goods for establishing and circulating meaning in modern societies (Douglas & Isherwood, 1979). This critical sociology of consumption is more informed by empirical and historical research, and less adherent to mass culture theory's negative evaluation of the consumer (Featherstone, 2007: 13), contesting the extent to which consumption can be dismissed as either privatising or passive by revealing the active involvement of television audiences, the appropriation of consumer goods and the social and collective dimension of consumption.

Such scholars argue that the individualist approach to the consumer, as someone who has 'no choice but to choose' between one symbol or another (typical of theorists such as Bauman), offers only a partial understanding of consumption. Accordingly, this theoretical turn in the literature offers a distinctive perspective: attending more to the processual and 'collective development of modes of conduct in everyday life' than individual choices; shifting the focus from the 'insatiable wants of the human animal' to the 'instituted conventions of collective culture'; and from a critique of constrained choice to an analysis of disciplined participation. Careful to avoid the reduction of the consumer to either a sovereign or a dupe, such research focuses on

the particular moments of consumption as well as the more general organisation of consumption practice (Warde, 2005: 146).

As with the recent research into citizenship, scholarly attention has turned to examining consumption as practice and process, emphasising what people do and feel rather than what they mean (Warde, 2005: 132). Maintaining that most practices entail consumption (Warde, 2005: 137) that is generally routine, ordinary, collective and conventional, a distinction is drawn between consumption as a dispersed practice and shopping as an integrated practice. That is, there are those that like shopping and those that do not, but whereas shopping can be avoided, consumption is inescapable, and generally understood as simply 'doing something' rather than as 'consumption' *per se* (Warde, 2005: 150). While research discussed in Part Two suggests that the public of public services do not see themselves explicitly as consumers (Clarke et al, 2007), they don't see themselves especially as citizens either. Understanding both citizenship and consumption as dispersed rather than integrated practices may be one way of better acknowledging the ways in which the public relate to public and private services, such as broadcasting.

In advocating a broader definition of consumption beyond status emulation or the materialist acquisition of goods by individuals, such as the suggestion that it comprises the 'selection, purchase, use, maintenance, repair or disposal of any product or service', (Campbell in Warde, 2010: xxiv-xxv, xxxii), or the elaboration of consumption as a collective rather than individual process much larger than the market and essential for the forging of social relationships (Miller, 2012; Warde, 2010), there has also been a greater sensitivity to the inconspicuous consumption of social services and publicly provided goods as well as market products, and even to the empowering potential of shopping.

Consequently, we now have a more sophisticated understanding and nuanced sense of the origins and development of consumer cultures around the world (Sassatelli, 2007; Trentmann, 2004; Warde, 2010), that resists simplistic periodization, and goes against the view of consumption as a 20th century phenomenon that simply homogenises and erodes civic engagement. Historical research has revealed that the consumer has an even longer history than advanced liberalism, with debate on the

origins and development of consumption suggesting that it may go as far back as the 16th Century. The fusion of multiple consumer identities into the universal subject of the sovereign consumer, it is argued, has been as long a process of social and political contestation as the history of citizenship, with which it shares its roots in rights and equity rather than individual choice, and the privatisation of the consumer reveals only its recent history (Trentmann, 2007: 151). Consequently, John Brewer and others (McKendrick, Brewer & Plumb, 1982; Brewer and Porter, 1993) have suggested a focus on the historical development of consumption as an alternative perspective from which to reveal unexplored aspects of modern life (Wyrwa, 1998).

6.3.3 PROBLEMATISING PRODUCTION, CONSUMPTION AND POLITICS

Since the turn of the 21st Century, there has been a boom in scholarly interest in more active dimensions of consumption, and the extent to which the distinction between production and consumption, and that between politics and consumption, continues to hold true. Indeed, Warde has argued that work and production are involved in every aspect of consumption (Warde, 1991). Problematising the salience of passive consumption, particularly in terms of its assumed distinction from production (Firat & Venkatesh, 1995), scholarly attention has turned more to the 'prosumer' (Toffler, 1980), the 'produser' (Bruns, 2008), the more active and productive aspects of consumption (Arnould & Thompson, 2005: 871), and the new relations of production and consumption that are emerging especially online with the rise of Web 2.0 (Beer & Burrows, 2007), where content is mostly not generated by the producer, but by users (Ritzer, Dean & Jurgenson, 2012: 385). Rather than claiming, however, that prosumption is the product of Web 2.0 or that this new media environment heralds a new third age of capitalism (production, consumption, and then prosumption), George Ritzer and others have argued that the alleged shift from a producer- to a consumer-society (insisted upon by Bauman and others) is itself misleading, and that economies have instead always been dominated by prosumption (Ritzer & Jurgenson, 2010).

Alvin Toffler (1980) was the first to coin the term 'prosumer'. He argued that prosumption had actually been predominant in a first (pre-industrial) wave of marketisation, and that it was only in the second wave of marketisation (which accompanied the emergence of industrial society and modernity) that the functions of producer and consumer were separated. This second wave introduced a distinction between production and consumption that initially privileged the former over the latter, presuming a passive consumer and the market logic of consumption (Firat & Venkatesh, 1995: 239), giving birth to the producer society but also eventually to the consumer society (Firat & Venkatesh, 1995: 248). Contemporary (postmodern) society was, according to Toffler, being swept by a third wave towards the reintegration of production and consumption in the form of the prosumer (Toffler, 1980: 265-266). According to this argument, the producer-consumer dichotomy is at best only a historical anomaly (Ritzer, Dean & Jurgenson, 2012: 380), as there is no natural distinction between them (Firat & Venkatesh, 1995: 254). Further, Ritzer has claimed that even at the peak of the Industrial Revolution, production and consumption were never fully distinct, and that theorists such as Marx and Baudrillard were guilty of too strongly distinguishing between the two spheres and misguided in emphasising one over the other (Ritzer & Jurgenson, 2010: 17). Debunking the view of the consumer as merely the end of the production process, consumption is thus instead viewed as an ongoing process of construction in which things are constantly 'consumed, produced, signified, represented, allocated, distributed and circulated' (Firat & Venkatesh, 1995: 259).

'Traditional prosumption', such as self-servicing at petrol stations or supermarkets, has of course been exposed as capitalist exploitation, critiqued as merely the creation of 'temporary employees' (Humphreys and Grayson, 2008; Fuchs, 2010) or free labour in the 'social factory' (Terranova, 2000). Arguing that production has abandoned the factory and is now dispersed throughout society, for instance, the Italian autonomists have highlighted the shift from material to immaterial labour (Negri, 1989; Lazzarato, 1996; Hardt & Negri, 2000) so prevalent in all aspects of production, but particularly in new media. However, while traditional forms of prosumption enable corporations to exploit consumers (who produce nothing but surplus value) rather than workers (who produce only a great deal of surplus value) without having to pay them a wage (Ritzer & Jurgenson, 2010: 26), Ritzer argues

that newer forms of prosumption, especially those associated with Web 2.0, are more complex than that (Ritzer & Jurgenson, 2010: 21). In newer forms, the 'ideological recruitment of consumers into productive co-creation relationships hinges on accommodating consumers' needs for recognition, freedom and agency' (Zwick et al, 2008: 185). This of course could itself be dismissed as false consciousness (Ritzer & Jurgenson, 2010: 25), and no matter how much productive power consumers are given over their Facebook pages or Wikipedia edits, the profits or profit-potential of such products are not distributed among the users but retained by their owners (Ritzer & Jurgenson, 2010: 27). Nevertheless, prosumers appear to be harder to control, and more likely to resist such control, than consumers (Ritzer & Jurgenson, 2010: 31). Although it would be naïve to assume that prosumers are free from external control, alienation and exploitation, a better understanding is needed of the extent to which producers, consumers and prosumers are subject to such processes (Ritzer, Dean & Jurgenson, 2012: 387).

Beyond the problematisation of the production-consumption dichotomy, the active dimensions of consumption have also been addressed by those questioning that between consumption and politics. Although both liberal and neoliberal discourse aligns consumption with the market as opposed to both the state and citizenship, alternative modes of consumer action suggest a bottom-up cultural revolution in both everyday life and political participation (Sassatelli, 2006). Through consumption, people formulate a sense of the good life and of what is good for their family and community, others and the planet, as much as for themselves. As well as a site of materialist individualism, therefore, it needs to also be approached as a space of moral reasoning, ethical engagement and political critique (Slater in Schor et al, 2010: 282). There has therefore been a growing interest in ethical and critical consumption, whereby economic rationality is subordinated to ethical considerations (Nava in Stevenson, 2003: 134; Sassatelli, 2007), and in understanding the consumer as an actively ethical, moral and political subject (Sassatelli, 2007).

Contrasting 'critical consumerism' with other aspects of consumer culture, Roberta Sassatelli, for example, emphasises consumption as a politically contested field in which, under certain circumstances, individuals can make public use of their reason. Kate Soper (2007) has also emphasised the ways in which changing consumer

practice has incorporated civic mindedness, making redundant the dichotomy constructed between the self-interested consumer and the civic-minded citizen. Michael Schudson's work, already discussed in the context of revisionist accounts of the public sphere, has also been significant for emphasising the political opportunities offered by consumption and the private realm for those (such as women or those without property) denied formal citizenship and access to politics. Although Lizabeth Cohen (2003) provides an account of how the conflation of citizenship and consumption in 20th Century America brought about in the long-term a misguided belief that value for money could determine political freedom, she nevertheless emphasises the importance of the politically motivated consumer movements of the 1960s and 1970s for aspiring to hold both governments and corporations to account (L Cohen 2004: 239), arguing that the 'sovereign citizen-consumer' has become the most effective counterweight to the political unaccountability of multinational corporations (Sassatelli, 2006). And in Michele Micheletti's work on contemporary political participation, she identifies 'political consumerism' as one of a number of emerging forms, as citizens seek to formulate more *individualised* philosophies of the good life outside of traditional politics and civil society (Micheletti, 2003).

It would be a mistake to assume, however, that while the citizen is nation-bound, the consumer is free to perform a kind of transnational citizenship, as (questions of efficacy and legitimacy aside) political consumption is often itself entangled in national public debates (Micheletti, 2003). Further, when consumerism is used to refer to the consumers' rights movement (Hilton, 2003), it is simultaneously both a movement on behalf of consumers, as well as a movement against consumerism as an ideology (Binkley & Littler, 2008: 526). But recognising the productive and political agency of consumers, as well as the opportunities offered by critical consumerism for the holding to account of private corporations, suggests that the typical reaction of broadcasting scholars to the process of consumerism has been all too dismissive.

Certainly, the political activists' discourse of critical consumerism borrows themes normally associated with the public sphere or rationalised production to reconstitute the consumer as not only active but productive and political, questioning and

renegotiating the distinctions between consumption, production and politics (Sassatelli, 2006). Making such discourse an object of critical analysis, however, Sassatelli not only highlights the emancipatory potential of consumption, but simultaneously critiques the extent to which consumption can be political, thus problematizing the consumer beyond both the traditional critique and the more recent tendency in consumer studies to develop an ontology of the consumer that risks ignoring its full cultural and historical meaning (Sassatelli, 2006). Although some consumers, particularly consumer activists, seek to defy consumerist norms and challenge corporations, the extent to which they are motivated by citizenship and see other consumers as part of the problem suggests the need for further distinction between types of consumer and types of citizen, as well as reminding us of the fuzzy distinction between the two (Arnould & Thompson, 2005: 875).

6.3.4 CONSUMPTION, CRITIQUE AND MORALISM

As important as it is to recognise consumption as more complex than the traditional critiques suggest, analysts have been warned to be wary of relativizing consumption and abandoning a critical stance towards it (Wyrwa, 1998). The elaboration of an ethics or moral value of consumption can perhaps be developed (Schudson, 1998), but only from a critical appreciation of both the actual practices of consumption and the normative critiques of consumerism. As such, it may be necessary to return to the earlier critical theorists as a first step towards developing a new critical approach to consumption, which combines the normative theories that had been limited to the macro-level, with the empirical results that tend to be limited to the micro-level. Such a critique would engage at the macro-, meso- and micro-levels (Arnould & Thompson, 2005: 871) with the ways in which social relations, as well as contemporary notions of individuality and community, have been transformed by consumption (Schor, 2007: 29).

Debate on the question of moral stance in consumption research is a recurrent source of tension between those who are critical and those who are more agnostic in their

approach. Until the 1990s, however, the critical study of consumption existed only in the form of a 'patrician dismissal of everyday life' (Slater in Schor et al, 2010: 280). What such critics are actually critical of is more specifically consumer culture and society, with the associated judgments on overconsumption, the undue influence of consumption on everyday lives, and the enjoyment of some individuals to the detriment of others. But the consumer critics' equation of consumption with consumer culture and society reduces it to the 'moral panics, guilt complexes, class tastes and intellectual traditions' of northern, western or occidental researchers, and actually obscures the vast majority of consumption, which is more complex and not necessarily cultural (Slater in Schor et al, 2010: 281).

While the critics are accused of elitism in the imposition upon their research object of the personal tastes or particular politics of their own specific social position, the agnostics are accused of ignoring or even supporting the power relations underlying consumption practices (Schor in Schor et al, 2010: 274). Schor argues, for instance, that the wholesale rejection of the consumer critique tradition by the agnostics has led to a theoretical cul-de-sac in which it is difficult to engage in critical analysis (Schor in Schor et al, 2010: 275). Although it is correct that the critical accounts tended to deny consumer agency and be overly totalised, elitist and anti-working class, reflecting the largely unconscious class bias of those particular scholars, it is important to differentiate between them rather than simplistically dismiss them, and to critically engage with their arguments when re-applying them to contemporary society (Schor in Schor et al, 2010: 275). It is an irony, she notes, that the shift in academic attention away from the alienated and exploited consumer in favour of the active and sovereign consumer corresponded with the rise of multinational corporations and their encroaching influence over politics and society. However, the recent emergence of new forms of anti-consumption and ethical consumption remind us of the need not to avoid an engagement with ethics and values in consumption 'just as they come to the fore in consumers' own understandings of how they shop, spend, and live their daily lives' (Schor in Schor et al, 2010: 279).

To critique the critics, however, is neither to naively embrace consumption nor to fall for the myth of value-free social science; rather it is to recognise that by constituting consumption as a social problem, it is reduced to a narrow and singular analytical

framework, in which the social and political location of the researchers becomes unreflexive, unchallenged and moralistic. As such, the political impulse to critique power actually becomes the opposite of politics, so that the only questions worth asking are those that would occur to a certain type of researcher, whether they are right to ask them or not. Rather than being uncritical, therefore, the recent generation of consumer researchers are engaged in deepening critique and refusing moralism (Slater in Schor et al, 2010: 281-282). Such an approach does not necessarily oppose the modernist reading of the consumer that is constructed as willing to be objectified and commodified, but it does remove the stigma that modern thought attaches to such objectification, since postmodern thought deconstructs binary oppositions such as subject/object and citizen/consumer, and transcends imposed narratives and myths (Firat & Venkatesh, 1995: 254), such as the depoliticisation of citizenship by consumption. Rejecting older critical epistemologies that are structured by a dialectic of the universal and the particular, in which the aim is to connect the empirical surface with the normative depth, to formulate a macro-theory to subsume micro-situations, and to diagnose the most effective remedy for social change, recent consumer research is more concerned to follow connections, assemblages, disassemblages and reconfigurations upon a flattened landscape that no longer assumes a distinction between epiphenomena and deeper structures (Slater in Schor et al, 2010: 283-284).

Such an approach allows for a properly critical examination of the ways in which degrees of agency/passivity have evolved over time within the overlapping processes of both citizenship and consumption.

6.3 INDIVIDUALISATION – BEYOND THE CITIZEN-CONSUMER DICHOTOMY?

In light of such research that exposes the 'contradictory and multi-faceted workings of consumption', and theoretical developments in the debate around cultures and politics of consumption, ideas such as consumerism and consumer culture and

society become of 'diminishing analytical and conceptual usefulness' (Trentmann, 2004: 376-380). A more mobile or tautological approach is required that acknowledges the full spectrum of forms of consumption, that doesn't reduce consumer politics to resistance to consumerism (Clarke et al, 2007: 139; Trentmann, 2004: 377), and that reformulates the economic dimension of consumption to account for its collective and active dimensions. Rather than assuming a competitive relation between citizenship and consumption, where the expansion of one necessitates the decline of the other (Trentmann, 2004: 379), the complex and contradictory ways in which they interact needs to be more taken into account (Warde, 2010: xlii). Such an approach recognises that consumption expresses, functions and shapes citizenship (Jubas, 2007: 232; Trentmann, 2007: 154), and demonstrates that consumption is embedded within a larger universe of civic values that blends ideas of individualism with collective identities and social solidarities, making the distinction between citizen and consumer subsequently less evident (Trentmann, 2004: 379-382). This emerging notion of the 'consumer-citizen' redefines the citizen's rights to be a consumer, and the consumer's responsibilities to question the consequences, risks and costs of consumption (Featherstone, 2007: xvii), while its redrawn history reveals a variance in emphasis on individualism or collectivism, as well as in the role of the state and the market (Jubas, 2007).

Rather than a simple distinction between active citizenship and passive consumption, therefore, the emerging literatures in citizenship and consumption studies suggest that there may instead be degrees of activity/passivity in consumption (Schudson, 1998) as there may be degrees of dis/engagement in citizenship. Additionally, in contrast to the assumption of an inversely proportionate relation between the two, the significance of consumption to participatory and active democratic societies highlights the necessity of consumption for citizenship. Indeed, while traditional political action has often been historically available to only propertied white males, the possibility of channelling protest through consumption or consumer-boycotts has, for women, residents of non-citizenship status and, even, the poor, demonstrated that basing political participation upon consumer identities has for a long time offered a radically egalitarian alternative. As Schudson comments, while consumption may sometimes take people out of the public square, it has also on occasions provided the

avenue and engine for entrance into public life that citizenship has itself denied (Schudson, 1998).

Some of the recent literature on the cultural dimension of both citizenship and consumption has also emphasised the ways in which individuals may forge feelings of social solidarity and create, in their pursuit of common consumption interests, 'distinctive, fragmentary, self-selected, and sometimes *transient* cultural worlds' (Arnould & Thompson, 2005: 873). This aspect of the literature, engaging directly with the contradictions of consumption and the limits to the individual-collective dichotomy, draws on literature that seeks to break away from a 'modern' analytical framework to engage more appropriately with the context of 'second' or 'reflexive' modernity (Beck, Giddens & Lash, 1994; Beck, 1992; Beck & Beck-Gernsheim, 2002; Maffesoli, 1996; as well as Bauman, 2000). Michel Maffesoli's work on postmodernity, for instance, has been of particular importance to those consumption scholars who have distanced themselves from the Frankfurt School critique of consumerism. In particular, they evoke his account of neotribalism, in which he argues that individuals are forging more *ephemeral* collective identifications and pursuing common lifestyle interests in response to the threat of isolation and alienation, caused in turn by the erosion of traditional sociality by globalisation and socioeconomic change, on the one hand, and by the resultant ethos of radical individualism on the other (Arnould & Thompson, 2005: 873).

Such accounts are supported by Beck and Beck-Gernscheim's elaborations of the dual processes of 'individualisation' (a more complex process than that outlined by Bauman) and 'sub-politicisation', whereby the former refers to the increasingly reflexive values of social actors and the ongoing (never complete) process of 'becoming individual', and the latter to the search for political participation beyond traditional politics. The Becks' concept of 'individualisation' (2002) is distinct from the self-effacement of communitarianism, but also from the self-gratifying *individualism* commonly associated with consumerism (as well as the empowering *individuation* typified by republicanism). Society is individualised when a mobile and fluid commonality is provisionally formed by the 'paradoxical collectivity of reciprocal individualisation' (Beck, 1992: xxi). Far from the rigidity of traditional communities of class, gender and ethnic belonging, and contradicting the

'fragmentation of society' thesis, this idea accounts for the ways in which individuals converge to form communities of interest; consuming together for mutual benefit. This postmodern and 'reflexive' individualisation involves the recognition of the incompleteness of the self, combining and tempering personal freedom with an engagement with others, and reflexively problematising the distinction between the individual and the collective. As a consequence, it raises doubts about the continued relevance of the citizen-consumer dichotomy as an effective framework for making sense of either general social changes, or, more specifically, the transformation of media regulation.

While globalisation theories problematise the continued relevance of the nation-state, individualisation problematises that of the collective. Distinguishing between neoliberal individualisation (the free-market individual) and their own concept of 'institutionalised individualisation', the Becks share the dominant critique of the former that sees it as fostering an ideology of the autonomous and freely choosing individual that directly threatens the welfare state. However, they argue that 'institutionalised individualisation' concerns the very process of questioning this false image and engaging instead with the incompleteness of the self. Rather than free choice, they argue, it is this reflexive questioning of the incompleteness of the self that constitutes the 'core of individual and political freedom in second modernity' (Beck, 1992: xxi). Although in the first modernity, individuals were constituted in terms of their roles and relations with specific institutions, such institutions are now in crisis, and functions which once took place at the interface between the individual and the institution now occur much closer to the former. In this second modernity, individuals define themselves so little in terms of their roles and links to specific institutions that it makes little sense to talk about subject-positions (such as 'citizen' and 'consumer') at all (Lash, 2010: ix-xi).

Beck suggests that diagnosing a shift from citizen to consumer in contemporary society is therefore to miss the point, and to fail to diagnose the more fundamental and significant process of individualisation that traditional forms of analysis, such as Marxism, are incapable of recognising (Beck, 1992: 206). The communitarian reaction to individualisation as something that must be overcome, he argues, misunderstands the political forces of a newly emerging form of society, in which

individualisation is actually a new form of cultural democratisation and social self-consciousness that relates politics to everyday life (Beck, 1992: 208). Reactivating old values in reaction to globalisation and individualisation fails to understand the process of 'reflexive modernisation' we are living through (Beck, 1992: 209), and in employing 'zombie categories', such as 'citizen' and 'consumer', to make sense of such processes, social scientists blind themselves to the 'realities and contradictions of globalising and individualising modernities' (Beck, 1992: xxv).

Contrary to Bauman, who sees this process as responsible for the disintegration of citizenship, and who sees little prospect of re-embedding individuals in a republican body of citizenship (Bauman, 1999; xviii), Beck develops his own theory of cosmopolitan republicanism. Drawing on Kant's critique of representative democracy as despotic, because the privileging of the rule of collective/general will over and against that of the individual is a contradiction in terms, Beck proposes that the agency of civil society resides as much in the emotional and everyday life of the transnational citizen as it does in national parliamentary politics (Beck, 1992: 209). In developing his theory, he distinguishes between the early phase of individualism that was associated with modernity and the emergence of capitalism, and in which the values and ethics that were developed reflected a preoccupation with the self, and the individualised subcultures of reflexive modernity which are in the process of developing their own altruistic ethics. While the old value system subordinated the individual to the collective, he explains, the new ethics being developed will be highly individualised yet simultaneously 'socially sensible' (Beck, 1992: 211). This altruistic individualism is the opposite of a culture in which everyone is for himself, which only illustrates part of the picture (Beck, 1992: xxii), for it involves a search to combine personal freedom with an engagement with others on a transnational scale; an ongoing moral process without fixed values that have been prescribed from above (Beck, 1992: 212).

Here, following Norbert Elias (2001), the 'modern' formulation of the relationship between society 'and' or 'versus' the individual becomes the acknowledgment of the society 'of' individuals (Bauman, 1999). In this reformulation, the individual becomes the basic unit of social reproduction, disembedded from traditional communities and the inherited ethics of fixed groups, and enabled to develop their

own altruistic ethics. For Elias, it was incorrect to conceive of the individual as a 'we-less I', or of society as an 'I-less we'; rather, the 'we-I balance' was contingent upon the temporal-spatial context, the specifics of the here and the now. In Beck's elaboration of this concept, he suggests that this 'we-I balance' is not only mobile, but protean, recognising both individuality and sociality as active and unfinished processes rather than as inherited states or statuses. It may be more correct, therefore, to talk of the *socialising* individual and the *individualising* society, to see these as being simultaneously enacted through acts of both citizenship and consumption, and mutually constitutive of the 'we-I balance'. Going back further, when Emile Durkheim (1933) addressed the problem of resolving social cohesion with individualism, he warned against political prescriptions of collective cohesion from above, and for the grounding of cooperation in voluntarism from below; setting out the state's duty to enable individuals to celebrate diversity rather than to override differentiation (Saunders, 1993: 71). For Durkheim, a society which encouraged self-interest was just as pathological as one which encouraged self-denial (Saunders, 1993: 72). So as well as qualifying the assumption that markets and consumerism are necessarily negative for the public sphere, one should also consider the ways in which the discourse of citizenship and public service may be little more than the other side of the same pathological coin, and not automatically conducive to a healthy public sphere.

With the decline of national industrialism and the rise of a global cosmopolitan ethic, Beck argues, problems of common citizenship can no longer be debated uniquely in the 'modern' terms of national citizenship prescribed from above. Because the 'political constellation of industrial society is becoming *un*political', and because 'what was unpolitical is becoming political' (Beck, 1997: 99), critics may have to acknowledge that they have been looking for politics in the wrong place (Stevenson, 2003: 31). Instead, and between individualistic narcissism and communal self-repression, both of which can be seen from a Foucauldian (or Deleuzian) perspective as not so different forms of discipline (or control), researchers should engage not only with the disembedding of traditional communal ties and forms of citizenship, but also with the re-embedding of new reflexive ones in consumption practices as well as more explicit and formal citizenship roles. Controversially, this may mean more than just balancing a more critical account of citizenship with a less moralistic

engagement with consumption, and suggest even an abandonment of the concepts altogether.

CONCLUSION

The mounting evidence of consumption as a political site for collective mobilisation, and the recognition of citizenship and consumption as omnipresent and overlapping categories, rather than successive ideal-types, are at odds with the conventional distinction between individual choice and political organisation, as well as the nostalgic narrative of the shift from traditional community and public space to neoliberalism and consumerised politics (Trentmann, 2004: 392-399). Closer engagement with theories of citizenship and consumption suggests, therefore, that a historical analysis of the ways in which citizens and consumers are configured over time would produce a theoretically more revealing account of broadcasting regulation (and its consequences for the public sphere), than an approach which simplistically equates the public sphere with vague notions of citizenship and PSB, and distinguishes it from equally vague notions of consumption, the market and neoliberalism.

The conceptual distinction between the market and individual self-interest, on the one hand, and the welfare state and collective altruism, on the other hand, may not be as clear-cut as it commonsensically appears. On a theoretical level, this distinction may actually undermine self-proclaimed attempts at critique and misunderstand the very processes being targeted. More worryingly, on a practical level, it may well be that this dualism could even encourage attacks on the very 'conditions which enable social bonds to form while extending the conditions which encourage greater fragmentation' (Saunders, 1993: 85). For the purposes of both social cohesion and the public sphere, therefore, it may not necessarily be to the obviously public rather than the suspiciously private realm that we should turn for answers.

Considering the significance of citizenship and consumption to arguments about the history of broadcasting policy, it seems surprising that so little attention has been paid to their respective literatures. While these suggest that more detail is needed to elaborate the kinds of citizenship that have been represented in policy documents, and to distinguish between these and the more active ideal of citizenship participation that is evoked by the public sphere concept, they also suggest that more detail is needed to elaborate the varying kinds of consumption that have also been represented. However, the tendency in the broadcasting literature to expose as ideological manipulation any attempt in such documents to renegotiate these subject-positions, while probably not incorrect, seems to cut short such elaboration. While care must be taken to avoid descending into moral relativism, the tendency to dress moralism in the clothing of critique must also be circumvented, so that the positive and negative aspects of both citizenship and consumption may be acknowledged and properly critiqued.

More fundamentally, an engagement with the concept of individualisation suggests that neither the citizen nor the consumer subject positions, however qualified (even as cultural citizenship and critical consumption), are particularly helpful to develop or even recognise newly emerging forms of politics. While it may be problematic to label these as citizenship, and while labelling them as a form of consumption risks depoliticising them, the problem with diagnosing them rests more with the 'hang up' of certain scholars who feel the need to differentiate between good citizenship and bad consumption. It is not so much the terms themselves that are unhelpful, but rather the binary opposition that has been constructed between them. An account of citizenship and consumption in broadcasting regulation that acknowledges their respective problems and political potentialities, by contrast, would shift debate away from a moralistic versus economistic/relativist debate. Far from sacrificing critique, furthermore, this could actually deepen critique.

While the Foucauldian perspective that informs much of the respective literatures on citizenship and consumption allows us to move away from moral presumptions and simplistic binaries, efforts to recognise politics beyond such terms, whether by problematizing citizenship or consumption, or by dispensing with both terms completely, offer a way to reconceptualise the public sphere. While the Habermasian

literature continues to contend with balancing classical liberal and republican thought and force their application upon an ever-changing and increasingly ill-fitting transnational and social context, cosmopolitan literature engages in dialogue between neoliberal and neorepublican debates in an effort to more fully recognise such changes for what they actually are.

As we shall see in the next chapter, neoliberalism itself is a more complex concept than moralistic 'critiques' suggest, and a burgeoning critical sociology of neoliberalism, which engages directly with the literature of the neoliberal economists themselves as well as with the contradictory aspects of so-called neoliberalisation, provides a clearer account of how better to recognise, understand and critique neoliberalism. It turns attention, for example, to the ways in which citizenship and consumption have been reconfigured throughout the history of liberalism, and to the contradictory ways in which they are currently configured in neoliberal thought and practice. Such a move has consequences for how we understand contemporary social change, and for how we conceptualise the relationships between public and private realms and between citizenship and consumption. It also has consequences for the elaboration of a contemporary public sphere, as well as for the approach to broadcasting regulation that addresses change in terms of ideology rather than governmentality.

Part Seven: Neoliberalism – Ideological and Governmental Approaches

The past 20 years have witnessed an explosion of intellectual interest in neoliberalism. Whereas there had been fewer than 5 scholarly references to 'neoliberalism' per year throughout the 1980s, there were over a 100 per year by the end of the 1990s, and over 600 per year by the end of the last decade (Web of Science, in Peck, 2013b). Such interest seems unlikely to subside in the foreseeable future. Prompted by the dramatic onset of the global financial crisis (2008-ongoing), which was purportedly the result of neoliberal logic, and the subsequent intensification of the familiar policies of 'regulatory restraint, privatisation, rolling tax cuts, and public-sector austerity' through an even more relentless focus on 'growth restoration, deficit reduction and budgetary restraint' (Peck, 2013a: 3-5), there has also recently been an abundance of public debate on the efficacy, validity and legitimacy of neoliberal policies. Despite (or perhaps because of) such promiscuity, however, the term itself has been prone to inflation (Peck, 2013a: 17), and for some it has become an 'overblown' concept (Collier, 2012) that tends to be applied (in an invariably disapproving way) to pretty much anything today (Allison & Piot, 2011: 5).

While its meaning, its history and even its existence continues to be debated in disciplines such as geography, urban studies and sociology, the richness of the theoretical and methodological debate surrounding neoliberalism is conspicuously absent from the literature on broadcasting regulation, in which little critical engagement is made with the term. Rather, in presenting it simply as the antonym of PSB and as the cause of perceived shifts from citizen to consumer in regulatory discourse, it is persistently evoked, implicitly or explicitly, as a monolithic and external force whose features are either taken for granted or predictably described (Collier, 2012).

In contrast, recent contributions towards a critical sociology of neoliberalism (Gane, forthcoming) deal not only with the contradictory ways in which these elements

combine with other policies, and the contextual differences in their application from one country to another, but with the history of liberal and neoliberal thought, and an engagement with the political-economic debates within liberalism and neoliberalism. This literature suggests a longer and more detailed history than tends to be assumed, and provides a corrective to accounts of neoliberalism framed in terms of laisser-faire or individualisation. It also turns our attention to a more nuanced appreciation of the changing role of both the state and the market.

This chapter begins with a critical account of the ideological approach to neoliberalism that informs scholarship on broadcasting regulation, before contrasting it with the governmental approach that has been relatively ignored. It then offers an up-to-date account of theoretical and methodological debates between proponents of each perspective, and of recent historical accounts of neoliberalism that offer timely correctives to contemporary misconceptions in both camps. Finally, the possibility of establishing dialogue between these approaches through the development of a processual account of neoliberalism will be critically explored, and its application to critical scholarship on broadcasting regulation will be proposed.

7.1 Ideology, Hegemony and the Political-Economic Critique of Neoliberalism

> [N]eoliberal doctrine is best understood as an ideology—a doctrine which provides only a partial representation of the world and whose misrepresentations mask material processes which benefit dominant class interests. When read as an ideology, a clearer picture can be formed of the relationships between neoliberal doctrine and the practices which have generally been labelled 'neoliberal'.
>
> (Cahill, 2012: 177)

> [I]s neo-liberalism hegemonic? Hegemony is a tricky concept and provokes muddled thinking. No project achieves a position of permanent 'hegemony'. It is a process, not a state of being. No victories are final. Hegemony has constantly to

be 'worked on', maintained, renewed and revised…[I]n ambition, depth, degree of break with the past, variety of sites being colonised, impact on common sense and everyday behaviour, restructuring of the social architecture, neo-liberalism does constitute a hegemonic project.

(Hall, 2011: 727–728)

Although occurrences of 'neoliberalism' abound in broadcasting scholarship (and further afield), they rarely explain what is meant by the term, assuming instead a commonsensically shared understanding of the public policies it evokes. When greater specification is provided, neoliberalism's essential features are 'variously described, but always include' (Ferguson, 2009: 170): consumer choice (Harvey, 2007 :42); private ownership and property rights, free trade, free markets, privatisation, and state withdrawal from social provision (Harvey, 2007: 2); deregulation, the restriction of state intervention, opposition to collectivism, emphasis on individual responsibility and a belief that economic growth leads to development (Hilgers, 2011: 352); valorisation of private enterprise over the state, tariff elimination, currency deregulation and enterprise models that run the state like a business (Peck, 2008); a logic of 'DIP (deregulation, individualisation, privatisation)' (Bauman & Rovirosa-Madrazo, 2010: 52); as well as an emphasis on the entrepreneurial self; and the social scientist's particular bugbear regarding Thatcher's claim that there is 'no such thing as society' (Mirowski, 2013). Emphasis is also placed on the encroachment of market relations into domains previously considered exempt, and on the opportunities such encroachment provides for figures, such as Rupert Murdoch, to not only extend and diversify their commercial media empires, but even to ultimately influence the political process (Harvey, 2007: 34). More broadly, neoliberalism is seen as the reinvention of the classical liberal tradition, expanded to encompass the whole of human existence, whereby the market stands as the ultimate arbiter of truth, and where freedom is recoded to mean anything the market allows (Mirowski, 2013). Other uses of 'neoliberalism' see it as shorthand for a new era of capitalism in more speculative times, or as an abstract and external causal force, often little more than a 'sloppy synonym' for capitalism or the world economy and its inequalities (Ferguson, 2009: 171).

Announcements of neoliberal trends in broadcasting regulation tend to refer understandably to David Harvey's seminal contribution (2007), and to Stuart Hall's successive analyses of UK neoliberalisation from Thatcher, through Blair, to Cameron (1988, 2003, 2011). Unfortunately, such announcements demonstrate little critical engagement with Harvey's and Hall's approach, and limited awareness of the wider array of perspectives on neoliberalism.

Both Hall and Harvey portray neoliberalism as an ideological and hegemonic project (Hall, 2011: 728; Harvey, 2007: 3) to disembed capital from the constraints of Keynesian interventionism (Harvey, 2007: 11), and to oversee 'the shift of power and wealth back to the already rich and powerful' (Hall, 2011: 721; Harvey, 2007: 42). Hall's neo-Gramscian account highlights Thatcherism's contradictory strategy of balancing ideological anti-statism with state-centrist interventions, thus providing an admirably nuanced account of hegemony that refuses to reduce Thatcherism to a simple phenomenon of ideological class interests. However, it makes the ideological impulse of Thatcherism of 'considerable importance' (Barry et al, 1996: 11), while refusing to acknowledge neoliberalism itself as anything other than an ideological project. As for Harvey, although he distinguishes between neoliberalism as a utopian project to re-organise capitalism, and neoliberalism as a political project to restore power to capitalist elites in the West (or to create it in Russia and China), he argues that fundamental contradictions between the two projects result, in practice, in the discarding of principles in favour of the restoration or creation of power (Harvey, 2007: 19-21), and in the strategic use of utopian theories as little more than theoretical justification for political goals (Harvey, 2007: 19). In this sense, neoliberalism refers to a 'set of highly interested public policies' that, in order to enrich holders of capital, have dismantled public services and deteriorated the quality of life for the poor and working classes, thereby increasing inequality and insecurity (Ferguson, 2009: 170). There are, however, other reasons for divergences between policies and doctrine that should also be noted, such as the inherent and inevitable 'contingencies of democratic politics' (Ferguson, 2009: 170-171), which such an ideological approach neglects to consider; and Ferguson's work on the ambivalent impacts of neoliberalism in Africa will be discussed later in this chapter.

Although some have recently acknowledged critiques of the term 'neoliberalism' – for instance, its 'totalizing reach, eliding of other histories, and application to almost everything today' (Allison & Piot, 2011: 5) – there remains an attachment to it as an umbrella term for otherwise complex processes. Despite acknowledging the term's ubiquity, reductiveness and lack of geo-historical specificity, for instance, Hall nevertheless insists upon the political necessity of 'naming neoliberalism' to give focus to its resistance, arguing that it has enough common features to warrant at least a provisional conceptual identity (Hall, 2011: 706).

Terms such as 'Thatcherism' and 'neoliberalism' are effective as mobilising slogans and at identifying, personalising and politicising particular root causes of social problems (and suggesting, by extension, specific remedies for them). Using such words to bring together multiple meanings also offers occasions for reflection upon the ways in which they may be related. Confusion can arise, however, from there being 'so many distinct referents for the same widely used term', leading to shallow analyses (that don't really say much) as well as ineffectual politics (that is reduced to merely denouncing neoliberalism) (Ferguson, 2009: 171). 'Naming' either Thatcherism or neoliberalism, however nuanced the account of their hegemonic spread, risks ignoring the ways in which the process of neoliberalisation 'never secures a monopoly', existing instead always 'amongst its others, usually antagonistically' (Peck, 2013a: 8). (In Thatcher's case, neoliberalism was mixed with both traditional British Toryism and 'little-Englander anti-Europeanism'; the New Labour governments of Blair and Brown combined neoliberalism and a move away from the labour movement with elements from both social democracy and Christian socialism; in the contemporary era of the financial crisis, Cameron's coalition government appears to fuse Blairism and Thatcherism in yet more novel ways.) Such naming of cause and remedy also ignores anomalies that contradict claims of hegemonic spread, such as the expansion of state intervention in certain areas that has accompanied its reduction in others; the stability of the aggregate size of the state since the 1970s despite 'neoliberal' attempts to reduce it; and continuities in welfare state provision, albeit in an eroded and restructured guise; as well as the ways in which neoliberalism itself shape-shifts over time (Cahill, 2012; Peck, 2013a: 8). Although 'analytically inconvenient' (Peck, 2013a: 8), the recognition of neoliberalisation as an incomplete process and of neoliberalism's contradictory

cohabitation with other projects demands more nuance and precision in critical accounts of policy and social change (Peck, 2013a: 9). Hall's own successive analyses of cumulative neoliberalisation in the UK suggest that even when neoliberalism is the dominant feature of public policy it remains prone to mutation (Peck, 2013a: 20). As such, it may be more perspicacious to see actually existing 'neoliberalisms' as lived and reflexive realities in which contradictions and counterarguments abound (Goldstein, 2012: 305; Peck, 2013a: 20), rather than as local manifestations of global ideas or norms.

Commandeering this umbrella term for the purposes of political critique has, however, meant that heretofore it has been little more than a convenient bogeyman for commentators on the disempowerment of politics by economics, particularly in the context of market attacks on the welfare state (Gane, 2012: 613), and for critics of the colonisation of the public sphere by private processes, particularly in the context of the privatisation of public services, and the deregulation of PSB. In its disdain for such processes, the critical deployment of the term 'neoliberal' follows the tradition set by earlier critics of privatisation and deregulation in Thatcher's Britain, such as Garnham and Murdock, who used the term 'market' in much the same way to critique changes to broadcasting policy. But when so much of the literature reaches inevitably the same conclusion, some readers may be left wondering, whether or not they agree with the conclusion, what the point is of reading yet another analysis diagnosing yet another case of viral neoliberalism (Ferguson, 2009: 166).

As politically important as such a strategy may be, it is perhaps a theoretical and methodological 'mistake to see neoliberalism as simply a negative political response to the welfarism or corporatism of previous decades', and too 'reductive, reactive and univocal' to interpret the variety of phenomena embraced by Thatcherism as a fiscal retreat by the state (Barry et al, 1996: 11). While the aims and consequences of neoliberalism that Hall and Harvey diagnose are certainly discernible, it seems misleading to associate them with neoliberalism while selectively ignoring other contemporary trends and other facets of neoliberal thought (Gane, 2012: 613). It also avoids engagement with theoretical debates on the role of the state and of the market within liberalism and neoliberalism, as well as contextual differences between

examples of neoliberalisation in action, and consequently the relation between the theory and practice of neoliberalism. In privileging certain aspects of these complex processes, such as privatisation and the shift from citizen to consumer, such approaches also continue to ignore 'novel subjectivities and sovereignties that are emerging under its sign', as the derisive treatment of Ofcom's citizen-consumer demonstrates, as well as its 'less-dominant features and less-known origins' (Allison & Piot, 2011: 5), such as the ordoliberal aim to bridge the gap between unfettered capitalism and state control (Foucault, 2010; Peck, 2010: 60), the Washington Consensus's lack of consensus on the issue of state provision of education and healthcare (Collier, 2012: 192), and the neoliberal critique of the influence of private interests in determining the rationale behind state monopoly in broadcasting (Coase, 1947).

While more extreme terms, such as 'market fundamentalism' and 'libertarianism', severely misrepresent the movement (Mirowski, 2013), it is often difficult to see how neoliberalism is meant to differ from liberalism. Arguments for privatising PSB may represent a neoliberal extension of the market into a domain that had previously been exempt, but they also echo (albeit often strategically) liberal arguments for a free press. To the extent that it is possible to discern in the critical literature a clear difference between earlier and contemporary incarnations of liberalism, it is that neoliberalism represents an extreme and limitless version of liberalism. As previous chapters on the public sphere and the public-private dichotomy have shown, however, critics of liberalism have for 150 years been criticising many of the 'essential features' often attributed to *neo*liberalism. Consequently, while critics of liberalism have often balanced denouncement with praise, picking the good elements of liberal thought and practice from the bad to develop, for example, their concept of the public sphere (Habermas, 1989), critics of neoliberalism tend to see little merit in what is invariably nothing more than an ideology whose hegemony is to be thwarted at all costs.

Further, while much of the critical literature on neoliberalism predictably concludes that it is bad for citizenship, a distinction should be made between the critique of neoliberalism's effect on social citizenship and the poor, on the one hand, and its negative effect on political citizenship and the public sphere, on the other. As earlier

references to Habermas and Mouffe have demonstrated, whether one argues that social rights and political participation are complementary or contradictory, it is at least problematic to conceptually conflate these two types of citizenship. Consequently, the diagnosis of neoliberalism's negative effect on the poor does not automatically mean that it is detrimental to the public sphere, or vice versa.

This 'critical' tendency to use 'neoliberalism' a little too loosely and freely, seeing it as a Leviathan (Collier, 2012) that immerses itself everywhere, and denouncing it wholesale without really engaging it as an object of study in its own right, has been located within a broader weakness of the Left to reduce politics to negation and resistance, to the extent that it is often 'anti-everything' but rarely 'pro-something' (Ferguson, 2009: 167). There are theoretical and methodological weaknesses to a structural and moralistic approach that ignores debates and developments beyond broadcasting studies; a self-defeating consequence of which may be, this thesis contends, to also undermine the political efficacy of such critique.

In contrast, others have warned against fetishising neoliberalism as an ideology, representing it as a caricature of liberalism (Mirowski & Plehwe, 2009: 433), or reducing it to (neoclassical) economics (Mirowski & Plehwe, 2009: 421), when it should instead be seen as a multidisciplinary concern with theories and practices of the state (Mirowski & Plehwe, 2009: 427) and market.

7.2 GOVERNMENTALITY AND THE GENEALOGY OF NEOLIBERALISM

The Anglo School of Governmentality

Motivated by dissatisfaction with the broadly Marxist reduction of capitalism to economic relations, of ideology to false ideas that serve ruling class interests, and of power to a falsifier and suppressor of 'true' human essence (Miller & Rose, 2008: 2-4), a contrasting sociology of neoliberalism developed throughout the 1990s and

2000s under the banner of 'governmentality studies'. The work of the 'Anglo-Foucauldians' (Barry et al, 1996; Rose, 1999; Miller & Rose, 2008) on the Thatcherite and Reaganite neoliberal assaults on the welfare state focused instead on the governmental rationalities that emerged during the period.

Predominantly an 'Anglo School of Governmentality' building on the work of Nikolas Rose and colleagues, it was based in large part on what were at the time only the scattered availability (occasional interviews and partial notes from his then unpublished lectures of the late-1970s) of Foucault's elaborations on the subject of governmentality (Barry et al, 1996: 7). Of particular importance was Foucault's lecture on 'governmentality' (1st February 1978), subsequently published in English in *The Foucault Effect* (Burchell, Gordon & Miller, 1991) and eventually in its proper context as the fourth lecture in *Security, Territory, Population* (2009). In this lecture, Foucault traced back to the 16th Century the emergence of the idea of 'government as a general problem', the associated problematisations of concepts such as state, economy and society, and an increasing concern with statistics and calculation as a means of governing the 'conduct of conduct' (Foucault, 1991; Rose, 2000: 315). Arguing that the 'state' is a relatively abstract and unimportant concept, he shifted attention instead to the ways in which 'government', as both internal *and* external to the 'state', makes possible the redefinition of what is within and outside of the competence of the state; in other words, what is public and what is private (Foucault, 1991: 103). Seeking to understand, without recourse to ideology (Miller & Rose, 2008: 4), intervention into the lives of individuals in 'liberal' societies, which otherwise proclaimed the limits of the state and the privacy of the individual (Miller & Rose, 2008: 1), the Anglo School found in Foucault's approach a more adequate way of capturing the productive, individualising aspects of power that actually make possible a series of positive and tactical interventions, as well as those negative aspects captured by the ideological approach.

Arguing that Hall's ideological critique of Thatcherism, in particular, missed the ethical and technical character of neoliberalism, and the ways in which neoliberalism constructively aligns diverse interests (Barry et al, 1996: 11), the governmentalists shifted theoretical attention away from political philosophy, and towards governmental rationality and the close analysis of mundane techniques and

technologies. Although the ethos of public service and the public provision of social welfare no longer play a pivotal role in the neoliberal way of governing social life (Miller & Rose, 2008: 82), governmental analyses suggested that neoliberalism does not necessarily preclude their continued existence in some form. Rather than a rejection of actual failures of central planning, therefore, the neoliberal critique of the welfare state is better appreciated as a critique of the ideals of knowledge and power that such rationalities embody (Miller & Rose, 2008: 81). Such an argument returns us to the debate (discussed in 6.1) over the manner of delivery and mode of provision of services such as broadcasting, and suggests that the distinction between public service and market approaches to broadcasting should be debated less in terms of actualities, and still less in terms of the public's perception of institutional effectiveness, and more in terms of these ideals of knowledge and power embodied by the two approaches.

Like Hall, Garnham and Murdock, Rose and others were also writing at a time when the state was seeking to withdraw from many spheres of life, and when notions of choice, the customer and the entrepreneurial self were in ascendance (Miller & Rose, 2008: 1). In contrast to the appropriation of Gramsci, however, their embrace of Foucault's work into British debates demonstrated how, through scholarly tracing of dispersed events, 'novel ways of thinking, doing and relating to oneself' could be shown to emerge at particular historical moments, and to be linked in variously constitutive ways with new forms of politics and production, without need of reference to ideology (Miller & Rose, 2008: 4). In dispensing with pre-given notions of class interests, they moved away from questions of 'why' to questions of 'how', multiplying the 'weight of causality' to identify the multiple processes by which practices and roles are constituted (Miller & Rose, 2008: 6). Rather than presuming a universal form of the human subject and tracing the historical effects of practices on certain subjectivities, they took such presuppositions themselves as their object of study, investigating how subjectivities, such as the citizen or the consumer, had been problematised over time (Miller & Rose, 2008: 7). Rather than taking the citizen as an ahistorical basis from which to critique neoliberal and consumerist practices, therefore, the governmental approach (as developed by the Anglo School) sees both the citizen and consumer conceptions of human subjects as equally the results of practices of subjectification (Miller & Rose, 2008: 8). And rather than taking

discursive tensions as signs of ideological conflict and critiquing sham forms of freedom, such an approach, in tracing the 'surfaces of emergence' of problems of difference, also points to ways in which power in liberal societies is built on regulated premises of freedom (Miller and Rose, 2008: 9). Such forms of power are subsequently recognised as operating 'beyond the state' and upon both individuals and collectivities (Miller & Rose, 2008: 10), affecting the extent to which people can see themselves as either citizens or consumers.

Rather than developing a general theory of governmentality, however, Miller and Rose took a looser approach to reflecting upon what it means to govern the 'conduct of conduct'. They argued that attempts to govern were responses to a process of problematisation, in which 'problems' were constructed and made visible. In this process of problematisation, contrasting perspectives are addressed and brought into alignment by the identification of problems in multiple locales; common features among these problems are then invoked and proposed as the basis for a particular way of explaining them (Miller & Rose, 2008: 14). In direct contrast with the ideological approach, their emphasis was on diverse rationalities rather than a unique and homogenous rationality, and upon multiple histories and contingency rather than a continuous and linear narrative (Miller & Rose, 2008: 16). They also teased aPart Three specific aspects of governmentality, distinguishing between these multiple rationalities on the one hand, and equally diverse technologies on the other, while discerning 'family resemblances' between them, so as to emphasise the link between ways of understanding and of acting upon perceived problems (Miller & Rose, 2008: 15-17).

In Foucault's work, the present is more of 'an array of questions' than an epoch, the ostensible coherence of which is something to be acted upon by historical investigation, to be cut up and resewn out of its heterogeneous elements, each of which will have their own conditions of possibility. To fragment the present is to be perspectivist rather than relativist, to destabilise traditional (ideological) approaches rather than critique or dismiss them, highlighting the 'historically sedimented underpinnings of particular problematisations' rather than assuming a grand historical process or singular underlying cause (Barry et al, 1996: 5). Following Foucault's lead, therefore, they treated liberalism less (or not only) as an epoch or a

political philosophy of rights and liberties, and more (or also) as an ethos or a rationality of how to govern, distinguishing between classical, social and advanced variants of this ethos, which all nevertheless undermine the pertinence of simplistic public-private and citizen-consumer distinctions.

Classical liberalism's supposed separation of state and civil society, and the state's self-limitation in terms of what it cannot explicitly touch – private life, the market, civil society etc. – is subsequently interpreted as more specifically the recognition that society cannot be penetrated through traditional forms of sovereignty or discipline, but rather through new forms of implicit manipulation that recognise its own laws and independent reality. At the same time as acknowledging the need to preserve the autonomy of society from state intervention, for example, liberal governmentality also aims to ensure the existence of political spaces and the possibility of a public sphere for critical reflection upon the state (Barry et al, 1996: 10). The emergence of the public-private distinction and the domain of 'society', therefore, is understood as a consequence of a 'particular problematisation of government', rather than as a 'withdrawal of government' (Barry et al, 1996: 9).

In the 19th and 20th Centuries, the rise of 'social government' and a state that more explicitly intervened in society developed in response to both unbridled market individualism and the rise of communism, transforming private citizens into social citizens with social rights, and producing the social welfare state. Here, the state's new role as guarantor of individual welfare entailed a breach of the public-private barrier, and required strategies of intervention that wouldn't violate the individual's private freedom; though, as Habermas pointed out, they nevertheless undermined the extent to which the public sphere could effectively hold government to account.

In a third 'advanced' phase of liberal government, which, Miller and Rose argue, took shape in the last three decades of the 20th Century (having been 'pre-figured' by the post-war 'neoliberal' thinkers), rationalities and technologies of the market have been extended through new forms of regulation to previously exempt zones. This has entailed, as yet another response to perceived problems of government, the reconstruction of subjects as autonomous and responsible individuals, but not necessarily or simply a shift from citizen to consumer (Barry et al, 1996: 8; Miller &

Rose, 2008: 17-18). Foucauldian scholarship distinguishes advanced from classical liberalism, therefore, by the relatively more active role it envisages for government in setting the conditions for markets and market-like environments (Collier, 2012: 190; Hilgers, 2012), by governments' attempts to govern through the calculative choice of autonomous individuals, and by the particularly important relationship of economistic expertise to government (Collier, 2012: 190; Rose et al, 2006).

Highlighting the deployment of market mechanisms and enterprise models in government, the restructuring of the state, and novel modes of government and subjectification, Rose and others clearly distinguish neoliberalism from liberalism. For Rose, liberalism involved the search for a balance between two distinct but related spheres (state and market, or public and private). In contrast, neoliberalism involves the application of governmental mechanisms developed in the private sphere to the work of the state, either outsourcing state functions to private providers or running the state like a business. Rather than shifting the line between public and private, the line is blurred by neoliberalism. Concomitantly, 'active' and 'responsible' citizens and communities, which rationally make choices and assess risks, are constructed as miniature firms or micro-enterprises that do not depend on state intervention (Ferguson, 2009: 172).

From this perspective, it is important to stress not only that such subjects could be conceived of as both citizens and consumers, but also that the previous incarnation of social citizens was as much a form of governmental subjection as the advanced liberal guise, both of which contain elements that may enable, as much as undermine, the public sphere. Rather than governing private individuals (as in classical liberalism) or members of society (as in social liberalism), advanced liberalism governs through the regulated (and accountable) freedom (and choices) of autonomous (and plural) individuals, conceived as members of 'communities' of allegiance, whether as citizens or consumers (Miller and Rose, 2008: 25). The neoliberal political subject is no longer a social citizen whose powers and obligations derive from membership of a collective body, and whose citizenship is manifested in 'receipts of public largesse'. Rather, the subject is reconceived as 'an individual whose citizenship is active', in the sense that their energetic pursuit and calculation of personal happiness enables their citizenship (Miller & Rose, 2008: 82).

As Miller and Rose propose, if we are to understand the varied and changing ways in which subjects are governed, it is essential to move beyond an unquestioning acceptance of the public-private and citizen-consumer divide, and to qualify claims about the colonisation of the public or private sphere, or the extent to which the boundary between them has been inappropriately transgressed. Rather, the ways in which the very ideas of public and private, and citizen and consumer, have been constructed concomitantly needs to be vigorously examined (Miller & Rose, 2008: 19). This is achieved genealogically by an emphasis on historical and discursive research into the ways in which these dichotomies have been negotiated and 'rendered amenable to calculation' over time (Miller & Rose, 2008: 21; Rose, 1987), as well as by supplementing the meta-level research, implicit in the ideological focus of political-economic approaches, with a lower-level focus on family resemblances between disparate problematisations (Miller & Rose, 2008: 20); methodological questions to which this thesis will turn in Part Eight.

Much of the early governmental approach and the literature subsequently inspired by it have, however, been accused of relativism, or at least of lacking any specificity in their understanding of neoliberalism (Wacquant, 2012), while Rose has more particularly been criticised for his preference for the relatively nebulous 'advanced liberalism', over-privileging its incoherence as a diverse and contingent assemblage of techniques and rationalities, and confining 'neoliberalism' itself to a contingent feature of particular political formations, such as Reaganism and Thatcherism (Dean, 2012). However, the recent publication in French and then in English of Foucault's lectures on liberal and neoliberal governmentality (Foucault, 2009; 2010) has offered new occasions for an engagement with Foucault's concepts, and re-invigorated the debate between ideological and governmental approaches to neoliberalism.

> Neo-liberalism is not Adam Smith; neo-liberalism is not market society; neo-liberalism is not the Gulag on the insidious scale of capitalism.
>
> (Foucault, 2010: 131)

Because the governmentality lecture on which much of the early literature was based was more an 'overture of where [Foucault's] researches were going…than a culmination of analyses already undertaken' (Elden, 2007: 29), however, both sympathetic and critical accounts have much to learn from the fuller 'history of [liberal and neoliberal] governmentality' offered by the publication of the two lecture series as a whole (Elden, 2007: 30). While governmental accounts of neoliberalism throughout the 1990s and much of the 2000s were reliant on the Anglo School's interpretations of Foucault's reflections on governmentality and neo/liberalism, the subsequent publication in full and translation into English of Foucault's lectures of 1978-1980 on the history of liberalism (2009) and neoliberalism (2010) have provided scholars with the opportunity to engage more directly with Foucault's genealogy in full.

Shifting his concern from discipline to security, or the government of a population, Foucault elaborates how security seeks to regulate as little as possible, 'incorporating and distributing' in order to enable, whereas discipline attempts to regulate everything, 'isolating and segmenting' in order to disable (Elden, 2007: 30). Conceiving of a governmental triangle of sovereignty-discipline-government, where each is a facet of the whole, rather than a linear narrative, he proposes that different places and times may be closer to one node or another (Elden, 2007: 30). His object of analysis is the series of mechanisms of security-population-government, the 'opening of the field that is called politics', and the 'emergence of population as a correlative of power and as an object of knowledge', in which the 'figure of population' is man in a non-gendered, plural sense; whether as 'living being, working individual or speaking subject' (Elden, 2007: 31), or, one might add, citizen or consumer.

What Foucault calls biopolitics is the means by which measuring and statistical techniques are applied to the group of living beings understood as a population in order to govern them; he then ties these apparatuses to the political rationality of liberalism (Elden, 2007: 32). Liberal governmentality thus shifts attention away from territory and on to population, developing governmental practices that aim to make population as amenable as possible to calculative strategies (Elden, 2007: 32). In neoliberalism, however, biopolitics is no longer seen as a government logic at all, but as a problem space in which recombinatorial processes redeploy techniques and technologies (Collier, 2009: 93). Indeed, governmentality was only one of many concepts deployed by Foucault in his lectures on political government, and 'in many ways peripheral' to his account of neoliberalism (Collier, 2009; Collier, 2012: 193). In *Birth of Biopolitics*, Foucault's focus was not so much on a stable 'rationality' or particular set of techniques, as an open-ended exploratory investigation into the ways in which certain thinkers modified liberal principles in response to various circumstances (Collier, 2012: 193).

Given on the cusp of the Reagan-Thatcher era, the lectures are not only remarkably prescient; they offer a view of neoliberalism that is untainted by associations with the divisive policies carried out throughout the 1980s. They also offer a view of neoliberalism that is jarringly at odds with ideological accounts, from a perspective that is explicitly critical of the failure of the Left to develop its own autonomous governmentality to critique that of neo/liberalism (and which recalls the debate over critique and moralism outlined at the end of Part Six of this thesis). Most importantly, the lectures emphasise not only the differences between neoliberalism and classical liberalism, but between different periods and schools of neoliberal thought itself.

By approaching neoliberalism as a form of governmental rationality, Foucault reveals aspects of emerging neoliberalism that political-economic accounts of neoliberal ideology fail to appreciate. His historical approach to neoliberalism sees it as linked 'less to economic dogmas and class projects than to specific mechanisms of governments, and recognisable modes of creating subjects' (Ferguson, 2009: 171). Having already demonstrated the emergence of the state in *Society Must Be Defended* (Foucault, 2003), Foucault moves away from state-based theories

altogether and treats the idea of state itself as an object of study, turning his attention to the Freiberg School's ordoliberal construction of the state as defined by the market in post-war Germany (Jessop, 2007: 36), before moving on to analyse the more familiar neoliberalism of the Chicago School. In preferring general problematisation to detailed critique, his distancing from Marxist theory is wide-ranging and sweeping, (Fontana & Bernati in Jessop, 2007), but ranges from vulgar to academic Marxism, obsessions with class and labour rather than detailed studies of subjects and modalities of class struggle, and fetishisations of ideology and dialectics. He nevertheless maintains an 'uninterrupted dialogue' with Marx (Fontana & Bernati in Jessop, 2007) that suggests more of a 'tactical alliance' with Marxism, whereby his opposition to Marxist theory corresponds with his appropriation of Marx's historical analyses and political-economic concepts (Balibar in Jessop, 2007: 35).

However, he dismisses, in particular, the political-economic critique of neoliberalism that normatively equates it with an extreme form of classical liberalism, arguing that critical accounts of consumption, consumer society and mass society 'have no value' in understanding consumption in neoliberal thought (Foucault, 2010: 226). For, although neoliberalism relies on the figure of *homo oeconomicus*, it is transformed from liberalism's equal partner (whether as consumer or producer) of natural exchange, into economic man as an active agent, who is at once consumer, entrepreneur, capital and producer of himself (Foucault, 2010: 225-226). It is not, however, a supermarket society, but an enterprise society, in which *homo oeconomicus* is more an active entrepreneur and producer than merely a consumer (Foucault, 2010: 147). Neoliberalism aims to multiply the enterprise form to the extent that the market, competition and enterprise become the formative power of society (Foucault, 2010: 148), foregrounding competition over exchange and laisser-faire as the organising principle of government, with the recognition that competition actually requires state intervention (Venn, 2010; and Venn, forthcoming: 19). To critique neoliberalism as synonymous with spectacle, consumption or consumer society, therefore, is to criticise something that it is not. On the contrary, Foucault claims that the objective of neoliberal government policy is the multiplication and differentiation of enterprise, rather than the uniformity of commodity (Foucault, 2010: 149).

There is, therefore, a shift in the legitimating principle of the market, from exchange between equal partners to competition between inevitably unequal actors; as liberal exchange presumes equality, neoliberal competition presumes inequality (Lazzarato, 2009: 116). Although 18th and 19th Century liberalism understood exchange and competition in terms of laisser-faire (Foucault, 2010: 118), the 20th Century German ordoliberal variant of neoliberalism, for example, argued that competition was neither natural nor guided by the invisible hand. Instead of a natural game between equalities, they saw competition as a formal (and co-ordinated) game between inequalities (Foucault, 2010: 120). They were actually, therefore, critical of laisser-faire policies, and aimed to promote competition through bridging the gap between unfettered capitalism and state control (Peck, 2010: 60).

For Foucault, whereas liberalism insisted on a distinction between state and politics on the one hand, and market and economy on the other, defining a free space as private within an already given political society, and defining government subsequently in terms of its own self-limitation (Foucault, 2010: 20), neoliberalism considers how the exercise of political power can be modelled on the principles of the already given market economy, abandoning the necessity of distinguishing between politics and economy, or between citizens and consumers. While liberalism was concerned with the public-private distinctions between *what* and *when* government could and couldn't touch, neoliberalism transcends the distinction between public and private, and concerns itself with *how* government is to touch the previously untouchable (Foucault, 2010: 133). Foucault also demonstrates how liberalism opened up a domain of the social, of collective and political units constituted by social relations between individuals that were 'beyond the economy without being juridical'; therefore in between citizen bearers of rights and consumer participants in the market. But although this opened up the possibility of a public sphere, as Habermas has also demonstrated, it also understood the social as little more than an aggregation. For neoliberals, however, individual calculation also counts, albeit as socially embedded and normatively governed (Davies, 2013). The state-market distinction is broken down in neoliberal thought: the market is no longer a system of exchange between equals, whereby the absence of state intervention ensures that prices are generated by *naturally* occurring competition, but a mechanism whereby the spread of competition throughout an already unequal society

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is dependent upon active state guidance. *Homo economicus*, no longer seen as a man of exchange and consumption, but of competition and enterprise (Foucault, 2010: 147), is governable simultaneously as both a subject of rights and as an economic actor (Foucault, 2010: 270; 290); regulated, that is, as both citizen and consumer. In contrast to Harvey's claim that neoliberalism presents contractual relations and market exchange as values in themselves (Harvey, 2007: 3), therefore, Foucault demonstrates the neoliberals' move away from an emphasis on market exchange towards a focus on competition. Neoliberalism is thus a market economy without laisser-faire, and an active state policy without state control, and should therefore be identified with active and permanent intervention (Foucault, 2010: 131-132) rather than with laisser-faire, the free market or the withdrawal of the state.

Adam Smith's argument that the market is naturally self-regulating ('the invisible hand') implies that, for liberal political economy, the collective benefit must never be an objective for either the individual or for the state; a laisser-faire naturalism rejected by ordoliberals (Venn, 2010b; and Venn, forthcoming: 20). For these early neoliberals, the role of the state was recognised, but it was to be limited to establishing a market framework. The state must intervene at the level of civil society, therefore, not as counterweight to inequality, but in order to socialise consumption (Venn, forthcoming: 21). Recognition of this unfamiliar aspect of neoliberal rationality has led some, following Rose (1990), to question the extent to which neoliberalism and the welfare state can be treated as antonymous (Gardiner, 2013), reminding us of the critique (discussed in Part 6.1) of the equation of the welfare state with social citizenship (Saunders, 1993).

In contrast to the traditional view of neoliberalism as the protection of class interests, or the decline of state powers and the passing down of responsibilities from the state to the individual or the market, therefore, such an account helps us to understand it more accurately as a reconfiguration of the relation between state and market, running now from the market to the state, whereby the market structures, intervenes in and marketises the state (Gane, 2012: 611-614). Neoliberalism is the general regulation of society by the market within which the state plays a new proactive role (Foucault, 2010: 145), not only occasionally through direct intervention for the benefit of society – as with PSB and the welfare state – but permanently through

indirect regulation to ensure competition as the key regulatory mechanism of society (Gane, forthcoming).

In contrast to laisser-faire liberalism, neoliberalism takes the market as the formative truth and power of society, conducting a social programme of reform of the functions of law and juridical institutions, rather than insisting on the non-intervention of the state. There is therefore a shift in the liberal consciousness of government, from 'governing because of the market' to 'governing for the market', privileging competition over exchange, and modelling government on the market; more a different type of government than a doctrine of less government. No longer the liberal principle of government's self-limitation (with the associated principles of individual liberty and press freedom), the neoliberal market is a permanent economic tribunal confronting government, measuring and assessing each of its activities according to the law of the market (Foucault, 2010: 247-248), undermining but also enabling the public sphere in novel ways.

7.3 TOWARDS A PROCESSUAL APPROACH TO NEOLIBERALISM?

Contemporary Theoretical Debates and Critical Histories

The promiscuity of the concept makes it prone to inflation (Peck, 2013a: 17), but interconnected issues such as the financialisation of capitalism, the economic rise of China, the explosion of the world population and the associated pressures of urbanisation and migration, as well as climate change, cannot all be neatly subsumed and explained by reference to neoliberalism alone (Kalb, 2012: 319), even if they have been partly enabled by earlier neoliberalisations of so called 'barriers' to trade, capital and labour, and even if they do establish conditions for future neoliberalisation by inducing entrepreneurial and competitive responses to social change (Peck, 2013a: 19).

For some time, the political-economic conceptions of neoliberalism as an ideological or hegemonic project and as a 'robust regime' of state-facilitated market rule have been questioned by governmental critics, while the associated methodological tools have been abandoned as too blunt for much ethnographic work. Critical engagement with the history of neoliberal thought has demonstrated how flawed dominant assumptions are (Mirowski & Plehwe, 2009: 434), allowing us instead to see it as a vision of the 'good society', within which laisser-faire, deregulation and the shrinking state are far from necessities; rather, the fundamental concern is to reregulate society, marketise government and redefine the state's role as active producer and guarantor of a stable market society (Mirowski & Plehwe, 2009: 434-436). Similarly, critical engagement with empirical studies of actually existing neoliberalisms around the world suggests that neoliberal techniques do not necessarily go hand in hand with the preservation of ruling class interests, nor are they automatically detrimental to the poor or to the public sphere (Collier, 2011; Ferguson, 2009).

The advantage of the governmental over the ideological approach is that it treats the public-private (state-society) dichotomy as an instrument and effect, rather than the basis and limit, of governmental practice, becoming itself an object of study (Lemke, 2001: 201). It also highlights a congruence, rather than a distinction, between individuals and collectivities as moral-responsible and rational-economic actors (Lemke, 2001: 201). Rather than diagnosing a shift from state to society, the state is shown to retain its sovereign form and take on new functions. The reduction in welfare state intervention, therefore, is less a matter of the state losing its powers of regulation, than the reorganisation and restructuring of governmental techniques, and the shifting of competence onto responsible and rational individuals (Lemke, 2001: 201-202). It is both a response to individual demands for more autonomy, and an outsourcing of responsibility (Lemke, 2001: 202). Contrary to the Left's misunderstanding of neoliberalism as laisser-faire, it reveals instead a shift away from the manipulation of individual behaviour by classical liberal and social welfarist governmentalities, towards a focus on establishing a 'sovereign framework in which a process can spontaneously occur' within civil society (Davies & Gane, forthcoming).

In Maurizio Lazzarato's elaborations on the 'social' as a mode of government, he has drawn on Foucault's account of the shift from sovereign power exercised on territory and the subject of rights (*homo juridicus*) to the government of population as both subjects of rights and economic subjects of interests (*homo oeconimicus*), and developed his argument that this gives rise to two contrasting heterogeneous processes of constitution. Through dialectics of reconciliation, subjects of rights become part of the ensemble of other subjects of rights via a process of subtraction; which presupposes that the subject transposes his rights onto another. Economic man, however, is integrated with the economic ensemble by the multiplication of interests; presupposing the preservation of one's self-interests as a condition for the multiplication and satisfaction of the needs of the collective. Foucault suggests that neither the law nor the market can reconcile this heterogeneity, and that a new domain or field is required. Civil society, as the correlate of techniques of government, becomes the assemblage that can link and envelop these two subjects. It is upon this recognition that biopolitics is born (Lazzarato, 2009: 115-116).

The government of conduct as enterprise is subsequently institutionalised throughout the social body through an 'audit culture' (Lazzarato, 2009; Venn, 2010; Venn, forthcoming: 22), in which social welfare and policy are financialised and marketised (Lazzarato, 2009). Economic interest and choice are absolutised, and the individual is reconstituted more as the subject of choices and interests than the subject of rights (McNay, 2009: 61). Citizen and consumer become variables to be manipulated (Lazzarato, 2009: 119), whereby citizens on benefits are represented as 'passive consumers' (Lazzarato, 2009: 121). Individuals are governed as legal rights-bearing subjects as well as living beings (who have characteristics such as age or particular skills) (Lazzarato, 2009: 112), although because civil society is grounded in an economic ontology, the subject of rights is rendered secondary to the subject of choices (McNay, 2009: 68-69). Juridical power retains only a residual role, where rights and duties can contain the fragmenting effects of unregulated economic activity (McNay, 2009: 70). 'Ideology' is helpful but insufficient for expressing the complex relations of power between them (Lazzarato, 2009: 113), as there is no relation of causality, symbolism or representation, but only 'mutual presuppostion'.

Because the early governmentality literature was based upon only the scattered availability of what became *Security, Territory, Population*, with its focus on governmentality, classical liberalism and the displacement of sovereignty by techniques of statistical measurement, it has, however, been criticised for implicitly reducing the state to a technical apparatus of power without any sovereign component (Davies & Gane, forthcoming). In Foucault's subsequent lectures on neoliberalism, his focus is much more about the links between state sovereignty and the market, and more specifically the economic re-imagination of sovereignty and the state (Davies & Gane, forthcoming). This aspect of neoliberalism has since been played out in the way that think-tanks, such as the World Economic Forum, have influenced the re-imagination of state, nation and governmental leadership in entrepreneurial, business-like ways, so that running a nation becomes equivalent to running a firm in a competitive global environment (Davies & Gane, forthcoming).

Foucault himself has been accused, however, of failing to distinguish between neoliberalism as a hegemonic theory and neoliberalism as a never complete form of government (McNay, 2009). Others have criticised the over-emphasis on governmentality itself. Stephen Collier, for example, has drawn in particular on Rose's work on generalised neoliberal governmentality, or what Rose terms 'advanced liberal government', and his criticism of the tendency in much Foucauldian work (echoing the tendency of ideological scholarship) to interpret certain techniques as parts (and therefore proof) of a neoliberal whole. Collier criticises Foucault's concept of governmentality itself for encouraging such misidentification in the work of others, as well as the inflationary use of the concept by Foucauldians, who make it refer to something so global that it is beyond empirical investigation. On the other hand, he is cautious of Rose's alternatively flexible use of governmentality – 'to cover projects that are under constant modification in the face of new problems, while retaining certain styles of thought and technological preferences' – because it risks losing the ability to distinguish between very different phenomena. While he accepts that work on 'advanced liberal government' is essential for the identification of neoliberal influence, he argues for a more 'topological' analysis to demonstrate how aspects of this recombine with other forms and establish new government ensembles (Collier, 2009: 97-98).

Collier suggests that it would be more promising to rethink governmentality in Foucault's own later writings, and to draw upon the vocabulary he begins to use in his later lectures, such as 'redeployment', 'recombination', 'reconfiguration', 'problematisation', and 'patterns of correlation' (Collier, 2009: 99). Here the focus is less on conditions of possibility than on such processes of recombination by actors. Neoliberalism from this perspective then becomes less a governmentality, or a form of knowledge-power that establishes conditions of possibility (such as an ensemble of practices that we assume have an internal logic), and more a form of thinking that aims to recombine existing mentalities and practices of government that have become problematic (Collier, 2009: 100). Comparatively, governmentality is a less useful tool for analysing such heterogeneous elements, as it tries to make them intelligible through reference to common conditions of possibility (Collier, 2009: 98).

Failing to address the empirical or explanatory limits of neoliberalism, and ignoring the ways in which neoliberal policies fuse or co-exist with other things (Collier, 2012: 187), the tendency of the ideological approach and much governmental literature to 'accelerate' from local examples to a neoliberal meta-narrative, also poses problems for how to make sense of instances (in African states, for instance) in which economic liberalisation has not been accompanied by social welfare retrenchment (Hilgers, 2012). By associating neoliberal ideas 'inevitably and intrinsically' with unsavoury regimes or policies, such theoretical apparatuses fail to account, Collier argues, for formations or contexts that are different to those under analysis (Collier, 2012: 188). Instead of dismissing neoliberal initiatives as simply the tools of the global rich, he suggests, it may be more productive to consider the progressive possibilities as well as the reactionary dangers of a fundamentally reconfigured political-spatial world order, and to imagine new 'arts of government' that may take advantage of recent transformations (Ferguson, 2009: 169).

James Ferguson's work is a case in point. His focus is on the anthropological study of changes to social welfare in Africa, and more specifically the rise of transnational forms of government by private and third sector enterprises, in the context of the growing recognition that the majority of poor people will never have access to formal employment. Such changes break the link between social policy and both the nation-

state and the universal figure of the 'worker', which defined the Keynesian pact between capital and labour (Ferguson, 2009: 168). In no longer taking such categories for granted, Ferguson argues that it is not true that neoliberal government ignores poverty or leaves it to the market. Through empirical research into actual political processes (Ferguson, 2009: 170), he demonstrates instead that 'social' payments and 'welfare-like' interventions not only coexist with neoliberal economic models, but they are also sometimes 'necessary complements' (Ferguson, 2009: 169).

Rather than dismissing the term or suggesting a more appropriate alternative, however, Ferguson emphasises that reference to neoliberalism needs to be more precise and specific (Ferguson, 2009: 172). While the constitution of subjects as consumers may be a particularly obvious aspect of neoliberalism, for example, neoliberal policies also constitute subjects as responsible citizens, complicating the extent to which one can flippantly diagnose a neoliberal shift in policy from constituting the public as citizens to constituting them as consumers.

In addressing the so called neoliberalisation of Africa, in which international banks and lending agencies forced privatisation and deregulation upon certain states in the 1980s (the same period as the neoliberalisation of the US-UK welfare state), Ferguson emphasises that these processes and the ideological celebration of markets that went with them resembled more laisser-faire liberalism and imperial capitalism than neoliberal governmentality as such (Ferguson, 2009: 173). In contrast to these self-interested liberal policies that benefited a few global institutions while being disastrous for the poor population of Africa, Ferguson has suggested that neoliberal modes and mechanisms of government, as developed within the First World, may actually offer new political possibilities for the Third World (Ferguson, 2009: 173). More recent anti-poverty programs in Africa and many other postcolonial states have favoured direct income support in cash rather than indirect welfare support, empowering people to rely on their own abilities rather than imposing the paternalism of the welfare state. In recognising both that markets are failing because people are too poor to participate, and that government programs are failing because states are inefficient, such an approach balances recognisably neoliberal elements (market efficiency, individual choice and autonomy, entrepreneurship, scepticism

about state service provision) with a 'pro-poor' politics. This simultaneously involves the appropriation of neoliberal reasoning as well as opposition to the ideological project of neoliberalism. Similar to the way in which the statistical techniques for calculating the probability of workplace injuries, originally developed in the 19th Century by employers for the purpose of controlling costs, were subsequently used as the technical basis for social insurance and the welfare state, Ferguson suggests that market techniques can also be re-appropriated for quite different purposes (Ferguson, 2009: 174).

He emphasises that arguments for seemingly neoliberal policies are actually many-sided and irreducible to a single logic, and that such policy documents regularly contain social democratic elements and deploy traditional welfare-state arguments alongside more obviously neoliberal preoccupations (Ferguson, 2009: 176). In fact, arguments for a basic income grant in South Africa appropriated neoliberal critiques of welfare paternalism to argue in favour of welfare, and actually reversed traditional right-wing arguments against social payments by justifying them as a way of combating entrepreneurship-inhibiting dependency and passivity. While recipients are constructed as rational actors rather than the potentially stigmatised dependents on the nanny state, the state itself is represented as simultaneously omnipresent and minimal; both universally engaged (in direct provision to all citizens) and maximally disengaged (standing back from the surveillance and normalisation of recipients) (Ferguson, 2009: 177). Although recognisably neoliberal motifs can be identified here, Ferguson argues that such policies represent novel configurations of markets, enterprise, welfare and social payments, rather than a neoliberal ideological project (Ferguson, 2009: 178). Further, he argues that they demonstrate a genuinely progressive way of redirecting markets to the poor, by boosting purchasing power rather than by restricting the market (Ferguson, 2009: 180-181).

Although such redistribution requires non-market interventions by states or state-like entities, its use of market mechanisms for redistributive purposes suggests, therefore, that prejudices about the market may require revision (Ferguson, 2009: 181), and that assumptions about an automatic fit between neoliberal techniques and a hegemonic project may need to be questioned. Close attention to particular techniques in particular contexts actually demonstrates that neoliberal techniques are deployed in

relation to 'diverse political projects', and that the link between the technical and the political-economic is more polymorphous and unstable than critical scholarship assumes (Collier in Ferguson, 2009: 182). Further, seeing neoliberalism as a field of governmental techniques, of which some can be appropriated and repurposed for other purposes, rather than as an evil and unified essence that can only be denounced, enables the possibility of taking up Foucault's provocation to develop a socialist governmentality and to reinvigorate critique (Ferguson, 2009: 183).

The governmental approach, on the other hand, and that of Aihwa Ong in particular (Collier & Ong, 2005; Ong, 2006), has been criticised for denying the existence of a 'big-N neoliberalism' in favour of emphasising the hybridisation of neoliberal ideas with local forms to produce multiple 'small-n neoliberalisms' (Brenner et al, 2010; Wacquant, 2012). In such accounts, governmental scholarship is accused of portraying neoliberalism as something that is infinitely mutable (Brenner et al, 2010: 201) and severed from its 'conditions of production' (Brenner et al, 2010: 202). But as Collier has emphasised, the governmental approach in his and Ong's work, as well as in that of Rose and others, does not argue for particularism but rather against overly-rigid structural analyses. Instead, they emphasise the 'mobility of neoliberal techniques, diverse formations and uncertain political valence' (Collier, 2012: 191). Rather than arguing that neoliberalism can be *any*thing by 'multiplying cases and abandoning a core understanding' of it, they insist it is *not every*thing by building on the contradictions they identify to make general claims about 'neoliberal implementation' in certain sites (Collier, 2012: 191).

The choice is not between one approach that emphasises diversity and variation, and another that emphasises connections and repetition. It is rather a question of how neoliberalism is specified in various contexts. Both approaches seek to understand how liberal measures for some (expansions of citizenship and consumer rights, or opportunities for citizen or consumer empowerment, for instance) are coupled with illiberal measures (such as limitations on citizenship and consumer rights, or the undermining of citizen and consumer voice) for others. Although conceptual recourse to neoliberalism is essential to understanding contemporary political formations, such necessity does not mean, Collier argues, that such formations *are*

neoliberal, or that invoking neoliberalism as a meta-context is helpful (Collier, 2012: 191).

For Collier, there is a need for recourse to 'something called neoliberalism', but to a 'neoliberalism' that is not a macro-structure meta-context (Collier, 2012: 191). Such inflationism has been associated with a sampling preference found in anthropological studies to investigate neoliberalism in 'sites located at some distance from centres of hegemonic power' (Brenner et al, 2010: 201), and to contrast such sites with the essential features of a 'pure variant' in either neoliberal theory (specifically, the Washington Consensus) or a neoliberal core (invariably, the US). Rather than making this pure variant an object of analysis, however, such studies tend to presume its essential features, suggesting that it is only once neoliberal theory and practice is implemented that it becomes a proper subject of inquiry (Hilgers, 2011: 351). The distinction between implementation and theorisation may not be so easy to maintain, however (Collier, 2012: 192), and the circumscription of scholarly inquiry to an assessment of how pure neoliberalism is implemented risks obfuscating the actual process (Brenner et al, 2010; Collier, 2012).

The assumption that neoliberalism exists in a pure form in somewhere like the US and in a filtered or refracted variant in China or elsewhere, acknowledges the complexity of neoliberalism's implementation in the latter case at the expense of an acknowledgment of its complexity in the former (Peck, 2013). In contrast, Peck reminds us that as well as 'roll-back' processes (Peck, 2010) such as deregulation, privatisation and the withdrawal of the state (D Harvey, 2007: 3), neoliberalism, even in the US and the UK, also involves new forms of 'roll-out' regulation and intervention, such as the selective empowerment of non-state service providers, and management by audit and devolved governance (Peck, 2010: 23; Gane, 2012: 629). It also ignores the complexity of neoliberal theory itself. The reduction of neoliberal theory to the Washington Consensus ignores differences among neoliberal thinkers, conflating German ordoliberals with the Chicago School, or Hayek and von Mises with Friedman (Foucault, 2010; Gane, forthcoming). Similarly, it ignores inconveniently nuanced aspects of the Washington Consensus itself, such as John Williamson's insistence that health care and education are most appropriately provided by the state, and his questioning of the presumed superiority of the private

over the public management of enterprises (Collier, 2012: 192), as well as the ambiguity of the wider neo/liberal tradition's critique of the state for representing only the private interests of a particular elite and, therefore, not being 'public' enough (Gaus, 1983). The oversimplification of the neoliberal perspective in the context of broadcasting regulation, in both the US and the UK, also ignores the interventions of neoliberal thinkers such Ronald Coase, who criticised the private interests behind the rationale for a public monopoly in the UK (Coase, 1947).

Collier (Collier, 2012: 194) emphasises that it is not enough to accept that 'actually existing' neoliberalism is contextually complex and often in contradiction to what are assumed to be the fixed and coherent principles of neoliberal theory; rather, a critical history of the contradictory 'origins, tenets and imperatives' of neoliberalism is also required (cf. Mirowski and Plehwe, 2009; Peck, 2008; Peck, 2010; Stedman Jones, 2012). As Collier explains, the point is not that a closer reading of particular neoliberal thinkers will reveal the true content of neoliberalism and prove the critical tradition wrong, but that the mechanical reproduction of over-simplifications and unquestioning presumptions 'should at least give some pause' (Collier, 2012: 192). As the burgeoning literature on the history of neoliberal thought is beginning to demonstrate, neoliberal theory is heterogeneous, often contradictory, and sometimes contrary to the picture painted by many critics (Collier, 2012: 192). Foucault, for instance, drew attention to the differences between the German ordoliberals and the Chicago School neoliberals, tracing the movement back to the Walter Lipmann Colloquium 1938 at which laisser-faire liberalism was renounced as much as socialism. For Stedman Jones (2012) this period is best understood as neoliberalism's prehistory (1920s–1950), in which various responses to the Great Depression and the subsequent collapse of liberalism were articulated. It was only through the debates of the Mont Pelerin Society, in neoliberalism's 'intellectual consolidation' phase (1950–1980), however, that it was actually stabilised. Stedman Jones distinguishes between both these stages as well as a third phase of elaborate and globally distributed think tanks, in which neoliberalism acceded to political power (1980–present). Through close reading of archival material, others have also pointed out the differences between individual neoliberal thinkers and highlighted nuances in their arguments, as well as critiquing Foucault's account for neglecting an analysis of the Mont Pelerin Society (Gane, forthcoming), and for relying too heavily

on secondary French sources for an understanding of German and American arguments (Tribe, 2009: 694).

Critical engagement with neoliberalism's history reveals 'concerted real-time revisions of doctrine' and structure, and the absence of a contemporary centre of neoliberal thought equivalent to Mont Pelerin. Rather, contemporary neoliberalism is a multi-centred and networked movement with few, if any, fixed points, frustrating attempts to draw a straight line 'from some fixed ideology to political programs' (Mirowski, 2013). Critics have also been warned to avoid being confounded by neoliberal rhetoric ('shrink the state, grow the economy, free the people!') and accepting it at face value (Peck, 2013a: 14). Proponents of neoliberalism have been accused of providing a 'fake genealogy' of their own movement, portraying different essences of neoliberalism for different audiences; sometimes even dropping the neo-prefix and claiming a continuous, long, and hallowed heritage extending back to classical liberals (as did the Mont Pelerin members in the 1950s), even while they proposed doctrines that diverged radically from the history of liberal thought. Such rhetoric is replete with double truths and oxymorons; disclaiming contempt for government in public, while plotting in private to take over existing governments, and to make them larger, more intrusive and more powerful in their reborn role as implementers of explicitly neoliberal policies (Mirowski, 2013).

Close analysis of neoliberal texts also enables a greater understanding of the development of the neoliberal perspective, and the history of particular doctrines. Ronald Coase, for instance, was influential in transforming the neoliberal approach to competition, regulation and the relationship between private economic actors and the state. Until the early 1960s, neoliberals tended to acknowledge that the state's role in ensuring a competitive market environment necessitated occasional intervention to reduce excessive market dominance. Coase's argument (1960), however, was that it was not enough to account for the costs incurred by marginalised parties, but that the effect of regulation on the costs and interests of the monopolists, as well as the costs to the regulator of making mistakes, and the costs of the overall legal and regulatory process, also had to be taken into account. As a consequence of extending the cost-benefit analysis to all players and the whole regulatory framework, neoliberals began to argue for a more radical, corporate

monopolist form of laisser-faire, in which monopoly and marginalisation could be rationalised as an efficient state of affairs. Coase was also responsible for influencing the Chicago School's extension of cost-benefit analysis beyond market-behaviour and the calculation of institutions, and to the everyday life of individuals (Davies & Gane, forthcoming).

There are, therefore, two strands to the Foucauldian literature on neoliberalism. On one level, historical research that reveals ambiguity, contradiction and internal debate within neoliberal thought merely advocates a more nuanced and qualified deployment of the term. On another level, a genealogical approach to emerging subjectivities, such as citizen and consumer, requires a more fundamental debate on the critical theorisation of neoliberalisation. While the former strand can be accepted and incorporated relatively easily by political economists, the latter poses significant problems for any attempt at *rapprochement*, and significant tensions remain between the contrasting theoretical and methodological approaches to neoliberalism (Peck, 2013).

Neoliberalism as Process: Between Ideological and Governmental Approaches?

According to 'inflationist' political-economic accounts (such as those provided by Hall and Harvey), neoliberalism is an expansive and adaptable ideological project linked to financialised capitalism. The Foucauldian 'sceptics' (such as Collier and Ferguson), on the other hand, emphasise it instead as one of many strands of a complex of individualised governmentalities, and never more than a flexible assemblage of technologies, routines and conducts (Peck, 2013a: 3). While the recurring commonalities of neoliberalism in the 'cumulative ideological/institutional realignments' of successive governments, as well as in the 'relational interpenetration of governing logics and routines' across spatial contexts, have been recognised by both camps, the way in which such features are analysed vary greatly between political-economic and governmental approaches (Peck, 2013a: 10). The former emphasises neoliberalism as a coherent and unitary external force, focusing upon its 'unifying strands across disparate contexts', even while acknowledging the

diversity of 'actually existing' neoliberalisms. In contrast, the latter favours a focus on difference, foregrounding the contingence, contradiction and instability of incomplete processes (Peck, 2013a: 10).

Despite some efforts to bridge the gap between these two approaches (Larner, 2003; Peck, 2004) or to rethink the terms of debate (Brenner et al, 2010; Dean, 2012), constructive dialogue between them has been rare. For some (Collier, 2012: 189), such attempts risk obscuring rather than illuminating neoliberalism, as there are 'unbridgeable methodological differences' between political-economic and governmental approaches. Although Collier acknowledges that the tensions between similarly non-structural approaches can be reconciled, and neoliberalism as an original movement of thought linked to policy programmes that produce hybrid government formations, he maintains that such approaches cannot be reconciled with even the nuanced structural approach of Peck and colleagues (Collier, 2012: 193-194). There remain, he argues, two distinct ways of approaching analysis. Either neoliberalism is specifically linked to particular elements that are then teased out from a jumble of diverse elements, or it is expanded so that the entire ensemble is associated with neoliberalism, in which case it is presumed to have greater significance than and influence upon any other element (Collier, 2012: 189). Methodologically, Collier sees a clear distinction between the approach that insists that heterogeneity and variegation can still be called neoliberal, and that which dispenses with structural explanations that only obfuscate actual processes.

In terms of critical inquiry, Collier sees another irreconcilable difference. While the critical instinct of the structuralists is to reveal the political agency and common project behind 'economic conditions, state formations and ideologies', and to establish a critical counterpoint to such a project, non-structural approaches propose a 'different kind of critical reflection on neoliberalism' that critically probes neoliberal ideas rather than uncritically denouncing them (Collier, 2012: 194). While the political alternative to neoliberalism suggested in Collier's (2011) work on post-Soviet societies, and in Ferguson's (2009) on South African social support, may be less 'solidarising' than invocations of community and citizenship, or of public service and social welfare, they are also potentially less paternalistic and less disempowering (Collier, 2012: 194). Conditional cash grant programmes, for

instance, are not neoliberal in the sense that they are mechanical oppositions to solidarising measures; nor are they neoliberal in the sense of a formulaic insistence on government through the calculative choice of individuals. Rather, they are derived from neoliberal propositions that social welfare is better directed to individuals than a phantom collectivity, and better delivered in cash than in kind so that the values of government correspond to those of the governed (Collier, 2012: 195). By extension, although auditing and accountability have particular utility for neoliberal rationality, there is no reason to assume that there is 'an intrinsic relation between the techniques and the politics, such that they must be discarded by those who seek an alternative art of government' (Barry et al, 1996: 15).

For others (Peck, 2013), however, although there are significant tensions between the contrasting ontological and epistemological understandings of neoliberalism, there remains scope for dialogue between them (Peck, 2013a: 18). Jamie Peck, Nik Theodore and Neil Brenner have made the most serious attempt to find a compromise between approaches (Collier, 2012: 188), accommodating a fluid and variegated appreciation of contextual difference while maintaining a structural approach that recognises the ways in which local differences and contextually embedded forms are shaped by the 'context of context' (Brenner et al, 2010). Both approaches have, they argue, questioned 'template' models of neoliberalism that tend to reduce it to a list of explanatory attributes, such as 'privatisation, deregulation and the limited state', though neither alarmist presumptions of a singular and global monolith, nor ambivalent or agnostic accounts of diverse techniques that share no more than a 'family resemblance', offer a satisfactory account of neoliberalism (Peck, 2013a: 15). Rather, 'theoretically informed, and informing, empirical work' is required for the refinement of understandings of neoliberalisation (Peck, 2013a: 19). More recently, Jamie Peck has argued that the failure of the global economic crisis of 2008 to bring an end to neoliberalism has prompted reconsideration of its explanatory status, and opened up the possibility of dialogue between these two approaches (Peck, 2013a: 1). While neoliberalism has always been a form of attack on its alternatives (liberalism, socialism etc.), its resilience in the face of a crisis of its own making suggests that as well as being more robust than the poststructural critics have allowed, it is also no longer the same; the failure of postneoliberal

alternatives means that neoliberalism now exists in an ideological vacuum of its own making (Peck, 2013a: 2) with nothing left to define itself against.

A methodological compromise must be struck between sweeping accounts of hegemony that gloss over contradictory hybridity, and fine-grained accounts of hybridity that betray an ambivalence about hegemonic undercurrents across contexts (Peck, 2013a: 20). Warning against blindness towards either similarity or difference among static neoliberalism/s (Peck, 2013a: 15), Peck and his colleagues have advanced their own *processual* approach to dynamic or 'variegated neoliberalisation' (Brenner et al, 2010), and the associated 'patterning of contingencies' that problematise uneven development and irregularity as defining characteristics of neoliberalisation (Peck, 2013a: 12). They propose the extended selection of cases in relational or conjunctural terms, rather than in terms of terrain or typicality (Peck, 2013a: 21), and 'in an orthogonal or awkward relation to emergent explanatory conceptions', which are subsequently interrogated and reconstructed (Peck, 2013a: 20), and argue that instead of unquestioningly presuming neoliberalism as an 'article of critical faith', analysis should render it anew as an 'object of sustained, reflexive and dialectical interrogation' (Peck, 2013a: 21).

Such an approach emphasises that there is no intrinsic essence to the doctrine, no home or origin, nor is there an ideal type of perfect or complete neoliberalism, against which to measure other 'alien' and partial instances. Rather, the critical task is to analyse the relations among hybrid occurrences (Peck, 2013a: 12), and to define neoliberalism and neoliberalisation in terms of their 'recurring contradictions and uneven realisation'. The discrepancy – acknowledged by Harvey – between the utopian vision of freedom through the market and the more complex and contradictory reality of actual policies, is actually here reconceived as the 'contradictory heart' of an 'ongoing process of regulatory transformation'. The absence of a theoretical break on the rolling programs of marketisation, privatisation, deregulation and commodification etc., means that such a process, while often consequential, is never complete, prompting instead counteractions that may impede or enable in various ways further neoliberalisation. In practice, neoliberalisation never entails a 'tidy arc from regulated to deregulated' or from 'big government to small state', but results rather in a 'plethora of gyrations across the terrains of social

regulation' (Peck, 2013a: 13). Acknowledging that neoliberalism is always 'antagonistically embedded' does not, however, necessitate a rejection of the critique of neoliberalism.

On the contrary, Peck accepts Hall's insistence on the political importance of 'naming' neoliberalism, even as only a 'provisional concept', and even Collier acknowledges the (theoretical and) methodological importance of addressing 'something called neoliberalism'. It serves as a reminder to critically assess how neoliberalism has been systematically reproduced among its others and through 'discrepant formations', and to critically address the contradictions between neoliberal theory and practice, rather than to uncritically accept at face value the utopian dogmas of neoliberal advocates themselves (Peck, 2013a: 14). Such an approach necessitates a combination of abstract-ideational and concrete-institutional approaches, and an appreciation of contextual differences and inherent contradictions, as well as of the ideological and hegemonic form of neoliberalism (Peck, 2013a: 14).

Identifying pathways of neoliberalisation tends to demonstrate a 'directional', deliberate and explicit course away from preceding social formations such as the welfare state, rather than a 'destinational' course towards a neoliberal nirvana of market freedom (Peck, 2013a: 16). It is important to make explicit, therefore, that neoliberalism is not about a fixed policy repertoire, but rather improvisation, experimentation, opportunism and trial and error, albeit within a regulatory framework that favours 'market-based and market-like strategies' (Peck, 2013a: 16). This explains the diachronic blurring of privatisation into public-private partnerships, of monetarism into fiscal vigilance, of 'bootstrapping exhortations to the unemployed' into community empowerment, and of 'no such thing as society' into the 'Big Society', not only as the softening or mainstreaming of 1980s neoliberal ideology, but also as evidence of the continuing and reflexive evolution of neoliberalism (Peck, 2013a: 16-17).

It is a 'category error' to measure incomplete or partial neoliberalisation against a benchmark of 'complete neoliberalism' or absolute market rule, and to classify areas or domains in terms of degrees of neoliberalisation. This is not to deny its presence,

omnipresence or even its hegemony, but to emphasise its necessary hybridity (Peck, 2013a: 9). Nor is to argue for the abandonment of the term; rather, it is to critically acknowledge its pertinence and to insist on its rigorous refinement (Peck, 2013a: 21). In doing so, it moves beyond analytical shortcuts that connect particular changes to a singular global entity called neoliberalism, turning political, theoretical and empirical attention instead to connections with the always 'contradictory reproduction' of 'neoliberalisation as a transformative process' (Peck, 2013a: 9-10).

The processual approach to teasing out neoliberal tendencies (Peck, 2013a: 19) shifts the methodological focus towards 'relational neoliberalisation' and away from 'gradational neoliberalism', demonstrating a concern with the multiple forms of market rule and the mutual constitution of local neoliberalisms, rather than providing an account of the degree to which a particular case is neoliberal (Peck, 2013a: 18). It also suggests a theoretical and methodological approach that is potentially capable of combining ideological and governmental perspectives.

CONCLUSION

Peck's conciliatory approach demonstrates that recognising limits to the critique of neoliberal trends in broadcasting necessitates neither the abandonment of the term nor the dismissal of the ideological approach. Rather, critical engagement with ideological and governmental theoretical-methodological approaches to neoliberalism highlights the need for broadcasting scholars to participate in debates and developments that they have hitherto largely ignored, and for analysis to be more specific and even more critical.

Reframing the political-economic, and often partisan, approach to neoliberalism as an ideology or economic doctrine within a wider theoretical framework that views neoliberalism instead as a form of governmentality, enables an understanding of this 'reasoned way of governing best' (Foucault, 2010: 2). Consequently, critical analysis

of processual neoliberalism can concern itself more with the modelling of political power on market principles (Foucault, 2010: 131), and with the ways in which objects such as the state, market, citizen and consumer are formed and rationalised, rather than limiting itself to teasing out their ideological manipulation (Foucault, 2010: 3). Such a genealogical approach to the history of liberalism and to the 'reconfiguration' (Collier, 2009) of citizens and consumers, also enables a more nuanced understanding of the distinctions between classical liberalism and neoliberalism, which in turn is invaluable for a rereading of debates on public sphere theory and their application in media studies literature to broadcasting regulation. As well as having implications for the way in which broadcasting regulation should be debated, there are also methodological implications for reframing the traditionally ideological approach to discursive analysis within a genealogical frame (as demonstrated in the next chapter). While engaging in such theoretical and methodological debates risks acknowledging inconvenient premises regarding PSB, endeavouring to engage contrasting approaches in dialogue involves a more critical and less moralistic approach, which could also contribute to a more convincing political critique of corporate power, private interests and market influence, as well as to an elaboration of a public sphere more efficacious for its critical engagement with the complexity of neoliberal thought.

Part Eight: Towards a Genealogy of PSB

Problematising Broadcasting Regulation

This final chapter provides a summary of the results of discursive analyses carried out upon regulatory documents from the 1920s to the present as part of the research for this thesis. The analyses have been split into three separate but overlapping problematisations. In the first, the governmental rationalising of how most legitimately to balance the principle of public control with private enterprise is demonstrated via the perpetual reconfiguration of 'monopoly' and 'competition' as problems to be addressed and resolved. In the second, the expansion of a broadcasting market and the emergence of 'choice' as a value to be instilled are linked to a reconfiguration of the relations between 'public service', 'public interest' and, more recently, 'public value' concepts. Finally, distinctions between 'citizens' and 'consumers' are shown to reveal not only a concern to address the public both individually and collectively, but to regulate broadcasting both directly and indirectly, and to accommodate both media law and media organisation perspectives. (N.B. References throughout are to documents rather than their authors, so that 'Peacock', for instance, refers to the Peacock Report rather than to the Peacock Committee, or Peacock himself.)

Problematising Monopoly and Competition: Balancing Public Control and Private Enterprise

Far from being principally preoccupied with ensuring the public interest or an ethos of public service, the regulatory focus at the inception of broadcasting was on 'the principle of public control' (Sykes, 1923: 13), whereby 'public' and 'national' control were conflated with 'government' and 'state' control. A concern for 'public interest' and associated concepts, such as 'public service', were of only secondary importance to early broadcasting governmentality, and were framed in terms of the

relation between 'public control' and 'private enterprise'. From the very beginning, finding an appropriate balance between public control and private enterprise was explicitly addressed as a problem to be resolved, and the associated problematisation of 'monopoly' and 'competition' has subsequently been a recurring discursive feature of broadcasting regulation. While the arguments for and against monopoly have considered both public and private monopolies (and duopolies), the concept of competition has also been addressed as both an aspect of the commercial market, synonymous with private enterprise, and (more subtly) as a value divorced from private interests and essential to legitimate public control.

The 'emergence' of the superimposition of these conflicting concepts (in the context of broadcasting regulation) can be traced back to just before the advent of broadcasting. Although the committee discussing wireless telecommunication did 'not wish to trench upon the question of private monopoly versus State ownership' (Imperial Wireless, 1920: 17), it nevertheless saw fit to clearly distinguish between public and private monopoly. Whereas a state monopoly, it reasoned, 'would not preclude private enterprise in other spheres of wireless activity,' a private monopoly would 'exclude the State altogether' (Imperial Wireless, 1920: 17). The contrast is effectively made between state intervention and government control, on the one hand, and commercial laissez-faire, on the other, and the principle of public control here precludes the possibility of a free wireless press. However, this is only because the principle allows a compromise between private enterprise and state control, whereas a private monopoly is criticised for allowing no such compromise or role for the State. It is therefore not a matter of choosing either public control (with no private enterprise) or private enterprise (with no public control), but a matter of choosing between either private enterprise (with no public control) or a balance between public control and private enterprise. Rejecting laissez-faire, private monopoly and state operated systems, therefore, British PSB was from its inception regulated in terms of a compromise between public control and private enterprise.

Although the Crawford Report (1926) concluded that 'the United States system of free and uncontrolled transmission and reception' was unsuited to the UK (Crawford, 1926: 5), and that broadcasting should accordingly not only remain a monopoly, but be re-established as a public corporation rather than a private company, Beveridge

(1951) accused this earlier report of having been too harsh in its dismissal of the US system, and 'incorrect to see monopoly as the only alternative' (Beveridge, 1951: 40). Although Crawford dismissed private enterprise, private interests and competition in its critique of both the private monopoly of the British Broadcasting Company and the laissez-faire 'chaos' of the US system, neither public monopoly nor the concept of monopoly itself were subject to the same amount of scrutiny. Indeed, although the earlier Sykes Report (1923) had actually been 'against monopoly in principle' (Beveridge 1951: 39), by the time of the Ullswater Report (1936), the issue of monopoly was no longer even addressed (Beveridge, 1951: 40).

Because the Beveridge Committee had received more evidence against monopoly than any previous committee, however, it considered it important to 'probe more deeply' into the question of monopoly (Beveridge, 1951: 40). It split the arguments against monopoly into four different standpoints (the critique of its excessive power, its bureaucratic unwieldiness, its London-centricity, and the effect on employees of being dependent upon one employer and therefore vulnerable to abuse) (Beveridge, 1951: 45-6), and weighed them up against the established critiques of competition or parliamentary control, supporting the critiques of monopoly (Beveridge, 1951: 46) but finding that the alternative systems would produce 'equal or greater dangers' (Beveridge, 1951: 51). The importance of 'competition', however, emerges as a value that should nonetheless be encouraged.

Although a truly free market is dismissed as unattainable, and 'competition for listeners' is criticised for making broadcasters the 'servants of consumers', forced to make programmes 'contrary to the pursuit of the highest social purposes', 'more and freer competition' is nevertheless welcomed. However, a clear distinction is made between 'competition in service' and 'competition for listeners': 'We want more and freer competition than exists at present, but it must be competition in service, not competition for listeners' (Beveridge, 1951: 164). As such, Beveridge's problematisation of how and to what extent monopolies should be under public control leads to the need to differentiate between public monopolies and government departments; consequently, as well as emphasising the independence from parliament of those operating the monopolies, the need for them to have 'more of a business character' is also suggested (Beveridge, 1951: 164). The internalisation of

market-like mechanisms and characteristics, such as 'competition' and 'business-like' behaviour, is not therefore a strictly neoliberal logic that was introduced in the 1980s; rather, it can be traced back to the need to legitimate the independence from the state of public monopoly, over and against private monopoly or laissez-faire.

Subsequently, the government considered 'permit[ting] some element of competition' in the interests of 'viewers, writers, artistes and technicians' (White Paper, 1953). Addressing the fears arising from 'misconceptions' about competitive broadcasting, the White Paper (1953) sought to balance the enabling of 'private enterprise' with the maintenance of commercial broadcasting as another public corporation (White Paper, 1953), while the Pilkington Report (1962) hoped its proposals would lead to 'competition between the two broadcasting services[2], competition in good broadcasting. Any other competition is at least irrelevant and probably damaging' (Pilkington, 1962: 286). The principles of public control and the structure of public corporation(s) are maintained, but the value of competition, made distinct from 'market competition' for listeners or advertising funding, becomes the most important value in broadcasting regulation, around which other concepts, such as public service and public interest, are reconfigured.

Indeed, a minority report to the Sykes Report reveals that questions of competition and enterprise were on the minds of those debating broadcasting regulation from the start. Reacting to the lack of 'precedent for the collection of a revenue by the State…for a private company' (Sykes, 1923: 39), Charles Trevelyan MP argued against his colleagues that state operation (by the Post Office) would actually be 'more sensitive to [public] pressure than a private company' (Sykes, 1923: 40), and that 'to debar altogether the idea of transmission by the State is to restrict enterprise and experiment' (Sykes, 1923: 41). Arguing that there was no 'valid reason, except theoretical objection' to the state operation of broadcasting, his argument for state operation incorporated the logic of enterprise and competition into the principle of public control. The ensuing evolution of the BBC, from a private company into a

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[2] The two broadcasting services were the BBC, on the one hand, and independent television, on the other, where the latter was composed of both the Independent Television Authority and the programme companies (Pilkington, 1962: 51).

public corporation, can thus be seen as a resolution to this dilemma of how to legitimate the prescribed balance between public control and private enterprise.

Similarly, the long-term rejection of advertising has not always been bound with the hostility to laissez-faire. Rather, it has often been framed in terms of the problematisation of competition. Early reports, having heard evidence from the press, argued that broadcasting should 'not be allowed to compete with newspapers as an advertising medium', as it 'would seriously affect the interests of newspapers', although there was 'no objection' to event sponsorship (Sykes, 1923: 19). Later reports were equally concerned to prevent the BBC from carrying adverts to avoid competition for advertising with commercial broadcasters (again, at the behest of the latter), and also because, unlike subscription, it was as poor as the licence fee at promoting 'consumer sovereignty' (Peacock, 1986). Even Pilkington's consideration of the potential damage posed by competition (for anything other than good programming) is not explicitly related to a concern to protect citizenship over a concern to protect the private interests of commercial enterprises. So the question of advertising on the BBC has been justified over time not only in terms of public service values, citizenship and quality programming, but also consumer sovereignty and competition with the wider market, as well as in defence of the private interests of the press and commercial broadcasters.

From the perspective of consumer sovereignty, the Peacock Report (1986) criticised both advertising (as synonymous with the commercial laissez-faire model), on the one hand, and the licence fee model on the other, as distortions of a true consumer market. Rather, a mixture of institutions and finance sources was proposed, and public regulation was incorporated into a 'new market framework', within which the Report assessed PSB history in terms of its replication of a true consumer market, rather than as an alternative to it (Peacock, 1986: 126). While the relation between public ownership, control, funding and operation, as well as their relation to consumer sovereignty, private enterprise and arguments for press freedom, are problematised in Peacock, arguments for the latter are unproblematically conflated. It is misleading, however, to overstate Peacock's market approach, when the conflation of press freedom with private enterprise has been a long-term feature of the

problematisation of public control in broadcasting (and the even longer history of press freedom debates discussed in Part Three).

As previously discussed (Part Two), the press has traditionally been regulated from a media law perspective, whereas broadcasting has been regulated from one of media organisation. However, while the Hunt Report (1982) had argued that commercial cable TV should be subject to 'reactive oversight' rather than 'regulation' as such (Hunt, 1982: 4; 38), Peacock acknowledged that it was not sufficient to confine government activity in broadcasting to the press framework of media law and monopoly prevention (Peacock, 1986: 126), justifying regulation not only as a way to introduce commercially non-viable programmes, but as a way of 'stimulating the effects of a genuine consumer market… against the distortions inherent in a duopoly financed by advertising and the licence fee' (Peacock, 1986: 149). Nevertheless, its recasting of the 'new market framework' signalled a shift away from public regulation 'by the back door' and towards an increasingly legal approach. The Communications Act (2003) and the White Paper (2006) subsequently cemented this by doubling the ways in which the BBC is subject to competition law, establishing Ofcom as a competition regulator, in the first instance, and introducing *ex ante* regulation for the BBC, in the second instance, via the newly established BBC Trust and the newly proposed broadcasting codes (WP, 2006: 36).

While the new market framework and an increasing market logic has been introduced for the regulation of the commercial PSBs, state intervention was increased for the BBC in the White Paper (2006), which re-established the BBC as a distinct entity from the wider market, nevertheless linked by 'competition for good broadcasting'. The assumption that 'plurality creates competition for quality in the provision of public service broadcasting' (Ofcom, 2006: 3) and the importance of ensuring quality programming via competition are emphasised by the regulator for the benefits they will deliver to 'viewers, particularly in their capacity as UK citizens' (Ofcom, 2006: 7). Competition (for quality PSB programming) between the BBC, commercial PSBs and commercial broadcasters remains, therefore, linked with 'public service' and citizenship, distinct from competition (for audience ratings), which is restricted to commercial TV and the market. In the contemporary Coalition government's recently published policy paper (DCMS, 2013), competition, as far as

the BBC is concerned, is made synonymous with market impact and something which should be limited. Meanwhile, the traditional critique of the bureaucratic unwieldiness of public monopoly broadcasters is transferred to that of the independent regulator, as the focus becomes one of reining in the competition regulator's powers over the increasingly self-regulated commercial sector, while simultaneously expanding its scope to cover the publicly accountable BBC in terms of its effect on the wider market and competition.

Problematising Choice: Balancing Public Service and Public Interest

By the late 1970s, the public's questions regarding PSB had become 'more critical, hostile and political' (Annan, 1977: 8), and the Annan Committee was obliged to address the legitimacy of a public duopoly. Although it had 'hitherto been assumed that Britain had solved the problem of the political relations of broadcasting to government, parliament and the public' (Annan, 1977: 15), the public's hostility to monopoly/duopoly, and the recognition of a differentiated and critical public, justified the emergence of 'choice' as a new regulatory concern, problematising the values of 'public service' and 'public interest', and necessitating a reconfiguration of 'competition', 'private enterprise' and 'public control'.

Although the long-held distinction between public and private interests became much more explicitly problematised from Annan onwards, the distinction had never actually been that clear-cut or unproblematic. Originally, 'particular interests' were associated with both the private monopoly of the British Broadcasting Company and the laissez-faire system of the US, and it was deemed that they 'should be subject to the safeguards necessary to protect the public interest' (Sykes, 1923: 6), where 'public interest' was synonymous with 'national interest' and coterminous with 'public corporation' and 'public service' (Crawford, 1926). At this time, there was no conflict between 'what the public want' and the 'public interest', with programmes of 'greater cost' and 'higher quality' (Sykes, 1923: 30-31) presumed to satisfy both. However, the distinction between 'what the public wants and what someone thinks is good for the public' (Pilkington, 1962: 18) that typified the commercial and public

service approaches, respectively, emerged in the Pilkington Report (1962) as a governmental problem to be addressed and resolved.

Consulting with both the BBC and the ITA on their views, the Report concurred that, although they were the 'usual expressions of opposing philosophies', they were 'deceptive slogans', and the antithesis between them was a 'gross over-simplification of a complex and continuing problem' (Pilkington, 1962: 18). Pilkington critiqued both the 'give the public what it wants' approach and the 'give the public what [the broadcaster] thinks is good for it' alternative as 'deceptive' and 'patronising', arguing that the former 'claims to know what the public is, but defines it as no more than the mass audience', limiting the public's choice to 'the average of experience', while the latter claims to know what would be in the public's best interests (Pilkington, 1962: 17). Both approaches are thus accused of reducing the public to a passive and undifferentiated mass. In critiquing both these contrasting philosophies and the effort to choose between them, the Report argued that there was, however, 'an area of possibility between the two', and that the duty of broadcasters should rather be to acknowledge that 'what the public wants and what it has the right to get is the freedom to choose from the widest possible range of programme matter. Anything less than that is deprivation' (Pilkington, 1962: 17-18). Between 'what the public wants' and the 'what [the broadcaster] thinks is good for it', therefore, is a reconfiguration of the 'public interest' as the 'right and freedom to choose', and of 'public service' as the duty to provide choice to the public.

The Report further maintained that broadcasters should be given the 'greatest possible freedom' to provide such a public service (Pilkington, 1962: 1058), and proposed that 'competition in good broadcasting' (Pilkington, 1962: 286) between the two broadcasters of the time, although not competition of any other kind (as discussed above), would best support this redefinition of PSB's duty to its public. 'Public service' becomes, therefore, less an obligation or constraint than something that broadcasters would naturally provide given the right conditions and absence of constraints, while its provision becomes dependent upon competition (in good broadcasting, rather than for audiences or advertising revenue).

The shift away from the 'patronising' approaches of both the BBC and the commercial PSBs towards a focus on choice in the public interest was furthered by both the Annan Report (1977), with its recommendation to establish a fourth public-private channel to cater for the marginal interests of a diverse public (and emphasising Pilkington's emphasis on accommodating choice within PSB), and the Hunt Report (1982) on cable TV. Problematising the early antithesis between PSB and commercial TV in the context of cable, the latter Report argued that both approaches were essential to the 'wider public interest', which could best be met by encouraging the development of cable TV as a supplement to a safeguarded PSB (Hunt, 1982: 1). In considering the arrangements under which PSB and cable can co-exist without damaging the former or inhibiting the latter (Hunt, 1982: 34), PSB is shown to provide a 'balanced service for the country as a whole', while cable is 'all about widening the viewer's choice' (Hunt, 1982: 3). The effect, however, is to decouple 'public service' (balanced content) from the 'public interest' (balanced content supplemented by choice), to undermine the contrast between the 'public interest' and the self-regulated market, and to see the 'wider public interest' in terms of accommodating both PSB and the market. As PSB is also linked with the 'country as a whole', and the cable market with the individual 'viewer's choice', the link between the 'public interest' and the nation/public (rather than the individual) is also weakened, and the contrast between the 'public interest' and individual's private interests softened. Rather, the 'public interest' is 'widened' to accommodate both individual choice and a balanced service to the aggregate public, while PSB becomes a 'counter-balance to fears about concentration of ownership and the absence of diversity of views' (DTI/DCMS, 2000).

Although the Peacock Report (1986) certainly represented a clear break from earlier reports in approaching broadcasting from an economic perspective, critically acknowledging the long-term evolution of the relation between 'public service' and 'public interest' throughout the history of broadcasting regulation allows us to put its significance into perspective. When Peacock approached broadcasting in terms of 'consumer sovereignty', it made 'public interest' explicitly synonymous with the 'interests of viewers and listeners' (Peacock, 1986: n552), understood principally as 'consumers'. Although it argued that the 'public interest', thus understood, was therefore best served through both public service and the market, it evaluated PSB's

successes and failures in terms of the extent to which it replicated a 'true consumer market'. 'Public service' was thus reconfigured as a temporary solution to the conundrum of how to ensure the 'public interest' (i.e. 'consumer sovereignty' and a 'true consumer market') in the context of spectrum scarcity, and no longer as antonymous to consumption.

Although the Report concurred with Pilkington that the essence of PSB institutions is to serve the interests of the public or society as a whole, as judged by the institutions themselves, Peacock argued that PSB 'can best be understood in relation to…consumer sovereignty and commercial laissez-faire' (Peacock, 1986: 130), thus replacing the dichotomy of PSB-commercialism with a trichotomy of PSB-consumer sovereignty-commercialism. The Report also stated that '…the fundamental aim of broadcasting policy should in our view be to enlarge both the freedom of choice of the consumer and the opportunities available to programme makers to offer alternative wares to the public' (Peacock, 1986: 125). Peacock therefore also returns to Pilkington's definition of 'public service' (Peacock, 1986: 130-131) as an opportunity for, rather than a restriction on, broadcasters, and no longer a case of providing set content for a passive public, but of providing choice, albeit for a public understood as consumers. Further, although the Report understands PSB as 'any major modification of purely commercial provision resulting from public policy' (Peacock, 1986: 130), and thus presumes that broadcasting's natural state is one of 'purely commercial provision', it finds both the free market advertising model and the PSB licence-fee model wanting in terms of guaranteeing 'consumer sovereignty', and accuses them jointly of serving more the interests of producers than of consumers (Peacock, 1986: 37).

Having defined 'public service' in this way, its scope can be made to 'vary with the state of broadcasting' (Peacock, 1986: 130), justifying the ongoing reconfiguration of PSB and tying it to a pre-existing market. The Report maintains that, historically, PSB institutions have been 'necessary to provide the viewer and listener with what [they want] as a consumer', while the 'public service' ethos is described as a 'commitment to produce a wide range of high quality programmes to maximize consumer appreciation' (Peacock, 1986: 148), and concludes that PSB has even done 'far better, in mimicking the effects of a true consumer market, than any purely

laissez-faire system, financed by advertising could have done under conditions of spectrum shortage' (Peacock, 1986: 131). At the same time, PSB's weakness (other than its vulnerability to political pressure because of its 'dependence on public finance and regulation') is exposed as an 'absence of true consumer sovereignty…which only direct payment by viewers and listeners could establish' (Peacock, 1986: 132). However, should a true consumer market be achieved, in which viewers and listeners express their preferences (and the intensity of their preferences) directly through subscription, then 'the main role of public service could…be the collective provision…of programmes which viewers and listeners are willing to support in their capacity of taxpayers and voters, but not directly as consumers' (Peacock, 1986: 130). This is the market failure definition of PSB: that while a true market may ultimately serve the consumer interest, PSB will still be required to serve the citizen interest. Public intervention and regulation are justified, however, not only in terms of 'our [i.e. the Committee's] sense of public service' (that is, the market failure approach to supplementing the market with service provision for 'citizens') (Peacock, 1986: 130-133), but also to ensure an effective 'consumer market' (Peacock, 1986: 126). PSB is therefore justified for ensuring that both citizen and consumer interests are met. But PSB is here tied to programming rather than institutions (with consequences for the funding of the BBC), and citizenship is reductively associated with voting and taxpaying, rather than any active republican or communitarian aspects.

Although advertising is criticised for failing to achieve 'standards of public accountability for the private use of public assets' (Peacock, 1986: 133), both the advertising and licence fee models are rejected in favour of 'direct consumer choice' (Peacock, 1986: 151) because they fail to achieve the 'welfare benefits theoretically associated with a fully functioning market' (Peacock, 1986: 133). The Report therefore recommends that broadcasting 'move towards a sophisticated market system based on consumer sovereignty', and to supplement this direct consumer market with the public financing of public service programmes for 'citizens and voters' (Peacock, 1986: 133) – though the distinction between citizens and voters in this sense is unclear. Although its emphasis is on economic theory, consumer sovereignty and market failure, it retains an important role for citizens and PSB, and

envisages a mixture of direct payments and public service grants, as well as of private enterprises and public corporations (Peacock, 1986: 133).

Although Peacock is often credited with having ushered in an economic, consumer-oriented, commercialisation of broadcasting, it is important to note the Report's critique of laissez-faire commercialism, and its distinctions between its own nuanced approach to consumer sovereignty and the private interests of advertising-financed commercial broadcasting. However, when Ofcom later distinguished between 'social values-led' and 'economics-driven' approaches to broadcasting regulation, the latter was made to conflate the consumer and commercial approaches that Peacock had distinguished between, while the former was made to include them alongside public service. In this case, the social values-led approach is made to consider PSB as only a 'sub-set' of the public interest, 'alongside, for example, healthy competition, (and) a thriving commercial broadcasting sector…', and the commercial sector is constructed as a prerequisite for, rather than an alternative to, PSB (Ofcom, 2004: 'Understanding the Market'). Rhetorically, the two approaches are given equal weight and are evenly balanced in the regulator's unsurprising conclusion that the two approaches are 'not so different' after all (Ofcom, 2004: 'Supporting Documents: A Conceptual Review'), and that 'both approaches can, in fact, be captured in a wider economic framework which considers the maximisation of social welfare' (Ofcom, 2004: 'Supporting Documents: A Conceptual Review').

Following Peacock's interpretation of the history of broadcasting regulation in terms of consumer interests, and its realignment of 'public service' with programming rather than with institutions, Ofcom saw broadcasting history as a matter of the expanding 'plurality of public service broadcasting provision' (Ofcom, 2006: 3), asserting that such 'plurality provision is in the public interest' (Ofcom, 2006: 26). The aim to expand commercial TV while safeguarding PSB is therefore achieved by expanding the notion of PSB institutions. The 'major sources' of PSB programming are made to include not only the publicly-funded BBC, Channel 4 and commercial PSBs (ITV and Five), but also those 'commercial broadcasters that also provide content that meets PSB purposes' (Ofcom, 2006: 6), so reducing the difference between PSB and commercial institutions, and incorporating competition, PSB and the 'wider market' within the 'public interest'.

However, the BBC's problematic position as a 'deliberate public policy intervention in the market' (DCMS, 2006: 34) is subsequently differentiated from that of the commercial PSBs, who are associated instead with the 'commercial services and wider industry'. While these broadcasters (who may or may not be competing to produce quality PSB programming) serve the interests of the 'public and the rest of the broadcasting world' (DCMS, 2006: 2), the BBC's purposes are rewritten to include an explicit objective to sustain 'citizenship and civil society' (DCMS, 2006: 3). PSB's democratic function is thus re-inscribed in the institution of the BBC, now explicitly linked to citizenship and public service programming, while both the commercial PSBs and commercial broadcasters are associated with the provision of public service programming for the 'public' as well as commercial content for the 'rest'.

However, 'competition regulation' arrangements are made to regulate the BBC 'within a new market framework' (DCMS, 2006: 34), whereby it is assessed by the newly established BBC Trust in terms of 'public value', where that is understood as a balance between the 'public interest' and 'market impact', as well as by Ofcom's own market assessment 'to help balance the benefits of PSB with the health of the wider media market' (DCMS, 2006: 3). Although PSB is recognised as being in the public's 'affection' and in the 'public interest', it must nevertheless be 'balanced with consideration for competition' (DCMS, 2006: 34). So, while the commercial PSBs are conflated with purely commercial TV, and the BBC explicitly linked with citizenship, the BBC-citizenship nexus remains framed within the same logic of market competition. While it is independently regulated in terms of the public interest, which is already a compromise of commercial, consumer sovereignty and public service perspectives, and a balance between this multiple perspective and its impact on the market, it is also prone to tertiary regulation by the competition regulator, which seeks to balance PSB with a competitive market. Competition and the market are therefore protected via three levels of BBC regulation: within the government's policy approach to the 'public interest' (a balance between PSB and the wider market), the BBC Trust's approach to 'public value' (a balance between the 'public interest' and 'market impact') and Ofcom's 'market impact' assessments.

The recently published media and telecommunications policy paper (DCMS, 2013) contains just one reference to 'citizenship' (not counting one reference to 'citizen journalists' and another to the 'Citizens Advice Bureau'), but 117 to 'consumer/s' (that is, 53 to 'consumer' and 64 to 'consumers'). Although references to 'consumers' have been explicit since the Peacock Report (1986), and the distinction between 'citizens' and 'consumers' awkwardly negotiated from the Communications White Paper (DTI/DCMS, 2000) onwards, their problematisation can be traced further back to the emergence of distinctions between 'what the public wants', 'what the broadcaster thinks is good for the public', the 'public interest' and the 'interests of viewers and listeners'. It is also necessary to look more closely at Peacock's nuanced and economically-informed account of 'consumer sovereignty', Annan's recognition of a differentiated and plural 'public', and Pilkington's emphasis on 'choice' over prescribed content, for a fuller appreciation of the long-term problematisation of 'the public'.

Although Beveridge had feared that competition for listeners would make broadcasters the 'servants of consumers' (Beveridge, 1951: 164), subsequent reports argued that the introduction of competition and private enterprise would be in the 'interests of viewers' (White Paper, 1953), that 'the public's right to choose' was a superior alternative to providing either 'what the public wants' or 'what the broadcaster thinks the public wants' (Pilkington, 1962: 17-18), and that an increasingly pluralist society expected the full range of their different views to be expressed (Annan, 1977: 30). Up to this point, however, a stark contrast had always been made between the 'public' and 'consumers'. The Annan Report's elaboration of a differentiated public, for instance, maintained a distinction between consumer interests and the public interest by limiting all references to consumers to a section on 'Consumer Programming' (Annan, 1977: 357); this section took up just one page of the 522 page report, and addressed consumer interests as well as complaints from the Consumer Association about broadcasting's negative representation of consumerism (Dawes, 2007). The Peacock Report (1986), however, shifted its focus

away from 'public interest' and towards the 'interests of viewers and listeners', understood principally as 'consumers'. Approaching broadcasting regulation in terms of 'consumer sovereignty', Peacock assessed the extent to which consumer interests could be met through both PSB and the market. The Report's understanding of 'consumer', however, is not easily compatible with the 'consumers' of earlier reports, as Peacock distinguishes a 'true consumer market' from the inferior laissez-faire market of commercial (advertising financed) broadcasting. Nor is it clearly distinct from the 'citizens' or 'public' of earlier reports, as Peacock develops a fuller, more elaborate view of the 'consumer' that builds upon an increasing interest in choice and recognition of difference in the public's views and tastes, as well as the developing critique of the effects upon the public of an absence of competition.

Following Pilkington in rejecting the dichotomy between providing 'what the public wants' and 'what they ought to have' as false, Peacock proposes a 'more thoughtful exponent of consumer sovereignty', which recognises that consumers have more than 'known and static wants', and argues that a competitive (subscription) market functions as a 'discovery mechanism' for consumers to 'expand their range of tastes and preferences' (Peacock, 1986: 126). In addition to their conscious wants, therefore, consumers sometimes enjoy what they don't already know, accept guidance in areas where their knowledge is limited, and want high quality programming to be available, even if not enough to pay for it themselves directly (Peacock, 1986: 128). Peacock approaches programmes that consumers might not directly consume, therefore, in terms of 'consumer welfare' rather than 'citizen or public interest', begging the question 'to what extent, if at all, public intervention is required' (Peacock, 1986: 126). Should consumer preferences be expressed directly, the Report proposes, PSB would provide the programmes that consumers do not support as consumers, but as 'taxpayers' (Peacock, 1986: 130), 'citizens' and 'voters' (Peacock, 1986: 133). 'Public support' for the provision of public service programmes is consequently acknowledged as 'consumer support' (Peacock, 1986: 128), and PSB defended in terms of consumption rather than citizenship; indeed, PSB is judged to have been 'better for consumers' than the (advertising financed) commercial market (Peacock, 1986: 131), thus bringing consumers closer to PSB than pre-subscription commercial TV.

In the Communications White Paper (DTI/DCMS, 2000), there is both a clear distinction between the interests of citizens and those of consumers, and simultaneously an area of ambiguity in which certain interests are not explicitly related to either citizens or consumers. Confusingly, there is also an inconsistent use of the term 'consumer', whereby it appears to perform a contradictorily double function (for a fuller account, see Dawes, 2007). Although a preoccupation with meeting the needs of 'both citizens and consumers' or 'citizens as well as consumers' is prevalent throughout the document, whereby they appear as equivalent, with each other as well as with 'parents', 'workers', 'students' and 'every section of our society', the document is oriented much more to 'consumers' than 'citizens'. In the Executive Summary, for instance, 'citizen' occurs three times while 'consumer' occurs ten times, while even in a section that deals specifically with 'quality' and 'public service broadcasting' (DTI/DCMS, 2000: Section 5), 'citizen' occurs only once compared with five times for 'consumer', and a 'Consumer Panel' is proposed to represent the views of the public.

This does not, however, suggest that the new regulatory framework is necessarily oriented more to those issues it explicitly defines as consumer-interests, but that the new regulator will be principally a competition regulator. In a key passage from the document in which the objectives of the newly proposed regulator are set out, the simultaneity of the distinction between and conflation of citizens and consumers is most explicit:

> We propose that OFCOM's central regulatory objectives should be:
>
> - protecting the interests of *consumers* in terms of choice, price, quality of service and value for money, in particular through promoting open and competitive markets;
>
> - maintaining high quality of content, a wide range of programming, and plurality of public expression;
>
> - protecting the interests of *citizens* by maintaining accepted community standards in content, balancing freedom of speech against the need to protect against potentially offensive or harmful material, and ensuring appropriate protection of fairness and privacy.

'Choice', 'price', 'service quality' and 'value for money' are all defined as consumer-interests, and consumers are defined in terms of their financial relationship with service providers; further, it is proposed that their interests will be protected *indirectly* through the regulator's promotion of 'open and competitive markets'. As far as the interests of consumers are concerned, therefore, Ofcom's role will be to act as a competition regulator.

'Content standards', protection from 'offensive or harmful material' and of 'fairness and privacy', on the other hand, are clearly defined as citizen-interests (although it is unclear if a balance is required between 'freedom of speech' and 'privacy' as distinct citizen-interests, or if 'freedom of speech' is made synonymous with the press freedom/free market approach of consumer-interests, which the regulator will be required to balance with citizen-interests such as 'privacy'). Although the regulator will have a more *directly* interventionist role in protecting citizen-interests, by its ability to impose fines on specific service providers, these are all issues that have traditionally related to the media law perspective more associated with the self-regulation of the press (in which, as Part Three has demonstrated, the distinction between citizens and consumers has always been unclear) than the public regulation of broadcasting.

It is also interesting to see how public control and private enterprise are balanced in relation to citizen and consumer interests. There are clear parallels, for instance, between Ofcom's and New Labour's distinction between direct and indirect regulation, on the one hand, and Peacock's distinction between direct and indirect relations between the consumer and service provider. For Peacock, the more direct the relation, the better for consumer sovereignty and the lesser the need for direct regulation. The latter is reserved in recent documents for citizen interests and the regulation of the BBC in particular. However, for Peacock, it was not only the licence fee that negatively affected consumer sovereignty, but commercial laissez-faire broadcasting when financed by advertising rather than by subscription. Peacock's insistence on the necessity of public intervention for consumers as well as citizens in the absence of direct relations, is therefore split by Ofcom into a

distinction between direct and indirect types of intervention, thus framing the long-term balance between public control and private enterprise within the problematisation of citizen and consumer interests. Effectively, two contrasting balances are provided: while citizen interests are protected by a particular balance between public control and private enterprise (namely direct regulation), consumer interests are protected by a different balance between public control and private enterprise (that is, indirect regulation). The former involves censorship and fines on particular institutions, the latter involves more general competition regulation of the sector as a whole. However, Ofcom was originally dedicated to regulate the commercial market, not the BBC, and to do so indirectly, as a rule; direct regulation for citizen interests was a backstop. More recently, this direct intervention seems to have been further recalibrated to allow Ofcom to regulate the BBC purely in terms of market impact assessments.

However, as they are attributed explicitly to neither the interests of citizens nor consumers, the issues listed in the second bullet-point are more ambiguous; although there is an implicit suggestion that they follow on from the preceding list of consumer-interests prior to the introduction of distinct citizen-interests. 'Content quality' is thus made distinct from both 'content standards' (which are dealt with directly by the regulator as citizen-interests), and from 'service quality' (which is dealt with indirectly through the market as a consumer-interest). The 'range of programming' (distinct from consumer-related 'quality of programming' or citizen-related 'content standards') and the 'plurality of public expression' also fall into this grey area that the document is unable to subsume under the banner of either citizen- or consumer- interests, constituting points of tension that pervade throughout the text. Consequently, concepts such as 'quality' and even 'plurality' become free-floating signifiers. In a section devoted to 'quality' (DTI/DCMS, 2000: Section 5), the 'quality of broadcasting' unless otherwise stated, could refer to the quality of either content or service provision, whereas, in a section devoted to 'diversity and plurality' (DTI/DCMS, 2000: Section 4), the concern is with the 'diversity and plurality of communications services' rather than the 'plurality of public expression', suggesting it is more related to service provision and consumer interests. Because 'consumers' are also associated with these vague concepts of 'quality' and

'plurality', the term 'consumer' appears to perform a second function, referring not necessarily to financial relations but to the public more generally.

Indeed, a distinction is made, for instance, between 'consumers' who 'watch television' (DTI/DCMS, 2000: Section 6.4.11) and 'buy information goods' (DTI/DCMS, 2000: Section 6.3.6), and 'citizens' who principally watch 'news and current affairs' (DTI/DCMS, 2000: Section 6.4.10); in more recent documents, however, even news is discussed mainly in terms of 'news consumption', although its important role for 'citizens' access to information' is recognised (DCMS, 2006: 30). Similarly, 'customers', who are particular individuals in a direct relation with a specific service provider, are distinguished from 'consumers', understood as the general public's relations with all service providers or the market as a whole, suggesting that 'consumers' only become 'citizens' when they watch the news, or 'customers' when they deal with their specific service provider.

The grey area between citizen and consumer interests, which the White Paper attempted to resolve through a secondary use of the term 'consumer', was originally resolved by Ofcom itself in terms of the 'citizen-consumer'. By 'serving the interests of citizen-consumers,' the regulator attempts to treat the individual as both a citizen and a consumer; but despite its original dominance on the homepage of Ofcom's website (until January 2005), not only is this transcendence unequally balanced throughout its publications, it is in sharp contrast to its complete absence throughout the regulator's PSB Review. Rather, the 'citizen-consumer' seems equivalent to the consumer, and antithetically related to the citizen, and the regulator has since substituted the term 'consumer' for 'citizen-consumer'.

The text refers to the Peacock Report's suggestion that 'consumers may have a considered view about the provision of aspects of broadcasting which they themselves might not directly consume' (Ofcom, 2004: 'A Research-Based View'), and to the ITC's research into the extent to which the 'public' could 'separate their own personal programming likes and dislikes from their support for 'citizenship' or 'social/cultural' programming' (Ofcom, 2004: 'ITV1 Pilot Study'). Significantly, the text distinguishes between the approach to regulation that has delivered to citizens what they 'want to be widely available for as many people as possible to watch' and

the approach that has delivered 'what consumers want to watch or want to have the option to watch' (Ofcom, 2004: 8 'Definition and Purpose of PSB'). Further, the individual is constructed as both a citizen and a consumer (Ofcom, 2004: 'Supporting Documents: A Conceptual Review'), and the impact of a consumer's private preferences on other consumers is emphasised. This process serves the purpose of reducing the differences between consumers and citizens, so that, on the one hand, the consumer can act collectively, and, on the other, the citizen can act individually. The distinction between 'wanting to have the option to watch' and 'wanting to be widely available for others' is weakened, justifying the regulator's 'great emphasis on the perspective of the viewer', and the inclusion of citizens' interests within the remit of the Consumer Panel (Ofcom, 2004: 'Ofcom's Research to Date').

This produces contradictions, however, in the ways in which individuals and the public are constructed, particularly in reference to the 'the UK as a whole.' On most occasions, 'individuals and citizens' (Ofcom, 2004: 'Suggested Overall Framework') are constructed antithetically, and 'the UK as a whole' is synonymous with citizens or public (Ofcom, 2004: 9 'Executive Summary'). Occasionally, however, 'citizens and the UK as a whole' (Ofcom, 2004: 'Aims of the PSB Review') are made distinct from one another, so that the latter signifies consumers. By contrast, a clear distinction had been made in the Hunt Report between the 'country as a whole' and individual 'viewer's choice' (Hunt, 1982: 3), whereby the former was explicitly linked to PSB and citizenship, and the latter with commercial (cable) television and consumer choice. Praising PSB from the perspective of consumer sovereignty, the Peacock Report (1986) had regarded it as serving the 'public's interests' for the good of 'society as a whole' (Peacock, 1986: 130), downplaying the distinction between citizens and consumers, and linking PSB to consumers as well as the public and society as a whole. More recently, the 'interests of the public and the rest of the broadcasting world' have been linked to commercial PSBs (ITV, Channel Four and Five), commercial services (such as Sky) and the 'wider industry' (DCMS, 2006: 2), while 'sustaining citizenship and civil society' has become a core purpose of the BBC (DCMS, 2006: 3). A distinction is now made between citizenship and the public, whereby 'public service' is no longer for the 'public' at all, but for 'citizens', while the free market serves the interests not only of 'consumers' or 'viewers', but of the 'public as a whole'.

Broadcasting regulation concerns the political relations of broadcasting to government, parliament and the public (Annan, 1977: 15). There have been several overlapping principles of broadcasting regulation: public control; public service; public interest; competition (and plurality); consumer sovereignty (and choice); and public value. From the beginning of broadcasting regulation there was a concern with the distinction between the 'public interest' and particular (or private) interests, and a concern with the balance between safeguarding broadcasting's independence from government (in terms of the appointment of governors as well as editorial content) and maintaining government control. Initially, the principles of 'public service' and 'public interest' were secondary to that of 'public control', but once the emphasis had shifted, 'public service' and 'public interest' were treated synonymously and in contradistinction to the commercial market and private interests. Over time, the integrity of, and link between, the 'public service' and 'public interest' concepts has been reconfigured. Although the two were unproblematically conflated in early documents, a distinction has since been made between the 'public interest' and what the 'public want', and between 'public service' and the 'public interest'. While the 'public interest' has been widened to also incorporate choice, competition, consumer sovereignty and the market, 'public service' has been reconfigured to vary in scope and to cover programming and consumers as well as institutions and citizens. Ultimately, the 'public interest' has shifted from being synonymous with 'public service' and antonymous to the market, to being distanced from the former and made closer to the latter. Since the 1980s, it has been used to account for the relationship between a trichotomy of 'public service-consumer sovereignty-commercial market', in which 'consumer sovereignty' is distinguished from the 'commercial market' and made to overlap with 'public service'. Although the legacy of Peacock's economic perspective remains manifest in more recent documents, the concepts have continued to undergo reconfiguration. 'Public service' is currently tied closely with the BBC,

while commercial PSBs are considered alongside commercial broadcasters rather than the BBC or in terms of 'public service'. Meanwhile, the 'public interest' is made to be a mix of 'public service' and competition perspectives, while this 'public service-competition' compromise must always be balanced with an additional assessment, in the name of 'public value', of the market impact of public intervention.

Supplementing the critical methodological approach with a long-term genealogical frame allows this chequered history to be revealed, and suggests that it is misleadingly reductive (albeit not incorrect) to interpret contemporary regulation in terms of neoliberal ideology, a shift from citizenship to consumption, or a case of protecting particular private interests. Likewise, it is disingenuous (although not entirely false) to suggest that early broadcasting regulation was simply a matter of public over private interests, or of citizenship over consumption. Rather, the critique of contemporary neoliberalisation needs to more clearly distinguish between recent recalibrations of the 'public interest', on the one hand, and earlier (proto-neoliberal) manifestations of private interests and a disinclination to curb private enterprise, on the other. The archaeological work summarised in this chapter begs for a more nuanced reading of the citizen-consumer and public-private dichotomies in broadcasting regulation history, and for a reassessment of the relation between PSB, the public sphere and neoliberalism; and, in the concluding chapter of this thesis, the theoretical and methodological debates (surveyed in Parts One and Three-Seven) will be brought to bear upon the analyses (in Part Eight) and the dominant literature on broadcasting regulation (reviewed in Part Two).

Conclusion

The assumption of a link between PSB, citizenship and the public sphere, and between consumerism, neoliberalism and the private interests of powerful corporations, certainly seem commonsensical enough. However, a closer engagement with the nuances in regulatory discourse, as well as the complexity of theoretical debate around such concepts, suggests that it is not as straightforward as broadcasting scholarship tends to assume. While this hardly suggests that we should abandon PSB, dispense with citizenship and the public sphere as explanatory tools, or embrace the relative autonomy promised by consumerism or neoliberalism, it does necessitate a theoretical engagement with consumption as well as with citizenship studies, and with neoliberal as well as with public sphere theory. Likewise, while a critical theoretical-methodological approach remains necessary for an understanding of contemporary regulation, critique must be 'deepened' along more reflexive lines, and be framed within a longer-term genealogical account of governmental problematisations, if the critical assessment of regulatory change is to be effective.

The Problematisations

The distinction between the 'public interest' and 'what the public want', identified in early broadcasting documents, echoes on one level the distinction between 'what is in the interests of the public' and 'what is of interest to the public', more commonly associated with debates from the history of press regulation in the UK. But recognising that such a distinction has been a 'gross over-simplification of a complex and continuing problem' (Pilkington, 1962: 18) suggests that contemporary reconfigurations of the 'public interest', which associate it more with market competition than with 'public service', cannot be entirely understood in terms of ideological manipulation or private interests. For sure, it is difficult to ignore the realities of private lobbying and clandestine relations between politicians and media proprietors, and this thesis certainly does not argue that regulatory change is neutral,

disinterested or apolitical. However, on a theoretical level, there seems to be something more complex going on, and while flippant dismissals of loosely defined neoliberalisation are theoretically unhelpful, more considered critiques of neoliberal hegemony and the protection of private interests tell only part (albeit an important part) of the story.

The identification of discursive trichotomies, such as the 'public service-consumer sovereignty-commercial market' nexus introduced by Peacock, suggest that critically approaching regulation in terms of simple dualities (of 'public service-commercial market', for instance) can be misleading; the conflation of consumer sovereignty with corporate interests ignores the ways in which the interests of consumers are often contrary to those of media proprietors. Likewise, the rejection of Ofcom's 'citizen-consumer' as merely a cover for 'consumer', while convincing for the most part, also risks ignoring a genuine attempt to negotiate a difficult terrain, and falls into the trap of presuming that a clear dichotomy of citizens and consumers is possible and desirable to maintain. Similarly, contradictory uses of terms such as 'consumer', as in the discourse of Ofcom and the New Labour governments, suggest that closer attention needs to be paid to the ways in which such uses are contradictory, and to the contrasting concerns, discourses and problematisations they represent, rather than simply identifying the existence of a contradiction and critiquing it in terms of ideological tension.

While it is hard to refute the general accusation that the ubiquity of terms such as 'consumer' and 'competition' demonstrates the hegemony of market logic, and that their contradictory usage reveals evidence of ideological tension, it ignores the functional differences between usages of particular terms (overlooking, for instance, the distinction between consumers in a direct financial relation with service providers, whereby the regulator is obliged to act in a certain way, on the one hand, and consumers as active members of 'society as a whole', where the regulator is required to act in another way). Whereas the former suggests the encroachment of a strictly market logic, in which broadcasting consumers are treated no differently from the consumers of toasters (for example), the latter shares its heritage with a very different tradition that has problematised the character of the public, and the difference between individuals and the public, throughout the history of media

regulation and liberal democracy. In this tradition, the extent to which the public can be seen as a mass, an aggregation, a differentiated entity or a 'phantom' sphere that is more than the sum of its parts, has been critically debated since at least the 18th Century, and although the particular usage of the 'consumer' as a label for this 'problem' demonstrates more of a market emphasis than the earlier usage of 'citizen' in broadcasting regulation, to reduce it to evidence of corporate influence over the regulatory process denies the complexity of liberal and republican debate on the identity of the public.

Further, a closer investigation of the relation between 'public service', 'public interest' and 'public value' regulation highlights an intricacy to the reregulation of broadcasting, which simultaneously supports the critique of sweeping marketisation while qualifying it to reveal differences in the levels of marketisation. It is not incorrect, therefore to dismiss 'public interest' and 'public value' as Trojan horses for marketisation, or to denounce the marketisation inherent in the reconstruction of 'public service', but it is frustratingly heavy-handed. Detailed analysis of the differences between the regulatory significance of each of these terms contributes, in contrast, to a greater degree of understanding about the true extent of marketisation, critically revealing the ways in which explicit 'market impact' assessments are prefigured by the relatively more insidious introduction of elements of market logic via 'public interest' and then 'public value' assessments, as well as by the internalisation of a market outlook within the very concept of 'public service'. Nothing in this acknowledgment of, and engagement with, nuance and complexity necessitates, however, a rejection of the more familiar narrative of the critical approach; rather, in requiring its qualification, it demands even 'deeper critique'.

Critique and Governmentality

The critical approach is essential for explaining *why* such configurations have come about, but a more nuanced frame is required to avoid falling back on the misleading assumptions and selective readings that undermine the efficacy of such critical accounts to convince the unconverted. While the critical approach's lot is to be either

embraced by partisans or dismissed as partisan, a theoretical-methodological bridge between critical and governmental approaches engages directly with the complexity of such arguments and the difficulty of distinguishing between ideologies or perspectives. Although this may perturb those wary of diluting critique, it also offers the prospect of converting hostile dismissal into more serious (and critical) engagement.

While CDA is certainly useful for an analysis of contemporary texts, and as a compliment to the critique of marketisation and the influence of private interests in media regulation, the theoretical assumptions, normative thrust and methodological dependence upon binary relations of most of its practitioners undermine the extent to which it can support a longer-term analysis. As politically important as such a strategy may be, it is perhaps too blunt a tool or perspective to avoid theoretical and methodological reductionism. Indeed, if it is true that language use is increasingly strategic, and that CDA is therefore all the more necessary today (as its proponents argue), one could suggest that it is of relatively less value for an analysis of earlier documents, written at a time when language use was more communicative. A genealogical approach to governmental rationality and the close analysis of mundane techniques and technologies, on the other hand, takes account of the ethical and technical character, as well as the ideology, of neoliberalism. It appreciates the extent to which the neoliberal critique of PSB, for instance, is more a critique of the ideals of knowledge and power that such rationalities embody than a rejection of the actual or perceived failures or weaknesses of PSB. As such, it is not enough for critics to acknowledge the failures or the realities of PSB while maintaining an uncritical defence of the rationale for PSB itself; rather, it is necessary to engage with critiques of that rationale.

By genealogically tracing the dispersal of events, on the other hand, *how* governmental problems emerge, and *how* practices and roles are contradictorily constituted by multiple processes, can be explained without recourse to ideology or the need to explain *why* (Miller and Rose, 2008). Although this thesis began as a critical account of the shift from citizenship/public service to consumerism/market competition, it has finished as a genealogical account of the ways in which 'problems' have been identified and approached over time in terms of distinctions

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between public and private interests, and between the interests of citizens and consumers, taking the presuppositions of critical scholars as the primary object of study, rather than broadcasting regulation as such. The analyses conducted as part of the research for this thesis have illustrated the 'historically sedimented underpinnings of particular problematisations', rather than assuming a grand historical process or singular underlying cause (Barry et al, 1996: 5). Consequently, claims of state withdrawal or encroaching private interests are emphasised less than a focus on the ongoing reconfiguration of the public-private distinction as 'particular problematisations of government'. Only once the (long-term) liberal-democratic problematisation of how to balance private freedom with public intervention is acknowledged, and the ways in which its resolution has been attempted (since broadcasting's inception), in terms of reconfigurations of the public-private and citizen-consumer dichotomies, have been traced, can their contemporary configurations be critiqued without being simplistically reduced to binary opposites.

Efforts to bridge the gap between ideological critique and more nuanced governmental accounts of hybridity, in contrast, offer a way to acknowledge truths that would otherwise be inconvenient for a critical approach, without jettisoning critique in the process. Although this author remains unconvinced that such a mixed approach is practical or even possible in many situations, this thesis contends that the attempt to bridge these two approaches must nevertheless be made, and the extent to which their reconciliation is possible be evaluated. In the context of broadcasting regulation, this thesis has demonstrated that the critique of contemporary discourse needs to be made within a longer-term governmental framework; only once the ongoing problematisations have been identified can the strategic manipulation of those dichotomous debates be critically analysed by reference to ideology. If private influence or corruption are identified, they should of course be denounced; but not all efforts to reconstruct the public as 'consumers' can necessarily be denounced as evidence of such influence or corruption. Although the preference for the term 'consumer' in contemporary documents, and the tensions between 'citizen' and 'consumer' interests in those of the previous decade, can therefore be said to reveal an ideological commitment to neoliberal ideas, and, furthermore, understood in the context of excessive corporate lobbying and clandestine relations between politicians and media proprietors, the wider context of the ongoing problematisation of the

public-private dichotomy must not be overlooked. It is misleading to suggest that the distinction between them was once stable and appropriate in contrast to its contemporary strategic manipulation; rather, the distinction has always been unstable, fluid, mobile, protean and the result of a mixture of what can be considered private interests as well as something approaching the general public interest. Understanding such dichotomies as processes ultimately allows for a decoupling of the public sphere from preconceived notions of PSB, and for a more unencumbered reconstruction of a public sphere model.

The Dichotomies

Close engagement with Habermas's historical and normative approach to the public sphere, meanwhile, raises questions about the appropriateness of the concept's application to a defence of PSB. While revisionists have demonstrated the historical inaccuracy of much of his account and provided many contrary examples to undermine his argument or 'rise and fall' narrative, those critically engaging (in 'dialectical alliance') with his normative approach have demonstrated the controversial difficulty of distinguishing between society and politics, thus substantiating the claim that the appropriation of his concept by broadcasting scholars is based on only a selective and uncritical reading of Habermas and subsequent debates.

Particularly problematic is Habermas's treatment of the distinction between citizenship and the welfare state, on the one hand, and consumption and the market, on the other. His critiques of the bestowal of social citizenship rights upon a passive and dependent citizenry, and of the shift from seeing press freedom as a *political* right to seeing it as a *social* right, emphasise their negative effect on the public-private distinction that underlies the public sphere.

His critique, on the other hand, of the rise of public relations management and commercialised mass media, so often appropriated in broadcasting scholarship to substantiate the critique of neoliberalisation, is relatively less important to his

argument, and even treated as an effect of the social democratic processes that broadcasting scholars problematically propose as a corrective to the decline of the public sphere. Rather, according to Habermas, the critical publicity of the public sphere is simultaneously both *preserved* by the free market and the social welfare state, as well as *undermined* by the manipulative publicity of the market and the representative publicity of public service. For Habermas, while the public are socialised and depoliticised economically as consumers, they are also socialised and depoliticised politically as citizens. While it is undeniable that PSB successfully shields citizens from corporate power, therefore, it is important to also acknowledge the ways in which it reduces citizens to a depoliticised community of private consumers, thus simultaneously enabling and undermining the public sphere.

Arendt's emphasis on the mutual dependence of the public and private realms, and Lipmann's and Schumpter's critiques of the 'insensible merging' of public and private citizenship, as well as of public and private interests, cautions us against too simplistic a reading of the public-private dichotomy. Indeed, the republican critique of liberal press freedom, on which Habermas drew for his development of the public sphere concept, demonstrates the extent to which it is difficult to distinguish between apolitical consumption and the depoliticised citizenship of the liberal-legal tradition. While Habermas proposes that recourse to the rational-critical debate and active participation of the republican tradition, as well as liberal rights, overcomes this handicap, subsequent theories have demonstrated that it is not so easy to distinguish between rational and irrational debate either. Consequently, while the extent to which PSB can produce rational-critical citizenship must be critically assessed alongside a critique of market-based press freedom, an engagement with the extent to which rational-critical citizenship can be distinguished from irrational-uncritical consumption must also be addressed. Thinking through the conditions and possibilities for public communication and political participation in the present (Schudson, 1992), that is, will benefit neither from maintaining illusions about the broadcasting public sphere of the past, nor from misleadingly conflating the public sphere with PSB today. None of this rejects, however, the validity of Garnham's and Murdock's emphasis on citizenship, or of Garnham's and Scannell's appropriation of Habermas's public sphere, as a defence of PSB; but it does necessitate their qualification, and an acknowledgment of the shaky ground on which such premises

are built. It turns attention to an appreciation of the ways in which, for example, PSB and citizen interests may also depoliticise and pacify participation in the public sphere, while commercial media and consumer interests may occasionally offer the potential for political participation and resistance to economic and political power, which PSB and citizenship are relatively ill-equipped to guarantee.

It is not so much the terms 'citizenship' and 'consumption' themselves that are unhelpful, however, but rather the binary opposition that has been constructed between them. By contrast, an alternative account of citizenship and consumption, which acknowledges their imbrication and mutual dependence throughout the history of broadcasting regulation, facilitates a more critical theoretical engagement with the extent to which the conditions and possibilities for a public sphere are actually being fostered. While media studies literature seems to sometimes recognise the complexity of distinctions between citizenship and consumption, its efforts to address this complexity are limited to (otherwise important) ethnographic research into the public's views on, and understandings of, such distinctions. As useful as this research is, however, it unfortunately avoids engagement with the relevant theoretical debates, failing to develop a more protean account of the concepts and dichotomies, to explicitly recognise them as ongoing processes and everyday practices rather than integral and coherent statuses, or to critically acknowledge the ways in which they overlap and mutually reinforce one another.

Naming Neoliberalism

This thesis has not demonstrated (nor has it set out to demonstrate), therefore, that regulatory changes in broadcasting cannot or should not be considered neoliberal, nor that an understanding of such changes in terms of neoliberalism is unhelpful or erroneous. Rather, it has demonstrated the need to look more closely at the historical (governmental) roots of neoliberalisation, such as the early regulatory interests in choice, competition and private enterprise, and to consider less dismissively the neoliberal critiques of the private interests inherent in PSB, and more critically the problems posed by early PSB, as well as the ideal of PSB itself, for the public sphere.

It has also shown the necessity of acknowledging both exceptions to neoliberal logic (such as social democratic concerns for informed citizenship and the continuing support for PSB), as well as the potential benefits of explicitly or ostensibly neoliberal measures (such as accountability, the recognition of an increasingly active and differentiated public, and even market competition) for both citizenship and the public sphere. Doing so demands a qualification of the claim that changes are simply neoliberal, necessitating instead terminological specification – whether changes are evidence of either neoliberal ideology or neoliberal governmentality, for instance – as well as an assessment of the extent to which they are a mixture of neoliberalism and other ideologies/governmentalities, or whether an unstable mixture of contradictory discourses/perspectives, rather than simply an obsession with free markets, is what actually defines neoliberalism.

This thesis accepts, therefore, the political necessity of 'naming' neoliberalism, and of critiquing the influence of private interests on media regulation and the public sphere. However, it maintains that such political necessity not only needs to balanced with an acknowledgment of theoretical complexity, but that it is also best served by such an acknowledgment. Reducing neoliberalisation to always and simply being a question of protecting private interests leads to the instinctive rejection of all things potentially neoliberal, falsely identifying PSB wholeheartedly with (often a vaguely defined notion of) citizenship and the public sphere, and denying the importance of consumption and the market for democracy, as well as both a socially inclusive and politically critical public sphere. Further, while mostly effective in recognising threats from corporate power and in warning citizens of the risks of consumerism, such critique sometimes fails to recognise the existence of threats posed to active citizenship by the professed protection of citizen interests and by PSB itself, as well as the potential of the ostensible protection of consumer interests to hold corporate power to account.

Concluding Remarks

The research undertaken here into the theoretical and methodological engagement with broadcasting regulation in the UK has wider consequences for the critique of global media regulation. Although the critical approach remains pertinent (perhaps more so than ever), engaging with the wider literatures on the public-private dichotomy, and reframing the critical approach within a view of neoliberalism as a political-economic governmentality, allows a theoretically more nuanced critique of historical changes to media regulation, a more sophisticated reading of governments' and regulators' negotiation of the discursive terrain, and a reappraisal of the contradictorily positive and negative contributions of multiple practices and overlapping processes to the public sphere. And as well as addressing the concerns of those tired with the usual terms of debate without having to jettison them, such a project also contributes to a more convincing political critique of corporate power, private interests and market influence, and to an elaboration of a public sphere more efficacious for its critical acknowledgment of both the contradictions of liberal and republican traditions, as well as the complexity of neoliberal thought.

Although this thesis focused on terminological debates, discursive change and textual analyses in a specific national context, more contextual research, comparative analyses and engagement with other aspects of media regulation and the public-private dichotomy could have been included, had space and time allowed. Although research into the history of press regulation, as well as the legal and theoretical literature on privacy, was undertaken at the same time as this thesis (Dawes, 2013b; 2014), those sections had to be cut for reasons of space, and so as to maintain a coherent focus on broadcasting regulation and on those aspects of the public-private dichotomy most pertinent to it. For similar reasons, engagement with current debates on internet regulation (Curran et al, 2012; Dawes, 2013c), had to be resisted, despite the context of economic-technological convergence and overlapping theoretical and critical debates. Finally, although chapters on civil society or the commons would have made for a more complete account of the public-private dichotomy, time as well as space made it unfeasible to give the necessary amount of attention to them. Building on the research undertaken and the arguments made in this thesis, however, this author will continue to explore these aspects in the months and years to come.

Similarly, extending the research into broadcasting regulation beyond the UK would provide a more global perspective and help avoid Anglocentrism. If 'gradational neoliberalism' – the critical account of the degree to which a particular case is neoliberal – is an unhelpful and misguided endeavour, however, and 'relational neoliberalisation' – a no less critical account of the multiple forms of market rule and the mutual constitution of local neoliberalisms – is potentially capable of combining ideological and governmental perspectives (Peck, 2013a: 18), then further research into comparative examples of national broadcasting genealogies (and overlapping international genealogies, such as that of the EU) would be important additions to this thesis; not to demonstrate the extents of neoliberalisation, but the emergence of yet more problematisations, and yet more ways in which those already identified have been rhetorically resolved or discursively addressed. Far from adding unnecessarily to the layers of complexity, the identification of such detail could contribute to the critique of national regulatory regimes by identifying precedents for which scholars are otherwise unprepared. Again, such comparative research is also something that this author intends to pursue in the near future.

In terms of subsequent theoretical engagement, this thesis has also highlighted a turn towards practice and process, as well as protean distinctions, shared by the literatures on citizenship, consumption, the public sphere and neoliberalism, and these particular aspects require further elaboration. Additionally, a shared concern to balance empirically-informed, nuanced accounts with the earlier normative traditions they often dismiss has also been diagnosed in all these respective literatures, substantiating the aim of this thesis to supplement the traditional critical approach without supplanting it. While such a task may prove difficult, and even impossible in many contexts, the attempt to do so is something that should nevertheless be encouraged. This thesis is only a first step in such a direction, however, and its primary concern has been more to 'flush out the assumptions' (Kendall and Wickham, 1999: 30), and to 'fragment, disturb and disrupt' the conceptual tools (Rose, 1987: 66), of the dominant approach to broadcasting regulation. In doing so, it has at times been explicitly critical of the existing literature, but ultimately it favours a *rapprochement* between critical and governmental approaches, and between earlier and later approaches to the concepts reviewed; much as Habermas favoured a

rapprochement between liberal and republican traditions for his account of the public sphere. The acknowledgment of the continuing importance of the public-private dichotomy, and of the distinctions between public and private, as well as between citizens and consumers, is therefore something that remains not only *politically*, but also *theoretically*, necessary.

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