

CITIZENSHIP, PARTICIPATION AND MEDIA POLICY FORMATION

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Abstract

A major debate in Australian cultural studies in the 1990s has been the "cultural policy debate." Drawing upon theories of governmentality developed by Michel Foucault and others, there has been a move to understand cultural institutions in terms upon their relationship to the formation of citizens in modern liberal democracies. While such work can provide considerable insight into contemporary media and cultural policy processes, there are significant gaps in the Foucaultian approach, most notably its difficulties in incorporating the significance of citizenship rights to policy processes. The article explores general issues about the relationship between citizenship, participation and policy formation, and discuss their significance in light of Australian media policy debates about content regulation for commercial broadcasters, local content regulations and, more recently, censorship and the future of public broadcasting. It questions attempts to automatically equate citizenship with participation in policy processes, as well as attempts to present such participatory processes as an innately progressive alternative to bureaucratic or governmental decision-making. Instead it proposes that the relationship between expertise and participation constitutes one of the central animating dynamics of policy formation in advanced liberal political formations.

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Debating Cultural Policy in Australian Cultural Studies

One of the most significant debates in Australian cultural studies in the 1990s has been the “cultural policy debate.” A number of academics working within Australian cultural studies have sought to orient their own work within an emergent field which they termed cultural policy studies, characterised by a greater willingness to engage with institutional processes than, it is argued, has been the case with cultural studies. Bennett (1992a) has defined the field of culture as being “intrinsically governmental,” meaning that culture is defined less by a distinct series of artistic and intellectual practices, the ways of life of distinctive communities or social groups, or as a system for the structuring of meaning in a society, but rather in terms of “the specificity of the governmental tasks and programmes in which those practices come to be inscribed” (Bennett 1992a, 397). Within such a framework, policy becomes “not.. an optional add-on but [...] central to the definition and constitution of culture” (Bennett 1992a, 397). Similarly, Cunningham has argued for cultural policy research which develops “a more subtle and context-sensitive grasp of the strategic nature of policy discourse in negotiating piecemeal, ongoing reform in democratic capitalist societies” (Cunningham 1992, 535). This has in turn been linked to an increasingly strategic role for discourses of citizenship as a basis for the engagement of cultural studies **intellectuals** with the political sphere, as argued by Cunningham:

A renewed concept of citizenship should become increasingly central to cultural studies as it moves into the 1990s [...] Replacing revolutionary rhetoric with the new command metaphor of citizenship commits cultural studies to a reformist vocation within the terms of a social democratic politics. This can connect it more organically with the wellsprings of engagement with policy (Cunningham 1992a, 10-11).

Not surprisingly, a call for a more institutionally-oriented and reformist orientation in cultural studies — one which involves “talking to the ISAs” (Bennett 1992a, 405) — has been subject to criticism. Some critics saw the call for a turn from neo-Marxist to social-democratic forms of political practice as involving an evacuation of the critical vocation of cultural studies in the name of political pragmatism (Frankel 1992; Levy 1992). Yet it could be argued such an approach in turn overstates the ability of critical intellectual practice to enable the formation of a “counter-public sphere” (Eagleton 1984), by overstating the possibilities of linking a diverse range of political, cultural and intellectual practices into a broad movement capable of constituting a public sphere in opposition to the bureaucratic organisations of the state (Minson 1980). Moreover, this approach underestimates the porosity of boundaries between state organisations and those of civil society:

Public spheres [...] are brought into being not merely outside of and in opposition to the bureaucratic apparatuses of the state but also within those apparatuses or in varying degrees of quasi-autonomous relations to state bureaucracies (Bennett 1992b, 235-236).

This point has been drawn out by Hawkins (1993), whose history of community-based cultural organisations in Australia, provides ample evidence to indicate that ‘community arts’, rhetorically constructed by many left accounts (e.g., Kelly 1984) as the most avowedly oppositional and anti-statist of forms of cultural practice, is, at

least in the Australian context, “a creation of government policy, an official invention” (Hawkins 1993, xviii). The emergence of community arts in Australia had far less to do with demands “from below” for autonomous forms of community self-expression, than with application of social democratic discourses of “access,” “equity,” “participation” and “community involvement” to Federal arts funding regimes since the early 1970s. In the 1980s and 1990s, the focus of community arts has shifted from that of “engaging” various communities and community self-expression, to one of cultural development, with greater concern for consolidating a local arts and cultural infrastructure- a “cultural industries” or “cultural policy” approach. Hawkins’ account of community arts would suggest that direct engagement with governmental institutions is both a feasible and a desirable strategy for those directly engaged in forms of cultural politics concerned with political goals such as the promotion of democracy and diversity, equity and social justice.

There is dispute about the uses of “policy” in Australian cultural policy studies. One line of research draws upon Foucault’s work on “governmentality” to undertake genealogical research on the role of bureaucratic and pedagogical institutions in the formation of the modern citizen, extrapolating from these historical findings to make observations on the contemporary conduct of cultural institutions and the appropriate responses of cultural intellectuals to these developments. Work by Hunter and Bennett on the emergence of the school and the museum as cultural technologies of the modern state work within this framework as does the work of Hunter and Denise Meredyth on the development of humanities education (Hunter et al. 1991; Hunter 1994; Bennett 1995). Others, such as O’Regan (1993), Miller (1994) and Craik (1995), have expressed concern that the Foucault-inspired genealogical approach to cultural policy presents an overly abstract and rationalistic conception of policy formation and implementation. They argue for greater incorporation of insights from the social sciences into how policy-making actually occurs, and the relationship of intellectuals to policy processes, arguing that greater consideration of these would indicate the need for a greater degree of modesty about the scope and limitations of cultural policy.

Theories of Governmentality

One weakness of understandings of power and government in cultural studies has been a tendency to regard the institutional domain as either a monolithic set of repressive forces, or as an inert backdrop, to the realisation of aesthetic capabilities and popular pleasures. More generally, there has been a tendency to attribute a greater or lesser degree of functionalism to cultural institutions, or to separate questions of institutional reform from questions of political emancipation. Problems of reductionism and functionalism in neo-Marxist state theories have been widely observed (Dunleavy and O’Leary 1987), but attempts to develop state theories which overcome these problems by recognising the institutional differentiation of sites of policy formation, the strategic calculation of decision-making agents, and the autonomy of the political sphere (e.g., Block 1987), present the problem of whether it is in fact useful to speak of “the state” as a coherent and distinctive entity which interacts with a dispersed and differentiated “society.”

In Foucault’s work, the continuing importance of the state/society framework indicates the continuing influence of juridical-normative forms of political theory, with their central problematic of the questions of sovereignty, prohibition and right. By

contrast, Foucault proposed a move from sovereignty to the materiality of power relations, to “cut off the king’s head” in political theory. Deleuze (1988) describes Foucault’s conception of the state as one which understands the state as an effect of a complex, localised and differentiated series of power relations, techniques, discourses and practices, and Foucault described his own move from state theory in these terms:

What I want to say is that relations of power, and hence the analysis that must be made of them, necessarily extends beyond the limits of the state. In two senses: first of all because the state, for all the omnipotence of its apparatuses, is far from being able to occupy the whole field of actual power relations, and further because the state can only operate on the basis of other, already existing power relations. The state is superstructural in relation to a whole series of power networks that invest the body, sexuality, the family, kinship, knowledge, technology (Foucault 1984, 63-64).

Foucault moved from state theory toward what can be termed a general theory of government, in which government refers not to a set of political structures but rather to “the way in which the conduct of individuals or groups might be directed,” and where “to govern [...] is to structure the possible field of action of others” (Foucault 1982, 211). Foucault argues that the period of modernity in Western societies has witnessed a process of the “governmentalisation” of the state, where the conduct of the state shifts from a primarily juridical to an increasingly administrative and technical basis, and where techniques associated with the practice of government come to be dispersed through a range of social institutions, which are linked to yet distinct from the formal apparatuses of the state.

Miller and Rose have utilised Foucault’s account to develop an account of modern government as a problematising activity:

The ideals of government are intrinsically linked to the problems around which it circulates, the failings it seeks to rectify, the ills it seeks to cure. Indeed, the history of government might well be written as a history of problematisations [...]. It is around these difficulties and failures that programmes of government have been elaborated (Miller and Rose 1992, 181).

How governments problematise particular domains, and seek to act upon them through various programs, involves establishing a relationship between political rationalities and governmental technologies. Political rationalities have three characteristics: (1) a characteristically moral or normative form; (2) a grounding in particular theoretical understandings of chosen domains, which define the social field and render it thinkable; and (3) a construction of problems within political discourses which present not only systems of thought, but also systems of action capable of being applied as programmes of government.

Miller and Rose use the term technologies of government as a broad term to describe the diverse range of techniques, procedures, calculations, surveys, systems, designs and vocabularies deployed across a heterogeneous array of sites and through a broad series of domains, which have the purpose of enabling “aspects of the decisions and actions of individuals, groups, organisations and populations [to] come to be understood and regulated in relation to authoritative criteria” (Miller and Rose 1992, 183). Technologies of government which are particularly significant are those involving inscription, or the means of representing an object or activity in order to

render it “susceptible to evaluation, calculation and intervention” (Miller and Rose 1992, 185).

What such programmes of government, understood as a combination of political rationalities with technologies of government, enable is action at a distance. Central to modern liberal forms of government, which simultaneously administers yet distances itself from domains of “the private” and “civil society,” is the role played by experts and expertise, who enter into a “double alliance” with political authorities on the one hand, for whom they problematise new issues and translate political concerns into governmental programmes, and with individuals and groups on the other, for whom they provide the techniques and forms of assistance aimed to enable them to achieve greater personal satisfaction and overcome material deprivation.

The capacity to link political rationalities, actor networks and technologies of government into policies takes place through the process of translation, or the development of policy discourses. Miller and Rose follow Bruno Latour (Latour 1986; 1987) and Michel Callon (Callon 1986) in utilising this concept, which refers to the processes “during which the identity of actors, the possibility of interaction and the margins of manoeuvre are negotiated and delimited” (Callon 1986, 203). The work of translation, when successful, “establishes a mutuality between what is desirable and what can be made possible through the calculated activities of political forces” (Miller and Rose 1992, 182), or, as Callon describes this process:

To translate is to displace [...] But to translate is also to express in one's own language what others say and want, why they act in the way they do and how they associate with each other: it is to establish oneself as a spokesman. At the end of the process, if it is successful, only voices speaking in unison will be heard (Callon 1986, 223).

Governmentality and the Question of Citizenship

Theories of governmentality establish a **longue duree** approach to policy, linking the institutions of police in early modern Europe to contemporary programmes for economic growth, social welfare, and the cultivation of political citizenship, not through their common existence within state apparatuses, but through their combinations of political rationalities and technologies of government. Common to such programmes are: (1) the linking of policy techniques to ethical and moral principles; (2) a will to problematise and demarcate the social field in ways which render it both thinkable and reformable; (3) modes of inscription and calculation which derive authority from disciplinary knowledge; and (4) techniques which can translate political rationalities, actor networks and techniques of government into policy actions and which can in turn enable the exercise of power through “action at a distance” upon autonomous political subjects. In emphasising continuities in the development of forms of governmental power, theories of governmentality provide the basis for important insights into the relationship between administrative and policy practices at the level of particular issues, institutions or “problematics,” and larger political rationalities and social relationships, without collapsing the former into the latter in a functionalist manner, or abstracting from complex and differentiated processes in the name of more abstract normative or philosophical concepts.

An important issue arises when we consider the relationship of these modern forms of government to political citizenship.¹ Foucault's theory of governmentality indicates

that modern forms of political power are exercised over free citizens, as techniques of power exercised over them in the name of their own popular sovereignty. One instance of this is what Foucault notes as the “welfare state problem,” which is “one of the extremely numerous reappearances of the tricky adjustment between political power wielded over legal subjects and pastoral power wielded over live individuals” (Foucault 1988, 67).

Technologies of governmental power are exercised over individuals in the name of their health, wealth, security and well-being, both as individuals and as a population, which those individuals cannot be said to have voluntarily consented to. Miller and Rose observe that this implies a form of political power which is not based upon the imposition of constraints upon citizens, but rather upon practices which are “‘making up’ citizens capable of bearing a kind of regulated freedom [...] the more so because most individuals are not merely the subjects of power but play a part in its operations” (Miller and Rose 1992, 174). This antagonism between governmental power over populations and the “idea of a community of autonomous persons” (Hindess 1996, 157), means that the appropriate normative and substantive relationship between popular sovereignty and governmental power is a central animating element of the political sphere in liberal democratic societies. It is clear that, in this sense, the “democratic imaginary” and “1789” continue to be central elements of the discourses and institutions of the political sphere in liberal democracies, as noted by Weber when he argued that “‘democracy’ as such is opposed to the ‘rule’ of bureaucracy, in spite and perhaps because of its unavoidable yet unintended promotion of bureaucratisation” (Weber 1978, 990).

The process through which the “will to govern” populations through improving techniques of individualisation is balanced with the acquisition of citizenship rights which, at least in principle, render such exercises of power illegitimate in the absence of popular consent to such uses of public power is sought through complex and differentiated techniques to balance expertise and participation.² Johnson (1993) observes the intimate historical relationship between professionalisation and state formation, and argues that the rise of the professions has involved an incorporation into processes of governing, but from a position of independence from state authority, professional neutrality and procedural discipline, as well as claims to truth on the basis of disciplinary knowledge. These are necessary conditions for adopting a social role which entails a “double alliance” with the institutions and programmes of government and with individuals subject to these techniques and programmes of government. One of the most important political questions of recent times has been that of whether there is a “crisis of government” which draws upon professional expertise, and the extent to which the extension of popular participation in political decision-making may provide a means to resolve this crisis.

Citizenship, Participation and Policy Formation

It is frequently held that active participation and citizenship are mutually reinforcing conditions of a truly democratic society. The notions of “active participation” and “active citizenship” gives citizenship a dimension which goes beyond the repertoire of formal rights in the civil, political and social spheres, most famously articulated by T. H. Marshall (Marshall 1965). The links are made explicit in arguments which look to participatory politics to resolve the crisis of legitimacy in Western democracy, where

“politics becomes its own university, citizenship its own training ground, and participation its own tutor” (Barber 1984, 152), as well as the arguments of Habermas and others that participatory democracy provides the only safeguard against the “demoralisation of public conflicts” under administrative and technocratic logics” (Habermas 1990). In post-Marxist arguments, the distinctive feature of a radical and plural democracy, which can fully extend the democratic revolution beyond liberal pluralism, is that it will involve deepening and expanding the democratic process, which combines “the ideal of rights and pluralism with the ideas of public spiritness and ethico-political concern” (Mouffe 1992, 238; cf. Laclau and Mouffe 1985).

In their influential account of cultural citizenship, Murdock and Golding define the relations between communications and citizenship as involving three key elements: access to relevant information; access to a range of opinions on political issues, and the scope to use communications media to register criticism and propose alternatives; and the ability to recognise themselves in the range of representations offered and to have input into developing such representations. In order to achieve such goals of cultural citizenship, Murdock and Golding argue that this requires diversity of sources of provision and scope for public participation in production decisions, as well as egalitarian access to communications and cultural services (Golding and Murdock 1989; cf. Murdock 1992).

The connection between participation and active citizenship revolves around three sets of arguments. First, there is the developmental argument, which focuses upon the political skills acquired by individuals through participation, as part of realising their full potential as citizens. Second, there is the fairness argument, focusing upon the rights of individuals to be involved in the making of decisions which affect them. These arguments for participatory democracy and “active” citizenship, typically presented in opposition to representative democracy and “passive” citizenship, are often joined to a third instrumental argument for participation, that it produces better outcomes as a result of a wider consideration of interests and broader process of public involvement (Richardson 1983). Considine (1994) draws links between the normative goal of maximising participation and processes of policy formation:

Policy always involves a dual structure. It has an instrumental dimension in that it produces decisions, programs and other outcomes which actors value. It also has a set of developmental relationships in the way it allows for the communication of moral and ethical norms, and the building of trust and solidarity between actors. [...] Participation describes three types of action: it facilitates rational deliberation; it creates and communicates moral principles; and it expresses personal and group affects and needs. When all three forms of action are available, then participation provides a means for the creation of social capital from which all central democratic objectives spring (Considine 1994, 130).

The claim that maximising participation in policy formation not only realises objectives of promoting personal autonomy and responsibility and distributive justice, but also leads to better policy outcomes, would indeed be a happy coincidence for those advocating a more social democracy. Those arguing for greater participation tend to construct a continuum or, in one commonly-quoted model, a “ladder” of participation (Arnstein 1969), countering the normative ideal of a self-governing and active citizenry to contemporary political arrangements. Minson (1997) has pointed to a crucial flaw in the ethical arguments for participation, in their assumption that “par-

participation" constitutes a normative ideal dialectically dependent upon realisation of an active citizenry, rather than as a series of existing techniques, conventions, institutions and ethical processes already deployed on a routine basis within bureaucracies and other decision-making fora, alongside other techniques, practices and institutions of policy formation.

The argument for better policy outcomes is consistent with the first two arguments insofar as we can assume that public disputes and conflicts of interest can be dealt with "by subjecting them to a never-ending process of deliberation, decision, and action" (Barber 1984, 151). It is inconsistent insofar as there are irreconcilable conflicts of interest between parties, or that there is not the scope for equality of participation between conflicting parties; in both of these cases, a pluralistic outcome can only be achieved through the intervention of agencies of the state. It is therefore impossible to posit the case for greater participation in policy formation independently of consideration of the power and resources of the various possible participants in such a process. This becomes more pressing when it is acknowledged that a political agent, or a policy participant, is by no means synonymous with an individual: one implication of policy participation may in fact be the need to organise collectively in order to acquire the material and informational resources necessary to effective participation and realisation of one's goals in the policy process.

The argument which equates broadening participation in policy processes with the realisation of active citizenship and a true democracy also equates the subject of policy participation with the human subject. Rorty (1988) has drawn attention to the extent to which, in actual participatory processes, the subject of policy participation is often less likely to be an individual person but an agent acting as a representative of a group of people, a legally-defined subject such as a corporation, or some other category not reducible to an entity with a conception of its own identity seeking self-realisation through immersion in political processes. Hindess (1989) also notes that the concept of a political agent, which he defines as a locus of decision and action, is by no means synonymous with an individual. It prevents a simple identification of social agents with human individuals. While individuals can act as social agents, so too can a variety of social institutions such as political parties, trade unions, industry lobby groups, organisations representing social movements, corporate enterprises and state agencies.

There are also questions to be raised about the extent to which the reinvigoration of citizenship debates has been animated by a critique of bureaucracy. It was noted in the earlier discussion of governmentality that one central feature of modern liberal forms of government has been the attribution of an important status to professionals, independent of state institutions but as acting administrators of programmes of government, deploying techniques of evaluation, calculation and intervention in the social domain on behalf of a broader community, but whose practices are "neither transparent to public scrutiny nor immediately amenable to popular will" (Meredyth 1997). It has also been associated historically with a desire to "de-dramatise" potentially contentious aspects of social life by rendering conflicting normative principles to the calculative and administrative logics of social administration (Donzelot 1993).

From the perspective of those who associate true democracy with the maximisation of democratic participation, this opaqueness of bureaucratic decision-making appears as a problem. Hunter (1993/4) summarises this opposition between participation and bureaucracy, and its concern that the instrumental or technocratic rationality of bu-

reaucrats and bureaucracies must be tempered by a commitment to the public good and democratic goals:

This sphere of democratic political discourse and participation is supposed capable of achieving the dialectical reconciliation of the technical and the substantive, administration and "culture," the state and "civil society" and [...] political expertise and democratic decision. It is thus envisaged as being able to provide bureaucratic government with a normative orientation to the public good (Hunter 1993/4, 80).

Three issues arise from such a critique. The first, discussed at length by Hunter, is the claim that the bureaucratic persona, with its stress upon the separation of public conduct and personal commitments, is in some sense inadequate. Hunter argues against this claim, arguing that the development of a distinctive ethos of office of the bureaucrat is an important achievement of modern government which should be distinguished from demands from the development of citizenship rights (Hunter 1993/4). Second, it presumes a separation of "the state" and "civil society" which, as has been noted earlier, is open to question at both the historical and the normative levels. Third, it implies that greater public participation in policy formation processes provides the foundation for better policy outcomes. It is this latter claim which will be critically assessed through an overview of some debates in Australian media policy.

Participation and Pluralism: Two Australian Media Policy Inquiries

The value of active participation and direct accountability of broadcasters to the public was of little doubt to the Australian Broadcasting Tribunal, which called for greater public accountability for broadcasters in its 1977 report *Self-Regulation for Broadcasters* in the following terms:

We believe that the industry, either on a collective or an individual basis, should be regularly and directly confronted with the views of those whom it serves [...] The philosophy of direct public accountability is the basis of our approach to the regulation of broadcasting (ABT 1977, 17).

Histories of the Australian Broadcasting Tribunal have tended to tell a tale of decline, from the lofty goals of active participation and direct public accountability, to an increasingly legalised, narrow, bureaucratised and exclusive process of decision-making. This is in turn associated with the ABT's eventual demise, and the establishment of the Australian Broadcasting Authority in 1993. The ABA has been seen as more concerned with market facilitation, and criticised for its displacement of the idea of 'the public' as engaged citizens and active participants into a privatised vision of "the public" as individualised and passive consumers (Chadwick et al. 1995). As Hawke (1995, 49) puts it, "Regulation has subsequently shifted from intervening on behalf of the collectivity of the masses to promoting the individualisation of the mass market." Such an account of the demise of the ABT dovetails neatly into the broader critique of public policy formation in the 1980s, which saw a growing role for economically-based forms of policy formation is linked to the decline in the scope for participation and openness in public institutions, reducing the latter to "distracting noise" (Pusey 1991).

The 1977 ABT Self-Regulation Inquiry

The “rise and fall of participation” discourse has arisen out of the particular context of broadcasting licence renewal inquiries, which the 1977 ABT Self-Regulation inquiry saw as being at the cornerstone of public participation. The most comprehensive and influential study of this process has been undertaken by Harrison, who documents the transformation of television licence renewal inquiries from a participatory to a legalistic and bureaucratic process (Harrison 1986). Harrison’s exhaustive account of the history of television licence renewals is often used as the basis for arguments that this involved the decline of a once progressive and participatory organisation, as it was “captured” by the dominant private broadcasting interests (e.g., Hawke 1995). In her conclusions, however, Harrison observes that the open-endedness and lack of clear parameters for the conduct of inquiries and the administration of policy were a major negative factor, as was the failure to link its juridical role in administering licence renewals with its tasks as a policy-making organisation. There are also important points made about the need for a more professionalised and strategic approach to media reform:

A significant lesson for the reformers from the renewal process would be that they should frame future reform demands in more specific and quantifiable terms. If the reformers had pushed for changes which were clear-cut and measurable, they may have been more successful. While a more ‘bureaucratic’ approach to reform lacked the excitement and the public profile of the early renewal inquiries, it may have achieved more substantial reforms in the long-run. The open-ended nature of the renewal process too easily obscured whether or not anything had really changed (Harrison 1986, 616).

In terms of the model of “governmentality,” Harrison’s argument can be seen as calling for a greater capacity for translation of broad principles, such as the notion of broadcast licences as being held under a form of public trust, into programmes which can be implemented and administered, such as regulations concerned with program content (Miller and Rose 1992, 183-187). Rather than decrying the loss of an open-ended participatory process, Harrison looks to media reformers to enter the interpretative community of broadcasting policy or, to use an American phrase, operate “inside the beltway” (Streeter 1995).

The issue raised by Harrison is partly one about the relationship between process and outcome. The former Chair of the ABT, Bruce Gyngell, clearly emphasised the value of process, as indicated in his Closing Statement to the hearings of the Australian Broadcasting Tribunal Self-Regulation Inquiry:

Regardless of the content of our report or the nature of its reception by the Government, the fact that the industry has been directly confronted with the public’s view is in some ways a sufficient reward. We feel that no matter what structure is finally devised for the regulation of broadcasting, there will be a need for regular, general public inquiries of this nature to maintain the accountability of broadcasters to the public.

What was marked in the period subsequent to the Inquiry was the failure to translate the statements of principle put forward by participants in the Inquiry into workable policies. In particular, the emphasis upon non-specific mandates and generalised

dialogue, found in such proposals as a “Promise of Performance,” foundered upon the almost infinite space it left between the criteria of performance attached to licence conditions through legislation and legally-enforceable broadcasting codes, and the differing assessments of appropriate performance which could be held by broadcasters, Tribunal members and a virtually limitless number of members of the public. The “turn to legalism” in licence renewal hearings can be seen as less a matter of the flexing of muscles by the broadcasters as being the likely outcome of such an open-ended and indeterminate process.

The 1983-89 Australian Content Inquiry

One significant failure of the 1977 Self-Regulation Inquiry was its inability to resolve the question of appropriate levels of local content on Australian commercial television, and how to regulate to achieve this policy goal. This led in March 1983 to the Australian Broadcasting Tribunal announcing an Inquiry into “the amount of Australian content, if any, of programs (including advertisements) transmitted by commercial television licensees, required to be prescribed by program standards, and the way in which these amounts, if any, ought to be set” (ABT 1991, 7).³ One important difference between the Australian Content Inquiry and the earlier Self-Regulation Inquiry was that the former considered a more specific issue over a longer timeframe. Its outcomes arose from at least four years of active consultation, participation and negotiation between interested parties with the ABT. During this time the potentially conflicting interests were more able to gain a clearer understanding of the foundation of each other’s positions, in a context where open conflict and disagreement could be acknowledged and managed by the ABT, rather than being presumed to be resolvable through further open-ended discussion. The process also enabled feedback mechanisms to operate, which was particularly important in the period when there was widespread disagreement about use of the “Australian Look” as a policy yardstick, or the use of “on-screen” as compared to “off-screen” indicators of “Australianness” (Flew 1991).

A second important distinction was in the role played by the ABT in providing information to relevant parties. The ABT was able to build upon ten years of collective experience, as well as the assistance of outside consultants, in its circulation of information to participants on such vitally important questions as the production personnel resources for different category of program, the extent to which different types of local production have been broadcast and how they have rated, how new television programs are developed, and the relationship of commercial television to changing notions of Australian cultural identity. Through broad access to such material, the Tribunal was able to ensure that negotiations between conflicting parties were able to move beyond ritualised oppositions, such as those between industry development and the networks’ costs of compliance, or between cultural nationalism and free market populism.

A third significant difference is the far more circumscribed role for public participation in the Inquiry process. The ABT’s approach recognised that the *realpolitik* of decision-making in a field such as broadcasting involves the brokering of deals between the parties who have an ongoing relationship to the sector, such as the networks, producer groups, representative unions, and interest groups who are routinely involved in such negotiations, such as the Communications Law Centre. In this sense, its conception of the “public interest” had moved from a “realist” conception, which

we can find in the 1977 Inquiry's assumption that "the public" can be established as a collective entity capable of confronting broadcasters about their performance, to a discursive understanding of the "public interest" which acknowledges that:

If discourses don't merely represent "the real," and if in fact they are part of its production, then which discourse is "best" cannot be decided by comparing it with any real object. The "real" object simply isn't available for comparison outside its discursive construction. Instead discourses (forms of representation) might be tested in terms of how they can actually intervene in local struggles (McHoul and Grace 1993, 35).

Current Issues in Australian Media Policy: Public Broadcasting and Censorship

In March 1996, thirteen years of Labour government was ended with the election of the conservative Liberal-National Party coalition headed by John Howard, whose victory over Labour leader Paul Keating was by the largest electoral margin for thirty years. While broader differences in media policy have yet to become fully clear (Cunningham and Flew 1997; Flew 1997b), one of the earliest actions of the Howard Government was to initiate a review of the future role of the Australian Broadcasting Corporation (ABC), Australia's national public broadcaster, headed by the former Managing Director of Optus, Mr. Bob Mansfield. This was accompanied by cut of \$65 million, or 12%, to the operating budget of the Australian Broadcasting Corporation, to be implemented over two years, leading many to be critical of the review for its tight deadlines, the suspicion that it was a form of political "payback" for perceived anti-conservative bias within the ABC, and the way in which the review was timed to coincide with severe cuts to ABC funding.

In spite of, or perhaps because of, this widespread cynicism, the Mansfield Review into the ABC received 10, 615 written submissions, by far the largest received for any Australian public inquiry in a media-related area. (The 1977 ABT Self-Regulation Inquiry, by contrast, received 539 written submissions.) Of these, only 6% (653) were from organisations, the rest being from groups, families and individuals. Of these submissions, the ratio of favourable to unfavourable comments was over 20:1 for most ABC services, indicating a comprehensive endorsement of the ABC's role as an independent and non-commercial broadcaster. The Mansfield Review has ultimately endorsed the continuing role of the ABC as a non-commercial comprehensive national public broadcasting service, rejecting more radical changes such as adoption of the purchaser/programmer model, sponsorship or advertising on the ABC, or reconstitution as a "niche" broadcaster (Davis 1997).

After the shooting of 35 people in Port Arthur, Tasmania, by lone gunman Martin Bryant, the Howard Government responded with measures to restrict ownership of firearms in Australia, and a proposal to investigate the possibility of links between the portrayal of violence in the electronic media and social violence. Over 700 submissions were received to the Committee of Ministers inquiry, of which 99% supported the Government for taking action to reduce violence in the electronic media and access to it. The recommendations of the subsequent Senate Committee Report on the Portrayal of Violence included the use of V-chips in new television sets, seminars for script writers on the portrayal of violence, ratings of the level of violence (V, VV, VVV)

contained in material broadcast on television, and separate guidelines for the classification of rental videotapes than those for films released for cinema. More radical proposals, such as statements from producers justifying violent content in films and TV programs, bans on "R"-rated films being available in video shops, and a total ban on non-violent erotic material, even though there exists strong support for such measures in an organised conservative faction (the "Lyons Forum") of what is a very conservative government.

Two policy areas; two public inquiries; two participatory processes. There would be little difficulty in seeing the first as involving the mobilisation of "public opinion" in defence of the ABC in the face of what is perceived to be possibly the most significant questioning of its future role in Australian broadcasting. But how is the second set of public responses seen? Among the academic and cultural communities, this involves going "Back to the Brady Bunch" (Lumby 1997), being "Back in the disapproval business" (Marr 1997), or as the rise of the "nanny state" (Wark 1997). Concern about the conservative Howard Government's approach to the suppression of material it deems "undesirable" being linked to a broader strategy of winding back gains made in the last 25 years by women, by ethnic minorities, and by indigenous Australians are, I believe, entirely justifiable.⁴ But what is notable is that opposition to tighter media classification regimes tends to rely upon a mix of defending innate legal rights of the individual, as when Wark (1997) argues against the state seeking to substitute their authority for the rights and duties of a free people," and reliance upon "expert evidence" which shows little or no link between portrayals of violence in the media and acts of violence in society.

Whatever the value of these two defences- the legal and the evidential- both clearly set limits to the scope for public participation, and "public opinion," to set the parameters of policy formation in the area of media classification. This squares badly with claims that academic projects such as cultural studies are concerned with the empowerment of individuals against structures which are held to be indifferent to such individual rights (e.g., Slack and Whitt 1992). A better approach may be one which recognises, and frankly acknowledges, that the liberalisation of an area like censorship and classification systems involved did not only involve reduced level of restriction upon films and other forms of media material. There was also liberalisation in a second sense, which involved the establishment of procedures for content regulation which induced "government at a distance," established calculative and evaluative norms to both media content and "community standards," and constituted a new domain for experts to render the various principles associated with the distribution of media content into programs of action.⁵ Within such a governmental framework, community expectations and "public opinion" are clearly aspects of routine decision-making and broader policy formation, but do not enjoy a self-evident priority over other forms of input into the policy process, such as those deriving from claims to professional expertise or those involving organised interest groups.

Conclusion

A closer review of the history of public participation in media policy in Australia would suggest that, at a number of moments, there have been limits set upon public participation in policy formation, as compared to the role played by claims to professional expertise, negotiations between organised interest groups, and appeals to legal

rights. Within liberal discourses of participation as a value in its own right, this appears as a failure of the policy process. Yet the evidence on whether the “governmentalisation” of media policy has produced inferior policy outcomes is mixed, at least in the Australian context.

I have argued in this paper have been that, even given its high level of abstraction, the Foucaultian project of examining modern policy formation in terms of “governmentality” has provided valuable insights into the development Australian media policy. Moreover, it can provide valuable input into contemporary political debates and conflicts, although this requires close attention to the potential contradictions between defences of “statist” policy projects which deploy professional expertise in the “public good,” and the claims for maximisation of participation which derive from the radicalisation of liberalist discourses of the rights of the citizen in the public sphere.

Notes:

1. Foucault (1988, 71) describes modern forms of state power as “demonic” when they combine techniques of pastoral power with the question of “reason of state.” In light of earlier observations, the question has to be asked: why is this power demonic? Hindess (1996) argues that such appeals to liberation as a form of generalised revolt against power rest upon precisely the antinomy between power and freedom which his genealogy of the modern subject, who has been formed under the sign of various productive regimes of power, has rendered untenable.
2. The significance of demands for popular participation is sometimes downplayed in the literature on “governmentality.” For example, Miller and Rose attribute failures of government largely to a kind of systems logic, where the failure of programmes becomes part of a continuous “feedback loop” for those responsible for policy formation and administration (Miller and Rose 1992, 190-191). While this is one image to have of policy, it obscures the extent to which policy failure arises from active mobilisation against particular policies, legitimised as a citizenship right. It also limits an understanding of one of the more important political trends of the last two decades: popular opposition to forms of public expertise seen as distant and unaccountable.
3. A detailed analysis of the ABT Australian Content Inquiry can be found in Flew 1995.
4. These trends are further reinforced by the rise of the One Nation Party, an anti-immigration, anti-Aboriginal rights political organisation headed by Federal MP Pauline Hanson, whose meetings have met with widespread protest locally, and whose rise has been of international concern, particularly in South-East Asia. Many believe that the Howard Government represents a “soft” and “respectable” end of the values and ideology espoused by Ms. Hanson’s supporters. There is a strong and widely-held feeling in Australia that the deterioration in racial and cultural relations in the last 18 months has no parallel in the period following the abandonment of the “White Australia” immigration policy and the granting of Aboriginal citizenship rights in the 1960s.
5. This is discussed in more detail in Flew 1995 and 1997.

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