CHAPTER 3

On the Need to Revalue Old Radical Imaginaries to Assert Epistemic Media and Communication Rights Today

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Introduction

From their inception, the production and the distribution of information and content through print, broadcasting, as well as communication infrastructures such as postal services, the telegraph, telecommunication networks, long-distance cables, satellites, and today the Internet have always been the target of pro-active as well as re-active and direct as well as indirect regulatory interventions due to their positive but also potentially harmful impacts on the economy, society, and democracy. While many of these interventions were accompanied and influenced by moral panics or in 'the national interest', they were also co-shaped by radical imaginaries of hope, the public interest, and democratic values (Calabrese & Burgelman, 1999).

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These radical imaginaries with regard to media and communications, while supported and embodied by civil society, required state actors to intervene, to own, to enable, and/or to design robust institutions capable of regulating specific sectors, to vote laws to protect social and cultural objectives, to enforce standards, etc. However, as implied above, many states appropriated these imaginaries not only with a view of serving the public good but also to control and enhance the state security apparatus as well as promote (certain) moral virtues.[1] When it came to media and communication sectors, state interventions also arguably led to a paternalistic overstretch in many countries, which in turn fed the neoliberal push-back against any form of public intervention. Over time, it has come to be seen near-impossible to properly regulate and forcefully intervene in the media and communication industries (partly also because of the highly influential lobbying power these industries have). In order to turn this around, there is an urgent need to rejuvenate older—pre-neoliberal—radical imaginaries, precisely because they still provide solid ethical justifications for emancipatory and democratic public interventions in media and communication industries.

First, the notion of a radical imaginary will be unpacked. Subsequently, these will be applied to some of the media and communication policies deployed in Western countries prior to the neoliberal hegemony. In the conclusion, a reflection will be offered on the implications of these old radical imaginaries for democratic and social regulatory interventions in a digital age.

Liberal and Socialist Radical Social Imaginaries

The idea and concept of a social imaginary emerged as a reaction against an overbearing centrality of rationalism and the rigid Marxist distinction between objective and false consciousness when it comes to articulating ideology. The idea of the imaginary also foregrounded the importance of collective cognitive processes, of meta-narratives, the role of human creativity, and the formative and constitutive nature of the imaginary (Taylor, 2003). Social imaginary significations, as Castoriadis (1987, p. 143) put it, should be understood as 'the organizing patterns that are the conditions for the representability of everything that the society can give to itself'. They are an 'horizon [that] structures a field of intelligibility' (Laclau, 1990, p. 94).

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[1] This is, however, not the focus of this chapter, which is more on justifications for emancipatory public interventions, rather than repressive and security concerns. It is, however, important to acknowledge that these reactionary imaginaries ran in parallel to the radical ones discussed in this chapter.

The two main radical imaginaries that can be identified in the context of media and communication (but also beyond that) are a liberal and a socialist one.[2] They each have different premises, meta-narratives, and value systems, but as we will see, at times they colluded vis-à-vis certain types of public interventions. In what follows, the socialist and liberal radical imaginary will be historicised first, after which a set of public interventions inspired by both imaginaries will be analysed at the level of (1) ownership, (2) access, (3) media content, and (4) communication infrastructures.

The Liberal Radical Imaginary

From its very inception, liberalism was radical and revolutionary as it sought to curtail, erode, and ultimately overthrow the divine and 'old' power bases of both the clergy and nobility. Liberalism was, as Croce (1997, p. 28) ascertains, 'a perpetual motion, an increasing growth and progress' and thus inherently imperfect, always in flux. Liberalism's origin is, for instance, distinct when we compare a continental to an Anglo-Saxon version of liberalism. Whereas in the latter, the idea of natural liberty and *laissez-faire* economic freedoms were advocated, in the former civic rights and liberties as well as the importance of a social and constitutional contract were positioned more centrally. When it comes to printed media, the European civic republican conception, imbued with Enlightenment ideals and partly serving as inspiration for the French revolution of 1789, is as interesting to unpack as is the Adam Smith-inspired British tradition of procedural liberalism.

This is because, contrary to common belief, the individualism inherent to Anglo-Saxon economic liberalism was always counter-balanced by a narrative of societal—civic—duties, of social cohesion and above all guided by conceptions of social justice and ethical values, which were quintessential as they had to replace the divine justification of the absolute powers of king and church (Rosenblatt, 2018).[3] The general welfare of the community and civic participation was heralded as of primordial importance. Some twenty-five years before he published *The Wealth of Nations*, Adam Smith wrote that it is the duty of all citizens ‘to promote, by every means in his power, the welfare of the whole society of his fellow-citizens’ (Smith, 1759, pp. vi, ii 3.3).[4]

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[2] In doing so, I am aware that I am in fact re-ideologising the imaginary, but ideologically inspired imaginaries do shape policies and inform the justifications given for them.

Liberality, as in ‘acts of kindness to others’ (Hutcheson, 1747, p. 94), has traditionally been a central aspect of the radical liberal imaginary. This idea became most pronounced within French-inspired American ‘new’ liberalism, which stood for ‘liberality and generosity, especially of mind and character’ (Dewey, 1940, 252ff). Interventions by the State were, however, not only justified through social goals, ethical concerns, generosity, or the public interest, but also by a ‘making capitalism work’ frame. This is an inherent tension within liberalism, as Adam Smith had a deep worry for the dangers of the concentration of wealth and rejected oligopolistic and anti-competitive behaviour (Boucoyannis, 2013).

In line with this, liberalism is also fundamentally pluralist. Rawls (1997, p. 52) argued that ‘liberalism assumes that it is a characteristic feature of a free democratic culture that a plurality of conflicting and incommensurable conceptions of the good are affirmed by its citizens’. Central in this regard was an emphasis on tolerance, above all religious tolerance, and linked to this valuing minority positions and protecting against the tyranny of the majority (Mill, 1859). However, as Habermas (1989) highlighted in his account of the transformation of the public sphere, disagreement and debate regarding these conflicting conceptions had to be conducted in a rational and civilised manner, and with respect towards other persuasions and points of views.[5]

This was tied to a strong emphasis on freedom of speech and of the press within liberal thought. While obviously interlinked, these two are not commensurate. Whereas freedom of speech is very much tied to an individual civic right, enshrined in all liberal constitutions, freedom of the press aligns more with views regarding the functioning of liberal democracy itself and was also linked to the idea of the separation of powers, as foregrounded by John Locke and later also by Montesquieu. Democracy requires checks and balances, whereby the main role of the press was seen to be the watchdog of the powers that be (Christians et al., 2009, p. 51).

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[3] Rosenblatt (2018) also exposes in exemplary fashion that besides a progressive side, liberalism also had a dark side, which was very sexist, racist, pro-colonisation, classist, and in favour of competitive elitism.

[4] Here too, it has to be clear that at that time ideas concerning full citizenship rights and the idea of representation and democracy were still very much the exclusive domain of landowning and tax-paying men.

[5] Views expressed and deemed to be situated outside of the rational ‘marketplace of ideas’ were, however, excluded from the liberal public sphere.

Finally, while a deep-seated (competitive) elitism and the related fear of the irrational masses was central to liberal thinking, so was an emphasis on self-realisation, on education and embetterment, on the Enlightenment ideals. Inspired by the ideas of Montesquieu and Locke regarding the diffusion of knowledge, Jefferson wrote in his *Bill for the More General Diffusion of Knowledge* (1779) that 'the most effectual means of preventing [tyranny] would be, to illuminate, as far as practicable, the minds of the people at large'.

The Socialist Radical Imaginary

The socialist radical imaginary also has many strands and factions. Here I will focus on a more centralist statist imaginary and an anarchist federalist imaginary. Just as within liberalism, one of the main points of contention within the socialist radical imaginary is also related to the role of the state, but within the socialist radical imaginary this translates to a top-down/hierarchical versus a bottom-up/horizontal disposition as shown in the conflict between Marx and Bakunin. At the same time, they are also not entirely juxtaposed to each other, as Marx's end-game, so to speak, was a communist society, making the state obsolete (Schonfeld, 1971).

In both socialist traditions though the liberal sacrosanct of private property is contested. The collectivisation of the means of production and public ownership of land, property, and resources by local communities and/or the state were seen as a central tool to realise a more equal, fairer, and equitable alternative to absolutist as well as bourgeois capitalist rule. Nationalisation became an important tool to achieve this radical imaginary (Fawcett, 1883), but also local and often small-scale cooperatives, operating on the principles of mutual aid were deemed important (Kropotkin, 1903). This can of course also be expanded to the idea of the commons or the various collective resources at the disposal of a community.

What centralists and autonomous socialists also agreed on is the need to expand social justice beyond 'acts of kindness' and the notion of 'fairness' in liberal articulations. While many Marxists were highly critical of Rawls' theory of justice and rejected the notion of justice and rights as bourgeois ideology (Peffer, 1990, p. 368), ideas of social and moral justice were central to socialist politics within democracies and served to justify redistributive justice and the establishment of the welfare state (Esping-Andersen, 1990).

Given the long exclusion of working-class people from the liberal democratic process, it is unsurprising that the relationship between the socialist radical imaginary and liberal democracy is characterised by ambiguity. Marx and Engels saw 'the transition to proletariat government as taking place under the democratic rule of the petty bourgeoisie' (Schonfeld, 1971, p. 368), and especially universal suffrage and the right to organise were highlighted as strategic tools that could be turned against the bourgeoisie. Ultimately, some privileged a dictatorship, led by an enlightened vanguard, to the detriment of the deepening and entrenching of radical democratic values. This was very much lamented by Rosa Luxemburg (1922, p. 52), who kept holding onto the utopian ideals of socialist democracy, whereby socialist struggles had to be won with 'the active participation of the masses; it must be under their direct influence, subjected to the control of complete public activity; it must arise out of the growing political training of the mass of the people'. In line with Luxemburg's plea, the idea of the dictatorship of the proletariat should thus not be approached in terms of our contemporary understanding of dictatorship, but rather as a radical democratic project implying 'mass participation in the institutions that direct society' and 'an overwhelming democratization of the state apparatus', which would at the same time make the repressive state apparatus obsolete (Levine, 1988, p. 204).

In order to achieve this, self-emancipation from below was central to Marxism and socialism more broadly; 'the proletariat can and must emancipate itself', Marx and Engels ([1845] 2000, p. 149) wrote. From their perspective, this emancipation inevitably has a very strong material basis, but we can also discern a cultural dimension within the socialist radical imaginary. Working-class people had to be made conscience of their power and their own class interests; the masses had to be trained, as Luxemburg put it. Education, dialogue, and free communication were thus deemed central tools to achieve this 'conscientization' of the working classes and the broader subaltern (Freire, 1970, p. 128).

Public Interventions in Media and Communication Inspired by Radical Imaginaries

In this section, a series of public interventions relating to media as well as communication infrastructures which were inspired by the two radical imaginaries outlined above will be addressed in more detail. Four distinct, but also to some extent inter-related, areas of public intervention can be discerned: (1) ownership of media organisations as well as communication infrastructures; (2) access to services, infrastructures, information, and knowledge; (3) the production and regulation of media content; and (4) interventions specific to communication infrastructures.

Ownership

Whereas the socialist radical imaginary considered private ownership as inherently problematic and favoured public or community-based ownership models, the liberal radical imaginary tended to eschew public interventions as much as possible and especially at the level of private ownership. However, the liberal imaginary also acknowledged that market failure could occur and that this might, in certain circumstances, warrant the need for the state to intervene in one way or another.

If we take the example of postal and later on telecommunication infrastructures, they were initially only profitable within urban contexts and in terms of facilitating inter-city connections. Amongst others as a result of such market failures, postal and telecommunication services in many European countries were nationalised, very much in line with the radical socialist imaginary (Millward, 2005). State ownership made it possible to ensure that the necessary investments were made to roll these services out to all households, including in rural areas, and crucially at the same tariffs as in urban centres. The liberal radical imaginary also justified the regulation of natural monopolies in the public interest (Arnold, 2009).

Private ownership of media companies as well as communication infrastructures was, however, also heavily regulated and by no means *laissez-faire*. In this regard, we could refer to the limits in many countries on the maximum market share that one actor could own within one media and communication sector and strict rules were also put in place to minimise or ban altogether the cross-ownership across media and communication sectors (Baker, 2007). Concerns regarding the concentration of media ownership led to the Hutchins Commission (1947), emphasising the social responsibility of the press. Besides this, antitrust regulation and competition law was used to legally enforce competition, for example, to break up the American Telephone and Telegraph Company (AT&T) in the U.S. (Teske, 1990).

In the context of broadcasting, the public service model emerged, especially in Europe (Harrison & Woods, 2001). Being publicly owned, Public Service Broadcasters (PBSs) were very much aligned with the socialist radical imaginary, but it also resonated with the radical liberal imaginary's emphasis on social responsibility, cohesion, and its support for quality 'watchdog' journalism.[6] The socialist radical imaginary—especially its more anarchist or federalist incarnation—also supported another not-for-profit form of media organisation besides PSB, namely, alternative, bottom-up, democratic media, owned by the community or by those that produce the media content through cooperatives (Bailey et al., 2008).

Access

As mentioned above, the liberal imaginary also justified public interventions to achieve similar outcomes than public ownership, but through market regulation of natural monopolies. In the U.S., privately owned telecommunication networks felt compelled to develop universal service provisions by cross-subsidising loss-making activities with profit-making ones, not only to increase access to communication infrastructures, but also to justify their private monopoly (Mueller, 1997).

Within the radical liberal imaginary, regulatory agencies were also implicated in setting tariffs for communication services (Sappington & Weisman, 2010), but at the same time there is also ample evidence of regulatory capture in this regard (Melody, 1997). Compared to the liberal radical imaginaries, interventions at the level of tariffs were more inspired by the socialist radical imaginary and in tune with social redistributive justice. This was achieved through public ownership and price caps; means-tested social tariffs were also introduced to reduce the costs even further for certain disadvantaged groups (Mitchell & Vogelsang, 1991).

Access is not only relevant in the context of infrastructures and services, but also with regard to knowledge and information as well as learning, which is deemed to be important in democratic terms for both the liberal and the socialist radical imaginaries. The space and institution through which this was initially achieved was the public library (Black et al., 2009). These public institutions did not come out of nowhere, however, they were the result of public policies making sure that its presence and accessibility in all parts of a city and country was guaranteed and that the necessary funding was provided to realise this.

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[6] Although it has to be noted that certainly at their inception, journalists working for PSBs were not necessarily known for their critical attitude to the government, to put it mildly.

Another notion relevant to access to knowledge and information and straddling both the liberal and the socialist radical imaginary is the very concept of copyright, which in the first instance enabled the commodification of knowledge and information. This is juxtaposed to the commons where access to information and knowledge is free. Whereas from a radical liberal imaginary copyright legislation could be seen to protect (intellectual) property, at the same time from a more socialist radical imaginary copyright legislation could also be seen to protect the commons by a number of limitations and exceptions, the most important being fair use and the firm and irrevocable time limit on the commercial exploitation of copyrights (Meng, 2007).

Media Content

When it comes to media content, the main concern, especially from a liberal radical imaginary, has to do with media pluralism and diversity of content. These two are not necessarily the same; you can have a high degree of media pluralism, for example, without a diversity of content, values, and perspectives (Murdock, 1982, p. 120). In any case, the liberal radical imaginary of the public sphere justified specific public interventions such as the antitrust regulations mentioned above, but also liberal laws protecting freedom of organisation and of the press.

Media pluralism and the freedom of the press was also favoured by the socialist radical imaginary, as it implied the right of alternative and workers-led media to exist and operate legally, providing a counter-weight to the liberal and establishment press (Negt & Kluge, 1993). In some countries this also led to the development of specific programmes supporting a diversity of alternative media initiatives. In the 1970s and 1980s, the Arts Council of Great Britain and the Greater London Council funded various poster collectives (Baines, 2015) and in France and South-Belgium, part of the taxes on the advertising revenues of commercial radio stations were redistributed to community radio stations (Cammaerts, 2009). This is very much in line with the socialist radical imaginary, but the liberal radical imaginary also justified support for less commercially viable content through PSBs, or financial support for investigative journalism projects, which were seen as democratically important from the normative perspective of the watchdog role (Christians et al., 2009).

Another prevalent rationale when it comes to public interventions at the level of media content was supporting and protecting local cultural content production capabilities. This was especially the case in European countries and at the EU level, using cultural and media policy to protect local artists and content producers against U.S. cultural imperialism and to mitigate the dominance of Hollywood (Murschetz et al., 2018). State support for the (co-)production of media content for television or cinema, either directly (through subsidies) or indirectly (via tax shelters), is a poignant example of this. Besides this, some countries also imposed quota, for example, for playing local artists on radio stations or broadcasting locally produced television content.

What is, however, more contentious are public interventions in the context of journalism and news production. There are distinct differences in this regard between broadcasting and the press. The press tends to self-regulate itself through deontological codes and professional bodies (e.g., the Independent Press Standards Organisation in the UK), whereas broadcasting in many countries is regulated by parastatal regulatory agencies (e.g., Ofcom in the UK). According to the liberal radical imaginary, journalists are supposed to be impartial, fair, and balanced in their reporting (Christians et al., 2009), but journalism has been regulated more when it comes to broadcasting compared to the written press.

In many countries, the media (press as well as broadcasting) are also subject to specific rules when it comes to the period of elections, ensuring fair and balanced coverage of the different parties and programmes, so that citizens can make an informed choice (Lange & Ward, 2004). This liberal idea of fairness and impartiality was also central to the so-called *fairness doctrine* in the U.S., requiring broadcasters to report on issues of public interest and to do so in a manner that presents opposing viewpoints and perspectives. It was revoked by the Federal Communications Commission (FCC) in 1987 during the Reagan administration (Pickard, 2014).

Communication Infrastructures

The final cluster of public interventions are linked to the regulation of communication infrastructures. This is a hugely complex and above all often quite technical policy area, but also here we can discern yet again a set of normative principles and value systems that underpinned the various public interventions.

One of the most important public interventions when it comes to private communication infrastructures is the protection of privacy which stems from the idea that there should be a clear separation between the private and public sphere and linked to this a civic right to opacity. Both are central to the liberal radical imaginary (Squires, 1994). The *secrecy of correspondence* goes back to the emergence of the postal service and is enshrined in many liberal constitutions (Turner, 1918). In the U.S. it is derived from the 4th Amendment and a 1977 ruling from the Supreme Court asserting that '[n]o law of Congress can place in the hands of officials connected with the Postal Service any authority to invade the secrecy of letters'.[7] This was subsequently expanded to the protection of private conversations held on telecommunication infrastructures (Ruiz, 1997).

As implied above, the regulation of communication infrastructures also has a technical side to it. Historically speaking, technological innovation in the context of media and communication tended to produce closed systems whereby one actor controlled and exploited infrastructure, software as well as hardware and as a result made it very difficult for competitors to emerge or exist. One solution to deal with this 'winner take all' tendency was, as discussed above, state ownership, but if and when competition was favoured, competition needed to be 'manufactured' through antitrust regulation.

Interconnection and interoperability between different communication networks or operating systems also did not emerge naturally, it had to be enforced through regulation (Weiser, 2009). Likewise, when competition was introduced in the EU mobile telephone sector in the 1990s, number portability when switching from one operator to another was achieved through regulation (Buehler et al., 2006). This was all very much in tune with the liberal radical imaginary and a set of values that pertain to protecting consumer rights.

At a bit of a stretch, but still, the socialist radical imaginary definitely also has its place in the context of technical regulation of communication infrastructure. Values such as equality, non-discrimination, collectivism, as well as an anarchist-inspired anti-hierarchical disposition, formed the very basis of how the Internet was conceived, how it operated, but also how it was initially used, especially by countercultures (Flichy, 2001). One of the many ways this is exemplified is through the principle of net neutrality, which implies that every bit is (more or less[8]) equal on the Internet. This principle had to be fought for, especially in the U.S. where it was the target of tech lobbies for decades. They won the plight in 2017 when the FCC 'passed the Orwellian-sounding Restoring Internet Freedom Order, which eliminated core net neutrality protections' (Pickard & Berman, 2019, p. 40).

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[7] See https://caselaw.findlaw.com/us-supreme-court/96/727.html#733

Conclusion

We find ourselves today at a crossroads whereby it is becoming more and more obvious to more and more people that public values and interests as well as democratic principles and rights in the context of media and communication need to be re-asserted more forcefully. At the same time, a variety of harms to these values, principles, and rights, such as digital divides, surveillance, the propagation of disinformation and populism, oligopolistic power, etc., need to be addressed urgently through new public interventions. As shown in the analysis above, both the liberal and the socialist radical imaginaries provide a wide range of historical precedents and rationales to justify and enact such interventions.

Reviving these imaginaries is thus a crucial and necessary first step in order to create a new horizon of the possible with regard to the nexus media, communication, democracy in a post neoliberal age. Both imaginaries inform and provide solid arguments for the acute debates we need to have as a democratic society about the concentration of media ownership, the lack of diversity in media content, the role and nature of public service in a digital post-broadcasting world, more stringent and effective privacy protections, the social responsibility of (social) media, as well as the equal and open access to information, knowledge, and communication infrastructures.

Of course, it is evident that the liberal and socialist radical imaginaries often contradict each other, but in the realm of media and communication they have also operated conjunctly and at times shared similar concerns. As argued elsewhere, which values, rationales, justifications should prevail—the radical liberal imaginary, the socialist radical imaginary, or indeed as has often been the case historically a combination of both—should be the object of a radical democratic debate in society with regard to the normative roles media and communication infrastructures/services should play in a strong democracy (Cammaerts & Mansell, 2020). This debate is urgent and highly needed, as inaction is increasingly dangerous and problematic in terms of eroding democracy and democratic values.

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[8] Some degree of variation exists in this regard in view of crisis situations and due to 'reasonable' traffic management on the Internet (e.g., a streaming bit might get some degree of priority compared to an email bit).

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