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PART ONE

Theories

PROOF

CHAPTER 1

Approaches to Communications Policy: An Introduction

Stylianos Papathanassopoulos and Ralph Negrine

Communications policy addresses a wide range of contemporary concerns regarding the structure and the organization of communications systems in the past, in the present and in the future. To discover the factors that influence communications policy, however, one has to go beyond the conventional view of media and communication studies and try to combine them with policy studies. This is because communications policy is a product of politics, economics and culture: interest groups and corporate bodies press for congenial policies, politicians and civil servants jockey for influence over outcomes, political problems occur during policy implementation, and so on. Explanations of communications policies must therefore be grounded in a broader view of the general determinants of state and corporate action.

This book aims to bring together theoretical analysis with empirical research findings. Not only does it introduce the key debates and developments currently taking place in Europe and the USA, but also it hopefully adds to our knowledge of the dynamics of communications policy in a rapidly changing communications environment. The present introductory chapter is devoted to the contemporary analyses of various political models and tries to find ways of fitting media sociology and policy studies into these frameworks.

Policy and communications: in search of definitions

In seeking to make sense of this body of knowledge, it is worthwhile beginning with some attempt to discern how some of the key terms are conceived and used. In this section, we comment briefly on how such matters as 'policy' and 'communications policy' – herein incorporating something that can also be referred to as 'information policy' (see Duff's chapter in this volume) – and 'the public interest' are generally used. Whilst the object of this discussion is to highlight points of interest, it is useful to note that 'policies', however conceived, do usually make some reference to sometimes explicit, sometimes implicit notions of 'the public interest'. Subsequent sections of this chapter will explore the multidisciplinary character of communications policy, the role of the state in the communications policy process and how these procedures have been approached by various communication and policy perspectives.

Defining policy

'Policy' can refer to a set of explanations and intentions, to the realization of intentions (Hall and McGinty, 1997: 439), to a series of actions and their consequences, or to all of these together. As for 'policy analysis', Wildavsky (1979: 15) reminds us that there can be no single definition. Instead, there are many approaches that highlight such things as 'the output of policy-making', 'a pattern of responses', 'cluster of decision-making' arrangements and 'a structure or confluence of values behaviour' (Kerr, 1976: 351) that reflect the complexity of such work. Moreover, policy is made in a variety of different contexts, each producing different outcomes. We prefer, therefore, to consider policy analysis as a general description of the subject matter under scrutiny. This avoids an unnecessary review of what policy is/is not (and could be), as well as trivial repetition of the literature.

In practice, it is difficult to conceptualize policy, even as a term, because it usually involves a wide range of issues, actors and aspects. Ideally, a policy is derived from a central authority, which, through a rational review process, sets clear objectives. But on occasions policies are not visible or set down anywhere; for example, statements by a government minister about matters under discussion may be considered important as well as delicate or controversial. Yet this kind of policy communication is important because it allows for citizens and interest groups to be informed about policy intentions and thus become involved in the policy-making process (Gelders *et al.*, 2007). Inaction may also be a kind of policy; an absence of a policy is therefore a positive decision in favour of non-intervention in media industries, as in the sector of the print media in Western Europe (Siune, 1998: 18). Policies can also often have unintended consequences, and these may be critical for certain media. Policies are often incremental, building on past rules (Bar and Sandvig, 2008; Storsul and Syvertsen, 2007), and may be contradictory in as much as they will deal with some sectors but not with others.

Thus, print policy may differ from broadcast policy, so creating anomalies. The internet, in many ways, offers challenges to policy processes that have traditionally dealt with separate media. Policies are, nevertheless, the outcome of an interaction between a government's approach to problem-solving and discussions, including bargaining, and other actors engaged in the formulation of policy outcomes.

Understanding a policy and its process should not require the invention of a new repertoire of concepts or taxonomies and it can begin by integrating the existing stock of knowledge. Therefore, an open-ended definition of policy and of policy analysis leaves much room for critical reflection. It also has the added advantage that it should be able to treat policy as a means to an end rather than an end in itself. Although this could be seen as a simplification, it may be preferable to detailed and possibly fruitless debates surrounding the details of decision-making mechanisms, of evaluation and of regulatory supervision.

Defining communications policy

Broadly speaking, communications policy seeks to examine the ways in which policies in the field of communications are generated and implemented and their repercussions for the field of communications as a whole. Although this is admittedly a broad definition, it has to be remembered that 30 years ago the term 'communications policy' was not widely used (Halloran, 1986: 47) and there was little discussion about the need to develop policies for the field of communications as a whole. Although, in practice, there were often specific policies relating to particular media, there was no real attempt to seek to coordinate activities for the entire media landscape, either within one country or across a group of countries. Part of the reason for this was that different media had different histories and therefore regulatory traditions: the press was, by and large, less regulated, if at all, compared with the medium of radio and, later, television, which developed within a particular setting. Another reason was that different national cultural and political traditions led to the development of different policy-making approaches.

Consequently, until recently there were different traditions of media policy in Europe. Whilst these could always be contrasted with US approaches as being restrictive and dampening innovation, limiting consumer choice and paternalistic, it was always acknowledged that there was 'no single or uniform West European approach to communication policymaking' (Homet, 1979: 3). In reality, then, different policy regimes existed in the countries of Europe: some were politically motivated; others drew on laissez-faire approaches, still others on paternalistic considerations (see Siune, 1998).

Public (service) broadcasting developed out of the state sector and was often considered to be something that the authorities should be involved in: it would thus be controlled, guided or gently regulated. By contrast, the press belonged to the private sector; it was thus less heavily regulated and oversight was minimal, although it could face other pressures given the overwhelming interest in, and concern for, its political influence. Here, again, there were significant differences between countries within Europe as between the northern European countries and those of Southern Europe (see Hallin and Mancini, 2004; Hallin and Papathanassopoulos, 2000).

Technological developments such as cable television and satellite broadcasting and the convergence of media – in effect the convergence of computers, telephony and the television screen – created an environment in which one could no longer simply consider communications media in isolation and as separate elements of a yet ill-defined whole. Developments in cable and satellite clearly impacted on public broadcasting, developments in these impacted on the press and radio, and so on. Hence, the growing appreciation of the need for more inclusive policies towards the communications landscape as a whole. The problem faced by policy-makers, though, was how precisely to create such policies and how to regulate the media. Should governments themselves exercise degrees of oversight? Should different bodies regulate different media (press, radio, television, etc.)? Or should specially designated bodies be set up to deal with media policy and regulation? The British government, for instance, has set up a regulatory body, OFCOM, the Office of Communication, whose task is to develop policies and regulate the media. This model, similar to the FCC in the USA, may be one that other countries in Europe could adopt for the purposes of dealing with communications issues at the national level.

However, these sorts of issues do not simply stop being important when one reaches national boundaries, especially since media do not remain within such boundaries. Dramatic changes in communications systems and technologies have drawn nation states and international organizations such as the European Union and the International Telecommunications Union into a consideration of the need for strategic approaches to managing technological (and implicitly communication) change for national, regional and/or international benefit. Whilst this has not meant that all previous policies are redundant, it has forced policy-makers and others to consider their usefulness in the more global and converged landscape. As pointed out above, new policies are not written on a *tabula rasa*; they occupy a rather crowded space inhabited by existing laws, organizations and interest groups. In the 1970s, May and Wildavsky (1978: 13) suggested that past policies become an important part – sometimes the most important part – of the environment to which the future must adapt; whether this is still the case in a context wherein the internet has forced ‘older’ means of communication to implode (e.g., newspapers) or reconfigure themselves (e.g., broadcast services) is arguable. That said, much policy-making is often no more than *policy-succession*, whereby an existing policy or programme is succeeded by another. This policy succession is recognized in most communication policies, especially regarding the introduction and absorption of new media and communications technologies. Policies in respect of IPTV, for instance, could be viewed as drawing on policies for the development of optical fibres in the 1980s and 1990s and those as a succession of various cable development programmes of the 1980s, such as the *Plan Câble* in France. Similarly, the *Digital Britain* report is reminiscent of discussions surrounding the cabling of Britain in the 1970s.

Implementing a policy

The implementation of a policy is often the most important and most difficult phase in the policy process (see deLeon and deLeon, 2002) and it could be argued that due to the complex socio-political, cultural and economic character of such policies it is a particularly problematic area of study. It is at the point of implementation that deficiencies – or unintended consequences – of policies often materialize. It is also at this stage that one can pass judgment on the success, or failure, of a policy. Nevertheless, implementation is a phase that needs to be paid much attention and it is often overlooked in accounts that look at the generation of policy. Yet one of the problems with the implementation phase is the need for coordinated action: the complexities of the communications system require joint action by those involved in the social, economic, political, cultural, even foreign affairs of a country. A lack of coordination is, therefore, problematic. Equally problematic is the fact that as circumstances change, for example, with deregulation, globalization and convergence altering the nature of communications systems and processes, the difficulties of implementing policies can become more acute because the set of instruments available for implementing policies may no longer be adequate. For instance, convergence and digitalization have forced regulators to reconsider how best to deal with telecommunications operators who now deliver both old and new content, alongside traditional content providers.

The 'public interest' as a consideration in policy

In communications policy the issue of the public interest is a critical consideration. As Mike Feintuck (1999: 57) has noted: ‘much regulatory activity, not only of the media, but also for example, for utilities, is justified by reference to a claim of the public interest’. Although the history of the public interest goes back to classical times, as a concept it remains ambiguous and not only in the media field. When applied to the mass media, according to Denis McQuail (2003: 47):

> its simple meaning is that [policy-making bodies] carry out a number of important, even essential, informational and cultural tasks and it is in the general interest (or good of the majority) that these are carried out well and according to the principles of efficiency, justice, fairness and respect for current social and cultural values. At the minimum, we can say that it is in the public interest that the media should do no harm, but the notion entails many positive expectations as well as restrictions and forms of accountability.

A simple way to distinguish the meaning of the public interest is among the three main rival concepts: utilitarianism, unitary and common interest approaches.

Utilitarianism or majoritarian approaches aggregate individual values and preferences. The public interest is merely the sum of individuals' wealth, happiness and avoidance of pain. Therefore, the state's role must be limited to maximizing individuals' benefit according to the overall popular vote. In the case of the media, the public interest will be best achieved by giving more freedom to media market forces. Its main proponents would argue that, broadly speaking, media systems governed by market forces tend to the maximization of benefit for both producers and consumers and to the society as a whole (McQuail, 1992).

Unitary concepts base the public interest on some collective moral imperative that transcends particular or private interests. In other words, the public interest necessarily takes precedence over the interests of individuals, in order to pursue a vision of an ideal society (Berki, 1979). It requires individuals, if necessary, to sacrifice their individual interests and lives in the pursuit of a greater collective interest or ideal. In the media field, the public interest is decided by reference to some single dominant value or ideology. This would only work in a paternalist system in which decisions about what is good are decided by guardians or experts. Its main application could be considered the foundation of 'public service broadcasting'. This is because public service broadcasting is often defined in terms of benefits which it is supposed to deliver to society: universal provision and wide-ranging appeal; services to regions and minorities; attention to national interest, identity and culture; the provision of informational and educational services beyond what the market would require, etc. (cf. McQuail, 1992: 3). The claim for media freedom is another good example of the invocation of unitary theory in relation to communication, but there are many other claims which invoke normative support for control of the media. These relate to matters such as education, protection of the young, national language and culture (see Blumler, 1992). In each case, a well-established and fundamental value principle is at stake.

Between these two approaches there is the common interest theory (McQuail, 2003). This refers to cases where a common interest is not an aggregation of individual interests, but it is a shared interest, with little scope for dispute over preferences. Typical examples are: basic services of transport, power, water, etc. In the media field basic features of national media structures and the services they provide (for example, technical standards, press subsidies, frequency allocations, access to political parries, rules for advertising) are often justified on grounds of a wider 'common good', transcending individual choices and preferences, with more reference to experts or to tradition than to the balance of popular opinion. The principle of freedom of speech and publication may itself have to be supported on grounds of long-term benefits to society which are not immediately apparent or clear to many individuals. In the political communication area the demand for an informed citizenship by the media is regarded as a necessity in a democratic political system and thus in every citizen's interest.

In his study of the foundation of communications policy in the USA, Philip Napoli (2001: 22–8) has presented a conceptual model in which the 'public interest is shown to be achieved by way of five media policy principles: localism, the free marketplace of ideas, universal service, diversity and competition'. He also notes that these principles represent the key guiding principles, but they lack a broad consensus in terms of stable, explicit and coherent interpretations. Patricia Aufderheide (1999) has also identified several interpretations of the public interest in US communications policy. The public interest during the New Deal era was equated with 'the economic health of the capitalist society, associated with peace and prosperity' (1999: 5), a little later with social welfare and the notion of the universal service. In the 1970s, it was associated with competition and with the 1996 US Telecommunications Act the public interest was thought to be better served within a competitive marketplace.

In spite of these discussions, the idea of the 'public interest' remains problematic. First, it has never been explicitly defined. Second, even if this is done, it is impossible in practice to identify where the public interest lies and, third, analysts of communications systems have doubted whether the practices and institutions of modern politics and the media are such that the public interest is pursued. Recently, there has developed a new approach that relates the public interest to an interactive process (from pragmatic political discourse, to utopian open dialogue and consensus) among concerned stakeholders and affected parties. At one pole it includes the Madisonian concept that gives the public interest a substantive content, but one which can only be determined *ex post facto*: the actual result of political conflict, bargaining and compromise between particular sectoral or private interests. But in one way or another, in the age of globalization and deregulation, as Smith (1989: 10) has pointed out, 'the interests of the public may not coincide with the interests of a particular nation state'. Moreover, in an era that witnesses the rise of individualism, and neo-liberalism and neo-conservatism's increasingly dominant managerialist ideology, there is a wide belief that only by adopting commercial practices can governments and public institutions achieve efficiency and effectiveness and thus best serve the public interest.

The multidisciplinary character of communications policy

One of the field's main characteristics is its multidisciplinary and multidimensional approach. Sociology and politics are given priority in most relevant studies because policy issues mature within a societal context, determining the nature of political actors, decision-making structures and processes, as well as policy outcomes; but economics and industrial/technological considerations do not lag far behind. In fact, the multidisciplinary character of communication policy and its analysis permits anybody from any discipline to be involved (see Rowland, 1993; Galperin, 2004b). Economists (see Mueller and Lentz, 2004), lawyers (see Reinard and Ortiz, 2005), sociologists and political scientists have all contributed to, and interpreted, communication policy science and/or analysis and research. Even media studies, with its macro-perspective on media matters, can provide 'research [that] might be useful for policy makers' (Braman, 2003: 11). Communications policy is multidimensional by nature because the problems concerning public policy analysis are simply too complex to permit solution from a single disciplinary base. Much of this echoes what Wildavsky (1979: 15) stressed a long time ago, namely, that policy analysis is an applied subfield whose content cannot be determined by disciplinary boundaries, but by whatever appears appropriate to the circumstances and nature of the problem.

The communications field is also influenced by the emergence of new technologies (see also Goggin, 2003). Three decades ago, Ithiel de Sola Pool (1973) argued that new developments in communications technology challenge existing industry and legal arrangements and shape the regulatory aspects of the communications domain, since the new technologies, the ICTs, blur the distinctions between communications media and make previous arrangements obsolete. A decade later, it was widely recognized that communications policy analysis was rather inadequate 'for an environment that had qualitatively changed as a result of technological innovation' (Braman, 2003: 1). More recently, Denis McQuail (2007a: 9) noted that communications or media policy 'is now a familiar category for a branch of public administration and law that has grown in significance and for a branch of inquiry in the social sciences that has also acquired a clear identity as a field of teaching, research and publication'. It is, though, something that 'is still guided ultimately by political, social and economic goals' even though 'they have been reinterpreted and reordered' (McQuail, 2005: 240).

In sum, communication policy research aims to provide policy-makers, among others, with a better understanding of the changes in the field and to evaluate their policies. Besides, as Sandra Braman (2004a: 158) has argued, 'policy makers are most comfortable making law when they feel they understand what it is that is being regulated'. In other words, communications policy research and analysis aims to provide us with useful guides or suggestions for the policy-maker facing an uncertain future. The task of determining what 'the' policy should be/is, and therefore also how it came into being, is thus not a simple or straightforward exercise. It requires searching various sources of information as well as looking into the relationships between interested parties, connections between events and the context within which all this takes place. Moreover, since that contextualization is nowadays increasingly of an international character, the task before the researcher gains added complexity.

Communications policy and the state

As Paul Sabatier has noted, 'any theory of the manner in which governmental policies get formulated and implemented, as well as the effects of those actions on the world, requires an understanding of the behavior of major types of governmental institutions (legislatures, courts, administrative agencies, chief executives), as well as the behavior of interest groups, the general public, and the media' (Sabatier, 1991: 147). The fact is that policy and the policy process cannot be examined with a unitary approach (Hall and McGinty, 1997). In seeking to comprehend the complexities of the communications and policy process, scholars from both fields have worked with a number of different approaches to analyze the growing impact of communications and the new technologies on socio-political and economic life and the role of the state and state action in modern society in general, and in the communications field in particular. This section describes briefly some of these approaches of state action and/in the communications field.

Analyzing communications policies in terms of the state, directs our attention to a single, general problem, namely, the interrelation between governing institutions within a nation state and other interests within that state vying to be heard when policy is under discussion. The centrality of the state is critical for understanding policy generation and implementation since state intervention in the communications area is widespread and ranges from facilitating industrial development through subsidies and tax concessions, to direct ownership of certain industries or companies. Our view is that the state needs to be considered as a primary unit of analysis and the basic unit for action and that it enjoys a 'relative autonomy' from both its internal and external – including international – environments.

Our key objective in this section is to present approaches that help us better understand how policy is generated, by whom and in what circumstances. Inevitably, we have been selective but we believe that our selection offers a sound way forward and an insight into how the state helps formulate, implement and evaluate communications policy.

Approaches

In setting out approaches to the study of communications policy, it is important to pay some attention to the place of the state in the process of policy formulation and implementation. Is the state a 'pawn' of interests as Dahl has suggested (1961: 50–1)? Does it impartially reflect the preferences of competing interests (Shipan, 1997) with no single interest capable of controlling policy-making? Or does the state act on behalf of particular groups and interests, as the political economists would suggest? Furthermore, are the individuals and groups vying for a share of resources *rational* actors maximizing their personal interests? Are there, by contrast, issues relating to the nature of *capitalist societies* and structures of determination within these that are in need of more urgent attention, as the *political economists* would suggest, whereby the focus is primarily on the relation 'between the economic structure and dynamics of media industries and the ideological content of the media' (McQuail, 2005: 99; see also Golding and Murdock, 1991)? The increased concentration of media interest around the world, the continuous relaxation of ownership rules, efforts to 'secure' private interests while managing the decline of the public sector of the media and telecommunications, as well as the growing importance of the communications industries underline the continuing relevance of this approach.

Beyond this approach for exploring the genesis of policy, there are three that seek to explain the development of policies by looking at the ways in which, in practice, groups and institutions haggle with state bodies. These are approaches that highlight the roles of group interests, of the state and of the interplay between the two. We explore each of these briefly below.

Group and interest approaches to communication policy

The focus of attention here is on collective, group or individual vested interests which enter a process of bargaining within the polity. Not surprisingly, more notice is taken of intensely influential groups than of those with weak preferences. Moreover, the policy process occurs temporally through the formal development process and spatially across linked sites of responsibility (Hall and McGinty, 1997). Communications in general and media structures in particular are influenced by the relevant interest groups more than by the government; the bargaining process among interest groups leads to the formation of general communications/media policies. Thus, the state is a *coding machine* – a passive vehicle through which input is processed. The state generally mirrors or responds to the balance of pressure groups in civil society (MacPherson: 1973).

In a modern complex society, institutions and organizations often mediate between power and its distribution. Deregulation in action could be seen as a form of intervention that advances managerial efficiency by overcoming the fragmentation caused by dominant interests' capture of state agencies (Mosco, 1988). One must therefore look at the organizational level to understand public policy. Accordingly, researchers need to be extremely cautious in going beyond actors' expressed preferences in analyzing power relations. Nevertheless, the picture provided by this approach assists our understanding of various developments in the communications sector. This perspective is particularly helpful in explaining how policy-making and state action are affected by interests and coalitions of interests.

State-centric approaches to communications policy

'State-centric' approaches have become important in determining public policy. Although there are two variations, left and right, both argue that public policy is not primarily a reaction to pressure from interested groups. On the contrary, state preferences are at least as important as those of civil society in accounting for what the democratic state does and does not do. The state is not only frequently less subject to societal pressure than previously imagined, insofar as it regularly acts upon its preference, but it also becomes *relatively autonomous* when its preferences diverge from the demands of the most powerful groups in civil society and it imposes those preferences against societal resistance (Nordlinger, 1981; Hall, 1986; Saunders, 1981: Ham and Hill, 1984). The state's strength consists of its capacities to be autonomous and to act (Hoffmann, 1983). The latter depends on the state's organization and the balance between its scope and resources. For example, the deregulation and liberalization of the British telecommunication sector was not an outcome led by the pressure of vested interests but from the willingness of the Thatcher government to offend against the 'bastions of the state' (see Vogel, 1996).

From a pluralist perspective, the state is regarded as a broker (Dunleavy and O'Leary, 1987). State administrations, agencies, politicians, parties and governments have their own preferences. Moreover, in our interdependent and complex world, one could say that the transfer of policy authority to the EU level has increased economic interests' uncertainty over who decides and what is decided and thus it enhances the authority of the state in shaping policy (Sadeh and Howarth, 2008).

The state as a broker, as an intermediary, might be constrained by clients and other interests, but it is more autonomous than a cipher, a machine or mirror. It is an autonomous and active actor, formulating independent preferences and objectives that cannot be reduced to an aggregate of private preferences or the interests of the dominant class. Concerning the transition to digital television in the USA and the UK, Galperin (2004a: 26) notes that at 'the same time long-established industry rules were being relaxed, critical decisions about digital TV standards, the timing for the introduction of equipment and services, and the allocation of radio spectrum, to mention a few examples, emerged from a political rather than a market-driven process'.

This approach highlights variables such as the territorial and functional centralization of the executive branch, the domination of the executive over the legislature and the control of material and informational resources by the ability of policy instruments to change civil society. This approach also provides a tool for understanding the policy process and corrects other approaches that underestimate the state's role. The main problem with this approach is that it disallows societal influences, including the often *unintended consequences* of past policies. Similarly, theories about a state's capacities to carry out a range of policies do not assure us of the state's effectiveness since success or failure of a policy depends largely on a range of factors – organizational, cultural, etc. – within society. The approach has limitations that relate to the management of change. In short, a pure state-centric approach, although providing a promising line of enquiry, needs to be placed within a wider framework or environment before it can explain a state's action and behaviour. The state affects, but is also affected by, the societal and international environment. Modern states do not appear to be as independent of societal influence as state-centric theories suggest.

State–society approaches and the institutional approach

Policy analysis within the wider framework of state–society relations does not necessitate returning to pressure groups' influence models to explain state action. There are likely to be structural consistencies behind the persistence of distinctive national patterns of policy. In 'strong' states, particularly, intermediation between state and society may not be confined to pluralist and corporatist options. Rather, states may selectively recognize only some mobilized interests concerned with a policy issue. Segmented policy patterns result, co-opting a limited range of compatible interests into the policy process. As Everard (2000: 8) has noted, the state is not a 'unitary identity, it is multifaceted' and such approaches provide us with a framework that integrally connects economy and policy.

Working within this framework, it is possible to explain historical continuities and cross-national variations in policy. Galperin (2004a: 284) shows that in the case of the communications sector 'governments have considerable autonomy to shape the transition in consonance with domestic policy agendas and protect established arrangements in the communications sector'. This resonates with what Peter Hall (1986: 13–14) has referred to as the 'institutional approach to state–society relations'. He argues that this approach better explains policy by emphasizing the institutional relationships – both formal and conventional – that bind the state's components together and structure its relations with society. This approach uses the concept of institution to refer to the formal rules, compliance procedures and standard operating practices that structure the relationships between individuals in various units of policy. As such, they have a more formal status than cultural norms, but this is not necessarily derived from legal (as opposed to conventional) standing. This approach emphasizes the *relational character of institutions*, using 'organizations' virtually as a synonym for 'institution'. This approach is interesting because it asserts that organizations affect the degree of power that any one set of actors has over policy outcomes. This is extremely useful when trying to explain, for example, the problems of co-coordinating various units in new media policies.

A variation of this is the 'new institutionalism' approach and is a middle-range rather than a fully blown grand theory (Blom-Hansen, 1997). All that really connects the different approaches is a notion that 'the organization of political life makes a difference' (March and Olsen, 1998: 944) and, hence, that the role of institutions should be considered in an explicit and systematic way. Hallin and Mancini (2004), for example, have also shown that the differences of the media systems in Western societies can be traced to their political history and societal arrangements.

In respect of these issues in the context of *media governance*, Donges (2007: 327) notes three points that need to be emphasized:

1. Actors such as media organizations (institutionalized as private or public companies) or regulatory authorities etc. cannot be considered decoupled from the institutional setting they emerged from. Moreover, institutional rules define how organizations observe and evaluate their environment. Organizations bear their institutional history inside and cannot shake

it off. They are path-dependent in the sense that it is hard to change their structures.

2. Institutional rules are the basis of media regulation, and all forms of regulation are always rooted in institutional arrangements. That is the reason why we can distinguish different models of media and politics (e.g., Hallin and Mancini, 2004) or different 'ideas' or regulatory cultures even within Europe (e.g., Cuilenburg and McQuail, 2003; see e.g., Napoli, 1999).
3. Institutional rules are always the products of decisions made by media, political, or economic actors.

The institutional approach also helps us to understand policy process and output, and according to Herman Galperin, it 'has much to offer to communication and information policy scholars at a time when the governance regime for new technologies is growing in complexity. Today, the rules created and enforced by traditional regulatory bodies on a national scale are now only part of a multilayered regime that includes international treaties, voluntary self-regulation and semi-public cooperative arrangements under the umbrella of a vast collection of organizations' (2004b: 166). Individual states and societies in the age of globalization have become increasingly interdependent economically, industrially and culturally. Communications systems in the age of the internet are part of a global communications system, necessitating policy guidelines to enable the national system to work well within an international system. In effect, policy and regulation in the communication sector have moved away from being essentially part of a domestic political process and towards becoming part of a new complex international dimension of technological, industrial and economic governance (see also Dyson and Humphreys, 1990).

Political systems and policy processes are influenced more and more from abroad, meaning that old orthodoxies about boundaries of the state as a country need re-examining. Converging computing, telecommunications and television have brought not only new actors, but also they brought international actors into the communications field and intensified the trends of globalization of production, investment and distribution. Satellite technology and the internet breach aspects of national sovereignty. In fact, there are many bodies nowadays such as the International Telecommunications Union (ITU), World Trade Organization (WTO), UNESCO, WIPO (World Intellectual Property Organization), ICANN (Internet Corporation for Assigned Names and Numbers), EU, etc., which deal with various aspects of international systems and at the same time affect national regulations (McQuail, 2005). One has also to take into account the non-governmental organizations which have in the last decades gained increasing importance as actors in the international relations, world politics and global governance (Beyer, 2007).

Such a 'complex interdependence' (Keohane and Nye, 1998: 81) in the information age generates distinctive political processes and the communications technology revolution continues to lend support to this trend, bringing more and more activities within an international agreements framework. In effect, the international arena is increasingly characterized by competition and cooperation among states, reflecting internal and external conflicts over national versus global solutions to problems. It is unlikely that many contemporary technological/communications phenomena could be identified as solely internal or solely external. Nonetheless, this distinction helps us gain a perspective on the role of the state in the international context and its interaction with other sovereign states. In this formulation, the state, even in its regulatory role, does not act merely as a mediator between internal demands and external constraints and pressures, but as a shaper, capable of moulding its own preference between domestic and international policy determinants. For example, although the governments in Europe have almost everywhere withdrawn from any directly *dirigiste* role, they 'retain the right and sometimes the obligation to react or restrain market developments on behalf of a public (sometimes national) interest and also to establish and maintain conditions for efficient and fair operation of a free market' (McQuail, 2007a: 11).

As well as being the primary unit of analysis, the state is generally also the foremost unit of action, although the environment – whether domestic, international or both – may constrain state action. Globalization, for example, imposes structural imperatives on states, so limiting their action. This does not, however, contravene the idea of the 'relative autonomy' of the state from both society and global economy (Bailey and De Ruyter, 2007). According to Hyder (1984), the tentacles of international cooperation are deep and widespread, but its impact depends on the extent to which negotiated agreements are actually carried out. The lack of any established legal and political arrangements causes problems for implementing policies. The EU is a prime example because its specific business is to complement, supplement and even replace individual policies of its member states without being a political union (see Chakravartty and Sarikakis, 2007; Knill and Lehmkuhl, 2002). Moreover, within Europe the integration process has been inextricably bound up with the transformation of both the traditional system of 'nation states' and of the role of individual member states. This transformation has not been 'solely the product of integration but has derived from other developments such as globalization, new developments in economic management, notably the move towards the regulatory state, and domestic moves towards "new public management" as a way of better administering policy' (Bulmer, 1998: 366). In other words, European integration is seen as a dependent variable of state development at the *national* level (Bulmer, 1998; see also Featherstone and Radaelli, 2003) and this has produced new forms of governance, and new institutions of government shaping what Castells (2000: 340–8) has called the 'network state'. In fact, there are still wide margins for strategic behaviour by politicians to pursue their 'national interest' policies (Jordana *et al.*, 2006: 460).

To conclude, regardless of global pressures and influences, the communication system will continue to be dominated by the nation state and it remains a useful mechanism for collective control over communications media. Even in the case of the internet, the regulation of the new medium which crosses frontiers, nations tend to regulate the internet in their own way (May *et al.*, 2004). A recent example is the failure of the European Commission to establish an EU telecommunications agency that would ensure consistent regulatory decisions by national authorities. The original plan called for giving the commission more power over national authorities but both the European Parliament and the Council of Ministers rejected the commission proposal. As Denis McQuail notes (2005: 270), 'for the foreseeable future, mass communication will continue to be dominated by the nation-state and the small group of rich and powerful countries that arbitrate world events'. Indeed, in the current era of the financial, monetary and *traditional mainstream media* crises the role of the state becomes more critical as a provider of solutions to problems: as the failures of market mechanisms become apparent, guided state-inspired solutions may need to come to the fore.

The organization of this book

Following the introductory chapter, this book is divided into two parts. The first part aims to deal with the theoretical aspects of communications policy, not as the introductory chapter does, but to address the various dimensions of communications policy. The second part of the book is devoted to the issues related to communications policy, such as the consolidation of the communication industry, the future of public broadcasters in the digital era, the role of the European Union in the whole communications sector. Inevitably, space restrictions have meant that we have not been able to include other areas, such as a discussion of intellectual property rights and piracy in the age of the internet (Perelman, 2002) or issues related to young people (Livingstone, 2002).

In the first part of this volume, Sandra Braman argues that the number of laws and regulations dealing with information and information technologies has increased considerably. As a result, the boundaries of the field of media policy are increasingly difficult to discern. Problems raised by technologies, media practices, the nature of policy-making processes and the unique characteristics of media as a policy issue area confound the effort. Braman critically reviews approaches to resolving the problem of defining media policy and proposes a definition as the subset of the larger domain of information policy that includes those laws, regulations and policy principles that have the effect of mediating the public itself. She concludes by exploring a few examples of non-traditional types of media policy issues from this perspective.

Alistair Duff seeks to provide a clearer picture of information, building on useful groundwork in information science and other disciplines. He traces the history of 'information policy' and describes the present state of 'information policy', with particular reference to some salient themes of the current literature: issue inventories (i.e., the scope of information policy); academic identity (including a critique of attempts to appropriate information policy for one discipline); and the ideal – or, it is argued, illusion – of a 'national information policy'. In the final section of his chapter he makes some suggestions for the future direction of information policy. He argues that information policy should engage much more thoroughly with the tradition of political philosophy and that information policy may benefit from more forays into the field of futures studies. He also proposes that information policy could be positioned as a subset of the interdisciplinary specialism of information society studies, in which case its definition might be resolved in terms of the 'normative theory of the information society'.

Marc Raboy, Bram Dov Abramson, Serge Proulxa and Roxanne Welters note that changes in the technological and economic environments have been accompanied by a series of policy developments at international and national levels. An important implication of these changes has been an impasse for policies that articulate public interest with respect to the media. To address this, they propose a research agenda centred on the idea of 'social demand'. This refers to the range of expectations with respect to media that exceed economic (market) or political (state) considerations – that is to say, expectations as they can be extrapolated from what people say about their media use, as well as the efforts of organized social and cultural groups to influence the direction of media policy.

This part of the book concludes with Jackie Harrison's attempt to examine current communication policy dimensions under the heading of the emerging communicative spaces in Europe. She argues that the European Union has to develop a European civil society. Specifically, she is interested in the conditions under which the expression of European public opinions can be communicatively facilitated in an audiovisual way which is both European-wide and which is independent of the various political and economic institutions that currently govern and regulate the EU. She argues that the EU once more needs to engage in some institution building. This time the EU should build a pan-European organization of public service communication (EU PSC) consisting of two distinct but related audiovisual institutions united in their concern for the facilitation of the EU's civil and social aims: one, an audiovisual institution of European public news journalism and, two, an institution of European social communication.

The second part of the book deals with various distinct issues in communications policy analysis and research. Robert McChesney chronicles the uprising of 2003 when media policy exploded into the public consciousness as millions of Americans registered their opposition to the relaxation of long-standing media ownership rules. In effect, he offers an overview of the resistance of civil society groups as well as some political leaders to the efforts to restructure and reduce media ownership and cross-ownership caps in the USA. This raises the question of the role of civil society groups in a field of investigation usually dominated by public sector actors and national and transnational private sector companies.

Alison Harcourt investigates the processes through which the European Union has become a major actor in national media regulation. She examines the processes through which the EU has become a salient actor in national regulation. Under observation are the actions of the European Commission, the Merger Task Force and the European Court of Justice. In her chapter, Harcourt shows how these institutions have pursued *Europeanization* with intersecting but different agendas. The ensuing pattern is one of policy convergence – a result that is surprising in a policy area which is considered to be deeply seated at the national level.

Papathanassopoulos and Negrine try to point out the challenges faced by public broadcasters in the digital competitive market and discuss the role of public broadcasters in the new European communications landscape. More precisely, their chapter describes the challenges public broadcasting faces in an increasingly competitive digital television market. The chapter provides an account of the current situation of public broadcasters in Europe. Then, it explores the two major challenges they are going to face – the fiscal crisis and the threats posed by convergence and digitalization. Finally, it discusses the role of public broadcasters in the new European television landscape.

On the other hand, Johannes M. Bauer reviews changes in the state's involvement in the communications sector by using the example of the telecommunication services. In effect, he reviews these transformations of the state from heavy involvement in the provision and regulation of telecommunication services to its more indirect role as a regulator to the more recent return of the state. The chapter notes that the role of the state has adapted in response to a multitude of forces, including new challenges faced by the sector, the evolving economic and technical conditions, changing political conditions, and shifts in the configurations of relevant stakeholders attempting to shape communications policy.

Dom Caristi examines the changing landscape for communication law in a digital, global environment. He argues that two major issues need to be addressed. First, digital media regulation can no longer be effective if it regulates only within one nation. International agreements exist in some areas, yet national laws are often circumvented by those operating 'offshore'. Second, digital media are distributed – and altered – much more easily than physical media. Whereas copying books once required expensive equipment and large amounts of time, an e-book can be copied in just seconds using equipment found in most homes in developed countries. Thanks to ubiquitous distribution, the World Wide Web has allowed what used to be minor infractions to take on major consequences. A scheme needs to be implemented that deals broadly with these issues. The International Telecommunication Union has started a process that needs to adopt a more assertive role.

In the last chapter, Gisela Gil-Egui, Yan Tian and Concetta M. Stewart explore key contemporary US and European Union policy documents so as to identify the similarities and differences in the way that the digital divide has been defined in both contexts. They present the results of a multimodal exploration of key policy documents produced by the US government and the European Commission between 2004 and 2008, on issues related to access to, and harnessing of, information and communication technologies for purposes of economic growth and development. Findings from their study suggest a shift, from the openly neo-liberal, market-oriented discourses that dominated both sets of documents in our previous study, to a more nuanced framing of ICT policies – one that considers broader structural factors affecting the effectiveness of strategies in this regard and proposes a more active role of the public sector in the implementation of such policies. The authors discuss the contextual elements intervening in this gradual move towards a new ICT policy-making paradigm.

Underpinning all these chapters is a common view, namely, that communications policy is a problem-oriented field of study and that it is multidisciplinary in character. Furthermore, and as these chapters also seek to demonstrate in their different ways, work in this field draws on a whole range of disciplines in order to seek to better understand how we have arrived at the present and how best to deal with the challenges of the future.

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