

AFTER THE POST-PUBLIC SPHERE

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PHILIP SCHLESINGER



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Philip Schlesinger²

Abstract

The idea of a public sphere has long been central to discussion of political communication. Its present condition is the topic of this essay. Debate about the public sphere has been shaped by the boundary-policing of competing political systems and ideologies. Current discussion reflects the accelerating transition from the mass media era to the ramifying entrenchment of the internet age. It has also been influenced by the vogue for analysing populism. The present transitional phase, whose outcome remains unclear, is best described as an unstable 'post-public sphere'. This instability is not unusual as, over time, conceptions of the public sphere's underpinnings and scope have continually shifted. Latterly, states' responses to the development of the internet have given rise to a new shift of focus, a 'regulatory turn'. This is likely to influence the future shape of the public sphere.

Introduction

Over sixty years ago, deeply influenced by classical Greek political thought, Hannah Arendt (1958: 56) reminded us that entry into 'the public realm' meant stepping into collectively experienced time and a world that we hold in common with others. This mattered profoundly, she argued, because it offered 'a guarantee against the futility of individual life'. The classic *polis* or *res publica*, Arendt noted, was 'the space [...] reserved for the relative permanence [...] of mortals.' This view underscores the fundamental importance of political activity for what Arendt called 'the human condition'. Politics is an index of who we are, what we might be, and how we might effect change.

The public sphere is a spatial metaphor; it is a construct, the outcome of collective artifice. It is used to some extent in general discourse; it has a material existence in the shape of political actors and institutional life; it also offers a normative position in difficult times. In a democratic

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² Professor in Cultural Theory, Centre for Cultural Policy Research and Deputy Director of CREATE, University of Glasgow.

order, arguably the public sphere is still the primary locus of political communication and of the strategies and tactics that characterise this kind of activity.

When we don the garb of citizenship, we take on a publicly defined identity, encountering rights and obligations in terms that are not of our choosing. In some regimes we may be able to question and try to change the political order; in others we simply may not. These wider conditions of openness and closure determine the scope of what it is to be a citizen of a given state. This matters particularly when, as now, there is renewed global contention over the organisation of the communication order.

A key question, insistently at the heart of contemporary politics, is what counts as pertinent knowledge for action, and how might it be used in voting, demonstrating, lobbying, associating, or otherwise trying to influence the political process. The mediation of political discourse at a time of increased ideological division has become especially important for knowledgeable political action when the production of 'fake news' and 'misinformation' has taken centre-stage (Ball, 2017; Corner, 2017; d'Ancona, 2017).

In her analysis of the political philosophy of emotions, Martha Nussbaum (2018: 11) decries widespread neglect in the cultivation of our capacity for understanding, and laments our failure to take time to deliberate and to show respect for others. This omission, she argues, opens the door to the 'monarchy of fear' – the foreshortening of argument and the flight into irrationality. Her argument connects directly to the challenges now faced by a once-dominant model of political communication: the always-flawed public sphere. The pre-digital media ecology has given way to a transitional post-public sphere. How should we conceive this?

In what follows, I will argue that the development of the public sphere is best understood as taking place in a globally competitive context. An historical perspective underlines key continuities in how communication orders have been, and continue to be, antagonistically classified: a small pool of contested concepts has had ideological currency across the eras of print, radio and television and now plays into the present internet-dominated 'hybrid' media system. Next, I discuss the current wave of interest in the relations between populism and political communication. This is symptomatic of the present post-democratic phase of capitalist polities, which has engendered a transitional post-public sphere. However, this shift is not surprising. Jürgen Habermas's work has shown that the institutional reality of the public sphere has always been subject to revision. As I argue, the present post-public sphere is consistent with this history. Finally, I delineate the current 'regulatory turn'. Provoked by the development of internet platforms, this ramifying agenda concerns both national and

transnational levels of political organisation. The still emerging regulatory agenda has opened up a contestable space for potential reform in which action pursued by any given state will be shaped both by its type of regime and the structuring contingency of global forces.

'Open' v 'closed' media systems

The public sphere is always structured in terms of power relations. In its specific detail it is defined by the prevailing political order, economic relations, cultural repertoires and the affordances of technologies. The analytical task is to understand how these interconnect and work. The normative question is whether we think that, in principle, an open communicative space is a crucial collective good necessary to a democratic politics. To state this is not only to recognise that the ideal and the real do not coincide but also to maintain that the aspiration to effect that coincidence is crucial.

In the context of global conflict in the past century and to date, the extent of 'media freedom' (shorthand for a bundle of forms of expression, representation and inquiry) has been a keystone for classifying antagonistic political regimes. For instance, designation of media as free or unfree was a constant of the Cold War period (Siebert et al., 1956). 'Openness' versus 'closure' has long framed debates about relations between the powerful and the press and broadcasting in representative capitalist democracies. Following World War II, This framework became influential on an international plane in the context of continuous propaganda warfare between the USA and the USSR and their respective blocs (Rantanen, 2017). It included competition between 'libertarian' and 'Soviet' models of media organisation and performance. Aside from policing the boundaries of the media systems that, with national variants, developed within the post-war blocs, the Cold War also deeply influenced their supporting cultural systems. International communication, therefore, has been a key terrain in long-running and mutating geopolitical struggles.

Criticism of western dominance of global communications, once articulated in arguments for a New World Information and Communication Order (NWICO), for a while achieved some visibility within academic circles. The ground shifted with the onset of the global neo-liberal regulatory regime, arguably with growth in the influence of international media and communications policy-making to the detriment of decision-making by states (Chakravartty and Sarikakis, 2006: 36-37). The once-underpinning 'rules-based global order' that underpinned western dominance is presently experiencing a crisis of self-confidence as both its legitimacy and claim to deliver global equity have come increasingly into question (Chatham House, 2015).

However, classification of political systems by way of their communication orders did not disappear with the collapse of the Soviet bloc at the turn of the 1990s. One approach has been to refine Siebert et al.'s description of 'western' systems (Hallin and Mancini, 2004) and next, with globalisation in mind, to extend comparison beyond the 'west' (Hallin and Mancini, 2012). It is noteworthy that the remaking of axial distinctions to designate competing systems has continued, as global power plays by a rising China and an assertive Russia challenge the waning hegemony of the USA (Van Dijck et al., 2018). Indeed, there is a striking historical continuity between Cold War typologies of media systems and contending typologies of 'internet governance'. This has been defined officially by the UN's Working Group on Internet Governance as 'the development and application by Governments, the private sector and civil society, in their respective roles, of shared principles, norms, rules, decision-making procedures, and programmes that shape the evolution and use of the Internet' (WGIG, 2005: 4). However, this anodyne consensual description has come up hard against the realities of the 'splinternet' – the de facto enclosure movement that runs contrary to the once-dominant idea of a 'global online commons' (L.S., 2016).

We need to connect the present retreat from post-nationalism to how the global communicative space is being re-militarised, both offensively and defensively. This is not new for those who recall the boundary-policing undertaken by both camps during the Cold War. Accelerating polycentrism in international relations – notably, the impact of the economic and military rise of China – is reshaping global geo-politics. The US's position as the ideological and military hegemon of 'the West' has come increasingly into question. Since taking office in November 2016, the Trump administration's equivocal attitude to such linchpins of the western alliance system as the EU and NATO has raised questions about the continued coherence of the Cold War's victorious political formations. Russian President Vladimir Putin's critique of the 'liberal idea' as 'obsolete' in June 2019 became an explicit rallying-point and ideological affirmation for populists worldwide (Barber et al., 2019).

Alarmed western strategists' latest catchphrase for the disarray in their camp has been 'Westlessness'. In February 2020, for instance, the Munich security summit reflected on the challenge to a once-dominant liberal-democratic worldview by 'an illiberal and nationalist camp within the Western world', depicted as the proponents of a closed rather than open society (Bunde et al., 2020: 8). This is a pregnant conceptual move as during the Cold War 'open' v 'closed' societies were invoked as the axial distinction between the West and the Soviet bloc, a mode of thinking reproduced across the range of culture and embedded in forms of expression ranging from political philosophy to everyday news reporting (Elliott and Schlesinger, 1979).

In the present crisis of capitalist democracies, the politicised comparison of systems of communication is omnipresent. It is at the heart of the crystallising agenda of concern with how the internet works. Pertinently, in December 2018, the *Financial Times* defined 'techlash' in its 'Year in a Word' series. This noun referred to the 'growing public animosity towards large Silicon valley platform technology companies and their Chinese equivalents'. As Farooq (2018) succinctly put it, 'Techlash is the predictable result of an industry that can't govern itself.' Earlier that year, *The Economist* published a spoof confidential email from Adam Smith's ostensible descendant, 'Eve Smith' (2018). This synthesised the new take on key players in global communicative space. It was seemingly addressed to the CEOs of Amazon, Facebook and Google and dutifully 'copied' to the bosses of Apple, Netflix and Microsoft. The FAANGs plus one were thereby placed *en garde*.

This revisionist optic reflected the changed mood music regarding the regulation of global internet platforms, with governments now subscribing (in various ways) to a somewhat sprawling regulatory agenda. Academic research has increasingly focused on this topic (Moore and Tambini, 2018). Back in 2018, 'Eve Smith's' memo already included a revival of anti-trust thinking regarding monopoly market power in the US, challenges to unpoliced content on platforms, and efforts to remedy corporate avoidance of fair taxation in the EU. It also registered widespread concern about attempts to undermine democratic electoral processes, as well as a desire to ensure consumer welfare.

Presently, there is considerable debate about how to regulate the internet for its impact on political culture and the functioning of the public sphere (e.g. Australian Competition and Consumer Commission, 2018; House of Commons, 2019; House of Lords, 2019). One dimension of the 'techlash' against the giant corporate platforms is the refocusing of policy, which evident in the present 'regulatory turn'. The FAANGs, of course, have been centre-stage. But cultural, economic and political defence strategies have also been developing in relation to the global struggle over hegemony noted above.

In this respect, the stand-out case has been Russian state interference in online messaging during the US presidential campaign in 2016, intended to favour the election of Donald Trump in pursuit of Russia's global strategic aims. The abuse of data for the purposes of covert political advertising and its connection to targeted misinformation has become an increasingly salient issue for how the post-public sphere operates, not least in its cross-border info-war dimension. The Cambridge Analytica scandal, which has symbolised this matter, concerned a data analytics firm that worked with Donald Trump's election team. AggregateIQ, linked to Cambridge Analytica, microtargeted Facebook ads in order to influence pro-Brexit voting in the EU

referendum campaign (Andrews, 2020; Lomas, 2019; *The Guardian*, 2020). The role of Russia has been the subject of much debate and extensive investigation (notably, Mueller, 2019) and was part of the complex background to the impeachment of President Trump on the grounds of abuse of power and the obstruction of Congress. He was acquitted by the US Senate in February 2020.

While recognising that the US itself engages extensively in information warfare, Pomerantsev (2019: 112) has described how the present Russian pursuit of 'information sovereignty' is part of a wider strategy to 'undermine an enemy, a tool to disrupt, delay, confuse subvert'. This view was extensively propounded by the UK Parliament's Intelligence and Security Committee (2020), which criticised government inaction and called for a wide-ranging defensive strategy. Given this background, it is not surprising that re-runs of Cold War categorisations of media systems have re-emerged in contemporary thinking about the internet. These can readily be discerned in the somewhat flip labelling of internet regimes by O'Hara and Hall (2020) who maintain that the original libertarian conception of a 'Silicon Valley Open Internet' now faces contention from other visions of net governance. The oligopolistic approach of the internet giants, labelled by O'Hara and Hall (2020) as the 'DC commercial Internet', presently faces the regulatory determination of some states to address misinformation, invasions of privacy, and a range of online abuses. The EU's 'Brussels Bourgeois Internet', notably the 2016 General Data Protection Regulation (GDPR) and the 2019 Copyright for the Digital Single Market Directive on copyright, are instances of this approach. China's use of censorship and its developing 'social credit' system for assessing the degree of conformity of its citizens to the Chinese party-state's value system is another model (Mau, 2019: 1; Pomerantsev, 2019: 240-242). O'Hara and Hall, too benignly, dub this the 'Beijing Paternal Internet'. Along with Russia's cyber-warfare-oriented and nationalistic 'Moscow Spoiler', characterisations of media systems originally aired at the height of the Cold war – libertarian, authoritarian, social responsibility and Soviet Communist – are now being replayed in contemporary arguments that extend to the internet.

Beyond current concern over the content of political communications denounced as 'fake news' or 'misinformation', debate also extends to control over the infrastructural means of communication. A case in point was the UK government's decision in January 2020 to use the Chinese company Huawei's technology in the upgrade of 5G broadband telecommunications. This aroused such fierce opposition within the governing Conservative party and influential security circles that the decision was reversed in July 2020, to the displeasure of the Chinese government. The US government's hostility to the use of Huawei's technology was voiced on security grounds although plainly international trade and global technological competition

issues were also involved, framed by the struggle over economic and political dominance conducted between the United States and China. These manoeuvres extend directly into how platforms should be designed and controlled, with China (like Russia) pursuing 'national information sovereignty' as the putative global model (Murgia and Gross, 2020).

The Huawei case has illustrated the crucial importance of the technological preconditions for the constitution of any communicative order in the digital age – an issue whose salience can only grow. The debate is so pointed because who is tasked with producing the technology in question is an increasingly sensitive matter and unavoidably part of the global wars of position between political systems. Such infrastructural questions are distinct from – but also clearly preconditions for – a given national communicative space to promote and sustain a public sphere.

It was the pre-internet role of media in constituting public discourse, focused on the national press and broadcasting, that had shaped the previous stage of debate about the mediated public sphere. The terms shifted with the advent of the digital age. Media analysis has necessarily extended to how the digitisation of cultural content and the workings of what is variously termed a global 'platform economy' (Kenney and Zisman, 2016) or 'platform society' (van Dijck et al., 2018). The need to address the restructuring of the politico-mediatic field and changed power relations is plain, given continually developing forms of control over content production and infrastructure, and the transborder impact of the information wars of global geopolitics.

The lineaments of the type of mediated public sphere now passing into history were captured over two decades ago in a neglected work of synthesis, focused mostly on the USA. Leon Mayhew (1997: 247) noted the then centrality of mass media – especially television – as 'an essential component' of what he called the 'New Public' established in the 1950s. The shortcomings of press and broadcast journalism and especially the shaping of political discourse and electoral politics by a professional class of communicators were at the heart of what made the public 'new' (Mayhew, 1997: 4). In short, mass media were still pre-eminent and managerialist 'experts' in political communication had come increasingly to the fore.

A decade later, Manuel Castells' (2009: 4, 234) study of 'communication power' signalled the key, underlying turning-point. Focused on how power was 'constructed around digital networks of communication', it analysed 'the interaction between mainstream media and the Internet [...] as typifying 'media politics in the digital age'. It is this recalibrated (but actually still unstable) figuration that Chadwick (2017) has dubbed the 'hybrid media system'. Castells' analysis pointed to the crisis of democracy, the gap between communication and representation, and a drift to

'insurgent parties'. Notably, he also cited the role of emotion in shaping political judgement, describing electorates' readiness to reject evidence and embrace questionable leadership candidates.

This perspective is increasingly central to rethinking the nature of political cognition. The present 'emotional turn' underpins a critique of the public sphere as unduly rationalistic in constructing our expectations of how citizens think and act politically. The taming of our 'passions' to sustain the political order is a mainstay of political theory, its key early modern formulation being Thomas Hobbes's *Leviathan* (1965 [1651]), still a contemporary reference point. As John Corner (2016: 211) notes, 'the strategic management of subjectivity' has been a longstanding focal point of media research with 'forensic rationality' taken to be an antidote to feelings. Her work located within that tension, Karin Wahl-Jorgensen (2019) has invoked the positive potential of the architectures and affordances of communicative systems as well as of the emotions themselves for the analysis of media and politics. This approach has recalibrated present debate by complementing, rather than displacing, the ideal of achieving public rationality in politics.

Populism, political communication and democracy

This bears on one major, and rapidly growing, interpretative strand in current debate, namely the communicative dimensions of 'populism'. In her classic study, Canovan (1981) argued that all populisms emphasise a basic antagonism between an elite (portrayed as corrupt) and the people (hailed as virtuous and heroic). They also capitalise on widespread mistrust of political institutions – a factor widely cited in the current crisis of capitalist democracies. Müller's (2016) more recent critical overview concurs.

Much current debate has centred on the breakdown of party-political loyalties in representative capitalist democracies and how this has opened the road to growth in support for populist movements and parties. Such political formations are usually depicted as complex coalitions that cut across classes. In an analysis focused on Europe and the USA, Eatwell and Goodwin (2018) note populists' common hostility to rapid and high levels of immigration, the social importance of lost group esteem and corresponding lack of voice, as well as perceived threats to 'indigenous' cultural identities, with clear implications for how membership of 'the nation' is imagined by those espousing populism, which is governed by an 'us' versus 'them' political imaginary.

Eatwell and Goodwin (2018) depict populism as a 'revolt against liberal democracy' that needs to be listened to. In response, they argue, mainstream political parties have hardened their policies,

notably on immigration, often becoming 'populist-lite'. Müller (2016: 101-103) also maintains that populists' disaffections draw attention to failings of representative democracies. He contends, though, that populists are anti-pluralist and a danger to representative democratic systems.

If populism of the right is the current dominant form, debate continues over the ideological ownership of populist forms of mobilisation. For well over forty years, there have been recurrent attempts to articulate a theory of 'left populism'. This version of populist polarity counter-poses a virtuous people to a corrupt oligarchy (Laclau, 1979; Mouffe, 2018). The deep structure that gears left populism to distinguish radically between friends and enemies is shared with that of right populism.

Currently, the decline of political civility (Wodak and Krzyzanowski, 2017), uncritical adulation of leaders, and mobilisation of extra-parliamentary movements are all attributed to populism. Contemporary populist political styles, Moffit (2016: 4) has argued, are forged by an 'intensely mediated' relationship between leaders and followers. President Trump's 'post-truth' media politics have been a focal point of such analysis of 'the current populist moment' (Boczkowski and Papacharissi, 2018: 3; Montgomery, 2017). Processes of political communication may cut across the conventional divisions that, historically, have divided left and right. Populists of all stripes, therefore, may use adversarial, emotional and patriotic language, although the specific targets of their opprobrium vary according to the political position taken (Block and Negrine, 2017).

Waisbord (2018), drawing on the Ecuadorian and Venezuelan cases, has argued in line with Müller (2016) that contemporary populism is inherently antithetical to the idea of a 'communicative commons', or in my preferred term, a public sphere. Agonistic political developments, he maintains, lead to cultural discrimination, the celebration of popular virtue and unassailable leadership,. Akin to Castells and Mayhew, Waisbord also points to the decline of the mass-mediated model. He contends, therefore, that the fragmentation of outlets, underpinned by digital technologies, underlies a communicative order in which 'post-truth' discourse flourishes. This connects to wider political developments.

In an influential formulation, Crouch (2004) used the label 'post-democracy' to capture the hollowing out of political life in established capitalist democracies. In line with other analysts of populism, he pointed to long-term growth in political disaffection and widespread lack of trust and confidence in formally democratic processes. The consequence, Crouch argued, has been the emergence of movements critical of the existing order that remain 'unprocessed by the elite's political managers'. Democratic institutions – parliaments, courts, media regulation –

survive in this political order but the real decision-making has 'disappeared into small circles of economic and political elites' (Crouch, 2019: 126). The appeal of 'xenophobic populism', rooted in anti-foreigner sentiment and hostility to political elites and immigrants, Crouch contends, is due to the effects of economic globalisation and the decline of traditional social identities, notably class and religion. The previous underpinnings of political party allegiances have fallen away.

Plebiscitary democracy, the leadership principle, disregard for intermediary institutions (such as the judiciary) and impatience with debate are characteristic of authoritarian leadership. This has been variously illustrated by well-known cases such as Bolsonaro's Brazil, Orbán's Hungary, Modi's India, Duterte's Philippines, Duda's Poland, Erdogan's Turkey, and Maduro's Venezuela. For Crouch (2019: 135), right-wing populism is not an 'antidote to post-democracy, but an extreme extension of it', and threatens the recovery of a democratic order. Left-wing variants, such as that advocated by Mouffe, may fall into the same category, despite the claim to 'deepen' democracy via a new hegemonic project.

Our present-day concern about the state of democratic regimes is far from novel, although today's fashionable fixation on populism is distinctive. Two decades ago, when Norris (1999: 3-7) similarly reflected on the critical state of representative democracy, she singled out the following moments: responses to the OPEC oil shocks, including civil disobedience and ideological divisions in the 1970s; the Reagan-Thatcher 1980s, when apparently there was confidence in the steering capacity of 'democratic governance'; and the 1990s, with its 'long-term decline of public confidence in government and anxieties about the growing disconnection between citizens and the state'.

As it happens, the expansive discourse on populism diminishes its analytical value: it may refer to political parties in government; those elected to representative institutions; and also to insurgent, extra-parliamentary movements that might become parliamentary. 'Populist' may also sometimes describe regimes, as in the Ur-case of Peronism in Argentina. As Fitz (2019: 7) has noted, the populism debate ultimately directs us back to the crisis of democracy and, given the focus of the present discussion, the public sphere. These remain the fundamental reference points.

Political communication in post-democratic conditions operates in a *post-public sphere*. This label signals a perceived change of system. However, it does not indicate a clear direction of travel. It actually designates a movement away from a previous understanding of mediated politics. Yet this is coupled with an open question about what comes next.

In an analysis of political communications in times of crisis, Davis (2019) pointed to how legacy news media, political parties, economics and the nature of communicative power have changed in the digital era. This has had cumulative effects on the mediated public sphere where, of course, the up-ended media economics of the press and broadcasting has contributed to what Blumler (2018) terms a 'crisis of citizenship' which articulates with a wider 'crisis of public communication'.

In many capitalist democracies, the transformation of the newspaper, still on its journey from print to fully digital (with the economic challenges for the industry that this entails), as well as the intensifying crisis of legitimacy of public service media internationally, continue as features of the 'hybrid' media regime (Ofcom, 2019; Reuters Institute, 2019). In the internet age, what we are witnessing the still incomplete displacement of one framework by another. The post-public sphere is mutable. This was apparent in spring 2020, when in the UK's Conservative government changed the mood music, which had been openly hostile to the BBC. The British government discovered that the Covid-19 crisis was highlighting the importance of public service broadcasting for the maintenance of social solidarity. In official eyes, the crisis also underlined the public value of major press brands as possible counterweights to conspiracy theories about the virus and the rumour mills of disinformation. Whether this contingent reappraisal of the media ecology will last beyond present concern with managing information about Covid-19 is a moot point.

Doubts are in order because the predominant direction of travel, as Davis (2019: 185-187) has noted, means that 'relatively extensive, shared and stable public spheres' have been replaced by a 'wild west' of 'volatility, fragmentation and polarization', with rewritten norms, values and rules of engagement. In short, he maintains, we have witnessed the break-up of 'national mediated public spheres', resulting in new 'citizen-media-political relations'.

Faced by continuing economic crisis and widespread hostile reactions to migration in democratic capitalist states, the question of how the public sphere might be reconstituted has assumed centre-stage. Fenton (2018: 33) has suggested that a communications-focused view of liberal or 'fake' democracy, which she has identified with the idea of the public sphere, is an obstacle to deeper understanding. Her argument is that a focus on the public sphere obscures fundamental economic and social inequalities and fails to address 'the complexities of power in the digital age'. By this token, the public sphere should be abandoned both as a normative ideal and descriptive concept. In contrast, Bennett and Pfetsch (2018: 250) suggest that the present 'disrupted public sphere' (an untheorised and spectral presence in their account) is characterised by 'diminished citizen attention, hybrid media systems, the rise of undemocratic

movements and parties, and networked, often polarized, political information flows'. If these defects are remedied, the implied outcome is the reconstitution of a new public sphere rather than its abolition.

As a token of how the academic field is seeking to catch up with our transforming realities, along with the 'post-public sphere', Davis (2019: Ch.12) cites two other buzz-words of our time – 'post-truth' and 'post-democracy'. Taken together, this tropological trio indicates a state of uncertainty rather than a compelling description of a new politico-communicative order. The idea of a post-public sphere designates the breakdown of an existing model, signalling uncertainty about how long it will take for another ensemble to develop. Of course, we cannot be sure when, or even whether, that will happen. In the context of current instability, however, it is worth recalling that structural change has always driven conceptions of the public sphere. This has resulted in periodic reconstructions of how it works. Its periodic reformulation in the most influential theoretical development of this idea shows how, at any given moment, political, economic and technological conditions define its scope. In short, the post-public sphere is part of a developmental history.

From public sphere to post-public sphere

Jürgen Habermas's (1989 [1962]) early work has been the key starting-point for discussing the public sphere in media studies and political science. His thinking illustrates how, from time to time, the public sphere may be reconceived. Habermas's initial account of the structural transformation of the public sphere described the invention of relatively unconstrained spaces for public discourse – critical locations, based in civil society, captured neither by the state nor official political power. His classic analysis discussed examples drawn from 'Great Britain' (actually, England, as it ignored Scotland's civil society), and 'continental variants' that chiefly referenced France, Austria and small, pre-Reich, German territories. In the most fully-developed cases, those spaces were 'national' civil societies, namely territories with borders policed by states. Struggles for inclusion within national publics – never without resistance from those in power – by stages enlarged the scope of institutional politics, so that entire nations on the road to representative democracy might finally be conceived as constituting general publics. Who has, or does not have, an effective voice in the public sphere has long been at the heart of debates about inclusion and exclusion. The focus, commonly, has been on class, gender, sexuality, race, ethnicity and religion, and latterly, on intersectionality (Calhoun, 1994; Mokre and Siim, 2013). The politics of recognition has set the stage for unavoidable contention over collective identities, values and memories. Consequently, in the present populist moment, agonistic political discourse has been dominated by questions about who does or does not

belong to the nation, and on what grounds this might be decided and by whom. This has been the royal road to today's hard-edged xenophobic categorisations of 'insiders' and 'outsiders'.

The 'bourgeois public sphere' of critical conversation depicted by Habermas – that of the oft-invoked coffee house and literary culture – was at best a fragile passing phase of enlightenment. It is often overlooked that Habermas (1989 [1962]: 140) contended that 'in the hundred years following the heyday of liberalism, during which capitalism gradually became "organized" ... the contours of the bourgeois public sphere eroded'. The game changed, he argued, with the advent of mass media, public relations, advertising, party-political management, an enlarged public bureaucracy, and a social-welfare state that both managed its population and had an economic role:

From the midst of the publicly relevant sphere of civil society was formed a repoliticized social sphere in which state and societal institutions fused into a single functional complex that could no longer be differentiated accorded to criteria of public and private. [...] The public sphere in the world of letters was replaced by the pseudo-public or sham-private world of culture consumption. (Habermas, 1989: 148, 160)

Given its Frankfurt School cast, Habermas's work did not naively and timelessly laud the rationality of general publics. Rather, its critique of instrumentalism in political life and the legitimation crisis of the welfare state presaged contemporary discussion of 'post-democracy', with its hollowed-out institutions and unaccountable economic and political elites who rule the roost. He recognized that contemporary political communications was open to distortion by 'the power structure of the public sphere' located in the workings of political, economic, social and media interests (Habermas, 2006: 418-419). Nor did he consider that the internet had provided a corrective to dominant interests, concluding instead that it mainly contributed to the fragmentation of the public sphere and reinforcement of mainstream agendas. Uses of the internet, he restrictively maintained, might claim 'unequivocal democratic merits only for a special context: It can undermine the censorship of authoritarian regimes that try to control and repress public opinion' (Habermas, 2006: 423).

For Habermas, it is the European Union, which is both a single market and a political formation now comprising 26 member states, that has been a test-case for shifts in conceptions both of communicative space and collective identity, and hence for how a transnational public sphere might be conceived (Fossum and Schlesinger, 2007). Thirty years ago, Habermas first considered how the EU might become a public sphere – a boundary-transcending, polity-engendering community for the component nations and cultures of the European 'project'.

Whatever reservations Habermas had about the flawed political rationality of the age of organised capitalism, when he conceived the EU as offering a 'post-national' cosmopolitan possibility he broadened his original theory to accommodate the digital age. Like Castells, Habermas asked how networks facilitated by communications technologies, diffused by the internet, were changing how publics might be imagined (Habermas, 1997). Might a European *demos* – a new transnational political community – be engendered and facilitated to some extent by media and communications? The central idea of state-focused communications theories of nationalism was in this way transposed to a transnational level (Schlesinger, 2000). For cosmopolitans, this 'European' possibility was a regional pre-figuration of what might conceivably be extended to the globe.

The EU's origins were economic but driven by politics. Its formation was rooted in French and West German approaches to post-war reconstruction and reconciliation after the disaster of the Second World War (Millward, 1992). Economic integration, however, has not been an unambiguous good. The 2008 economic crisis, for instance, produced negative consequences for, inter alia, Greece, Italy, Spain and Ireland, due to the imposition of orthodox economic measures taken in support of the common currency, the Euro. Writing as the Covid-19 emergency continues to wreak havoc, it is an open question whether the EU's recovery package, agreed in July 2020, will be able to address the depth of its structural problems. The repeated travails faced by the EU have been 'a regional expression of the global crisis of financialized capitalism' (Streeck, 2017: xlv-xlvi). The political economy of the crisis of democratic capitalism in the European Union is deeply connected to its crisis in political communication.

Existing nationalistic and xenophobic trends in EU member states have been reinforced by negative reactions to migration: first, to population movements engendered by the Union's post-2004 'Eastern' enlargement and second, to the 'migrant crisis' of 2015. The rise of contemporary neo-nationalism has posed uncomfortable questions about the political culture of post-war Europe. The experience of total war and the Holocaust has not engendered, as often has been hoped, a new reciprocal collective identity and transnational citizenship in Europe (Eder and Giesen, 2001; Eder and Spohn, 2005). Rather, ideas of bounded national belonging have become ever more intensely asserted. If the pursuit of internal peace remains a keystone of the ideology of the technocratic elite that runs the EU (Davies, 2018: 60), it also matters profoundly for the wider legitimization of cooperation in Europe.

The project of an EU public sphere was a high water-mark of theoretical post-nationalism. That argument coincided with much broader projections of a cosmopolitan order and the construction of a global public sphere to sustain it (Beck, 2006; Delanty, 2012; Nash, 2014).

As this politics of hope was being promoted, there were simultaneous intimations of a dark side. Following the dissolution of the Soviet Union in 1991, tensions between civic and ethnic conceptions of nationalism were evident across the continent. Along with the violent step-by-step disintegration of Yugoslavia, there was huge potential for Europe to become a cultural battleground in which nationalism figured large (Schlesinger, 1992). These were not auspicious conditions for the creation of a transnational European public sphere.

Nearly a decade and a half ago, Habermas's post-national vision was influentially questioned by Nancy Fraser. Ignoring Habermas's conceptual shift regarding trans-border communication and deliberation in the EU, she contended that his work had 'articulated a model of deliberative democracy for a territorially bounded polity' (Fraser, 2007: 11) and asked how this state-based framework could relate to a globalising world. Even if collaboration by international bodies and the rise of cross-border social movements pointed to increased global governance, Fraser (2007: 16) wanted to know how a post-national public could obtain real leverage over the political and economic decisions taken in such 'a post-Westphalian world', namely, an international system of supposedly sovereign states. Could a public sphere be both legitimate and effective when it became post-national (a question Habermas had already addressed on a European level)? Ultimately, Fraser's answer, like Habermas's own later thinking, was aspirational and dependent on cooperative international relations. She urged us to 'envision new transnational public powers, which can be made accountable to new democratic transnational circuits of public opinion' (Fraser, 2007: 24).

This essay has been completed in summer 2020, when states' borders are being closely managed across the globe for good reasons, given the Covid-19 crisis. At this time, the ostensibly 'rules-based' international order is under considerable strain. It is ever more reasonable and necessary to support international collaboration, despite present set-backs. The sheer difficulty of attaining the ideal of global governance proposed by Fraser – that of establishing a relatively stable institutional matrix capable of addressing common problems – has been starkly illustrated by long-standing struggles to reach enforceable and enduring international agreements over anthropogenic climate change. There has been no decisive advance to date since the Paris summit of 2015, when the goal of keeping global warming at 1.5-2 degrees centigrade above pre-industrial temperatures was proposed. Moreover, while the global threat to public health posed by the Covid-19 pandemic has engendered welcome international scientific collaboration, at the same time, it has also revealed shortcomings in global cooperation. It remains to be seen how these profoundly important issues will be addressed.

Where next?

The public sphere remains a key concept, heuristic focus, and space for thinking about the practice of democratic politics, even though much discussion of mediated political communication deals with it obliquely, as *passé*, or at times even advocates its abolition. Its continued resonance is evident in the parasitic idea of a post-public sphere, which designates nothing the present, unsettled state of play: it signals a transition to an unknown destination. Changed modes of consumption and distribution in a platform economy, the rapid reshaping of the 'legacy' mediated public sphere of press, radio and TV, the challenge posed by political uses of social media – all presently interact with socio-political divisions in capitalist democracies to reframe radically our understanding of communicative space.

Presently, the future of the post-public sphere and those factors that might affect its evolution are an unavoidable focus of debate. In concluding, I will focus on one aspect that I consider especially significant. The regulatory turn merits our attention because it is fundamentally about setting – or at least trying to set – the rules of the game in the communicative order. Drahos(2017: 1) has described regulation as a 'multilevel dynamic process in which many actors play a part and have varying capacities and means of intervention'. This approach opens up a range of possible entry-points for empirical study. In new research on the development of regulation of internet platforms in the UK, my colleagues and I have focused on the bodies that regulate a wide range of cultural content (CREATe, 2020).

To illustrate the changing agenda, to date we have analysed the upsurge of British regulatory activism from late 2018 to early 2020, focusing on actors most directly involved in elaborating a new regulatory order. Adapting Bourdieu (1993: 164), I suggest we call this space a 'regulatory field' which is 'defined in relation to the field of power, and in particular, to the fundamental law of this universe, which is that of economy and power'. For present purposes, the regulatory field designates the operations and relations of agencies devised to prescriptively regulate cultural content. In this way, they exercise power over cultural production, circulation and consumption.

The UK's regulatory actors are shaped by the institutional stamp of the state's political culture and have diverse, yet sometimes overlapping, competences. In a global context, however, issues addressed by the British regulatory field are entirely typical of agendas also pursued, for instance, in the European Union and Australia (Australian Competition and Consumer Commission, 2018; European Commission, 2020). We are in the midst of an 'issue-attention cycle' – to use Downs' (1972) phrase – where the costs and benefits of intervention are presently being weighed, the issue being solidly lodged as a policy question. This does not mean uniform attention is being paid to the same issues everywhere but that there is, nonetheless,

a recognisable international agenda. Interest in regulatory solutions to the perceived unruliness of how the internet presently works is still growing, both nationally and internationally. Our research shows how approaches to platform regulation in the UK intersect across differently-tasked regulators, while simultaneously cross-cutting their competences in complex ways that sometimes require informal cooperation. Much, although by no means all, of the developing agenda in the regulatory field is directly relevant to the post-public sphere.

In the UK, according to our research, the regulatory turn has involved intervention by at least nine front-line agencies, with others also nominated from time to time. The eight major official reports published in the period analysed were variously produced by parliamentary committees, regulatory bodies or specially-convened inquiries and testify to the wide range of issues presently in discussion. Across these documents, there were dozens of different ways of describing discrete elements of the regulatory agenda, which mostly identified 'harms' to the public (Ofcom, 2018). Typical issues addressed were: fake news, exposure to harmful or illegal content, anti-competitive behaviour, misleading political advertising, the uses of consumer data, expressions of violence and terrorism, online indecency, and interference by foreign governments in the domestic electoral process.

Today's regulatory concern is, in part, a product of public unease about the circulation of content that harms individuals and groups. The question of how to counter concentrations of economic power is also on the agenda. So is growing concern in some quarters about such politically-charged issues as the impact of surveillance, untrammelled control over data by third parties and loss of individual privacy, all so prominently discussed by Shoshana Zuboff (2019). The shortcomings of democratic institutions in devising an equitable and solidary social order in the capitalist democracies means that the theatre of the national is necessarily a conflict zone in which the prevalent political culture deeply conditions the actuality and future prospects of how a public sphere might be constituted and evolve. The operation of regulatory processes, as well as the underlying principles that inform them, are deeply related to the state form and economic relations prevalent in any social order. as the regulatory field is a nexus for the exercise of power, inevitably draws a range of interested parties into play to try and shape its practices.

'Regulation' always contains the potential to censor communications. It can readily be euphemised to conceal what it actually does. For instance, the Chinese approach represented by the so-called social credit model seeks to perfect data collection to totalise the state's knowledge of individuals' behaviour and beliefs in order to enhance central political power and eliminate possible threats to the ruling party. In a democratic regime, regulation may sometimes act as a countervailing force to corporate and state power – but this is certainly not guaranteed.

The strategic importance of the regulatory field in the platform economy is likely to increase, with multifold implications for the future of the post-public sphere.

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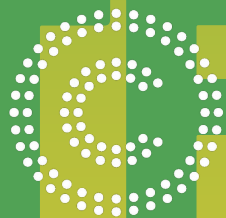
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