

- ARTICLE -

## The Misplaced Public of New Zealand Media: Notes Toward a Future Media Scene

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### Abstract

This paper interrogates what we believe is an increasingly urgent task: to think about ways of revitalising public life in New Zealand beyond traditional defenses of public broadcasting. The concept of the public in public broadcasting is what is at stake: we argue that the public is an empty signifier, one that can be mobilised in the service of neoliberal power brokers to legitimise media monopolies and the closure of media spaces meant for civic discussions, and by activists, academics, politicians and media pundits, who call for a return to notions of the modern public sphere as a way to fight against the increasing commercialisation of media. We find that this debate falls short for it fails to recognise that we live in liquid times (Bauman 2007), and argue that we need to shift the discussion from the public sphere to that of citizen publics. This, we believe, entails a new commitment to rights and to democratic processes that creates a scene, breaks habitus, and engages in writing scripts. It is through this new commitment that we conclude by providing notes for a future media scene in New Zealand.

### Introduction

In the context of what Zygmunt Bauman calls 'liquid times' (2007), the pre-existing formulations of public service broadcasting are no longer relevant. We consider the concept of the public, as mobilised in discussions about modern society and New Zealand media, to be outmoded and nostalgic. In 'liquid times', the important space of the public sphere, which is situated between the market and the state, fades or completely transforms. As Bauman puts it, the 'public has been emptied of its own separate contents; it has been left with no

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agenda of its own — it is now but an agglomeration of private troubles, worries and problems. [...] The list of “public issues” is no different from that of private affairs’ (1999, 65). New Zealand’s liquid times are no exception. For instance, the latest budget from New Zealand’s National Party government confirms Bauman’s point. As the Tertiary Education Union explains, the finance minister, Steven Joyce, plans to ‘cut more than \$15.5 million in funding to our public universities and polytechnics, while increasing funding to private providers by almost \$24 million’ (2017). This collapse of the private and public, of course, relates specifically to education here, but the indistinction between these spheres has long been in place in institutions such as New Zealand on Air (NZOA). NZOA distributes public funds to both commercial and public media outlets without discrimination. New Zealand stories/expressions, it would seem, transcend the private/public divide within civil society. As Dan Hind puts it, succinctly articulating the compromised location of NZOA, ‘both the public service ethos and neoliberalism seek to do without a population operating as an autonomous public. In the first, well-meaning technocrats, who are properly responsive to the reasonable demands of the population deliver the best of all possible worlds. In the second, market forces are left to do the work’ (2012, 202).

For these times, we thus need a new conceptual arsenal and practical framework to challenge and reconfigure the current media climate in New Zealand. We say new, rather than call for a return to modern publics, because the neoliberal trajectory cannot be directly halted and reversed. This is, indeed, a dire situation. Neoliberal practices and policies have inflicted devastating social and economic effects upon communities across the planet in diverse ways (Kelsey 1997; Harvey 2005; Bargh 2007; Piketty 2014; Hacon 2017). The problem for us, therefore, is not whether or not this trajectory should be challenged, but how should it be challenged. We argue that a return to long standing concepts of the modern public are no longer tenable. Instead, we need to mobilise the concept of citizenship as grounds for staging our discontent with neoliberal capital and commercial media’s assault upon public life and debate in order to reconfigure media systems.

### **The Public in New Zealand Media**

There has been a strong chorus of criticism of the commercialisation of public broadcasting in New Zealand, particularly in relation to the industry merger discussions, lack of diversity in content, financialisation of media ownership, and the erosion of democracy and debate. The voices against the axing of *Campbell Live*, the petition against the shutting down of TVNZ7, and the formation of collectivities such as The Coalition for Better Broadcasting are material examples of activism that rightly stage their argument against the corrosive effects of neoliberalism upon media culture. These everyday citizens, scholars and media-political pundits argue that we are witnessing the impending, if not the, demise of public broadcasting.

Indeed, the demise of public broadcasting in New Zealand was one of the key themes that emerged in the Agenda 2020 symposium (held at Auckland University of Technology in 2017). Presentations focused upon how this demise took place (financialisation, looming monopolisation), and, by and large, called for a return to a public service broadcasting model. The Politicians Panel on the second day of the symposium, which included representatives from the Greens, Labour and New Zealand First Parties (with the notable absence of the National Party), collectively affirmed their commitment to funding public broadcasting, specifically Radio New Zealand and Television New Zealand. Across the panel there was also a general agreement on the need for publicly-funded journalism, configured along the same lines as the NZOA model. Such funding, the panel asserted, would ensure that 'our' stories would be produced and distributed, and powerful elites questioned and challenged.

What strikes us as interesting is that across the two days, participants were quite clear in their desire to have a committed public broadcasting policy that would enable what Claire Curran, the Labour Party representative on the panel, called 'public interest broadcasting'. Given the aforementioned collapse of the public and private spheres, as per Bauman, we wonder where this public might be. We claim this desire to return to modern concepts of the public fails to comprehend the tenor of our liquid times. So what is the public, or how is the concept of the public understood? The concept of the public in these debates is, of course, derived from Jurgen Habermas's influential work. Habermas's work is the urtext of public sphere theory.

As Habermas articulated the concept, the public sphere mediates between the various interconnected but autonomous spheres that mark modern societies: the state, the private sphere of commodity exchange and labour, and the private sphere of the family and intimacy. Habermas explains:

By "public sphere" we mean first of all a domain of our social life in which such a thing as public opinion can be formed. Access to the public sphere is open in principle to all citizens. A portion of the public sphere is constituted in every conversation in which private persons come together to form a public. [...] Citizens act as a public when they deal with matters of general interest without being subject to coercion; thus with the guarantee that they may assemble and unite freely, and express and publicise their opinions freely. When the public is large, this kind of communication requires certain means of dissemination and influence; today newspapers and periodicals, radio and television are the media of the public sphere (1974, 49).

We could perhaps update this list by including social media, though there remains some doubt as to whether social media has the symbolic capacity to function as a public sphere (Habermas 2005, 422; Dean 2009, 26). At any rate, social media does reveal what Fredric

Jameson calls a ‘utopian impulse’ (2005, 10), and it has, at times, proved to be a powerful tool for mobilising voices for political change. As Srnicek and Williams put it, the ‘internet and social media are giving a voice to billions who previously went unheard, bringing global participative democracy closer than ever to existence’ (2015, 13). The full potential of this democratic impulse, however, has tended to be blunted in a liquid environment ruled by media corporations such as Facebook and Twitter. An autonomous public sphere, within the current liquid conjunction, can no longer function in terms of Habermas’s normative idealism.

The point about the public sphere is that it operates independently from political and economic power, is ‘open to all’ (Habermas 1991, 52) and free from state coercion *and* private ownership. The public sphere, Habermas tells us, is a rational ‘sounding board for problems that must be processed by the political system because they cannot be solved elsewhere. To this extent, the public sphere is a warning system with sensors’ (1996, 359). It operates at the interface between the state and civil society, and directly engages with the problem of political legitimisation. By ‘producing political communication, by keeping it alive, by steering – *and filtering* – it’, Habermas thus understands ‘the public sphere as an intermediate system of mass communication, situated between the formally-organised deliberations and negotiations at the centre and the arranged or informal conversations which take place in civil society at the periphery of the political system’ (2009, 159). Crucially, civil society is much more likely to have a direct impact through the public sphere when the state itself enters a time of crisis and mobilises power, or when the government abuses power. For Habermas, ‘the image of a commercial media-dominated public sphere pertains only to a public sphere at rest’ (1996, 379). However, ‘in periods of mobilisation, the structures that actually support the authority of a critically engaged public begin to vibrate. The balance of power between civil society and the political system then shifts’ (Habermas 1996, 379).

In the current conjuncture, we would question the claim that periods of crisis strengthen the influence of civil society upon the state. In periods of crisis — such as the recent collapse of financial markets, rising state debt, terrorist threats, global warming, and so on — the state has become less responsive to the voice of civil society. It is the discourse of crisis itself that legitimates the operation of the state. We now have unprecedented levels of surveillance and state secrecy with respect to covert military operations, and the centrality and volatility of markets requires, it would seem, the attention of experts who are far removed from the auspices of the public sphere. In addition, the increased deregulation and commercialisation of conventional media has resulted in tabloid forms of news and current affairs. In this situation, sensationalism and simplification have become the rule rather than the exception. Habermas (2006) is, of course, acutely aware of this situation, yet he continues to argue, we think mistakenly, that the principles of the public sphere cannot, ultimately, be blotted out.

The question Habermas opens up across his work is the relationship between the public sphere and the economic and political spheres. Public sphere theory tends to assume that social life is either political, economic, or cultural. As Nicholas Garnham puts it, public sphere theory '(a) presupposes and then tries to develop in its practice a set of social relations which are distinctly political rather than economic, and (b) at the same time attempts to insulate itself from control by the state as opposed to, and this is often forgotten, political control' (1986, 49). Moreover, Garnham goes on to note, public sphere theory fails 'to recognise the problem of mediation within the Public Sphere and thus the role of knowledge-brokers [such as journalists] within the system' (1986, 49). A careful tracing of how the public appears in discussion about public broadcasting in New Zealand shows that it has always been a category that is discursively used and owned by those in power, that it is a central part of the state, and has been used as a conduit for gatekeeping by editors or commissioning bodies such as NZOA (Reid 2014).

Of course, Habermas and Habermasians rightly point out that the public sphere is an ideal formulation. Habermas does not actually claim that the public sphere exists or has existed. His claim, while being carefully attuned to the limitations of its implementation (such as unequal access to education and so on), is that it *ought* to. We concur, but this ideal is constructed in terms of an understanding of modern society that, we would argue, no longer has any purchase. Modern society is characterised by clearly defined conflicts between labour and capital, the state and the market, and between the public and the private. As Bauman puts it in an interview with Nicholas Gane:

the “solid-modern” setting made the mutual engagement and confrontation of “the elite” and “the masses” [...] direct, close, inevitable, inescapable and permanent. Both sides were locality dependent; they fought for control over the same place while being acutely aware that in that place they were bound to remain for a very long time [...] As one would expect in such circumstances, conflict was profound and battles ferocious, but also the desperate search for a livable *modus vivendi* was earnest and intense. [...] This has changed, and must have changed, when [in liquid times] the sides of the conflict disengaged — one side moving into a different sphere and emancipating from its local bonds and commitments, while the other side stays tied to the place, or is forced to stay tied (2004, 26).

In liquid times, political and corporate elites withdraw from directly engaging with civil society at the local level and engage, instead, with the flows of global capital. The space left by this withdrawal from civil society is filled simply by a public relations machine that churns out sound bites, photo opportunities, and opinion polls. This machine merely simulates engagement with civil society, ‘and “the society of the spectacle” assumes its full meaning’ (Baudrillard 2014, 88). There is no stronger confirmation of this withdrawal than the

governing National Party shunning the invitation to contribute to the Agenda 2020 symposium. Civil society, it would seem - that is industry professionals and media and communication scholars - is not a recognised sphere from the perspective of governance in New Zealand, or, at the very least, the government can recognise it or ignore it as per the calculated demands of the public relations machine.

This withdrawal is not simply because of the ideological disposition of the National Party, which no doubt does contribute to this. It is primarily produced by the aforementioned shifts across capitalist societies as a whole. This shift is easily made, we would contend, because the concept of the public is not legally linked to citizenship. At any rate, in the current conjuncture we might even say that New Zealand is basically a one-party state with various factions. The ascendent National Party attempts to deepen and further neoliberalism, while the left (oppositional) factions, if such exists at all, merely attempt to temper its effects. The Labour Party's commitment to 'public interest broadcasting', as articulated by Claire Curran on the aforementioned Politicians Panel, clearly aims to temper the demise of the public sphere rather than reverse this trend. The more urgent problem still demands a response, which is how to construct publics in a situation in which publics are structurally limited. We would thus argue that a more radical approach is required, one grounded in the legal and rights based concept of citizenship.

Given the above concerns, we believe that we need to shift from a discussion of the public spheres to that of citizen publics, for this move, as we envision it, entails a new commitment to rights and to democratic processes. What do we mean by citizenship, or more precisely, how are we conceiving the concept of citizenship? The concept of the citizen has been in debate for some time now. We are unable to capture the breadth of the debate here, except to say that Jonathan Fox (2005) has done a stellar job reviewing the various articulations, and in his review we can find a common thread: the debates are focused on the question of rights and what acting as a citizen would mean. From this, we wish to focus on three interconnected articulations of citizenship, which we believe provides a robust and committed basis for the future of New Zealand media.

### **Citizenship: Three Articulations**

Debates about citizenship abound and while there are differences in how this concept is understood, there is general agreement that 'citizenship [...] has an intrinsic link to democratic politics' (Bellamy 2008, 12). This is not to say, as Étienne Balibar points out, that there is 'nothing 'natural' in the relationship between citizenship and democracy' (2010, 2). Rather, it is to say that the relationship is fraught, problematic, and that it is worth seeking because the democratic imperative is at stake. To cite Balibar again, 'democratic citizenship is a problem, a stake, an enigma, an invention, a lost object or treasure to be sought and conquered again' (2010, 2). What is clear is that the mobilisation of the concept of citizenship

immediately brings to the fore the issue of democracy, or more precisely, thinking through the democratic imperative, which for Balibar rests on a ‘dialectic’ between rights and duties, that is between the principles of liberty and equality — democracy and citizenship. Significantly, conceived in this way, citizenship opens pathways to participation in the political process and recognises the right to have rights in a community. Unlike the notion of the public, which as we have suggested is divested of its political imperative and therefore the question of rights, thinking through the notion of citizenship brings together three key components: ‘membership, rights and participation [which] go together’ (Bellamy 2008, 16). We would contend that rather than maneuver within a broken political sphere for access to public broadcasting/journalism services, civil society’s participation in democratic processes should take the form of a rights based *demand*.

The views above echo Chantal Mouffe’s point that citizenship is a ‘form of identification, a type of political identity; something to be constructed, not empirically given’ (1992, 231). Citizenship refers to the process that leads to the articulation of certain rights, the forging of a societal consensus about the nature and extent of rights and obligations, and the balance between different and often conflicting rights. To that extent, mobilising the concept of citizenship to critique or discuss the public broadcasting role of New Zealand media brings to the fore the question of rights and obligations. To be clear, Mouffe’s conception of citizenship radicalises the liberal conception, which is premised on the homogeneity of the people and which is the condition for possibility of democracy. The liberal conception of the citizen is similar to the way in which the public is mobilised in discussions about public broadcasting in New Zealand: both operate on the premise of unity and non-differentiation. In other words, the public and the citizen are collective wholes. This is one of the key reasons why the public functions like an empty signifier: it can be mobilised to serve the interest of the state, the multinationals, and the people as a body politic. Mouffe’s radicalisation of the notion of citizenship can be put in this way: ‘rather than binding all citizens to one another in an image of unity, the problems of the political common would pit some against others in a web of allegiances and conflicts’ (White 2011, 23). For Mouffe, the task of radical democracy is not to reproduce already existing subject positions, but to make possible new ones: As she writes, ‘if the task of radical democracy is indeed to deepen the democratic revolution and to link diverse democratic struggles, such a task requires the creation of new subject positions that would allow the common articulation, for example, of antiracism, antisexism and anticapitalism’ (1988, 42). As Enwezor et al (2002) note, this also reflects an ethical stance that sees the moral being inscribed into the political and a strong belief in change, agency and the capacity of democracy to constantly transform and adapt itself. It points to an idealized citizenship and – to a certain extent – to the impossibility of full – complete and stable – citizenship. This is precisely why the notion of citizenship, as differentiated and heterogeneous is much more useful for it compels us to take into account

the ‘multiplicity of voices that a pluralist society encompasses’, as well as ‘the complexity of the power structure that this network of differences implies’ (Mouffe 1999, 757).

We are acutely aware of criticisms against the concept of citizenship for its exclusiveness, on grounds that it excludes minorities, refugees, asylum seekers and other marginalised communities. The public sphere is, of course, not immune to such exclusions (Fraser 1990), but the difference between this and citizenship is that within the public sphere concept there is no solid ground to address this. This is why, against a conception of citizenship that ties it strictly to membership in a state or nation, scholars have advanced notions of cultural citizenship, sexual citizenship, transnational citizenship and multicultural citizenship to challenge the closed and exclusive notion of citizenship. The aim of these scholars is to advocate for a conception of citizenship that includes a multiplicity of people. To put it another way, any formation of a community of people tied to identity is bound to be exclusive and what is urgently needed is a conception of community and citizenship ‘that sees it as a concept that does not have a guarantee of meaning, identity, belonging; a concept that does not have an essence — that of a unified collectivity’ (Devadas and Mummary 2007). This is precisely why although we agree with these criticisms, we advance that rather than seek to ponder which conception of citizenship is inclusive, it would be productive to seize on Giorgio Agamben’s argument that a conception of citizenship that is inclusive rests on making a distinction between people as a defined body politic, which excludes and people as a ‘fragmentary multiplicity’ (2000, 31) that exceeds the people as a universal. The latter is ‘an inclusive concept that pretends to be without remainder’ (Agamben 2000, 31), a notion of citizenship without exclusions. In tracing the theological-political genealogy of the idea of people, Agamben shows that the concept of the people (as a unified body politic) masks the fact that the ‘body politic comes into being through a fundamental split and that in the concept of *people* we can easily recognise the conceptual pair identified earlier as the defining category of the original political structure: naked life (*people*) and political existence (*People*), exclusion and inclusion, *zoe* and *bios*’ (2000, 33-34). Following this, we argue that the notion of citizenship that we advance here is a community of singularities, fragments, ‘mediated not by any condition of belonging [...] nor by the simple absence of conditions [...] but by belonging itself’ (Agamben 1993, 85).

In addition to conceptualising citizenship as subjects who belong and claim rights, it is also helpful to consider it, as Engin Isin suggests, in terms of ‘sites and ‘scales’, in which claims to ‘rights’ are made when citizenship is enacted. Sites refer to spaces in, or platforms on which claims are made, such as ‘bodies, courts, streets, media, networks, borders’ (Isin 2009, 368), while ‘scales’ refer to ‘the scopes of applicability that are appropriate to these fields of contestation’, such as ‘urban, regional, national, transnational, international’ (Isin 2009, 368, 370). The drawback to using ‘existing categories such as states, nations, cities, sexualities and ethnicities’, writes Isin, is that ‘we inevitably deploy them as ‘containers’ with fixed and

given boundaries. By contrast, when we begin with ‘sites’ and ‘scales’ we refer to fluid and dynamic entities that are formed through contests and struggles’ (Isin 2009, 370). Significantly, this reconception also moves the focus of citizenship from the formation of citizens to the actions of citizens: ‘we shift focus from what people say (opinion, perception, attitudinal surveys) to what people do’ (Isin 2009, 371). Thus, for Isin, when we consider ‘acts of citizenship’, the ‘political’ nature of given acts is less important than whether ‘their enactment does indeed instantiate constituents’ (2009, 18). What this mean is that an act of citizenship is ‘implicated in the emergence of new “sites”, “scales” and “acts” through which “actors” claim to transform themselves (and others) from subject into citizens as claimants of rights’ (Isin, 2009, 368). Significantly, this also redirects us from ‘asking “who is the citizen?” [...] and focus on] what makes the citizen?’ (Isin 2009, 383). For Isin, an act of citizenship does not eventuate when one participates in and through pre-existing methods. For example, the citizen who signs a petition with the Coalition for Better Broadcasting to save Radio New Zealand from government funding cuts is not engaged in an activist act, qua Isin. This is because s/he is participating through a pre-existing method (petition-signing) without creating new ways by which people enact their citizenship and/or enabling new people to engage as citizens who were not engaged before. She/he is the figure of ‘active citizenship’ whose actions does not rupture the habitus for ‘these are routinised social actions that are already instituted’ (Isin 2009, 379). In contrast, the figure of the ‘activist citizenship’ is one whose acts are transformative, through ‘rupturing’ extant and given methods of engagement (such as voting and paying taxes) and focuses on that which acts to ‘break habitus and act in a way that disrupts already defined orders, practices and statuses’ (Isin 2009, 384) and to deviate from standard scripts. This act of citizenship (as activist) will ‘create a scene’, in the multiple senses of the phrase (Isin 2009, 379), create new sites that enables people to participate as citizens in ways they could not before and alter the scales at work by widening the frame of those who are included amongst those who may participate.

To cite Isin:

We can define acts of citizenship as those acts that transform forms (orientations, strategies, technologies) and modes (citizens, strangers, outsiders, aliens) of being political by bringing into being new actors as activist citizens (that is, claimants of rights) through creating or transforming sites and stretching scales (2009, 383).

The acts of citizenship that Isin speaks of require a ‘break with habitus’ (2009, 384), and to go beyond acting ‘out already written scripts’ and ‘engage in writing scripts and creating the scene’ (2009, 381). In the New Zealand context, we can turn to the struggle by, and amongst, the indigenous community to establish Māori Television as an example of activist citizenship. As outlined by Hokowhitu and Devadas, the claims for Māori Television were staged in terms of claims to justice, vis-a-vis ‘the broader Māori cultural renaissance, and even broader

transnational indigenous claims to sovereignty, bound together by the key indigenous postcolonial markers — land, language, culture, and community building' (2013, xli). What was enacted here was the creation of a scene by bringing together different modalities (sovereignty, justice, culture, rights) that dismantled the media habitus and opened a new site (Māori Television) that enabled people to participate as citizens in ways they could not before. We argue thus, that a closer look at the struggle to have Māori Television on New Zealand screen showcases how the onto-epistemological predicates that define media culture in the nation can be challenged. This for us is a fine example of activist citizenship at work.

So, what does a move from the public to citizenship ala Mouffe, Agamben and Isin mean for the media scene in New Zealand? In the next sections, we explore a number of modalities to begin to understand what a shift to citizenship would engender. These suggestions are focused on creating a scene, breaking habitus, and engaging in writing scripts.

## **Notes Toward a Future Media Scene**

### **Resistance/Activism**

Resistance/activism against the financialisation and commercialisation of the media in Aotearoa or poor reporting practices have taken an often-walked route: protest marches, petitions, social media collectivities, boycotts, and the formation of social collectivities remain the preeminent ways in which activism/resistance is staged. The discontent against the media is often couched in terms of the significance of maintaining public service media, and in the majority of cases, always involves the same people (those who are concerned with the national media scene). Given that the public is a dead-end concept, as we have suggested, and does not break the habitus, it is important to stage the activism/resistance on grounds of citizenship for this brings into the discussion and debate the question of rights, sovereignty, and justice. In doing so, the terms of engagement changes for now it includes all members of society, not just those exclusively concerned with the issue. Rights, justice and sovereignty involves the multiplicity of people and in that regard, this shift creates a new scene that is inclusive, and opens new sites that enables participation of people as citizens with inalienable rights and claims to rights. The shift is also ideologically powerful for it disentangles activism/resistance from being something that few disgruntled left-leaning people engage with and encompasses other citizens.<sup>1</sup> The lesson from the struggles to establish Māori Television is exemplary for what a shift to citizenship, in that case based on the Treaty of Waitangi principles, language as taonga, biculturalism, sovereignty, justice and indigenous rights can do is to change the scene, create a scene, and reconfigure habitus.

### Citizen Commissioning

In his book *The Return of the Public*, Ben Hind critically examines the emergence of the public sphere and argues that the impact of neoliberalism on the media has left the state unable to protect public interest. The hegemony of financial markets over different aspects of life, from 'the family and intimate relations' (Hind 2012, 89) to governance, the 'changes on the structure of the global economy' (Hind 2012, 91), the privatisation of the 'the collective provision of social goods such as education and health' (Hind 2012, 88), and the disintegration of trade unions has led to the emergence of an effectual 'neoliberal publics [that] continue to dominate the economy, the political process and the climate of opinion' (Hind 2012, 93). And this is precisely why he suggests that the population is unable to embark on any form of meaningful political action as it does not have access to secure information or the ability to disseminate or share this information. In the era of neoliberal publics, 'public broadcasters have failed just as private broadcasters have and there is a need for a new mechanism to create and share journalistic content' (Ansari 2012, E6). What is required, for Hind, is a new mechanism that can take control of the media and information flow. This mechanism can be built, he maintains, on the notion of public commissioning. As he points out, 'public commissioning, as opposed to public journalism, replaces the power of owners and superiors with the power of citizens at crucial points of decisions. But it is not the same as citizen journalism' (2012, 162). Further, 'public commissioning [...] recognises that a sovereign public can only establish itself under conditions of general participation. To repeat, this is not to advocate citizen journalism of the sort that currently excites so much interest and attention. Citizens need to take direct control of material resources and distribute them at the point of commissioning and at the point of publication' (Hind 2012, 173). We are in tune with Hind's proposition, but bend it a little because for us the notion of the public sphere has become troubled: a point that he recognises as well in his criticisms of modern notions of the public. This is precisely why we wish to suggest that rather than seeking a public commissioning mechanism we should strive for citizen commissioning, which recognises not just the limits of the notion of the public sphere but also brings to the fore the question of rights as we discussed previously. Thus, in keeping with Hind's proposition but replacing the notion of public sphere with citizen publics we would argue that the proposal seeks to democratise public debate through a system of citizen-led editorial commissioning. Such a proposition involves the creation of a scene, breaking habitus and writing new scripts.

### Breaking the Public Relations Habitus

In his book, Hind argues there is an urgent need to break the overpowering habitus of the public relations industry. As he points out, 'public relations has sought to prevent the population from establishing itself as an autonomous body of informed citizens who communicate effectively amongst themselves and respond effectively to claims made by

powerful individuals and interests' (2012, 203). In New Zealand, like other nations, the PR industry continues to grow exponentially. There has been a '56 percent increase between 2006 and 2013' in PR professionals (McKenzie 2015). This now means that public relations professionals outnumber 'print, television and radio journalists three to one' (McKenzie 2015). This is an alarming situation from the perspective of democracy, a happy situation from the perspective of capital. The scene needs to be changed. Alongside the rise of the PR industry, media ownership continues to become increasingly concentrated in New Zealand. The JMAD New Zealand media ownership reports from 2012 to 2017 confirm this, and the impact of further concentration, as we have discussed earlier, is the marginalisation or loss of diversity and dissenting opinions. There is therefore a need for the state to place regulatory limits on media ownership. What is also required, is the creation of a scene. We claim that this scene should be built around what we call citizen-led editorial commissioning. This involves citizens, drawing upon a pool of state funding and commissioning journalists to investigate and write reports on areas of interest and concern. This system does not involve 'the sweeping away of existing media forms. Rather, the aim must be [to] supplement them with new institutions of information' (Hind 2012, 157).

We are aware of critiques of Hind's aim to supplement (even in that dangerous sense outlined by Jacques Derrida) existing media forms. Stephen Whitehead argues that 'as trust in journalists declines, and newspapers continue to lose readers, it's hard not to feel that by focusing on the mass media, Hind is backing a losing horse. Perhaps another remedy can be found in an area which Hind largely discounts: social media' (2010). Indeed, social media has enabled the voices of citizens to be audible. Politically-motivated citizens are starting to assemble online and in the real world. The citizen-led documentation, reflections, comments and criticisms by Christchurch residents on the turmoil through social media is a case in point. However, as stated above, we are cautious about over-emphasising the role of social media here, and throwing the journalist baby out with the bathwater. We contend that social media itself is not immune to the forces of corporations, or, indeed, surveillance, and that journalists are indispensable for maintaining news quality. Rather than 'new approaches which democratise news-gathering' and 'funding schools for citizen journalists, teaching them the skills they need to create their own accounts of the world', as Whitehead (2010) proposes, democracy is better practiced through utilising the existing skill set of journalists, and citizen-led commissioning will further enhance this skill set. As Hind compellingly asserts, and it will be worth quoting him at length:

Journalists are not stupid. They must know that their audiences will not be satisfied for much longer with coverage that defers to a ridiculous political and economic establishment while mocking or misrepresenting serious and well-intentioned citizens. It is past time that journalists found ways of reporting that support public participation. They have been trained to convey the views

of the decision-makers inside to the masses outside. But rather than watch a simulacrum of public life, more and more people are looking to achieve public status for themselves. They are looking for media that acknowledges this and helps the citizen body to form itself, to clarify its opinions, and act as it thinks best. The challenge for many journalists, in other words, is to describe what is happening in front of their eyes. If they choose to remain committed to their understanding of how communications should be organised, if they remain wedded to their privileges as operatives in the mass media, they risk irrelevance (2011).

### Citizen-Oriented Participation

Following Cammaerts, we believe that a shift to citizen-commissioned journalism entails 'a plea for a participatory and citizen-oriented approach to information and communication, embedded in an open and transparent democratic culture' (2007, 5). If a scene is to emerge for civil society to engage in political and cultural debate, questioning state and corporate power, and articulating alternative points of view, journalism must be situated within broader shifts in communications and information infrastructures as well as the legal rights and obligations that ought to be drawn up around these infrastructures. It is strange that the politicians on the aforementioned politicians panel — particularly from the Greens and The Labour Party — keep their 'public interest broadcasting' policy separate from their interest in a Digital Bill of Rights. Clearly, the public is being considered here by the politicians in terms of (a rather tired-looking) Broadcasting Act 1989. But surely developments in communications technologies warrant folding key areas of The Broadcasting Act into a new Digital Bill of Rights. The public interest, or, in the terms we have suggested, the citizens' interest, should be a central component of any Digital Bill of Rights.

Such a Bill is, of course, both necessary and vital for New Zealand. It seems to us that along with overcoming the limits of The Broadcasting Act, it is also necessary to reinvigorate the New Zealand Bill of Rights Act 1990. In the Democratic and Civil Rights section of the Act, for instance, there is no provision for *ensuring* a robust and dynamic means for civil society to participate in democracy. Yet, the United Nations Commission on Human Rights, states that civil society is

a vehicle for citizens to articulate and debate their interests, while monitoring the actions of the State. Civil society includes many types of organisations, processes and movements. A democratic civil society can best develop in an appropriate cultural, institutional and legal framework where the rule of law is respected and tolerance is promoted. [...] To strengthen civil society, a consistent effort should be made by Governments, international institutions and civil society itself to ensure its participatory nature. Like democracy, civil

society strengthening is a long-term process and support is most productive when it is provided over a long period of time (UN Commission on Human Rights 2003).

We wonder what measures the New Zealand government has put in place to strengthen the participatory nature of civil society. New Zealand is, after all, a signatory to the UN treaty, the International Covenant on Civil and Political Rights, sections of which the above quote defines. The New Zealand Bill of Rights connects New Zealand to this treaty, and to international human rights discourses and practices. We would argue that the New Zealand government has done very little to ensure the participation of civil society in dialogic processes of governance. We agree with the UN Commission on human rights report that the expression of civil society 'ensures that a democratic system actually functions, and continues to democratise, for there is no perfect democracy' (2003). Democracy is an ongoing process, rather than a *fait accompli*. This is why robust and free public expressions are vital, and why publics are a matter of citizens' rights. Citizen-commissioned journalism would thus be a key part of the following. To reprise Cammaerts, citizens have the right to:

- Access to infrastructure, capabilities, skills, services, and qualitative content
- Real diversity and pluralism of channels of expression and media outlets
- Vibrant and pluralistic cultural spheres that go beyond the mainstream to difference and minority views
- Independence, ethical norms and protection of journalists
- The common good, knowledge sharing and decommodification forms of information
- Fair trade and sustainable development
- Support for participatory citizens' media initiatives (2007, 5).

Insisting on these rights enables citizens to move toward a communications rights discourse that challenges the corporatist media scene and habitus that has commodified information. A Digital Bill of Rights that earmarks these rights as fundamental and foundational is necessary to cultivate a future media scene that is democratic and assures the participation of civil society.

### **Conclusion: Reinvigorating Publics**

Our proposition is that public broadcasting is a defunct means for producing and maintaining public life and debate. This is not to say, leaving aside the obvious point that broadcasting is not the only means for public expression and debate, public broadcasting has ceased to exist or that it no longer functions anywhere as a public site. Clearly the BBC in Britain continues to occupy a prominent role, as do the ABC and SBS networks in Australia.

In New Zealand, the neoliberal processes of deregulation, privatisation, and financialisation have all but demolished public sites of debate and expression and the institutions that might support them. In the broadcasting sphere, only Radio New Zealand (RNZ) has managed to survive. However, this designation is even tenuous since, according to Peter Thompson, the RNZ board recently declared that RNZ is 'a competitive organisation not public service per se' (2017). Māori Television has also taken on the mandate of being a public broadcaster (due, we might add, in no small part to the Treaty of Waitangi and the discourse of rights).

We should also note too that the ongoing instrumentalisation of Universities and current underfunding of the Humanities is also a component of this demolition. Our broader point is that the mediating role of these public institutions, in relation to governance and the state, has begun to wane. This is due to both the structural processes of liquid modernity, as we pointed out, and the rise of new information and communication technologies. There is now no modern public for public broadcasting to inform, educate, and entertain. The forces of the market and commercialisation, and the power of the state, can no longer be combatted by public broadcasting. This is not because of a lack of will on the part of those sections of civil society that desire to build and maintain various publics. It is because there is no longer any structural space between the market and the state for public broadcasting to occupy. In order to rebuild what remains of the public sphere, it is thus necessary to turn away from concepts forged within the context of modernity to concepts produced in liquid times. Citizenship and human rights, it seems to us, are the only remaining areas of social and political life that offer a means to offset the corrosive forces of liquidation and neoliberalisation. The time has come to employ legal means to work toward this.

We argue that, despite the intertwined nature of these spheres, citizens should have a legal right to participate in public life and debate free from state control and free from the vagaries of the market. Habermas's aim for an uncoerced space is thus not misplaced. However, our view of citizen publics differs from Habermas's view of the modern public in three ways. First, citizen publics, as we envisage them, are a matter of citizens' rights rather than a structural feature of society. These rights can become the basis for developing public life and debate in liquid times. Our emphasis upon 'scenes' and citizen commissioning that is fluid and dynamic, and as inclusive as possible, enables citizens to participate in politics. This includes accessing, storing, and editing information that is democratically meaningful. In the case of journalism, this role is recast, and becomes akin to what Lewis and Usher call 'open source journalism'. Open source culture, they tell us:

carries with it certain assumptions about technology's normative values: namely, transparency (coding in the open, with bug-tracking); iteration (continuously releasing unfinished code for betatesting); tinkering (privileging play and experimentation, focusing on the process of work more

than its outcome); and participation (encouraging input from the widest possible group of collaborators) (2013, 607).

Recast journalists, Lewis and Usher suggest, ‘would be curators in a community conversation, directing the goals of the conversation but involving community members as active participants’ (2013, 612). Definitions of journalism as a civic institution providing timely and reliable information (Kreiss 2016, 73), and which, on many occasions, simply becomes the mouthpiece for power, give way to journalism as an active and participatory process. Instead of the media professional occupying a central and privileged role between civil society and the state, a location, we might add, that produces split loyalties (do journalists speak for the state or the people?), journalists directly take on the democratic interests of civil society.

Second, an emphasis upon citizens’ rights brings a new focus to the relationship between state and corporate powers and journalists. The figure of the ‘bipolar’ journalist (Reich, 2012), which, we should point out, is structurally produced, can be tempered by the specifically defined task of representing the democratic voice of citizens. This task specifically aims to be a kind of reverse surveillance. The increasing power of the state and corporation to surveil citizens and consumers has coincided with an increase in state and corporate secrecy and lack of accountability. The secrecy of the recent Trans Pacific Partnership negotiations is a case in point (Peters 2014). The institution of a Digital Bill of Rights is a step in this direction for it calls for increased accountability of state and corporate powers.

Finally, we would argue that a project to undertake a ‘cognitive mapping’ (Jameson 1991, 417-418) of the current situation of public life and debate in New Zealand is both necessary and urgent. Such a mapping will provide a basis for exploring legal avenues to foster democratic participation and develop a robust public culture. We are now entering a phase in which the study of media and communications needs to expand beyond the safe walls of the discipline and academia, and begin conversing with other bodies (legal, NGOs, and community sectors), institutions and disciplines (political science, law, and so on). This is the first step for an urgent cognitive mapping to articulate an open and democratic future media scene in New Zealand.

## Notes

1. We recognise that these distinctions (left, right, centre) are not rigid and open to debate. We use these distinctions to demarcate the criticism often-heard when like-minded socialites gather to voice their discontent against mainstream media practices.

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