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Political Philosophy and Public Service Broadcasting

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Abstract. This paper examines possible justifications for public service broadcasting (PSB) by considering the different kinds of programmes provided by PSB organisations such as the British Broadcasting Corporation. In Section I it is argued that if PSB News is to be justified via its contribution to democracy, the claim that markets fail to provide adequate News must conceptualise such failure quite differently from neo-classical welfare economics, and the judgments people make as citizens must be distinguished from the preferences they express as consumers. In Section II it is argued that unlike News provision, which is compatible with a neutralist liberal view of the permissible grounds for state action, the justification for Arts provision requires at least a weak version of liberal perfectionism, allowing policies aimed at promoting individual autonomy, and quite likely a stronger version, permitting judgments about the value of specific goods that should be available for individuals. In Section III it is argued that PSB provision of Soap Opera may be justified on the basis of a weaker version of liberal perfectionism, by showing how it contributes to reflection by viewers on the problems and possibilities presented by their own and other lives', and with market failure being understood in terms of problems concerning the intra-organisational independence of creative workers. In the final section the mutually supportive relationship between neutralist liberalism and neo-classical economics is explored, and it is suggested that public policy from a liberal perfectionist perspective requires some form of institutional, rather than neo-classical, economics.

Key words: broadcasting, public service, democracy, neutrality, perfectionism, neo-classical economics, institutions.

This paper will identify and examine possible justifications for the provision of broadcasting as a public service, and hence for the defence of existing forms of public service broadcasting (PSB) against their marketisation. In doing so it will give particular attention to the implications of various debates in political philosophy for the nature and limits of such justifications. To provide real-world exemplification of the theoretical issues involved, reference will be made throughout to institutional arrangements and public policies in the United Kingdom. However, most of the issues and arguments related to that context apply also, with minor adjustments, to broadcasting systems in other countries.

The cornerstone of PSB in the UK is the British Broadcasting Corporation (BBC). Established as a public corporation in 1926, it is funded primarily by income from the licences that must be purchased by households owning a television. No advertising is permitted on any of its (now numerous) channels. In the early 1960s, its state-enforced monopoly over broadcasting ended, with the establishment of (quite strictly regulated) commercial broadcasting companies, financed through advertising revenue. The viewers' licence fee also provided access to their programmes. This arrangement remains in place, despite the recent proliferation of TV channels made possible by digital transmission, and financed by various combinations of advertising and viewer-subscriptions.

A broadly similar trajectory is discernible across Europe and in many other countries. (The USA, as one might expect, is an exception). With public broadcasting

organisations initially established as public monopolies – and in some cases, unlike the UK, controlled directly by the state – by the mid-1990s most had adopted 'dual systems', combining public and commercial broadcasting. The main differences are that commercial broadcasting was introduced in the UK earlier than in most other European countries, and that in the majority of these, PSB is now funded by a combination of licence fee and advertising revenue (Hesmondhalgh 2007, chapter 4).

Thus for all practical purposes, the defence of PSB is nowadays the defence of one element in a mixed system of broadcasting provision. Unlike certain other kinds of case in which placing limits on the market may be proposed, what is being argued for is not the prohibition of commercial provision, but its being accompanied by public provision.[1] It is the retention of this dual system that has been challenged by advocates of marketisation, arguing that broadcasting should become an exclusively commercial activity, though possibly subject to certain forms of regulation.

In the UK, debates about the marketisation of PSB were especially prominent during the 1980s, when the status and funding of the BBC were radically challenged in the context of a wide ranging programme of reforms to public services. The BBC arguably survived this process largely intact, though significant changes to its internal organisation were introduced, aimed at making it a more commercially-minded and market-oriented institution.[2] Some of the issues raised by these debates re-appeared in the late 1990s, in discussions leading up to the 2003 Communications Act, which dealt with the regulation of broadcasting in the multi-channel, digital era of cable and satellite transmission.[3] Some specific features of the 2003 Act will be noted shortly. But first some more general remarks will be made about the justification of PSB.

One may start by drawing a distinction between two different kinds of argument that may be used to justify the public provision of any specific service. The first is based on considerations of social or distributive justice. Public provision is supported on the grounds that the service concerned should be available to everyone irrespective of their income and wealth, which cannot be achieved if its provision is left to the market. The second is based on concerns about the character of the service concerned, the argument

1] More specifically, arguments for PSB are typically not based on the supposed undesirability of broadcasting services being bought and sold as such (being *commodities*). This distinguishes them from other cases of possible market limitation, such as the purchase and sale of sexual services or bodily parts, where what is at issue is whether this should be permitted at all, or be ruled out as "blocked exchanges," in Walzer's sense (1983, chapter 4).

2] See McGuigan 1996, chapter 3, and Leys 2001, chapter 5, for accounts of these organisational reforms; but both authors would probably reject the view that the BBC survived this process 'largely intact'.

3] It should be noted that technological factors affecting telecommunications systems have often been important for debates about the organisation of broadcasting. For example, one reason for the early public monopolies was the technically restricted broadcasting spectrum, no longer a problem in the digital age. Likewise, subscription-based channels (enabling the exclusion from viewing of non-subscribers) are nowadays technically possible, which they previously were not.

being that leaving its provision to the market will fail to ensure that this service has the characteristics appropriate to the purpose(s) it should serve.

In the case of some services, such as education, considerations of both kinds may be equally relevant. But in others, the justification for their public provision may be based primarily on one rather than the other. In the case of healthcare, for example, it would seem that considerations of the first kind predominate. By contrast, the justification for broadcasting as a public service relies mainly on the second kind. The primary concern of those who support PSB is that a purely commercial broadcasting system would fail to provide certain kinds of valuable programmes: that if broadcasting were fully marketised, it would fail to achieve the purposes that any system of broadcasting should serve.[4]

Thus a successful justification for PSB must involve two main elements. The first consists in identifying and justifying the purposes that broadcasting should serve, and hence the kinds of programmes that should be provided, and the qualities that these should display. The second consists in showing that an exclusively commercial system can be expected *not* to achieve these purposes, and that there is some institutionally specified form of PSB that *can* be expected to achieve them, or at least to get closer to doing so than its commercial counterpart.

What kinds of purposes might these be? Here we can usefully return to the 2003 Communications Act, noted above. Amongst other provisions, it established an Office of Communications (Ofcom), a regulatory body whose duties include monitoring and reporting on the extent to which what are identified as the official purposes of PSB are being achieved. The most important of these are: "(1) To … increase our understanding of the world through news, information and analysis of current events and ideas, [and] (2) to stimulate our interest in and knowledge of arts, science, history and other topics…" To these purposes are added various *characteristics* that PSB programmes should display: they should be of high quality, original, innovative, challenging, and engaging (Ofcom 2005, 7).[5] The BBC, although retaining its own, independent governance system, is expected to meet all the specified requirements for PSB. In addition, the main (terrestrial) commercial broadcasters have certain PSB obligations, most importantly for news provision.

Of course, there is nothing sacrosanct about this Ofcom definition of PSB purposes, but it is by no means an untypical one, and it can serve at least as a convenient point of departure. Further, and unsurprisingly, Purposes (1) and (2) correspond closely to two of the BBC's long-stated aims, namely to *inform*, and to *educate*, its audience, which it sees itself as achieving through news and current affairs programmes, and programmes about the arts and sciences. But the BBC also has a third, and equally long established

4] One might almost say that those who support public healthcare want to ensure that this is as *good* as the private healthcare provided commercially, whereas those who support PSB want to prevent broadcasting being as *bad* as it would be if it were exclusively commercial.

5] The other two official PSB Purposes are: "(3) to reflect and strengthen our cultural identity through original programming at UK, national and regional level…; (4) to make us aware of different cultures and alternative viewpoints… both within the UK and elsewhere." (Ofcom 2005, 7)

aim, namely to *entertain* its viewers, and does so through an extensive provision of sitcoms, soap operas and popular drama series.

In more general terms, the BBC and its defenders have been strongly committed to providing a 'complete' broadcasting service, rather than one that is restricted to certain specific types of programme. Correspondingly, critics of the BBC's institutional status have often argued that although information, and perhaps also education, may be proper aims for a public broadcasting service, entertainment both can and should be left to commercial broadcasters. And once the BBC is divested of its entertainment purpose, a more radical possibility comes into play: to quote the title of a pamphlet by one its most influential critics, *Public Service Broadcasting Without the BBC?* (Peacock 2004).

In any case, and putting these institutional and political considerations aside for the moment, it seems clear that different kinds of justification – if they can be provided at all – may be needed for different possible purposes of PSB and the kinds of broadcasting outputs associated with these. The main sections of this paper will explore in turn the (primarily philosophical) issues raised by possible PSB justifications for the three kinds of programmes identified above. In the final section, some broader issues about the respective contributions of political philosophy and economics to public policy will be considered.

I. NEWS: MARKET FAILURE AND DEMOCRACY

The BBC is a major provider of news and current affairs programmes, along with documentaries and investigative journalism exploring issues of public concern. For convenience, I shall refer to all of these simply as *News*. The provision of News is widely regarded both as the most important, and as the most easily justifiable element or purpose of PSB. In the annual surveys of TV viewers conducted by Ofcom, there is a very high level of endorsement for this purpose, and also of satisfaction with the performance of PSB providers in this respect (Ofcom 2007). The level of support for News *provision* is higher than the level of News *viewing*, a point whose significance will be discussed later. Viewers are not asked why they regard this purpose as so important, but an obvious answer, and one that has also been supported by several political theorists, is that PSB News makes a major, or indeed essential, contribution to the proper functioning of democratic political institutions (McGuigan 1996; Leys 2001; Lukes 2005).

However, in order to justify the provision of News through PSB, it must be argued not only that this is a valuable purpose for any broadcasting system, but also that there is good reason to doubt that it would be adequately achieved by commercial broadcasting alone. How might this latter claim be supported? One possibility, which may initially seem attractive, is to draw on the theoretical resources of neo-classical welfare economics, and see if there are reasons to expect News to be *under-provided* by market economies: whether markets can be expected to 'fail', in the specific sense given to this within the neo-classical framework.

According to neo-classical welfare economics, markets that are ideal (in a theoretical, not normative sense) can be shown to be efficient, in the sense of achieving Pareto-optimality: that is, for any given set of individuals' preferences (whatever these preferences consist in, or are 'for'), no re-allocation of resources would make anyone better-off (in terms of those preferences being satisfied) without someone else being made worse-off. But *actual* markets may fail to be efficient because they lack one or more defining feature of the ideal model, such as the absence of positive or negative externalities and of public goods or ills. In particular, both public goods, and goods that have positive externalities, will be 'under-provided'. These are standard cases of market failure, in response to which the introduction of some form of non-market, public provision is one possible solution.

Within this framework, it might then be argued that News can be expected to be under-provided by commercial broadcasters since this is a service with significant positive externalities: there are many benefits of News for those who do not (pay for or) view it.[6] In particular, the quality of decision-making in a democratic polity may well be improved because those who do watch News, and have some influence over these decisions, are better informed about the relevant issues. It is this line of argument which Alan Peacock – an economist who has played a major, and largely critical part in debates about the BBC – has in mind, when he notes that one can expect to find wide support for programmes

> […] from which many listeners and viewers feel they derive a benefit although they do not necessarily listen to or watch them. An obvious example is programmes designed to encourage an interest in current affairs so that those who experience them are better informed about matters that may call for their decisions as voters, conferring, as is commonly believed, an uncovenanted benefit on others. (Peacock 2004, 42)[7]

However, although News may well be under-provided due to positive externalities of this kind, so that a case for its public provision can be made on these grounds, it is important to recognise that this is not a justification that anyone whose primary concern is with the contribution that News makes to democracy should appeal to. This may seem an odd claim to make, given that the neo-classical argument just outlined refers to the beneficial impact of News on democratic decision-making. But the ways in which the concept of democracy functions in the two arguments – let us call them "neo-classical" and "democratic" – differ fundamentally.

In the neo-classical argument, the over-riding concern is with efficiency, and democracy is significant to the extent that, through the effects that News has upon it, it confers benefits on individuals that are not taken into account by News providers. In the democratic argument, by contrast, it is democracy itself, and the conditions for its proper conduct, which are the primary concern, and efficiency has no direct significance.[8] What

6] See Baker 2002, 41-62, for an extensive discussion of externalities in a wide range of media outputs.

7] But note that Peacock's theoretical sympathies are with Austrian, rather than neo-classical economics.

8] This is not to say that the democratic argument rules out any concern for efficiency, conceived as an additional value that should be given some significant weight in public policy, but only that this value has

matters, for advocates of the democratic argument, is whether markets may fail to provide something that is important for democracy, and not whether they may fail to be efficient.

So instead of drawing on the neo-classical framework, proponents of the democratic argument will need to approach the question of whether markets may fail in the provision of News in a different way. They must first specify certain standards or criteria by which News provision is to be evaluated, and these standards must be related to the function that News is to perform for democracy. Here the question will not only be "will there be enough News?", but also, and more importantly, "will there be *good* enough News?". They must then compare and evaluate the actual (and likely) performance of commercial and public service News providers, in terms of these standards. In doing so they will no doubt have in mind various factors that might be expected to affect such performance, but it is important that these expectations are tested against the evidence.

At least two such standards might be adopted. One is that News should be *impartial*, or objective (and that current affairs coverage should be 'balanced' etc.). The other is that it should be *serious*, dealing with the kinds of economic, social and political events that matter to democratic citizens. Those who doubt the ability of commercial broadcasting to provide good enough News may suspect that the first criterion will not be met, due to the economic or political interests of the owners of broadcasting companies influencing the selection and representation of these significant events, and/or that the second may not be met because of the temptation (or pressure) to cater for the tastes of viewers who are not especially interested in serious News, by providing them instead with celebrity gossip and 'human interest' stories.

But are such suspicions justified? An evaluation of commercial News broadcasting performance in these terms would arguably show that the picture is at best a patchy one, with some cases of good performance by commercial broadcasters and many others that are poor.[9] But if commercial News performance is only occasionally good, and often poor, it would be a mistake to rely exclusively on the market for News provision. If one wishes to ensure, or at least be reasonably confident, that impartial and serious News will be provided, there would be a strong case against leaving this to commercial broadcasting alone – provided, of course, that it is possible to devise institutions for PSB News that are better, when judged in these terms.

There is, however, a possible objection to this democratic justification for PSB News (understood now to include this alternative approach to the definition and evaluation of market failure). The democratic justification, it might be argued, is very likely to support

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no place in the democratic argument itself.

9] In making such an assessment in the UK, it should be noted that the provision of impartial and serious News is itself a regulatory requirement placed on the terrestrial commercial channels, as a condition of their broadcasting licences. So although they apparently meet this requirement quite well, this cannot be counted as a success for the market. Indeed, that such a requirement needs to be imposed, and is often regarded as burdensome by the commercial broadcasters concerned, suggests that without it, their News provision would be poor.

PSB News provision that differs significantly, both in amount and character, from what an ideal market would generate, and hence from what would be provided even once all the externalities of News had been taken into account.[10] This would not only be inefficient, and hence undesirable because of the lost opportunities to improve some people's welfare without sacrificing that of others, but it would also be disrespectful to (at least some) people's preferences, to what it is that they would themselves prefer to do, as indicated by their willingness-to-pay. To the extent that democratically justified News provision departs from efficiency, it ignores some people's preferences and privileges those of others.

In response to this objection, however, it might be argued that, in the scenario just outlined, what is involved is not that some people's preferences are being privileged over others', but that the judgments people make in their role as *citizens* are diverging – as they often, and quite justifiably do – from the preferences they express as *consumers*.[11] To see what is at issue here we can return to Peacock's explanation for why more people may support PSB News than actually view it. He suggests, in effect, that this is because they have recognised the positive externalities of News: that they may well benefit from the better quality of decision-making in a well-informed democracy. But there is another possible explanation, namely that people *believe in* democracy, in the sense of regarding it as the right way for political decisions to be made, of endorsing its underlying principles and so on.

That is, they support PSB News not (or not only) because it indirectly confers benefits on them through its effects on democracy, but because it contributes to something they believe in, democracy itself. As consumers, they are primarily (and quite properly) concerned with their own welfare, and – putting aside issues of distributive justice – the strength and seriousness of their preferences for particular goods and services are (quite appropriately) indicated by their willingness to pay for these. But as citizens they are concerned primarily with what kind of society is best, with the proper nature of political institutions, and hence also with what is needed if these are to operate effectively. If they decide that some form of PSB is required, they must accept the possibility that this will involve some loss of efficiency. But unless they regard efficiency as of over-riding value, this need not concern them unduly.

However, even if this 'citizen-judgment' articulation of the democratic argument for PSB were defensible, it would justify only the provision of *News* as a public service. So we need now to consider what if any kinds of justification can be provided for the other elements of PSB identified earlier. As will be seen, these may encounter significant philosophical problems about what kinds of purposes citizens may legitimately try to achieve through state action.

10] I have not addressed, here, the serious problem faced by the democratic justification of PSB News in determining the appropriate amount or extent of its provision. On this, see Claassen 2011.

11] Sagoff (1988) introduces this distinction in arguing against economistic approaches to environmental decision-making; his argument is discussed in Keat 2000, chapter 3. The citizen-consumer distinction is invoked to support PSB in Graham and Davies 1997, and Pratten and Deakin 2004.

II. ARTS: LIBERALISM AND NEUTRALITY

The BBC is not only a major provider of News, but also of a wide range of programmes connected to the various arts, and to history, science and so on. These include the direct broadcasting of music, theatre, dance and opera, and programmes reviewing developments in these areas. (The BBC is also a major sponsor of concerts and musical performances, and supports several orchestras of its own). For brevity, I shall refer to all these simply as *Arts*. It seems unlikely that such an extensive array of Arts programmes would be generated by a commercial broadcasting system, and although an argument might be made for their public provision, based on externalities, it seems unlikely that this would be as strong as the corresponding kind of argument for PSB News. However, these are not the questions I shall discuss here. Rather, it is whether Arts provision is, even in principle, a legitimate purpose for PSB.

To see what is at issue here, one can start by noting that, as with News, there seems to be a high (though not quite as high) level of support amongst TV viewers for Arts provision (Ofcom 2007). And as with News, but to a greater degree, many of those who endorse the provision of Arts programmes do not themselves view them often, if at all, or might well not view them if they had to pay (directly) to do so. It might thus seem attractive, to the defender of PSB Arts provision, to invoke the distinction between citizens and consumers made in the preceding discussion of News, and to suggest that this widespread support for the public provision of Arts programmes is based on people's judgments, as citizens, about the value of the Arts: regarding them, perhaps, as admirable achievements of human creativity and imagination that can enrich people's lives and are hence worthy of support, inter alia through PSB.

However, even if such judgments about the value of Arts were justified, it might not be legitimate for a political community to refer to them in making decisions about matters of public policy. At least, this seems to be implied by a principle endorsed by many liberal political philosophers, that of state neutrality. According to this principle, it is not permissible for the state to act – and hence for its coercive powers to be utilised – with the aim of promoting or aiding the realisation of specific conceptions of the good, of what makes for a valuable or worthwhile life.[12] Hence political decisions should not be based on judgments about what is good, that is, on what are often called *ethical* judgments. Ethical judgments (as grounds for action) should be made only by individuals, in the conduct of their own lives, and there is no place for collective ethical judgments as a basis for public policy.[13]

12] Admittedly, the use of state power in the provision of PSB may be quite limited, confined for example to enforcing the payment of licence fees and to defining and enforcing the powers of regulatory bodies. Important matters of principle are nonetheless involved here.

13] Dworkin (1985a) provides the classic statement and defence of this principle, which is also arguably implied by Rawls's (1971, sec. 50) rejection of perfectionism. For an overview of the debates about neutrality and perfectionism, see the Introduction to Wall and Klosko 2003; also Mulhall and Swift 1996, especially 249-58.

The principle of neutrality would apparently rule out any justification for PSB Arts provision based on the supposed value of the arts as, for example, expressions of human creativity and sources of aesthetic experience. However, just what is implied by the neutrality principle is a matter of some dispute. This is partly because the principle may itself be formulated in somewhat different ways, and partly also because it is unclear what kinds of economic institutions are required by, or compatible with, this principle. In particular, some neutralist liberals have argued that only market economies are consistent with neutrality: the market, as it were, treats people's preferences neutrally, without reference to the desirability of what they are 'for', taking account only of people's willingness to pay for their satisfaction, based on whatever judgments of value they themselves happen to make.[14]

On this view – and putting aside issues of distributive justice – any argument for subsidising certain goods or services through tax revenues or the like, including the state-enforced payment of TV licence fees, must be rejected, and only subsidies justified in terms of rectifying neo-classically defined market failures are acceptable. Thus the principle of neutrality becomes, in effect, a philosophical defence of neo-classical welfare economics as the framework within which justifiable PSB purposes are to be determined. This would not only rule out a citizens' value-judgment basis for PSB Arts provision, but would also limit the justification of News provision to considerations based on neo-classically defined market failure. Judgments of the value of democracy would not be relevant in justifying PSB News provision, just as those of the value of the arts would not be relevant in justifying PSB Arts provision.

However, it is arguable that neutralist liberals need not take this view of the relationship between market institutions and the principle of neutrality. If they do not, this might enable them to discriminate between a democratic argument for News provision, which they can accept as consistent with neutrality, and an ethical argument for Arts provision, which they can then reject as inconsistent with this principle.[15] The rationale for discriminating between the two in this way might be that whereas providing the kinds of information and debate needed for a flourishing democracy is not a matter of promoting any particular conception of the good, supporting the arts clearly is. Indeed, if democratic politics is itself conducted in accordance with the principle of neutrality, it would be odd to exclude the value of democracy as a legitimate ground for state action by referring to that principle.

These issues about the implications of neutrality will not be pursued further here, partly because it is, in any case, far from clear that this principle is actually implied or

14] This seems to be the view taken in Dworkin 1985a, and in Arneson 1987 (though not in Arneson 2003). For criticism, see Keat 2009a and 2011.

15] Admittedly, attempts have been made to show that Arts provision *is* consistent with neutrality, most notably in Dworkin 1985b. See Black 1992 for criticism of this attempt, and Murray 2004 for a review of the extensive debates on this issue.

required by liberalism. At least, a number of liberal political theorists have argued that judgments about what is valuable to human life can play a part in political decisions, and provide grounds for state action, without this necessarily posing a threat to central liberal commitments and principles.[16] A position of this kind would have significantly less restrictive implications for the legitimate purposes of PSB than its neutralist liberal counterpart.

This view is often referred to as 'liberal perfectionism', but it will be helpful to distinguish here between two different versions of this, which will be called 'weaker' and 'stronger'.[17] According to the first, the state may legitimately act in ways aimed at contributing to individual *autonomy*, conceived as the ability of individuals to make their own decisions about the kinds of life they wish to lead, to reflect in a sustained and critical manner on the various possibilities open to them, to make independent judgments about what is a worthwhile life for them, and so on. On this view of autonomy, such abilities are not, as it were, pre-given features of human nature, but complex achievements that may require, or be fostered by, specific social conditions and opportunities. It is thus quite possible that a wide range of public policies may contribute to – or detract from – their acquisition and effective exercise.

The second, 'stronger' version of liberal perfectionism goes beyond this by permitting state action designed to promote or secure the possibilities for various specific ways in which such autonomous individuals may in fact choose or decide to lead their lives. Joseph Raz, for example, has argued that political communities have an obligation to provide individuals with an adequate range of valuable options for the kinds of life they might lead, and the activities they might engage in, thereby making it possible for individuals to "exercise all the capacities human beings have an innate drive to exercise, as well as to decline to develop any of them" (Raz 1986, 375).[18]

In a broadly similar vein, Nussbaum (1990) has argued that political communities are properly concerned with the good of their members, and that to understand what this implies requires one to develop what she calls a "thick but vague," broadly Aristotelian account of essential human functionings, both those necessary for a minimally decent existence, and those central to human flourishing. The responsibilities of the political community are, however, limited to ensuring the possibility, rather than the actuality, of

16] Amongst these theorists are: Raz (1986 and 1994); Sher (1997), and Wall (1998). Jurgen Habermas now accepts a role for ethical judgments in politics that he had previously rejected: see Habermas 1993 and 1996 and the discussion of this position in Keat 2009b.

17] The distinction here between weaker and stronger versions of liberal perfectionism corresponds to Steven Wall's between Types (1) and (2), in Wall 1998, 197-202. In Keat 2011 the two are named "perfectionist liberalism" and 'liberal perfectionism' respectively, and the claim that both are consistent with core liberal principles is defended.

18] See also Raz 1986, 133, and Raz 1994). Indeed Raz argues that autonomy itself requires that an adequate set of valuable options be available (1986, 417-18), and that the value of an autonomous life depends on that of the options chosen, but neither of these additional claims will be assumed here.

these functionings: to providing people with the relevant *capabilities*, without requiring them actually to engage in the activities made possible for them.[19]

Without exploring this in any detail, it should be clear that the stronger version of liberal perfectionism makes the justification of PSB Arts provision unproblematic, at least in terms of the principles governing legitimate grounds for state action. It might involve, for example, arguing that a valuable social purpose is served by providing people with the possibility of various forms of aesthetic appreciation and enjoyment, the development and exercise of their imaginative capacities, and so on. Securing the availability of such valuable possibilities through broadcasting would be consistent with an emphasis on the provision of options or capabilities rather than the coercive requirement for people to engage in certain activities or conduct their lives in specified ways. After all, viewers need only switch channels or turn off their TVs.

Whether there are possible justifications for PSB Arts provision that are consistent with the weaker version of liberal perfectionism is less clear. But this issue will not be explored here.[20] Instead, I shall consider in the next section the possibility of appealing to this weaker version as the basis for, or the framework within which, a justification for PSB *soap opera* might be constructed. Before doing so, and looking back to the previous section, one further comment on liberal perfectionism can be made. In both versions, it might be argued, this position would enable justifications for PSB *News* to be provided, quite independently of the *democratic* rationale for News provision considered in the previous section. An informed and reflective understanding of the world may be regarded as valuable for individuals (as judged in perfectionist terms, rather than of preference-satisfaction) – irrespective of whether their own or others' achievement of this is good for democracy.

III. SOAP: ETHICAL REFLECTION AND CREATIVE INTEGRITY

The BBC aims not only to inform and educate its viewers through the provision of News and Arts, but also to 'entertain' them, an aim achieved primarily through its provision of situation comedy, soap opera, and popular drama series. For convenience I shall refer to these as *Soap*, and I will also focus specifically *on* soap opera in discussing this category. PSB provision of such programmes is generally regarded as the most difficult to justify. Neither the high-minded defender of Arts, nor the politically serious defender of News, are natural supporters of Soap, which is widely seen both as lacking any significant

19] However, Nussbaum does not regard her position as a (liberal) perfectionist one; for her view of the relationship between this and Rawlsian political liberalism, see Nussbaum 2011.

20] To do so one might need to distinguish between Arts such as music, whose PSB provision would require the stronger version of liberal perfectionism, and others such as drama, that would (at least in part) require only the weaker version, and whose PSB provision would then be justifiable in the same way that PSB Soap provision is justified in the following section.

value – being 'mere' entertainment – and as, in any case, perfectly well catered for by commercial broadcasters.

Whether PSB Soap provision can be justified has important implications for the BBC. If it were limited to the provision of News and Arts, then nothing much resembling its current (and historical) nature and scale as an organisation might remain, since well over half of its output consists in neither of these. The BBC's defenders are well aware of this, and have consistently tried to resist its being reduced to a rump organisation concerned only with News and Arts. In doing so they often point to what they see as the disastrous consequences of such a limited role for PSB in the USA (Graham and Davies 1997).

One way of supporting this position, without arguing for the value of Soap itself, is simply to say that viewers will be more likely to tune in to News and Arts if they are also viewing Soap on the BBC, thereby increasing the audience size for these valuable programmes. But perhaps Soap's *own* value can be justified, and a case made for its PSB provision alongside News and Arts? This is the possibility that will now be explored.

To do so we can return to the weaker of the two versions of liberal perfectionism outlined in the previous section, according to which it is permissible to use the powers of the state in facilitating the development and exercise of individual autonomy. This may include providing people with the means by which they can make suitably informed and reflective judgments about the different ways in which they might wish to lead their lives, something that will also involve understanding and reflecting on the kinds of lives they are now living, the nature of their relationships with others, the possibilities and difficulties these present, and so on. One might call this kind of process *ethical reflection*.

The capacities required to engage in such ethical reflection are not exclusively cognitive in character, but also affective and experiential. Correspondingly, their acquisition and development may be aided as much, or indeed more, by imaginative engagement with the kinds of concrete depictions and explorations of people's lives to be found in novels, drama and other works of fiction than by abstract theoretical or philosophical reasoning.[21] And although it is usually 'high culture' forms of fiction that are invoked in this context, there may (also) be a strong case for the value of Soap in this respect.

Such a case has been powerfully made by John Mepham (1990). He argues that (what he calls) "TV fictions" can, at their best, perform similar, and similarly valuable functions to those performed by their high culture counterparts. Indeed, he suggests that Soap, in particular, has certain advantages over literary counterparts such as the nineteenth century realist novel, as a resource for personal reflection in late-modern societies. These include the absence of authorial privilege, and the open-endedness of its story-lines. Television fictions, he says, can contribute in valuable ways to what he calls the "processing" of their lives by individuals. "Soap operas," he says:

21] See Keat 2000, chapter 8, for a fuller development of the argument here.

> […] interact with and very directly enhance the processing which the viewer constantly attempts in his or her own everyday life. They can, at their best, produce a constant stream of puzzles relating to the morals and tactics of everyday affairs and offer to the viewer a range of possible solutions which can be mulled over, assessed, assimilated or rejected. They can expand the viewer's sense of what is possible, enhance his or her vocabularies and repertoires of words, gestures and initiatives. They are the great laboratory of modern everyday life. Of course, they can only achieve these things if they are of high quality. (Mepham 1990, 67)

However, even if Mephams's claims about the potential value of Soap are accepted, and the version of liberal perfectionism that would regard these as permissible grounds for their public provision is endorsed, the case for PSB Soap would still require one to argue that Soap should not be left to the market, that it cannot be adequately provided through exclusively commercial means. At first sight, it seems hard to see how this could be shown: surely Soap is just what commercial TV is so good at providing? In the UK, for example, the main commercial broadcaster, ITV, produces plentiful Soap, and most TV critics would probably agree that a lot of it is pretty 'good' Soap, even if they do not hold this TV genre in such high regard as Mepham does. The BBC also produces a lot of Soap, and it is not obviously a lot better than its commercial counterparts. So why do we need PSB Soap as well as commercial Soap?

Before considering a direct answer to this question, some comments on how the Ofcom definition of PSB Purposes addresses the provision of Soap may be of some interest. There is no explicit reference to Soap in its statement of these purposes. Nor do we find anything resembling the kind of purpose that has been appealed to in the argument so far, which might be stated as: "to aid individuals in making sense of their own lives, and those of others, and to engage in a continuing process of reflection on what is problematic and what is valuable about these." There is, however, regular monitoring and reporting on the provision of popular drama series (which are taken to include soap opera), primarily in relation to another official PSB Purpose, namely (3): "To reflect and strengthen our cultural identity through original programming at UK, national and regional level, on occasion bringing audiences together for shared experiences." The implications of this Purpose partly depend on the meaning given by Ofcom to the term *original* (one of its PSB Characteristics), which is understood as requiring "new UK content rather than repeats or acquisitions," i.e. material that is not only produced *in* the UK, but is *about* people's lives there, thus excluding (as ways of meeting this PSB Purpose) the import of Soap that is 'foreign' in either respect (Ofcom 2005, 7).

The idea that Soap's value is at least partly to do with cultural identity is an important one and has obvious connections with central themes in communitarian political philosophy and the politics of identity. But these cannot be explored here. What is more relevant to the present discussion is the fact that, just as in the case of News provision, the satisfactory achievement of PSB Purpose (3) – and hence of what this implies for Soap, inter alia – is something that Ofcom requires not only of the BBC but of the main commercial broadcaster, ITV. And as in the case of News, the rationale for this being

imposed as a PSB requirement is that a commercial system could not otherwise be relied upon to achieve it.[22]

However, there is nothing here that would indicate why leaving Soap to the market might be unduly risky in terms of the kind of rationale for it that Mepham proposes. To see what may be problematic from this perspective, we can first return briefly to the discussion of News in Section I above. It was suggested there that one worry about purely commercial News broadcasting is that it might become more like the reporting of celebrity gossip than of significant global events. Presumably this would be because it might be more attractive to certain viewers, and/or more profitable to provide, especially since News is expensive to produce. So perhaps a similar problem affects the provision of Soap. Good quality News is objective and serious, and if it is not, it cannot serve its proper purpose. It is easy to see how commercial pressures may militate against this. Can anything similar be said about Soap – about the need to protect 'good' Soap from commercial pressures? I suggest that it can.

Consider the following scenario. Viewing figures for a commercially produced Soap are falling, advertising revenue is thereby threatened, and the company's market researchers discover that what would improve audience size would be some development of the Soap's plot of an appropriately sensational kind. The script-writers are asked to provide this, and comply with this request. In doing so, however, they make certain characters in the Soap act in a thoroughly *out of* character manner, depicting them as behaving in a way that makes no sense, given who they are and how they have previously behaved. The writers thereby commit a serious offence in any form of drama-writing: the sacrifice of character to plot. (In Mepham's terms, they depart from the fundamental ethic of TV fictions, namely truth-telling). There is a loss of artistic or creative integrity here, in allowing what might appeal to an audience to determine how the characters behave, and this damages the ability of Soap to operate as a resource for ethical reflection.[23]

Scenarios of this kind are not only possible, they actually happen. At one level of analysis one might say that they result from 'the pressures of the market'. But there is another level of analysis that is also important here: that of *the firm*, and its internal organisation. In the scenario just sketched, what is proposed by market researchers is able to determine what script-writers and directors actually do. For this to be possible, the broadcasting company must be organised in a certain way, so that marketing considerations – and likewise financial ones – can over-ride artistic ones. One might put this by saying that the

22] Note that issues related to multiculturalism are also important for PSB, and that Ofcom's Purpose (4) partly addresses these: "To make us aware of different cultures and alternative viewpoints, through programmes that reflect the lives of other people and other communities, both within the UK and elsewhere." Mepham (1990) also emphasises, as another important role for TV fictions, understanding the different and seemingly alien lives of others, and the relationship between this and multiculturalism.

23] Here one might usefully invoke MacIntyre's (1981) concept of a *practice*, its internal goods and associated moral virtues; see Keat 2000, chapters 1 and 2, for an application of this concept in exploring the tensions between markets and cultural production. See also Banks 2007, chapter 4.

intra-organisational independence or autonomy of creative workers (Hesmondhalgh and Baker 2011, chapter 4) must be strictly limited.

It might be thought that such limitations on creative independence at the organisational level are an inevitable consequence of the pressures faced by commercial broadcasters at the market level. But there may in fact be a good deal more contingency and variability here than this would imply. For example, recent work on the political economy of the cultural industries suggests that over the past 30 years or so, changes have taken place in the typical organisation of cultural production, involving a significant increase in the power of marketing and finance departments to shape the character of what is produced, and a corresponding decline in that of creative workers (Hesmondhalgh 2007, chapter 7). Just why these changes have taken place will not be considered here, but they at least suggest a significant degree of contingency in the relationship between markets and organisational forms, rather than a single, determinate logic of the market.

This kind of analysis also has implications for what might be called the appropriate 'institutional design' of PSB organisations such as the BBC. If it is true that broadcasting at its best – including the production of *good* Soap – requires a significant degree of intra-organisation autonomy for creative workers, and that this is at least potentially threatened by leaving it to the market, one should presumably try to avoid replicating, within the organisational form of PSB providers, precisely those features of commercial broadcasting that are problematic in this respect. That is, one should avoid designing an institution such as the BBC in such a way that it is no better (or even worse), in this respect, than at least some commercial broadcasters, despite its being non-commercial, and hence not subject to market pressures. Those who have criticised the various internal reforms introduced in the BBC since the 1980s (McGuigan 1996; Leys 2001) might argue that this – the effects of marketisation without actual marketisation – is precisely what has happened. Whether or not the substance of this judgment is correct, the theoretical possibility is important.

IV. PHILOSOPHY, ECONOMICS AND PUBLIC POLICY

In this final section I shall suggest (but no more than suggest) some general implications of what has been argued so far, for the nature of the relationship between political philosophy and economics and of their respective contributions to public policy debates.

As has been noted at various points in this paper, two distinct elements are required in any defence of PSB. First, one must define and justify the various purposes that broadcasting should serve, and hence the kinds of programmes that should be provided and the qualities these should display. Second, it must be shown that, if broadcasting is left to the market, these purposes cannot be expected to be achieved, and that there is some institutional form of public provision that will do better than its commercial counterpart in this respect.

In terms of a disciplinary division of labour, it seems appropriate to assign the former element to political philosophy, and the latter to economics. But what 'kind' of political philosophy, and what kind of economics? As Debra Satz (2011) has noted, theoretical debates about the moral limits of markets have, for some time, largely been shaped by liberal egalitarian political philosophy and neo-classical economics. She argues that neither provides an adequate basis for thinking about market limits, a view that I would endorse, though for reasons that partly diverge from hers. But here I shall comment mainly on the relationships *between* these two disciplinarily dominant schools of thought, and on how any alternative position within political philosophy may require an alternative within economics.

Satz's "liberal egalitarianism" (2011, chapter 3) incorporates (at least implicitly) the neutralist liberal position discussed in Section II, along with the claim that, whereas state action aimed at promoting specific goods is not permissible, no such restriction applies to action aimed at removing (unjust) inequalities in the distribution of general-purpose resources used by individuals to pursue their own conceptions of the good. Satz's criticisms of liberal egalitarianism are directed mainly at its understanding of equality, but although this makes them important in debates about the public provision of services such as healthcare and education, this is much less so in the case of broadcasting. Here it is the neutrality principle that is crucial since, as has been seen, it affects the potential *scope* of any public provision that can be supported.

But what is also important to notice is the *complementarity* between liberal egalitarianism and neo-classical welfare economics. The latter distinguishes between efficiency and equity, confining its attentions to the former and handing over judgments about the latter to political philosophers who, as liberal egalitarians, are happy to oblige. But they are also happy to reciprocate, in leaving it primarily to (neo-classical) economists to determine whether there are any grounds for non-market provision *other* than those of distributive justice: i.e. on grounds of inefficiency. Inefficiency is defined by reference to the satisfaction of preferences, about which economists (it is claimed) neither should, nor need to, make any judgments. And for neutralist liberals, this absence of judgments can be understood also (or instead) as expressing the kind of respect for individuals' choices that liberalism requires.

If this depiction of the complementary relationship between liberal egalitarianism and neo-classical welfare economics is broadly correct, one would expect that any significant departure from the former would make the latter a good deal less attractive as a theoretical partner. Some alternative to neo-classical economics might be needed, if political philosophy and economics are to work in tandem in addressing issues of public policy. That this need arises when the neutralist element of liberal egalitarianism is rejected in favour of (liberal) perfectionism can be seen in the following way. (It will be assumed here that it is the stronger form of liberal perfectionism that is adopted).

In a democratic polity whose citizens are committed to liberal perfectionism, rather than liberal neutrality, the potential scope and grounds for public policy are significantly

expanded. Such citizens will be involved in making collective judgments about the ethical value of various aims and purposes, and with making available an adequate range of valuable options that individuals are able effectively to pursue. And because, in at least many cases, the availability of such goods depends on the character of specific institutional arrangements, they will be concerned to create and sustain the institutions that are required for, or conducive to, the existence and enjoyment of such goods. They will be concerned, that is, with securing the institutional conditions that make the effective pursuit of such goods possible.

Amongst these institutions are economic ones, including quite possibly *market* institutions that, from this liberal perfectionist perspective, are something that might be decided upon, on at least partly ethical grounds, as a matter of public policy. Questions about the limits that should be placed on market institutions, and the possible need for non-market alternatives to these, will be addressed on the same basis. Of particular significance for a liberal perfectionist democratic polity will be questions about the institutional arrangements required if the kind of political debate that it involves is to flourish. Those concerned with broadcasting (and the media more generally) will clearly be important, and the question of whether PSB should be supported, and if so in what specific form, will need to be addressed.

We have seen, in Section I, how this kind of concern underlies the democratic argument for PSB News. But if the grounds for public policy are to include judgments about 'the good', about what is valuable for the lives of citizens, the potential role of PSB in contributing to democratic deliberation is greatly enhanced and extended. It is not just impartial News, reliable information and balanced debate that are important, but whatever may contribute to critical reflection about the kinds of valuable options that should be available for people, and about the institutional arrangements that make these possible. Indeed, even Soap, whose PSB justification was discussed in the previous section in terms of its significance for ethical reflection on the part of individuals, about their own lives, might turn out also to be important in more political terms, when such reflection is directed towards the value of what a society's institutional arrangements encourage or impede.

Thus liberal perfectionism, as a conception of political philosophy, brings with it a conception of public policy, and of the nature and requirements of democratic debate, that differ significantly from neutralist liberalism (and hence also from liberal egalitarianism). Correspondingly, it can be suggested, the kinds of questions that it poses about institutional design, including the design of economic institutions, are ones that neo-classical economics is not well equipped to answer.

This is partly because, as was argued in the earlier discussion of PSB News, in Section I, its conceptual structure is so closely tied to the normative value of efficiency that it is difficult to deploy this structure in answering questions whose normative significance is defined by reference to other values. But it is also because its analytic and explanatory powers are insufficient to address the kinds of issues about the internal organisation of

firms in the culture industries, and about the impact of this on the characteristics of what they produce, that were argued in the previous section to be crucial in understanding the production of Soap, but apply quite generally to the analysis of cultural production.

What is needed instead, it could then be argued, is a certain kind of *institutional* economics, one that could play its part in a more broadly social scientific approach to the kinds of questions for public policy that liberal perfectionism renders significant and legitimate.[24] But just *what* kind of institutional economics this is, and how it might contribute in this way, is beyond the scope of this paper to discuss.[25]

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24] See Keat 2011 for discussion of the type of institutional economics required for public policy choices between different varieties of capitalism. This is not the 'new' institutionalism associated, for example, with Oliver Williamson's (1985) transactions costs analysis (for criticism of which, see Lazonick 1991, chapter 6), but closer to the 'old' institutionalism whose central features are identified by Hodgson (2000), and are developed in so-called "competence" theories of the firm (see Foss 1993).

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