

The Freedom of The Press or The Fear Factor?

Analysing Political Decisions and Non-Decisions in British Media Policy 1990-2012

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Abstract

The four British Prime Ministers giving testimony to the Leveson Inquiry choose not to confront the media on issues of large-scale media abuse. "A missed opportunity", John Major said. "I think you certainly do fear the power being directed at you", Tony Blair declared. "We had no mandate", Gordon Brown asserted. The relationship between the media and politicians "has become too close", David Cameron stated. How did this closeness come about? This article discusses the political actors' decisions and non-decisions with regard to possible media policy strategies in Britain during four different Prime Ministers in the period between 1990 and 2012. The four cases examine media policy goals, values, contexts and alternatives offered for every Prime Minister. Their testimonies to the Leveson Inquiry are used for a comparison of media policy decision strategies during the examined period.

Keywords: media policy, (non) decision-making, Leveson Inquiry, Britain, rational choice, freedom of the press, fear of the press

The Leveson Inquiries: A window of opportunity

Media policy studies are often focused on analyses of the most important possible determinants of policy decisions. Generally, the range of factors discussed includes both structural dimensions such as media technology and media market developments, and analysis of the political level underlining the importance of party ideology and party strategies as well as the behaviour of single political leaders (Just & Puppis 2012). The discussion about the relative influence of different factors on current policy-making is however often quite limited due to lack of empirical data, and methodological problems to confirm the effect of single media policy determinants among others (Galperin 2004).

But sometimes, new windows open surprisingly. A rare opportunity to study media policy decisions in detail was offered by the Leveson Inquiry in Britain, and the comprehensive review of media misconduct it presented in its report in 2012. The testimonies to the Leveson Inquiry included witness statements from four different British Prime Ministers: John Major, Tony Blair, Gordon Brown and David Cameron, covering a time period of 22 years and including both Labour and Conservative governments. The testimonies were to a large extent focused on the relations between media and politics and the existing possibilities to intervene in order to maintain reasonable press standards. The possibility of follow-up questions during

the testimonies also shed new light on what actually influenced politicians' decisions to do something – or nothing – in the area of media policy.

The fact that the four Prime Ministers actually witnessed before the Leveson Inquiry increases the credibility of their statements, and their usefulness for scholarly analyses in a media policy context. Still, there is of course a risk that some explanations for decisions were not fully covered by the testimonies, since they were never explicitly questioned by the Inquiry at the hearings. Notwithstanding, the Leveson Report offers an exceptional opportunity to study media policy motives and considerations among the highest-ranking politicians in one of the most influential Western democracies.

Accordingly, the objective of this article is to analyse political decisions and non-decisions in British media policy 1990-2012. The comparison of media policy decision strategies is based on the witness statements in the Leveson Report during the examined period. The article is structured as follows: the introduction is followed by a theoretical section discussing different perspectives on media policy-making and possible grounds for adapting to specific media policy decision strategies. The next section introduces the Leveson Inquiry and the material it was based on. Then follows an empirical section where the background, goals, context and alternatives for every Prime Minister are analysed. Finally, there is a concluding section discussing the most important factors influencing British media policy positions and actions concerning media conduct during the period analysed.

Perspectives on media policy strategies

Sometimes, media policies are said to be formed in a mainly economically and technologically determined context (van Cuilenberg & McQuail 2003). Within such a context, there is supposed to be a limited space for policy actions as they are mainly taken to confirm current developments of media markets or the introduction of new media technology (Golding & Murdock 1991; McChesney 2013). In this perspective, the interests of the media industry are perceived as decisive factors for media policy and as outstanding bargaining powers in the political processes.

However, other media scholars have been opposed to such a deterministic approach and criticized the idea of more or less unlimited media power in the policy processes. Basically, their objection is that this perspective underestimates the complexity of policy-making. Thus, they argue that media systems are in general shaped by competing political interests that are facilitated by a more complex combination of technological, economic and social factors (Freedman 2008; Just & Puppis 2012). Studies of media policy have also been characterized by an unusual multiplicity in terms of a large number of players and decision-making arenas (Braman 2010). Within this context, media industry is perceived to play the role of indirect veto players who sometimes can influence policy-making by convincing political parties to action on their behalf (Klinger 2012). Even if there are policy arenas entirely unaffected by the media, the business interests are on some policy arenas able to influence decision-making and policy outcome (Koch-Baumgarten & Voltmer 2010).

The idea of focusing on competing political interests is basically rooted in a pluralistic perspective on media policy. Pluralist arguments are based on the dispersion of political resources and the openness of the policy-making process where different interests in society compete in a transparent way for influence on the policy agenda (Dahl, 1991). The pluralist approach assumes that political decisions are taken within

an open process where different actors' positions are well known. This model of rational decision-making enables politicians to consider a set of alternatives and choose among them in a way that 'properly' accords with their preferences and beliefs. Thus, political decisions are more or less based on clear preferences, the gathering of adequate contextual information and policy standpoints formed in order to be as positive and useful for the party as possible (Downs 1957; Doyle 1998).

The main critique of the pluralist perspective rejects these assumptions as too idealistic: partly because power positions are normally not that evenly distributed, partly as the rationality of decision-making is limited both by the information available and by the interpretive context in which it is embedded (Simon 1982). Furthermore, critics point out crucial situations where political issues are not identified as problems to be tackled. Such situations have been referred to as non-decisions, where it may be as important to investigate the consequences of policy inaction (Freedman 2008; Puppis 2013). Undoubtedly, less scholarly attention has been paid to political activities based on such non-decisions, where a potential policy strategy is to refrain from decisions by different reasons. Even if non-decisions may be less easy to detect in the policy process, they have a power potential as they set the political agenda as much as the decisions do. 'Policy silence' does not mean inactivity from policy makers or unwillingness to intervene in media markets in principle, but should rather be perceived as a strategic decision with the intention to promote specific interests in the policy process (Freedman 2010).

Given the fact that both political decisions and non-decisions may be of interest in analysing the outcome of the media policy process, it is also relevant to discuss plausible motivations for the implemented strategies of actions and inactions. There may be rational explanations for both decisions and non-decisions, based on calculations on probable reactions from the electorate, political opponents or media interests. Sometimes the costs for decisions may be valued to be too high compared to the costs for non-decisions.

Finally, it is worth to note that not all media policy strategies are rationally based. On the other hand, there is also the possibility of both decisions and non-decisions being based on emotional factors. Literature in the field of decision-making reminds that decision makers are no economic automatons. Instead, they make mistakes, have remorse, suffer anxieties for different reasons and cannot make up their minds in a rational way (Bell et al. 1995). Consequently, it is plausible to believe that some media policy decisions are not taken on strictly rational grounds but with substantial influence of emotions. This may, for example, happen when a political party implements policy solely based on intense preferences from a minority of core voters within the party.

Turning to the possible non-decision dimension of emotional explanations, it is sometimes reasonable to assume that media policy makers refrain from actions just because they do not feel comfortable with them. Decisions not to decide anything may be more or less guided by fear for the political consequences, or by a general unwillingness to confront influential media proprietors with media policy positions that they would probably dislike.

To conclude, this discussion on alternative media policy options shows that there might be different and mixed driving forces behind media policy strategy positions. Sometimes, media policy strategies are driven by rational decisions aimed at maximizing the strength of the party by doing things that are favourable for the party. In other media policy contexts, the same rational considerations may lead to non-decisions, motivated by the fact that such inactions are rational in relation to the role of other actors in the policy

process. Finally, more emotionally influenced considerations may result in both decisions and non-decisions.

The main empirical data used in this study are the witness statements and witness hearings of the four British Prime Ministers 1990-2012, approximately 730 pages, obtained under oath and streamed live on the Internet by the Leveson Inquiry. The questions were prepared by the Leveson staff, which checked the factual context with a multitude of sources, among them about 600 witness statements and some 330 witness hearings. A few times the Prime Ministers had to change their recollections due to facts presented by the staff; a few times memories of events conflicted and were not resolved (e.g. an alleged angry phone conversation with Murdoch that Brown denied).

The following empirical sections analyse the statements of the four Prime Ministers focusing on their ranking of the most important media policy goals, basic values or ideas that guided media policy considerations, existing media and politics-relation contexts and perceived alternatives to action or non-action.

John Major, Prime Minister 1990-1997, Conservative

John Major inherited 45 years of political efforts via Royal Commissions to enhance press self-regulation when he became Prime Minister in November 1990. According to Leveson, the 1980s "witnessed some of the most egregious examples of press misconduct" (Leveson 2012, p. 205) and consequently the appointment in 1989 of yet another committee. This committee, named after its chairman David Calcutt, presented its recommendations in May 1990: make it illegal for journalists to gather personal information by physical intrusion, or taking photographs, or placing surveillance devices on private property; abandon the present Press Council; build a new, resourceful Press Complaints Commission (PCC) that is "seen to be authoritative, independent and impartial" (Calcutt 1990, p. 65); evaluate PCC after 18 months; should the new system fail to deliver adequate results a statutory Press Complaints Tribunal should be set up by the state.

The Thatcher government, including John Major, welcomed the report. The press shelved the Press Council and set up a Press Complaints Commission in January 1991, although without the arrangements for independence from the press that Calcutt had demanded. Asked by the government to review the performance of the PCC, Calcutt delivered a damning verdict in January 1993, saying that the PCC was not effective, nor independent. It is "a body set up by the industry, financed by the industry, dominated by the industry, and operating a code of practice devised by the industry and which is over-favourable to the industry" (Calcutt 1993, p. xi).

Calcutt recommended that a statutory press complaints tribunal should replace the PCC, intrusions by journalists on private property should be made criminal offences in some instances, and the introduction of a new tort of infringement of privacy should be considered.

The immediate government response to Calcutt II was to go forward with the suggested legislation, but that it constitutionally was reluctant to consider a statutory tribunal. It then took the government two and a half years to reach its definite response in July 1995: no legislation on physical intrusion, no new tort on infringement of privacy and no statutory regulation.

The Major Cabinet could not agree upon what route to take during these years, and the Prime Minister did not deliver a clear direction. Some ministers favoured legislation of intrusion, some were against and favoured a new tort, and some preferred overall passivity out of fear for press reactions to any of the alternatives. In April 1995 Stephen Dorrell, who then was the minister in charge of media matters, was asked by John Major to present a "dressed up 'do nothing' option" (Dorrell 2012, p. 26). He suggested a government statement that "confirms our intention to legislate the intrusion offenses when Parliamentary time permits" (ibid. p. 25). This was viewed as the least bad choice according to Dorrell: "It cannot be criticised as a substantive retreat, it avoids a head-on collision with the press and it gets the Select Committee off our backs" (ibid.) How did John Major defend this inactivity when questioned by the Leveson Inquiry?

Goals

To maintain a strong and free press while monitoring needs to "curb breaches of standard, and prevent unacceptable press intrusion" (Major, 2012a, p. 24). Major was "in principle" in favour of introducing new criminal offences (ibid., p. 34), but told the Inquiry that the conduct of the press "could not be regarded as a priority" (Leveson, 2012, p. 212). Major was torn between his preference for self-regulation and his insight that "three Royal Commissions and subsequent reports had concluded that self-regulation was not effective" (Major 2012a, p. 36).

Values

Major was "philosophically uneasy" in relation to statutory regulation, but did not rule it out definitely (Major 2012a, p. 17). Freedom of the press is vital and needs protection (ibid. p. 17), but this freedom must be balanced with the rights of the individual, "who may have been maligned by the press"; "freedom of the press must not mean a licence for the press to do whatever it wishes without let or hindrance" (Major 2012b, p. 66).

The relationship between senior politicians and the media should be one of "constructive tension" (ibid. p. 4). The risk is otherwise that the relationship gets too close and is "perverted by self-interest" on both sides. "I don't think it's the role of the Prime Minister to court the press, and I think it is a little undignified if it is done too obviously, if it is done" (Major 2012b, p. 5).

Rupert Murdoch and John Major had three meetings during his premiership. Murdoch told Major that unless he changed the governments European policies, Murdoch's newspapers "could not and would not support the Conservative government" (ibid. p. 31). Major reacted that "it is not very often someone sits in front of a prime minister" and asks him to change his policies in that fashion (ibid. p. 33) and writes in his witness statement that he is not an admirer of Murdoch's methods (Major 2012a, p. 28).

Context

The conservative government enjoyed a large majority of almost 100 seats in the House of Commons when John Major became Prime Minister in 1990 (Leeke 2003). The general election in 1992 diminished the gap to a majority of 21 seats, which was further reduced to 11 seats in late 1994, due to "by-election attrition" (Maer 2001) and continued to shrink in the years to come. With the death of Barry Porter, MP, on November 3, 1996, the conservatives lost their majority (ibid.).

Press intrusion was an important issue for the post-Calcutt debate. The Prime Minister had personal experience and supplied the Inquiry with a list of intrusions concerning his bank accounts, private photographs and children's medical records (Major 2012a, p. 24-26).

There were different views in the Major government regarding media policy. There was also opposition to legislation due to fear of media power; some "thought it would provoke such hostility that it would dwarf everything else that the government were doing. To that extent, some of them were very wary" (Major 2012b, p. 70). Media influence was not the factor that decided the outcome of the government's deliberations, according to Major, but it was a factor (ibid. p. 71). Especially since the majority in the House of Commons was getting smaller and smaller. A two- or a three-party consensus on media legislation was ruled out, "the Labour Opposition could not be relied on" (Major 2012a, p. 35).

The public mood regarding actions against press misconduct were in Major's words "very supportive" when Calcutt II was published in 1993 (ibid. p. 84), but "more equable" in 1995, perhaps due to a media campaign (ibid. p. 85). Taken together, the picture according to Major was dark; a hostile and united press, a cool public opinion, opposition within the Conservative party, a frail majority in Parliament and no deals with the opposition.

Alternatives

To legislate or not to legislate. Major chose the latter, stating he had no other choice in the parliamentary situation at hand.

So we were talking of a majority of nine and arguably the most contentious piece of legislation that anyone would have seen for quite a long time. So the business managers were robust in their view that we couldn't carry the legislation and that actually, at the end of the day in Parliament, is the end of the argument. It may not win the moral argument, it doesn't, but it is a very practical argument. (Ibid. p. 83)

To try to influence the PCC to strengthen their self-regulation, e.g. by making deals with their new chairman Lord Wakeham, who as a former conservative minister was well connected and had political experience. This Major tried, but admits to Leveson that it was "aspirational" (Major 2012b, p. 79). Major declares that he is not happy at the outcome, it was "a missed opportunity" not to take action against press misbehaviour (Major 2012a, p. 39).

Leveson's summary of the Major years stresses that not very much was achieved. The organisation that Calcutt thought necessary was never installed, instead came "a PCC that met the minimum requirements of a Government increasingly disinclined to effect major reforms of the system of press regulation and fearful of the political ramifications of any such change" (Leveson 2012, p. 214).

Tony Blair, Prime Minister 1997- 2007, Labour

Labour had been in opposition for 15 years when Tony Blair became party leader in 1994. The previous leader was fiercely attacked and smeared by the Sun and other papers and Tony Blair was determined to change that pattern.

In 1992, the Labour election manifesto supported the Calcutt recommendations and an inquiry into the concentration of media ownership. These policies were not included in the 1997 manifesto. Alastair Campbell, a former tabloid journalist, was hired in 1994 to change the relationship with the press. Rupert Murdoch was identified as the most important media proprietor. Jack Straw, Shadow Home Secretary in 1994, testified that he believed the Sun attacks in 1992 to be influential and that therefore "once Mr Blair had come into office in 1994, we all shared the same view, that if humanly possible, without completely compromising ourselves, we should do our best to get the papers on side" (Straw 2012, p. 23). Blair flew to Murdoch and a News Corp. conference at Hayman Island outside Australia in 1995 with the objective to gain support (Blair 2012b, p. 63).

Blair defends his new media policy. He argues that the 1992 policy was based on the previous antagonistic relationship between Murdoch and Labour (Blair 2012a, p. 5) from the trade union disputes in the 1980s. Now the reasons for the conflict were gone. In a 2007 speech, quoted by the Inquiry, Blair described his media approach:

We paid inordinate attention in the early days of New Labour to courting, assuaging, and persuading the media. In our own defence, after 18 years of Opposition and the, at times, ferocious hostility of parts of the media, it was hard to see any alternative. (Blair 2007)

Blair explains that he made a strategic decision in the mid-1990s to manage the press, rather than confront it (Blair 2012b, p. 34). A confrontation would have meant a large-scale conflict, "you would have had to have clear the decks" (ibid. p. 14) which would have jeopardized his intentions to reform other sectors of society. Media reform, in this perspective, was less important. A second opportunity came around 2000 onwards when senior aides argued the case for stronger media regulation, limits on ownership and a privacy law. Campbell describes Blair's position that it would not be "politically sensible" to go after the press (Campbell 2012, p. 31). Some weeks before he left office in 2007 however, Blair delivered a speech containing heavy criticism of the media for being unaccountable and for hunting in a pack; "a feral beast, just tearing people and reputations to bits" (Blair 2007). The speech did not change Labour media policy. Tony Blair's power was waning and his successor Gordon Brown did not want to upset the press, according to Chief of staff Jonathan Powell (Powell 2010, p. 207).

How did Tony Blair explain to the Inquiry his choice not to aim for stricter media regulation when he held office?

Goals

To change the relationship between (New) Labour and the press from hostile to neutral or supportive. To get editorial support from The Sun and other Murdoch newspapers. This in order to achieve political results in other areas. To manage the press, not confront it.

Values

Blair identifies eight newspaper media groups where more than half of them operate with an aggressive culture "designed for maximum shock and impact" and whose owners use them "as instruments of political power" (Blair 2012a, p. 2).

Blair states that politicians and media people need to have close interaction, but the problem is the imbalance when “they’re aware of the power they have and you’re aware that they have it” ((Blair 2012b, p. 37). This power might affect party politics, politicians and their families. “I think you certainly do fear the power being directed at you”, Blair declares (ibid. p. 13), since attacks can be very personal and all consuming. “With any of these big media groups, you fall out with them and you watch out, because it’s a – it is literally relentless and unremitting once that happens” (ibid. p. 34).

Blair describes that he felt “uncomfortable with” the “unhealthy” power of editors and media owners “throughout my time” (ibid., p 34). In the last weeks of his premiership he voiced his concerns in a public speech and stated that the “relationship between public life and media is now damaged in a manner that requires repair” (Blair 2007).

In office, Blair claims that the closeness to Rupert Murdoch and other media representatives was more of a working relationship than a personal one.

Context

Labour won a landslide victory in 1997, and secured a strong majority of 177 seats in the House of Commons. This huge majority was reaffirmed in the 2001 general election (Leeke 2003) but was distinctly reduced to 64 seats in 2005 (Electoral Commission), albeit still a handsome majority.

The Sun switched to endorse Labour just before the 1997 election. When in power, labour built a new government press office that quickly reacted on media content and aimed to manage the news flow.

Press conduct was an issue for Blair in 1997, after the death of Princess Diana, but independent regulation was not. The government wanted the PCC to strengthen the self-regulation, and some improvements concerning e.g. the handling of children and minors were made due to external pressure from both the public and the government. But achievements were minor and did not last more than a few years. The minister responsible for media matters, Lord Smith, regrets that he did not continue to press for change (Smith 2012, p. 36).

New Labour changed its policies over some media issues that were favourable to media interests and to Murdoch. Blair argues that all changes were made for sound political reasons, and not to please Mr Murdoch, and that many other decisions were unfavourable to Murdoch (Blair 2012a, p. 4).

Alternatives

Blair frames the alternatives as a) a confrontation of “titanic” dimensions (Blair 2012a, p. 11) over media policy and media relations or b) a careful management of media forces (Blair 2012b, p. 68). He chose the latter and explains that he never found a moment to reason otherwise:

Look, some people say, “You could have done it straight after 1997. You’d just won this landslide victory. That would have been a chance.” And some people say, “After everything that happened after the death of Princess Diana, that would have been the chance.” Some people say, “After the 2001 election, you’d won a big majority, that would have been the chance.”

The decision I took, rightly or wrongly, as I say, was there was never going to be a moment when this was not going to have to squeeze out the rest of the government agenda, and, you

know, however supportive they seemed or however powerful I seemed, this was going to flip like that the moment you put such an issue centre stage. (Blair 2012b, p. 102)

When asked if news management and a degree of cynicism within the political culture is in part responsible for the current state of affairs, Blair answers that "our responsibility primarily is not having confronted this issue" (Blair 2012b, p. 7).

Gordon Brown, Prime Minister 2007-2010, Labour

Gordon Brown (Chancellor of the Exchequer since 1997) succeeded Tony Blair as Prime Minister in June 2007. He and his wife had experienced repeated tabloid intrusions in their private lives, e.g. concerning their children (Brown 2012a, p. 8).

Rupert Murdoch describes "a warm personal relationship" with Gordon Brown (Leveson 2012, p. 1152); Brown emphasizes that he draws a line between liking Murdoch as an individual and not granting him any support for his commercial interests (Brown 2012b, p. 47). Neither Brown nor Murdoch viewed their relationship as "too close" during Brown's period in 10 Downing Street (Leveson 2012, p. 1153).

Goals

Media policy was not a priority for the Brown government. "No case for statutory regulation of the press. Self-regulation of the press should be maintained", Brown declared in a speech in October 2007. When asked about this statement at the Inquiry, "In other words, the status quo is adequate. Is that correct?" Brown answered that he had no mandate for change:

We had no mandate for that. We had never proposed that that should happen. I think Tony Blair explained in his own evidence that we had decided that this was not a priority for us, so it was not part of our mandate and therefore it was obvious that that was not what we were doing." (Brown 2012b, p. 83)

What Brown wanted to do was to make changes in the news management; to counter accusations of political spin in government information. These changes were not implemented due to "huge resistance" (ibid. p. 23).

Values

Brown supports a free press, but stresses that rights imply responsibilities (ibid. p. 11). He identifies two problems with the press: "the conflation of fact and opinion" and the invasion of privacy in families when "they're at their most vulnerable" (ibid. p. 12). When Leveson asks "who will guard the guardians?" Brown asks "who will defend the defenceless?" (ibid. p. 10).

Brown is not in favour of "direct regulation" of the media and supports a public interest defence for investigative journalists in their enquiries (Brown 2012a, p. 4). But he is not satisfied with the present level of self-regulation. From personal experience he describes it as "cumbersome, expensive, happy to place burdens on the complainant ... and inadequate" (ibid. p. 6).

Brown claims that he has never asked a newspaper for their support. "I don't think that you should be dependent on people by begging them to support you in this way" (Brown 2012b, p. 52).

Context

Gordon Brown inherited a strong majority of about 60 seats in the House of Commons when he took over as Prime Minister.

Brown felt that the press was hostile to his government and to himself from the start (Leveson 2012, p. 1150). He testifies that probable media intrusions in his privacy concerned e.g. his financial accounts, tax returns, blagging, and his family's medical records. In 2003, the police secured records from a private detective agency that contained some 13 000 requests from the press for secret personal information about individuals. The Information Commissioner in 2006 produced reports on the unlawful methods – corruption and deception - that were used and argued that the present fines were insufficient as a penalty. A custodial sentence of up to two years was suggested for "deliberate or reckless disclosure of personal data without the consent of the organisation which holds it" (Leveson 2012, p. 1273). Some 30 newspapers and magazines were named in the reports, and the Commissioner observed a discrepancy:

At a time when senior members of the press were publicly congratulating themselves for having raised journalistic standards across the industry, many newspapers were continuing to subscribe to an undercover economy devoted to obtaining a wealth of personal information forbidden to them by law. (Ibid. p. 266)

The Labour government went along with preparing the suggested legislation and received support in a public consultation. The bill was not aimed at the press, but dealt with all unlawful disclosure, and had its second reading in the House of Commons in October 2007. In January 2008 the press organised a campaign against the custodial sentence, claiming it would restrict press freedom. Gordon Brown was lobbied, as were other cabinet members. The government decided to attach a public interest defence for journalists in the legislation, but the custodial sentence was never brought forward to law during the last years of Brown's premiership.

Brown tells the Inquiry that he instinctively favoured a public interest defence for investigative journalism and that he did not have "all the information we now have about the abuse of this – of data by the media" (Brown 2012b, p. 75). Leveson comments that this "may be a mis-recollection...there was no doubting what they [the Information Commissioner's reports] said" (Leveson 2012b, p. 1275) about the involvement of the press.

The Sun announced it would back the Conservatives instead of Labour in September 2009; the headline 'Labour's lost it' appeared the same day that Gordon Brown should hold his speech as party leader to the Labour Conference.

Alternatives

Brown denies that he ever had to choose between options for media regulation, since he from the beginning had accepted Blair's priorities not to challenge the media. Asked by the Inquiry if it wasn't the support of The Sun that instead had diminished his political will "to take on the feral beasts", he answered that that was "a completely wrong impression" (Brown 2012b, p. 23). He felt that he never really had any

support from The Sun, that commercial interests came to dominate News Internationals endorsements and that the Conservatives were far more willing to play along with Murdoch (ibid. p. 25).

Regarding the suggested custodial sentence for unlawfully obtained personal data the alternatives were to legislate or not legislate. The suggestion was not brought to a final decision in Parliament before the General Election in 2010, according to Brown the consultation exercise was not completed (Brown 2012a, p. 10). Leveson comments that the reports and suggestions from the Information Commissioner represent "a further missed opportunity to address press misconduct. ... In the result, the political response was a further compromise and no effective action. How that came about is also illuminating" (Leveson 2012, p. 1120).

David Cameron, Prime Minister 2010 -, Conservative

David Cameron was elected Leader of the Conservative Party in 2005. One important objective was to explain his policy to the media and get editorial support. Cameron focussed on "those with the biggest audiences" (Cameron 2012a, p. 24) which included the BBC. Cameron, who has a background as a director of corporate affairs at the television company Carlton Communications, more than the other prime ministers emphasizes the role of television in political life. In 2007, Cameron appointed Andy Coulson to be his communications director. Coulson was the editor of Murdoch's the News of the World from 2003 to 2007, when he resigned after the conviction of one of his reporters for illegal phone-hacking. Cameron describes himself as a good friend of Rebekah Brooks, who was the editor of Murdoch's the Sun from 2003 to 2009. Cameron flew to Santorini in the Mediterranean to befriend Rupert Murdoch in 2008. In 2009 the Sun decided to switch its support from Labour to the Conservatives.

The election in 2010 resulted in a hung Parliament. The Conservatives and the Liberal Democrats formed a coalition with David Cameron as the Prime Minister.

Goals

In the beginning the goal was to obtain media support. After a while in office, one goal became to create some distance between media and politics in order to make it possible to deal with regulatory issues (Cameron 2012b, p.16). Camerons recipe: promote independent regulation, increase the transparency in the relationship between editors/proprietors and politicians and stimulate a vigorous debate.

Values

"A vigorous and free press is essential to the public interest and the proper functioning of a democracy" (Cameron 2012a, p. 7). There needs, however, to be "some form of redress against potential media excesses and wrongdoing particularly for private citizens" (ibid. p. 18). The present regulatory system does not work and needs improvement. More effective, independent regulation or self-regulation, that has the confidence of the public and of the press should be installed. Cameron thinks a privacy law is wrong, since it would protect "those in positions of power". Direct regulation by the government is also wrong, it would damage the democracy (ibid. p. 19).

Cameron has, after the revelations in July 2011, emphasized that the relationship between politicians and the media has become "too close". In his witness statement Cameron lists four key risks: a) politicians

focus on media coverage instead of on “the wider issues of how the media operates and potential instances of bad practices”, b) the public perception might be that senior media figures “have too loud a voice in the country’s politics”, c) “there is a risk that politicians allow media pressure to shift and therefore shape the political agenda” and, d) business lobbying by the media may have “an added angle” since politicians have a special relationship with the media (ibid. p. 9-11).

Since according to Cameron transparency is the key, he has published records of his meetings with media representatives since the 2010 General Election (ibid. p. 10).

Context

The coalition between Conservatives and Liberal Democrats secured them a majority of 76 seats in the House of Commons (Electoral Commission).

The public pressure increased against Murdoch and the News of the World after the election in 2010. Evolving phone hacking indications were raised by the Guardian and the New York Times and in April 2011, opposition leader Ed Miliband called for an inquiry. After 4 July, when the Guardian article about Mille Dowler was published, the process accelerated. Allegations against Cameron for protecting Rebekah Brooks and Rupert Murdoch were mounting from individual MPs, Tories as well as Labour, and Murdoch announced the closure of the News of the World. 8 July Cameron declared that there would be a judge-led inquiry with full legal authority, that the Press Complaints Commission had failed, that Rebekah Brooks ought to resign and that he would look into what information that was available when Andy Coulson was appointed the government’s director of communication in 2010. 13 July 2011, Lord Justice Brian Levenson was appointed to lead the Inquiry.

Alternatives

Two alternatives emerge when media misconduct is put on the political agenda: a) to seize the opportunity and react, and b) to do nothing. Cameron gives two examples of the b-alternative.

Cameron regrets that he and others did not react to the reports from the Information Commissioner in 2006. “I regret that opposition front bench politicians failed to devote enough time to scrutinise the Government and hold them to account for their inaction” (Cameron 2012a, p. 9). But did he himself devote any time to this issue, the Inquiry attorney asks. “I was aware of the issue, but frankly I think, as I say here, the government didn’t give it enough attention, the opposition didn’t give it enough attention, and I think that’s a matter for regret” (Cameron 2012b, p. 20).

The second example deals with departing Tony Blair’s “feral beast” speech in 2007. It had “a lot of good points in it” but “I have a horrible feeling that, like all these attempts to try and raise the issue, I suspect the political parties probably didn’t really give it much of a backing” (ibid. p. 21).

The Leveson attorney paraphrased a statement that Cameron made in Parliament in 2011: “an overly close relationship [between leading media figures and top politicians] permitted regulation issues to be put on the back-burner” (ibid. p. 20) and Cameron confirmed this description during the Leveson hearing (ibid. p. 21).

The alternatives when the extent of phone-hacking was exposed in July 2011 were to commission a full inquiry or a limited inquiry or no inquiry at all. Cameron chose the first alternative, declaring that the PCC needed to be replaced by something more trustworthy and compulsive, and that he would consider

Leveson's recommendations, were they not "bonkers" or "heavy-handed state intervention" (Mulholland 2012). The alternatives when the Leveson recommendations arrived in November 2012 were to try and implement them or to negotiate the conditions with the press and other stakeholders. Cameron chose the latter, up to a point where a three-party agreement stipulating a solution confirmed by a royal charter was preferred. The newspaper industry is still (at the time of writing in February 2014) resisting this royal charter.

Conclusions: passive politicians, powerful press

The comparison of the testimonies of the four British Prime Ministers to the Leveson Inquiry displays both similarities and differences with regard to media policy decision strategies. First of all, it is clear that media policy in general was hardly top priority for any Prime Minister during the period studied, with the possible exception of David Cameron in the aftermath of the phone-hacking scandal and the public debate that followed. In all other cases, the Prime Ministers seem to have had no political urge to commit themselves against the press. They generally remained passive, and in a few cases reactive.

Furthermore, a general perspective on the press as extremely powerful and influential in British society is expressed throughout the examined period. Even if all Prime Ministers officially stress the importance of independent media, they also express frustration and concern over the increased political power of the press – especially during election campaigns – as well as worries over what is perceived as more frequent examples of press misconduct.

However, the political strategies to deal with these commonly perceived problems seem to have varied to a large extent. John Major regrets that he did not implement more forceful media regulations, and describes this as 'a missed opportunity' to act against media misconduct. He explains his passive media policy by mainly referring to the parliamentary situation with an unstable majority situation and Tory mistrust in the Labour opposition. He admits that media influence was a factor behind this decision, but not the most important one. Major's media policy strategy could be described as non-decision making, mainly based on rational political grounds.

His follower as Prime Minister, Tony Blair, expressed the objective to manage, instead of confront, the press. The examination of his time in office could be characterized as another era of non-decision making. He made the calculation that tougher restrictions on the press would have jeopardized the general image of 'The New Labour' and avoided to challenge the media industry, despite the fact that political conditions were favourable at that time. His reasons for policy inactions appears to have been more based on fears for media power and its possible political consequences.

The current Prime Minister David Cameron has used both decision and non-decision making media policy strategies during his time in office. But in comparison with his predecessors he stands out as the most active Prime Minister after the phone-hacking scandal in 2011. His decision to decide about a full inquiry and declare that a more effective and trustworthy body should replace the PCC indicates a willingness to deal with media misconduct. It is reasonable to describe his strategy as rational decision-making, in order to match existing opinions and public pressure.

The fourth PM Gordon Brown is not that easy to characterize with regard to media policy strategy patterns. He obviously follows in Blair's footsteps by not challenging the media, but the reasons for his

lack of actions are not always that clear during his three years in office. His media policy positions could mostly be seen as examples of non decision-making, but without the same coherent and distinct argumentation that is typical for Major and Blair.

To conclude, this analysis of testimonies shows that British Prime Ministers, regardless of party loyalties and media contexts, most of the time have followed non decision-making media policy strategies, but seem to have done so by slightly different reasons. Not surprisingly, the freedom of the press is widely supported by all Prime Ministers. However, what is striking in the testimonies, especially from John Major and Tony Blair, is the extent of fear of media power among top politicians that is expressed. This has hitherto been mentioned more in passing, if at all (Gaber 2012; Cohen-Almagor 2014), and not discussed as a notable ingredient of media policy decision-making. This study shows that it is reasonable to believe that emotional considerations play a role in media policy processes and that there is a need for more research about the complex motivations for decision and non-decision making strategies in this area.

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