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## What's happening to the public sphere?

Opening Keynote Lecture, as delivered to the Annual Conference of the Media, Communication and Cultural Studies Association 2019, held at the University of Stirling, 9-11 January 2019.

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Today, I'd like to point to challenges we presently face in discussing the public sphere. It's clear to me that the agenda is far bigger than can be addressed in half an hour's talk. So I've selected issues that strike me as important and illuminating, all too aware of what's been left out.

Given where we are, I'd like to focus most on Europe and the UK, and inevitably, glance across the Atlantic at the USA, in ways that I hope have wider resonance. And I'll close with some words on Scotland.

#### **Politics matters**

Sixty years ago, deeply influenced by classical Greek political thought, Hannah Arendt reminded us that entry into 'the public realm' meant stepping into *collectively* experienced time and a world that we hold in common with others. This mattered profoundly, she argued, because it offered 'a guarantee against the futility of individual life'. The classic *polis* or *res publica*, Arendt noted, was 'the space [...] reserved for the relative permanence [...] of mortals.' It's important to recall the fundamental importance of our political activity for what Arendt called 'the human condition'. Politics is an index of who we are, what we might be, and how we might effect change.<sup>2</sup>

The public sphere is a spatial metaphor; it's a construct, the outcome of collective artifice; it's used to some extent in general discourse; it has a material existence in the shape of political actors and institutional life; it offers a normative position in difficult times. In a democratic order, arguably the public sphere is still the primary locus of political communication and of the strategies and tactics that characterise this kind of activity.

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

A key question, insistently at the heart of contemporary politics, is what it means to be a *competent* citizen – what counts as pertinent knowledge for action, and how might it be used in voting, demonstrating, lobbying, associating, or otherwise trying to influence the political process. The mediation of political discourse, the role of experts, and the uses of evidence at times of ideological division – all are currently in question. Relations between cognition and emotion are now centre stage. In a nutshell, is an ideal-typical model of Enlightenment political rationality now passé?

The public sphere is always structured in terms of prevalent power relations. So the analytical task is to understand how these work. The normative question is whether we think an open communicative space is a crucial good that's necessary to a democratic politics. In ideal-typical terms, openness versus closure has long been the frame for debates about the domestic performance of the press and broadcasting in representative democracies. It's been the basis for classifying political regimes and media systems, as in the well-known comparative study by Dan Hallin and Paolo Mancini. Classification of media as free or unfree was a constant of the Cold War period and its opposed political systems. Yet the ideological relevance of such classification did *not* disappear with the collapse of the soviet bloc. It lives on.

To date, the *pre*-internet role of media in constituting public discourse – focused on the national press and broadcasting – has largely shaped debate about the mediated public sphere. The terms have shifted, though, with the advent of the digital age. Analysis has extended to how the digitisation of cultural content and the workings of a global platform economy have changed power relations.<sup>4</sup>

Manuel Castell's decade-old study of 'communication power' captured this turning-point. Focused on how power was 'constructed around digital networks of communication', it analysed 'the interaction between mainstream media and the Internet [...]' as typifying 'media politics in the digital age'. Castells' techno-utopianism is out of temper with the times. But

his overall agenda was well judged. It pointed to the crisis of democracy, the gap between communication and representation, and a drift to 'insurgent parties'. Notably, Castells analysed the role of *emotion* in shaping political judgement, describing electorates' capacity to reject evidence and to embrace questionable leadership candidates. These insights are relevant for present debate about the UK's referendum over EU membership and the election of President Trump, and many other leaders.

### Whither Europe?

Since the 1970s, Jürgen Habermas's early work has been the starting-point for discussing the public sphere. It described the invention of relatively unconstrained spaces for public discourse – critical locations, based in civil society, not captured by the state and official political power. Importantly, those spaces were *national*. Struggles for inclusion broadened institutional politics, so that whole nations on the road to representative democracy became *general* publics. This so-called 'Westphalian' model – named after the peace treaty of 1648 – refers to the sovereign territorial state. Who has or does not have a voice in the public sphere is a live issue. It's at the heart of debates about inclusion and exclusion. These have focused most on class, gender, sexuality, race, ethnicity, and religion. The politics of expanded recognition brings new complexity in its wake, in the shape of contending identities, values and memories.

The European Union has exemplified the major shifts in conceptions of the communicative space. Thirty years ago Habermas first considered how the EU might *become* a public sphere – a boundary-transcending community for the component nations and cultures of the European project. Seeing this as a cosmopolitan possibility, Habermas's theory broadened to accommodate the digital age. It addressed how border-transcending networks facilitated by communications technologies, powered by the internet, were changing how publics might be conceived. For well over a decade, and this was of great interest to the European Commission, the European public sphere became a major research project in political communication. A key issue was whether there could be a European *demos*, a political community facilitated by media and communications.

That was a step change. The EU's origins, after all, were economic – its formation responded to the need for post-war reconstruction. But a fundamental benefit of the new common market, after the disaster of World War II, and previous major wars on the continent, was the

pacification through economic integration of France and Germany, and subsequently all the other states that joined the European Community. <sup>10</sup> This is conveniently forgotten or rejected by many today, throughout Europe, but most tellingly in the UK. Some dismiss the focus on peace as merely the ideology of the technocratic elite that runs the EU. <sup>11</sup> I think it goes much further and deeper for many EU citizens.

The EU public sphere was a high water-mark of theoretical post-nationalism. Projections of a cosmopolitan order and construction of a global public sphere were widely aired in academic work in the social sciences and humanities. But there were also intimations of a dark side. After the collapse of the Soviet Union, tensions between civic and ethnic nationalism were already evident across the continent. In 1990, Habermas noted 'right-wing xenophobic reactions' to immigration 'throughout Europe'.

A decade or so ago, Habermas's post-national vision was influentially questioned by Nancy Fraser. She thought his work had only 'articulated a model of deliberative democracy for a territorially bounded polity'. How could this framework relate to a globalising world? Even if collaboration by international bodies and the rise of cross-border social movements pointed to increased global governance, Fraser wanted to know how a post-national public could obtain real leverage over the political and economic decisions taken in such 'a post-Westphalian world'? Could a public sphere be both legitimate and effective when it became post-national? Fraser's answer, actually just like Habermas's own later thinking, was aspirational. She urged us to 'envision new transnational public powers, which can be made accountable to new democratic transnational circuits of public opinion.' 15

A decade ago, contrariwise, I concluded that Europe's cosmopolitan aspiration had fostered a perilous delusion. <sup>16</sup> If there *was* a European *public* sphere, it was restricted to the decision-making elites that ran the Euro-polity, those conducting single market business, and those that enjoyed privileged mobility across borders – including people like us, academics and students. These were *specific* rather than general publics. Their communicative spaces were, and still are, part and parcel of the 'democratic deficit' of the EU.

Today, cosmopolitanism is on the back foot. We face widespread and naked reassertions of the national principle. The sheer difficulty of attaining the ideal of *global* governance – of establishing a relatively stable institutional matrix capable of addressing common problems –

is well illustrated by struggles to reach enforceable and enduring international agreements over climate change. These remain quite fragile.<sup>17</sup> The political order on which much cosmopolitanism was premised has been subject to reverses. In Europe, like it or not, it implicitly rested on a continued *pax Americana*, with NATO as the military linchpin of the Atlantic alliance.

In the present retreat from post-nationalism, the contours of the public sphere are being remilitarised, both offensively and defensively. Evidence of Russian interference in US and other countries' electoral processes is hard to dismiss. Representing an 'America First' coalition, President Trump's hostility to the EU and equivocal attitude to NATO have thrown earlier assumptions about the alliance system into question. The accelerating shift towards polycentrism in international relations is also reshaping global geo-politics. Think of the economic and military rise of China and the incremental drift of some states towards a 'new cold war' with Russia. In Europe, the post-1989 map is gradually being redrawn.

Faced by the aftermath of economic crisis and widespread hostile reactions to migration, the focus everywhere has shifted to how the public sphere is constituted *within* states. The shortcomings of democratic institutions in devising an equitable and solidary social order means that the theatre of the national is a conflict zone.

Even if *national* public sphere questions have resumed their earlier relevance, the *post*-national potential has not just disappeared. It's deeply embodied in many of us. But in the immediate future, it faces hard times.

### Populism and democracy

Today's political antagonisms have been widely attributed to the rise of populism, a term whose meanings vary greatly in academic, journalistic and general discourses. It's been around since the late nineteenth century and while I don't find the idea analytically useful presently it does carry considerable symbolic freight.

Margaret Canovan's classic study argued that populisms commonly emphasize antagonisms between an elite (seen as corrupt) and the people (seen as virtuous and heroic), and that populisms also capitalise on widespread mistrust of political institutions. <sup>19</sup> Jan-Werner Müller's recent critical overview concurs. <sup>20</sup> Relations between populism, fascism and Nazism

have been much debated, inconclusively. There have also been recurrent attempts at pursuing a left populism. The varied politics involved don't readily fit a left-right political axis. Moreover, it's often difficult to draw a line between say, established political parties in government and erstwhile insurgent movements. 'Populism' sometimes ends up describing regimes. I won't address particular examples today but will consider some more general issues.

The breakdown of party political loyalties in representative democracies – what political scientists call 'de-alignment' – has opened the road to growth in support for populist movements and parties. These are usually complex coalitions that cut across classes. In their study of Europe and the USA, Roger Eatwell and Matthew Goodwin note populists' common hostility to rapid and high levels of immigration, the social importance of lost group esteem and lack of voice, and perceived threats to cultural identity – especially how the 'nation' is imagined.<sup>21</sup>

Political scientists differ over whether or not populism is compatible with representative democracy. Eatwell and Goodwin see populism as a 'revolt against liberal democracy' that needs to be listened to. They argue that mainstream political parties have hardened their policies, notably on immigration, and often become 'populist-lite' themselves. Müller also holds that populists' disaffections draw attention to failings of representative democracies. He contends, though, that populists are anti-pluralist and a danger to democratic systems.<sup>22</sup> In the end, the 'containment' or break-through of populist politics in taking state power is an empirical question. It depends on the strength of political institutions and the attractiveness of alternatives in play. Each case needs analysis on its own terms.

Of course, populism is not new to our field, any more than it is to political science. In the 1980s, in a well-known critique of the 'authoritarian populism' of Margaret Thatcher's governments, Stuart Hall and others associated with the 'New Times' project argued for a national populism of the left able to seize the ground of patriotism and consumerism.<sup>23</sup> Today, forty-year-old arguments about the forward march of 'left populism' are back in circulation.<sup>24</sup>

Currently, the decline of political civility, <sup>25</sup> uncritical adulation of leaders, and mobilisation of extra-parliamentary movements are all attributed to populism. Contemporary populist political styles are forged by an 'intensely mediated' relationship between leaders and followers. <sup>26</sup> Changed modes of consumption and distribution in a platform economy, the slow reshaping of

the 'legacy' mediated public sphere of press, radio and TV, the challenge posed by political uses of social media – all interact with socio-political divisions in democracies to reframe our understanding of how a future public sphere may evolve.

Jay Blumler has argued that the 'crisis of communication for citizenship' he discerns cannot be surmounted while there's a relatively closed political class coupled with a widespread lack of trust by citizens. <sup>27</sup> Moving into the gap in trust, the Trump phenomenon has contributed an exemplary lexicon to current debate: 'alternative facts', 'fake news', 'enemies of the people', 'failing media'. <sup>28</sup> President Trump's Twitter stream is a source of unbridled denunciations of mainstream media coverage, the Washington 'elite' and his critics and investigators. In the UK, fabrications during the 2016 referendum campaign – notoriously, how money saved by leaving the EU might be spent on the National Health Service – gave local substance to so-called 'post-truth politics', which continues to flourish as we stand on the edge of the Brexit cliff. But post-truth is more than a smart slogan. As Peter Dahlgren notes, it's part of 'an emerging epistemic regime, where emotional response prevails over evidence and factual analysis.' <sup>29</sup>

# The politics of expertise

An effective public sphere depends on knowledgeable political actors of all kinds. So current attacks on 'experts' are very significant. Experts have no unqualified right to command public credibility, and as William Davies points out, sometimes it's hard to distinguish insider experts from politicians; together they may occupy an elite world, quite distant from the travails of citizens' everyday lives. <sup>30</sup> But that is not the only issue. It's that expertise and evidence *as such* have become objects of attack. For us, as academics, this is a serious political and professional matter.

During the EU referendum campaign, one truncated sentence uttered by the British politician Michael Gove went viral as anti-expert discourse: 'People in this country have had enough of experts.' Mr Gove targeted economists who'd pointed out the risks of leaving the EU. Critical ripostes from establishment experts at the Bank of England, the Royal Society, and the Foreign Office proved ineffective. Other attacks on experts dismissed civil service impartiality on the economy and denounced members of the UK Supreme Court as 'enemies of the people'.

Any claim to expertise depends on knowledge-producers observing credible practices. In short, expert status must be earned. A problem arises, though, when expert knowledge is dismissed

altogether. The sociologist Harry Collins has called this the use of 'contrary expertise' – the idea that research-based knowledge is *just* another opinion, and mine is as good as yours, whatever evidence you produce.<sup>32</sup>

Anti-expert discourse is a major concern for the academic community. Europe's national academies of the sciences and humanities now acknowledge growing public unwillingness to trust academic expertise. By taking the affective dimension of public reception seriously, the academies propose to make arguments and evidence more accessible through narratives and dialogues.<sup>33</sup> Will this work?

Keith Kahn-Harris has analysed hard cases to illustrate the depth of the problem. These include entrenched denial of evidence that the Holocaust took place, as well as the blanket rejection of scientific findings on anthropogenic global warming. Kahn-Harris has concluded that evidence simply does not counteract the resistance that's put up by what he calls 'denialism'.<sup>34</sup> Moreover, such 'denialism' *may* today be enhanced by how social media conduce to filter bubbles and echo chambers in what Natali Helberger calls the 'privately controlled public spheres' of social media platforms.<sup>35</sup>

If expertise and evidence *are* readily discountable in democratic debate, and conspiracy theories, faked news stories, and mere opinion are treated as having truth value, this has major consequences for how we think about political discourse, human agency, and the future of public spheres. Is it still possible to deliberate generally about the common good?

This, in turn, raises questions about how the production, circulation and uses of knowledge and information are organised and the efficacy of practical remedies for the 'fake news' agenda. Engaging in 'fact checking', challenging false statements, improving the public's media literacy, and the like, have all been proposed. The LSE's Truth Commission recently detailed a wide range of possible interventions, including setting up new monitoring and research capability with, if need be, statutory regulation as the backstop. Regulation is increasingly seen by policy-makers as a way of addressing the crisis of the public sphere. The regulatory activism of the EU regarding fake news, data protection and digital taxation is a case in point. So too, in the UK, is the regulator Ofcom's nudge to public service broadcasters – to coalesce to combat Netflix and other extra-territorial platforms, and thus save national audiovisual

production. We may reasonably doubt that the competition policies presently in vogue are adequate to the task.

# Scotland's dualistic public sphere

Finally, a few thoughts on Scotland – or why the idea of a *national* public sphere isn't quite so simple. Scotland is a distinct polity in the UK. The Acts of Union of 1707 incorporated it into a multi-national state with England, in which Scotland retained considerable autonomy from the start.<sup>37</sup> Scotland has therefore long had a *dualistic* public sphere and a media landscape in which the British and the Scottish are co-present.<sup>38</sup>

In these parts, since devolution in 1999, the re-establishment of a Scottish Parliament and the creation of a Scottish Government, we've been ever-more deeply immersed in the politics of nationhood. The 'constitutional question' asks whether or not Scotland should stay in the United Kingdom and if so, on what terms. That matter is not closed. Here, it shapes our everyday life. In 2014, during the independence campaign, the Scottish public sphere was passionately *Scotland*—centred. In 2019, for the third year running, it's overwhelmingly *UK*-centred. Because Brexit has crowded out Scottish matters in public debate. And this tells us much about the vagaries of a dualistic public sphere in a multi-national state.

Scotland's 2014 was *the* key fore-runner to the EU referendum campaign of 2016. Nothing was learned by the British political class from our experience. The lessons of 2014 *should* have persuaded our rulers to take due care when calling the EU membership referendum. Constitutions aren't playthings. What we knew about the risks was blithely ignored.

Caledonia today is doubly divided. We're politically and socially riven between those Scots who still want independence and those who still don't. But we're *also* Ukanians, to use Tom Nairn's term, facing Brexit along with all the other Brits, and split again between those who want in, or want out, of the EU.<sup>39</sup>

For the past 20 years, devolution has supplied the institutional contours of Scotland's public sphere. It was enacted when the UK was firmly inside the EU. The Brexit issue has overwhelmed the Scottish communicative space and marginalised the Scottish political voice in the UK. It has also raised many questions about the future of the present devolution settlement. Whatever happens next, Scotland won't be dull.

#### A last word

This lecture is part of work in progress. In a nutshell, I've argued that the public sphere is still important as a concept, heuristic focus, and space for thinking about the mediation and general practice of democratic politics. It's always structured in power and therefore a site of conflict. In her astute analysis of the political philosophy of emotions, Martha Nussbaum has observed the widespread neglect in cultivating our capacity for understanding, taking time and care to deliberate, to show respect for others. This neglect opens the door to what she calls the 'monarchy of fear'. A Recognising this, we do need to think afresh about the challenges plainly faced by a once-dominant model of deliberation and political rationality.

Those who successfully articulate a dominant vision of what the nation is, what it *could* be, and what it *ought not* to be, possess immense cultural power. The question of collective identity is presently the heart-beat of the public sphere of representative democracies. How could it *not* be central to our research agenda?

Notes

<sup>&</sup>lt;sup>1</sup> Hannah Arendt, *The Human Condition*, 2<sup>nd</sup> edn, Chicago: The University of Chicago Press, p.56.

<sup>&</sup>lt;sup>2</sup> Maurizio Passerin-D'Entrèves, 'Hannah Arendt and the Idea of Citizenship', pp.145-168 in Chantal Mouffe (ed.) *Dimensions of Radical Democracy: Pluralism, Citizenship, Community*, London: Verso, 1992.

<sup>&</sup>lt;sup>3</sup> Daniel C. Hallin and Paolo Mancini, *Comparing Media Systems: Three Models of Media and Politics*, New York: Cambridge University Press.

<sup>&</sup>lt;sup>4</sup> This concerns the recomposition of the politico-mediatic field, new forms of control over content production and infrastructure, and the transborder impact of global geo-politics. Hence the focus on the impact of social and non-mainstream media on political transformation and consciousness, the role of global tech/media giants, and connections between cyber-warfare and elections.

<sup>&</sup>lt;sup>5</sup> Manuel Castells, *Communication Power*, Oxford: Oxford University Press, 2009, pp.4, 234.

<sup>&</sup>lt;sup>6</sup> Jürgen Habermas, *The Structural Transformation of the Public Sphere: An Inquiry into a Category of Bourgeois Society*, Cambridge: Polity Press, 1989.

<sup>&</sup>lt;sup>7</sup> Norman Davies, *Europe: A History*, London: Pimlico, 1997, p.565.

<sup>&</sup>lt;sup>8</sup> John Erik Fossum and Philip Schlesinger (eds.), *The European Union and the Public Sphere: A Communicative Space in the Making?* London: Routledge, 2007.

<sup>&</sup>lt;sup>9</sup> Jürgen Habermas, 'Citizenship and National Identity', pp. 491-515 in *Between Facts and Norms*, Cambridge: Polity Press, 1997.

<sup>&</sup>lt;sup>10</sup> Alan S. Millward, *The European Rescue of the Nation-State*, London: Routledge, 1992.

<sup>&</sup>lt;sup>11</sup> William Davies, *Nervous States: How Feeling Took Over the World*, London: Jonathan Cape, 2018, p.60.

<sup>&</sup>lt;sup>12</sup> Habermas, *Between Facts and Norms*, p.508. In 1990, well aware of the destructive potential of retrograde identity politics, Habermas far-sightedly counselled states to manage the impact of major migration to avoid social tensions.

<sup>&</sup>lt;sup>13</sup> Nancy Fraser, 'Transnationalising the Public Sphere: On the Legitimacy and Efficacy of Public Opinion in a Post-Westphalian World', *Theory, Culture & Society* 24(4) 2007: 7-30, citation from p.11. In fact, Fraser did not address Habermas's thinking of transborder communication in the EU in her discussion.

<sup>&</sup>lt;sup>14</sup> Fraser, 'Transnationalising the Public Sphere', p.16.

<sup>&</sup>lt;sup>15</sup> ibid. p.24.

- <sup>16</sup> Philip Schlesinger, 'A Cosmopolitan Temptation', *European Journal of Communication* 22:(4) 2007: 413-426.
- $^{17}$  See the report on COP24 at Katowice: https://www.theguardian.com/environment/2018/dec/16/what-was-agreed-at-cop24-in-poland-and-why-did-it-take-so-long.
- <sup>18</sup> Cross-border TV flows are another issue. Note official concern in the UK, for instance, about Russia's RT and China's CCTV.
- <sup>19</sup> Margaret Canovan, *Populism*, London: Junction Books, 1981, pp. 9, 294, 298.
- <sup>20</sup> Jan-Werner Müller, *What is Populism?* Philadelphia: University of Pennsylvania Press, 2016.
- <sup>21</sup> Roger Eatwell and Matthew Goodwin, *National Populism: The Revolt Against Liberal Democracy*, London: Pelican Books, 2018.
- <sup>22</sup> Müller, *Populism*, pp.101-103.
- <sup>23</sup> Jim McGuigan, *Cultural Populism*, London and New York: Routledge, 1992.
- <sup>24</sup> Ernest Laclau, 'Towards a Theory of Populism', pp.143-198 in *Politics and Ideology in Marxist Theory*, London: Verso, 1979; Chantal Mouffe, *For a Left Populism*, London and New York Verso: 2018.
- <sup>25</sup> Ruth Wodak and Michal Krzyzanowski (eds.) 'Right Wing Populism in Europe and USA: contesting Politics and Discourse beyond "Orbanism" and "Trumpism", Special Issue, *Journal of Language and Politics* 16(4): 2017.
- <sup>26</sup> Benjamin Moffit, *The Global Rise of Populism: Performance, Political Style, and Representation*, Stanford: Stanford University Press, 2016, p.4.
- <sup>27</sup> Jay G. Blumler, 'The Crisis of Public Communication 1995-2017', *Jaynost –The Public* 25(1-2) 2018: 83-92.
- <sup>28</sup> Martin Montgomery, Post-truth Politics? Authenticity, Populism and the Electoral Discourses of Donald Trump', *Journal of Language and Politics* 16(4) 2017: 619-639.
- <sup>29</sup> Peter Dahlgren, 'Media, Knowledge and Trust: The Deepening Epistemic Crisis of Democracy', *Javnost The Public* 25(1-2): 20-27, citation from p.25.
- <sup>30</sup> Davies, *Nervous States*, p.60.
- <sup>31</sup> According to WikiQuote, 'Gove's actual quote in his interview with the journalist Faisal Islam was: "I think that the people of this country have had enough of experts with organisations from acronyms saying from organisations with acronyms saying that they know what is best and getting it consistently wrong, because these people these people are the same ones who got consistently wrong." The shortened quote was reported due to Islam interrupting Gove while he was speaking [...] but Gove had no intention of ending the sentence there.' <a href="https://en.wikiquote.org/wiki/Michael\_Gove">https://en.wikiquote.org/wiki/Michael\_Gove</a> Accessed: 4 May 2018.
- <sup>32</sup> Harry Collins, Are We All Scientific Experts Now? Cambridge: Polity Press, 2014.
- <sup>33</sup> ALLEA (All European Academies), Loss of Trust? Loss of Trustworthiness? Truth and Expertise Today, Discussion Paper No.1, Berlin, 2018.
- <sup>34</sup> Keith Kahn-Harris, *Denialism: The Unspeakable Truth*, London: Notting Hill Editions, 2018.
- <sup>35</sup> Natali Helberger, 'Challenging Diversity', pp.153-175 in Martin Moore and Damian Tambini (eds.) *Digital Dominance: The Power of Google, Amazon, Facebook, and Apple*, Oxford: Oxford University Press, 2018, citation from p.167.
- <sup>36</sup> LSE, Tackling the Information Crisis: A Policy Framework for Media Policy Resilience, <a href="http://www.lse.ac.uk/media-and-communications/assets/documents/research/T3-Report-Tackling-the-Information-Crisis-v6.pdf">http://www.lse.ac.uk/media-and-communications/assets/documents/research/T3-Report-Tackling-the-Information-Crisis-v6.pdf</a> Accessed: 2 January 2019.
- <sup>37</sup> Neil McCormick, *Questioning Sovereignty: Law, State and Nation in the European Commonwealth*, Oxford: Oxford University Press, 1999.
- <sup>38</sup> Philip Schlesinger, Scotland's dual public sphere and the media, in Michael Keating and Craig McAngus (eds.) *Oxford Handbook of Scottish Politics*, Oxford: Oxford University Press, in press for 2019.
- <sup>39</sup> Tom Nairn, *The Break-up of Britain: Crisis and Neo-Nationalism*, London: Verso, 1981.
- <sup>40</sup> Martha C. Nussbaum, *The Monarchy of Fear: A Philosopher Looks at Our Political Crisis*, New York: Simon & Schuster, 2018, p.11.
- <sup>41</sup> Davies, *Nervous States*, p.223, argues that 'Language needs to be de-weaponised, and turned back into a tool of promise-making, if democracy is to feel and be less warlike in future.' This presupposes norms of civility.