Ambiguities and Imperatives of Market Censorship: The Brief History of a Critical Concept

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Abstract
This article examines the origin and development of the concept of market censorship, ambiguities implicit in the concept and resistances to its use. It draws on historical examples to show that free expression is always subject to some regulation, and contends that, under neoliberalism, market censorship increasingly influences what and how we know. It identifies some critical communication perspectives that provide resources for developing a theory of market censorship, surveys the ways the term has been used during its relatively short history, and offers tentative conclusions that highlight both the value and limits of the concept.

Introduction

Direct references to 'market censorship' have had some currency for nearly three decades in the literature on censorship, although the concept has a much longer prehistory. Yet it still meets with stiff opposition in some quarters because it breaks with established liberal legal and philosophical conventions, which treat censorship as an exceptional, even aberrant, practice in Western democracies.[1]

No claims of censorship may be more laden with ambiguity than claims of market censorship. The controversy that surrounds the concept is deep and perhaps intractable. For this reason, some censorship scholars prefer the term 'self-censorship', which locates agency in the individual artist, writer, publisher, producer or programmer rather than within the institutional structures and practices

[1] My personal battles with editors over use of the term go back to the 1970s, when they insisted on substituting other words for market censorship. I first managed to get these words into print in a book review in 1981, and to fully develop the concept in print in 1988. I have subsequently used it many times, including in encyclopedia entries. Yet as recently as 2007, when the term was quite well-established in the literature on censorship, an editor of a prominent publication took the liberty of eliminating an entire paragraph from an article in which I explored the concept without consulting me, and later said the category was 'meaningless', concluding his communication with, 'I hope you agree.' I do agree the concept is contentious and imperfect though far from meaningless.

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of systems of cultural production. Self-censorship implies rational choice within an open system free of external constraints: it preserves the liberal value of individualism as well as the democratic ideals of freedom of thought, expression and press.

Critics of censorship may agree that these values merit robust defence, whether on democratic, humanistic or artistic grounds. Viable defences of these ideals cannot be secured, however, by denying how markets for the production and distribution of cultural products actually work in the 21st century. Self-censorship may accurately describe some of the creative decisions individual cultural workers make: decisions in areas where they have the autonomy to make choices to include some things and exclude others, or to use one approach or genre rather than another. Such decisions may reflect the individual's personal moral, rational, aesthetic or emotional preferences; they sometimes even express individual courage or temerity.

Using the personal pronoun, 'self', to describe how systems of cultural production work is, however, misleading. It does violence to both language and logic when the 'self' doing the censoring is a multinational communication conglomerate. Extending the reach of the category of self-censorship to cover routine structural deviations from democratic ideals has the effect, whether by default or design, of blaming the victims of censorship rather than the institutional structures and practices that impose it. Once creators take their creations to market, they are subject to its disciplines. Only amateurs without aspirations retain forms of autonomy that binds them only to the virtues and demons of the 'self'. For all of these reasons, market censorship is a more accurate description of the forms of systemic censorship that play an increasingly prominent role in contemporary cultural production.

What is Market Censorship?

Market censorship points to practices that routinely filter or restrict the production and distribution of selected ideas, perspectives, genres or cultural forms within mainstream media of communication based upon their anticipated profits and/or support for corporate values and consumerism. Such practices are reified, naturalized and integrated into the organizational structures and routine practices of media organizations and re-presented to the public as outcomes of consumer choices within a rational market system rather than as the result of calculated managerial responses to profit imperatives. Over time, these practices have become objectified, understood as 'just the way things are' or 'how things work', rather than as the historical outcomes of human decisions about how to organize the production and distribution of goods and services, and how to design, develop and deploy communication technologies. The veneer of inevitability that this

phantom objectivity projects reinforces entrenched interests and makes the system highly resistant to change.

The concept of market censorship calls critical attention to systemic forms of restriction of freedom of expression which thrive under conditions of private control of cultural production, especially when that control is concentrated in the hands of a relatively small number of large corporate entities. Under these conditions, some ideas get extensive exposure in multiple media outlets, while others are marginalized, ignored or wither at conception because they are deemed too controversial, risky or commercially unviable. In short, market censorship refers to the conditions of production and consumption that produce cultural hegemony.

This article examines the origins, development and limits of the concept of market censorship. Primary emphasis is on US practices because market censorship is deeply embedded and pervasive in the US system of cultural production. Moreover, given the often noted cultural contradictions of American culture, the incongruous mix of secular democratic values, high levels of religious participation and unbridled materialism, the ambiguities attached to market censorship are particularly pronounced, difficult to excavate, and resistant to criticism.

Free Expression as a Contingent Value: Ideas and Markets

Historically, liberal democracies emerged out of struggles against ecclesiastical and state censorship. Ideologically aligned against prior censorship and for freedom of expression, liberal democracies claimed, at least in theory, to have abolished censorship; and, in fact, most of them institutionalized protections for free expression as a cherished, even defining, characteristic of democratic covenants, with the First Amendment of the US Constitution representing the most radical and widely emulated of these measures.

Nations, institutions and constitutions achieve the stability and the resilience required to endure and meet new challenges by protecting the security of their constituent values. That is, their survival depends upon their ability to secure and defend the core beliefs that have won their allegiance and provide their legitimacy. The Gordian Knot that simultaneously holds liberal democracies together but also constantly threatens to tear them apart is the fact that freedom of expression is achieved through *intolerance of the intolerant*. Democratic access to free expression is only possible in liberal democracies if the freedom of church or state censors is abolished, or at least severely limited. That is, even freedom of expression requires regulation: consequently its franchises always contain qualifying clauses. It is a contingent value and a fragile one: the 'first casualty' of wars and other national emergencies (Knightley, 2004, vii).

Ambiguity is therefore built into political covenants that enfranchise freedom of expression. Even the great theorists of liberty, who crafted the philosophical grounds that weigh so heavily against ecclesiastical and state censorships and in favour of free expression, added qualifying clauses to their claims. Milton's eloquent but complex ode to liberty, *Areopagitica*, excluded Catholics from the golden circle of freedom: 'I mean not tolerated Popery …' (2008 [1644], 57). John Stuart Mill's *On Liberty* drew the line at direct challenges to private property and social order: 'Even opinions lose their immunity, when the circumstances in which they are expressed are such as to constitute a positive instigation to some mischievous act' (2004 [1859], 63). Although Mill was a staunch champion of intellectual dissent, his tolerance did not extend to words 'delivered orally to an excited mob assembled before the house of a corn dealer, or when handed among the same mob in the form of a placard' (2004 [1859], 63). For him, property rights appear to trump workers' rights to free expression and free assembly.

Despite the radical, even romanticized, claims of Thomas Jefferson and James Madison for freedoms of speech, press, religion, assembly and petition, the broad claims of the US First Amendment remained largely rhetorical until the 20th century because only federal law protected these rights: '*Congress* shall make no law …' States and even municipalities remained free to impose their own restraints upon free expression until 1925. But even after the extension of the free speech clause of the First Amendment to the states, free expression still remained a limited franchise. War, invocations of national security and fear ('threats' of anarchy, communism, civil disorder, drugs, terrorism and so on) continued to provide rationales for constraints upon the liberties guaranteed by the First Amendment, with the 2001 US Patriot Act offering the most compelling recent case in point. Government also retained the right to regulate certain categories of expression such as obscenity, pornography, false or misleading commercial speech, libel, and speech that, in the famous words of US Supreme Court Justice Oliver Wendell Holmes (1919b), provides a 'clear and present danger', such as falsely yelling fire in a crowed theatre'. Moreover, most people are still only free to exercise these constitutionally guaranteed freedoms during their leisure time. When wage earners enter the factory gate or office suite, they effectively surrender their right to free speech and free assembly. Indeed, from a legal perspective, with the exception of employees and former employees of intelligence agencies, people who work for the US government actually have more freedom of expression than employees of tightly controlled private corporations (Ewing, 1977).

Madison's concept of deliberative democracy provided the historical rationale for the First Amendment. He maintained that a functional democracy required well-informed citizens, which in turn required a free and diverse press. He saw the 'advancement and diffusion of knowledge' as 'the only guardian of true liberty' and

famously warned, 'A popular government without popular information or the means to acquire it, is a prologue to a farce, or a tragedy, or perhaps both' (Madison, 1822).

In the 20th century, however, the marketplace metaphor, based upon consumer sovereignty rather than political deliberation, gained broad currency in American discourses on freedom of expression. Again Justice Holmes rendered the salient opinion – in this case (*Abrams* v. *U.S.*; Holmes, 1919a) a dissenting opinion. Acknowledging that 'time has upset many fighting faiths', he maintained that men:

> may come to believe even more than they believe the very foundations of their own conduct that the ultimate good desired is better reached by free trade in ideas – that the best test of truth is the power of the thought to get itself accepted in the competition of the market, and that truth is the only ground upon which their wishes safely can be carried out. (Holmes, 1919a)

Holmes' decision had the intended effect of loosening the US government's formal role in the regulation of speech, but it also had the unintended effect of preparing the legal and ideological grounds for those who would later be committed to 'reregulating' the 'trade in ideas' to the advantage of commercial interests (Hills, 1986). In '"The Marketplace of Ideas": A History of the Concept' (2004), John Durham Peters points out that the marketplace metaphor did not gain significant currency in American legal and mass media discourses until several decades after Holmes coined the phrase; and that latter-day users contributed to reifying the metaphor by retroactively putting the phrase 'marketplace of ideas' into the mouths of such venerable figures as Milton, Adam Smith, Mill and Holmes, who apparently never uttered it (Peters, 2004). Late 20th-century users also ignored the reservations these thinkers expressed about market fundamentalism. According to Peters: 'The main sin of attributing the notion to Milton, Smith, Mill or Holmes is missing their warnings about the kind of people and society we would become if marketplace values of getting and spending alone prevailed' (2004, 80).

None of the great theorists of liberty professed the conviction that markets could be depended upon to function as reliable arbiters of truth (Peters, 2004; Sen, 2009). Even Holmes, true to his philosophical roots in pragmatism, regarded the theory he put forth in the Abrams' dissent as 'an experiment'. Confidence in radical empiricism, not faith in the efficacy of markets, drove his opinion: the pragmatic hypothesis that experience – trial and error – would produce viable solutions to life's challenges and consensus-based resolutions to intellectual controversies. For Holmes, as for his fellow pragmatists, William James and Charles Sanders Peirce, truth was a tentative state, at best a journey toward a distant and often elusive destination. Holmes rejected philosophical

fundamentalism and would also have vigorously rejected use of his argument as an anchor for market fundamentalism.

Marketplace of Ideas and the Cold War

Using the digital database of the *New York Times,* Peters demonstrates that the phrase, 'marketplace of ideas', actually seems to be the progeny of the Cold War, gaining some traction only in the 1950s and apparently reaching peak usage in the 1980s.[2] As an ideological weapon, the concept served civil libertarians domestically as a defence against the repressions of the McCarthy era; and, internationally, it provided Cold War liberals with fodder for attacks on Soviet censorship and control of the press. Peters maintains that the uneasy alliance between these civil libertarians and liberals began to split in response to the Thatcher–Reagan neoliberal revolutions, which did indeed commit the 'main sin' of trying to construct a world order in which marketplace values alone prevailed.

The concept of 'market censorship' may also trace some roots to the Cold War. To an extent, it may have been a critical response to the ideological excesses of US Cold War propagandists, who claimed far more for a democratic 'marketplace of ideas' than empirical evidence could support; however, the term did not achieve significant resonance in censorship scholarship until after the Cold War.

Like its dialectical counterpart, the marketplace of ideas, market censorship is a generative concept that is fraught with complexity. It carries some, although not all, of the 'hefty semantic freight' that Peters attributes to the concept of the marketplace of ideas, including the suggestions that communication and economics are analogous and that the exchange occurs in a 'place' (Peters, 2004, 66). In the case of market censorship, that imagined space is the highly restricted quarters of censors rather than the agora of the marketplace where, in theory, people can come and go as they please. In both cases, concrete images stand for what are actually abstract processes usually involving many geographically dispersed exchanges, policies, data, decisions, practices, and networks of communication operating both formally and informally over extended periods of time. Peters imputes a halo of 'libertarian theodicy – the faith in ideas', even something approaching the power and resonance of Platonic ideas', to the semantic freight of the marketplace of ideas metaphor (2004, 66). In contrast, its evil twin evokes critical images of the dark forces of pre- and anti-Enlightenment repression and persecution and links them to 'the main sin' of neoliberalism or

[2] My own quick search of 'marketplace of ideas' in the *New York Times* archive yielded 91 hits from January 2000 to January 2010, an increase over the decline to 81 that Peters observed in the decade of the 1990s. However, I also discovered a number of phrasings which seemed to assume familiarity with the Holmesian concept such as 'market for political ideas' and references as the market as determining the viability of viewpoints.

market fundamentalism. Within the theocracy of market fundamentalism, faith in the market reigns supreme, and ideas, like other commodities, accrue value only if they sell.

Yet market censorship is frequently free of easily traceable human fingerprints. No inquisitors or commissars apply stamps or issue edicts. To be sure, there are cases where market censorship is overt and censors can be identified, for example when broadcast corporations refuse to run advocacy commercials that are not consistent with their business interests or local newspapers publishers decide not to cover scandals involving their major advertisers. When market censorship is operating most effectively, however, it is all but invisible to the untrained eye. Its operations resemble 'an authorless theatre' (Althusser quoted by Resch, 1992, 21). Moreover the 'theatre' of consumer capitalism is a remarkably resilient system capable of absorbing, domesticating and even sometimes profiting from critical challenges so that, for example, the advertising and branding industries have demonstrated that they are able to absorb and even apply ideas borrowed from Marx, Barthes, Foucault and other critical social theorists.

Prehistory of the Concept Market Censorship

Milton's 1664 classic, *Areopagitica*, not only played a crucial role in the development of liberalism's argument for freedom of expression; it also contributes to the genealogy of the concept of market censorship, once again *après le mot*. Milton may have been the earliest critic of the commoditization of knowledge. To be sure, this aspect of his critique of censorship is secondary to his protest against state interference; and it is more implicit than explicit, but it is nonetheless present.

> Truth and understanding are not such wares as to be monopolized and traded by tickets and statutes and standards. We must not think to make a staple commodity of all knowledge in the land, to mark and license it like our broadcloth and our woolpacks. (Milton, 20081[644], unpaginated).

It would be another two centuries, however, before Karl Marx developed his theory of capital, with its scathing critique of the censorship of 'the high security deposit', which, he claimed, is routinely imposed upon knowledge in liberal democracies (Marx, 1974 [1841], 33).

Those who live by the pen, like Milton and Marx, have vested interests in opposing the silences imposed by market imperatives; and they have been the most vocal critics of market censorship. To cite a few examples, novelist Herman Melville complained, 'Dollars damn me … What I feel most moved to write, that is banned, it will not pay' (Melville, 1993 [1851], xvi). In a similar vein, Virginia Woolf condemned 'adultery of the brain … writing what I do not want to write for

the sake of money' in *Three Guineas* (Woolf, 2006 [1938], 112). American journalist Walter Lippmann (1913) saw the 'morganization' of culture – referring to Wall Street financier J.P. Morgan – as a very real constituent of the literary life in early 20th-century America, but he also contended that fear of readers (customers and interest groups that represented them) exercised even more pervasive and invidious forms of editorial censorship.

Some of the most dramatic testaments against market censorship have paradoxically come from writers seeking refuge in the West from oppressive censorship regimes. The great 19th-century humanist Aleksandr Herzen abandoned his homeland in protest against Czarist censorship only to experience profound disillusionment later as he discovered the extremely narrow limits imposed on freedom of expression by market constraints in the West. More recently, his countryman, Aleksandr Solzhenitsyn (1978, 1980), repeated the cycle, escaping Soviet censorship only to be demoralized by what he condemned as the commercialism, sensationalism and moral bankruptcy of Western materialism.
These examples encapsulate the multiple and often overlapping concerns of contemporary critics of market censorship who variously charge that: (l) aesthetic or spiritual values are being subordinated to commercial values; (2) quality work is not being produced, published, and/or distributed because it is not profitable enough, thereby diminishing or 'dumbing down' public discourse; (3) the promises of the classic theories of free expression have been betrayed; Madison's prologue is our reality, both farce and tragedy; (4) the good, the true, and the beautiful are casualties of the farce; (5) grave injustice has been done to creative workers, depriving them of audiences and a fair return on their efforts; (6) market gatekeepers systematically bar access to or marginalize the voices of minorities and thereby contribute to and amplify social injustice; (7) commercial pressures produce exploitive forms of sensationalism, which may in turn, contribute to (a) skewing public priorities, (b) cultivating values that can be physically or psychologically harmful, especially to the developing minds of children, or (c) produce backlash from religious groups, parents, educators and opportunistic politicians, including demands for direct censorship in response to the perceived moral depravity (sinfulness) of unrestrained materialism – a response that echoes some of the concerns of Milton and Solzhenitsyn.

In essence, then, the basic argument of those who claim that market censorship has become a significant force in contemporary cultures is that, with the emergence of modem corporate capitalism in the late 19th and early 20th century, control over the production and distribution of ideas and cultural artefacts was industrialized, and commodified and concentrated within private hands. As a result, freedom of expression, always a contingent value, is now largely contingent on decisions made by private producers: the huge communication and technology conglomerates that comprise the modem consciousness industry. These private

interests now possess the kind of power over 'what we know' and 'how we know it' that was once the exclusive purview of popes, kings, commissars and inquisitors. That power includes the ability to wield considerable influence in domestic and international politics, including the ability to shape legislative and policy processes to serve their interests.

That power has not, of course, gone unchallenged. Protest against what American philosopher William James referred to as 'our national disease': 'the squalid cash interpretation of success' in the arts and culture has been a defining characteristic of artistic integrity and resistance and a staple of 'bohemian' subcultures since the Romantic period (James, 1920, 23). So much so that within communities of artists, success in capitalist art markets is frequently equated with 'selling out', 'prostituting' one's talents. This ethos has also been a constituent of the popular arts and media, where, paradoxically, it has often proven to be a highly marketable commodity. Indeed, the lone hero crusading against the system has become one of the most popular formulaic archetypes of popular novels, film and television.

Throughout most of the 20th century, criticism of excessive materialism and commercialism was a fixture in American culture, supported by opinion leaders in education, religion, government and even many mainstream media pundits. In exchange for the privilege of access to people's homes, American broadcasters were required by law to serve 'the public interest'. Yet, as early as 1961, Newton Minow, the Chairman of the US Federal Communication Commission, famously described American television as 'a vast wasteland' with its 'blood, thunder, mayhem, violence, sadism, murder, western bad men, western good men, private eyes, gangsters, more violence, and cartoons. And endless commercials – many screaming, cajoling, and offending' (Minow, 1991, 24).

A strong vein of critical scholarship in sociology and media studies developed after the Second World War that demonstrated that the increasing commercialization of American culture was warping the broader social fabric. Many scholars made substantial contributions to this tradition. I will limit myself to two very brief samples, however, drawn from work of two researchers, Herbert Schiller and Dallas Smythe, whose contributions not only tap deeply into this critical vein, but also provide conceptual resources for developing a theory of market censorship.

Surveying the wreckage of Madisonian 'Tragedy' and 'Farce' in his book *Culture, Inc.*, Schiller contends that turning 'information into a saleable good, available only to those with the ability to pay for it, changes the goal of information access from an egalitarian to a privileged condition' (1989, 75). He maintains that after the Second World War, corporations sought to consolidate the power and profit margins they had enjoyed domestically under a war economy; and, with the support of US government policies, they also sought to develop new markets

abroad, including markets for cultural products. These corporations not only sold symbolic goods, they also sold consumerism as a way of life. The long-term effect led to privatization of control of telecommunication, media and cultural institutions, and with it a narrowing of the ideological range of the political messages that the culture industries transmitted. Schiller referred to this as a new 'enclosure' movement; and he maintained, 'the essential underpinning of a democratic order is seriously, if not fatally, damaged' as a result of the privatizations of public culture' (1989, 75).

In a *Dependency Road* (1981), a book Dallas Smythe published relatively late in life, he argues that the consciousness industry, in all its various manifestations, has achieved the power to set the agenda in consumer societies. Smythe is not referring to agenda-setting in the narrow sense well documented by news research. Rather he uses the term in the much more comprehensive existential sense implied by Ortega Y. Gasset's observation that: 'Living is nothing more or less than doing one thing instead of the other.' Smythe examines the ways the consciousness industry implicitly or explicitly coaxes or cajoles consumers into doing one thing instead of another. He considers this expansive form of agenda setting as the driving principle of contemporary power knowledge. In a fundamental sense, he contends, what is omitted from the agenda set each day by the consciousness industry is *censored* from public consciousness:

> The act of modern censorship is essentially a decision as to what is to be mass-produced in the cultural area. So long as current cultural production is in the hands of privately owned giant corporations, *they* must also make the decisions as to what is to be mass produced in the cultural area and what will not be produced. Because in monopoly capitalism, privately owned giant corporations are regarded as legal persons, we are accustomed to yield them the same privileges to which natural persons are entitled. *It is as accurate therefore to refer to corporation decision making in the cultural area as being censorship as it is to refer to government decision making by that pejorative term* (Smythe, 1981, 235).

The concept of market censorship is fully developed here. Many censorship scholars would probably see it as too fully developed, over-determined, because Smythe sees material censorship as a fundamental constituent, a driving force, of contemporary culture. Some researchers prefer to invoke the concept in more limited ways, to analyse how specific ownership patterns and/or demands for high profit margins in particular media sectors influence what is produced and what is not: celebrity scandals instead of investigative journalism, reality TV instead of drama, ghost-written autobiographies of famous public figures instead of books by talented but unknown writers.

The Short Career of the Concept of Market Censorship

Direct references to market censorship within the literature on censorship began in the 1980s, and gained significant momentum in censorship scholarship in the following decades; the term has even made some small inroads into popular discourse. Digital databases and search engines provide unprecedented tools for tracking the diffusion of terms and concepts. Google Books and Google Scholar 'exact word searches' currently provide the most comprehensive resources for tracking academic discourse. Google Scholar yielded 170 direct references to 'market censorship', with the earliest appearing in 1981, but the term did not reappear again until 1988. Google Books yielded 412 hits, with two related references appearing as early as 1949.[3]

The 1949 sources refer to a book publisher's provocative claim that 'his censorship is the market's censorship – that he is an agent of the market', a claim that is met with scepticism by the lead researcher in an inquiry into the American book industry (Miller, 1949, 64). The words would not appear again for more than 30 years, and not with any frequency until the end of the Cold War, when market censorship would resurface as a critical concept for analysing the dynamics of cultural production. Yet the early source, the publisher's claim to be the market's censor, contains the kernel of the idea. A review of the first 240 exact matches in Google Books, the larger database, revealed the following frequencies of exact matches for market censorship: 5 in the 1980s, 93 in the 1990s, and 105 between 2000 and 2010. Early usages were in critical media studies, with the concept gaining interdisciplinary traction in the 1990s, especially in library studies, political science, history, literature, music and art, with some scholars applying the concept retroactively to historical studies of literature. In most cases, however, the focus is on contemporary 'free market' constraints on cultural production.

Critical media scholars, contributing to discourse on market censorship, have tended to focus broadly on the relationship of media and democracy, drawing directly or indirectly upon studies in political economy in the tradition of Smythe, Schiller and others. While historically this scholarly approach has generally placed primary emphasis on the economic aspects of political economy, scholars applying it to studies of censorship have placed more weight on its political and cultural implications (Calabrese, 2000; Curran 2004; Jansen, 1988, 1994; Keane, 1991). This

[3] While digital searches have created unprecedented opportunities to track word usages, the diffusion of concepts and patterns of author influence, they are, of course, incomplete, with a bias toward the new. They are constantly changing as new sources are added, and increasingly subject to restrictions due to litigation. Exact word searches allow for good levels of filtering for relevance, but punctuation can create misleading adjacencies, for example in my searches, sentences that end in 'market' which are adjacent to sentences that begin with 'Censorship': 'market. Censorship'. One could perhaps argue that the adjacencies may themselves reveal some affinities, but there is no need to invoke weak claims. The evidence is substantial and unambiguous.

work has tended to rely on case studies of contemporary cultural production organizations and industries. Social scientists have also invoked the term in studies of cultural homogenization, communication poverty, journalism, media activism and film (Barber, 1998; Louw, 2001; Meikle, 2002; Overholser and Jamieson, 2005). Work in the humanities incorporating the concept has been more eclectic, including, for example, retroactive studies of the impact of market constraints on specific authors, history of the book, property rights of aboriginal people, language, cultural studies and film (Burt, 1993; Eliot and Rose, 2009; Marcus, 1998). What I am arbitrarily labelling 'practitioner studies' constitutes a third category of work in this area; this category includes both academic and non-academic research. See, for example, Buschman (1993), who analyses market censorship and librarianship, including technologies, acquisitions, fees, and disparities between information needs and information markets, Altbach (1991), who reviews the effects of market censorship on textbook production, and Schiffrin (2000), who provides a well-documented insider's account of the effects of market censorship on the book business.

Dissemination of the concept into broader public discourse has been much slower. A *New York Times* database search yielded only three hits: two in the 1990s and one in 2000. An entry for 18 November 1990, however, is particularly interesting; entitled 'Worlds Apart', it reports on a conference in Moscow on 'The Moral Effects of Social Change' attended by an entourage of prominent American writers, intellectuals and journalists. The relevant exchange addresses Gorbachev's goal of a free-market economy. Soviet publisher, Georgi Andzhaparidze, announces bleakly that: 'The Soviet Union is on the threshold of a new kind of censorship – economic rather than political.' He worries that if the 'dictates of the market' are applied to the book industry, 'only 1000 out of 10,000 [writers] union members will be able to live on [their] earnings'. Noting that Soviet literature largely prepared the way for *perestroika*, especially the work of Solzhenitsyn and Joseph Brodsky, he ponders the silences that may follow. Pointing out that even major American book publishers only advertise and promote a few of their books, Andzhaparidze not only worries about what will happen to Soviet writers, but also to Russia's famous 'book hunger'. Another Russian, Aleksandr Borschchagovsky takes issue with this view, however, contending: 'Political censorship leads to distortion of experience. Market censorship will lead to integrity.' Andzhaparidze remains unconvinced (Johnson, 1990, 54). All the evidence may not yet be in, but the verdict of history to date affirms Andzhaparidze's prescience.

Limited exact word searches of two British newspapers, *The Times* (London) and *The Guardian* yielded only one direct hit (*Times Literary Supplement*, 1 December 2000), but numerous entries for 'self-censorship'. A significant number of these references related directly to the constraints imposed by market forces. Discussions of censorship are far more frequent in the British press than in the

American press, and, in my judgement, more frank and realistic in recognizing both the limitations of markets as arbiters of truth and the inevitability of some social constraints on knowledge and information, whether it is produced in democratic or authoritarian states.

Conclusions

Several tentative conclusions can be drawn. First, while the results of the database searches suggest that 'market censorship' has gained considerable resonance over the past three decades, related terms that designate the same phenomena, including 'self-censorship', 'economic censorship' and even 'neoliberal censorship' also have considerable currency and remain the preferred usages in some quarters.

Second, increased frequency of use of the term 'market censorship' and its synonyms is correlated with the end of the Cold War and the rise of neoliberalism. Since most of these uses are direct critical responses to the subordination of other cultural values to market values and practices, I think it is reasonable to assume that this is not a spurious correlation. Rather it is, at least to a considerable degree, a critical response to changing historical conditions. Neoliberalism, as I use the term here, refers to the approach initially set in motion by the Thatcher–Reagan revolution and augmented after the collapse of the Soviet Union by the 'Washington consensus', which globalized free market ideologies and practices. I prefer the term 'market fundamentalism', coined by George Soros, which not only more accurately denotes the ideology (or 'theocracy') and structural forces driving market censorship, but also provides semantic parsimony and clarity between the parallel terms, market fundamentalism and market censorship (Soros, 1998). The term 'neoliberalism' has, however, achieved discursive dominance.

Third, under neoliberalism, politics is subordinated to economics: the state is expected to serve corporate interests. Market censorship, as the term is used in this context, takes this into account: in most cases, market censors and political authorities work in consonance with each other. Their efforts are mutually reinforcing. To be sure, closure is not complete under market fundamentalism: there are instances where market and state priorities still conflict and where cultural producers successfully resist the conflation of politics and economics. No form of censorship is ever fully effective: even under stringent forms of ecclesiastical or state censorship; some producers find ways around the system, whether by creative ingenuity (use of irony, esoteric language or forms, etc.), or by such means as exploiting loopholes in the rules, bribery, favouritism deriving from personal or political networks, and so on. Most forms of market censorship are more elastic, but also more resilient, than religious or political censorship: that is, market censorship is a leaky system, but one that is easily repaired.

Fourth, the term 'market censorship' initially emerged as a critical response to privatization, consolidation and conglomeration in mainstream media: trends which narrowed the range of political views and cultural products available to citizens. Since then, the development of the internet, especially the web, as well as the emergence of niche markets, has changed the material conditions of cultural production. Anyone with a computer can, in theory, share her political views with the entire world, and, in practice, can access a vast range of diverse information and political perspectives. Niche markets do not require economies of scale to create viable profit margins: they can therefore deliver highly specialized cultural products to relatively small markets. Does this mean that market censorship is an artefact of obsolete technologies and marketing strategies? The future will tell. At this point, however, it seems probable that market censorship will just take more sophisticated forms, which may be even more difficult to unpack. New forms will likely be more dispersed and technologically complex so that, for example, it will require specialists in software design and marketing strategies tailored to specific niche markets to explain how the new filters work; however, it will probably be difficult to locate and recruit such expertise to the service of critical censorship studies. Further, while the internet does allow us all, if we have the time and inclination, to transmit our views to the world, it does not ensure that anyone will pay attention to what we have to say. Voices in the wildness may be expressive but we must also ask whether they are consequential? Finally, there are no assurances that the internet as we currently know it will be the internet of the future. Struggles over its control are ongoing. Its future architecture, operations and accessibility are by no means settled. The same commercial forces that privatized earlier forms of public media are major players in current debates about net neutrality, broadband development and internet governance. There is, however, resistance to these trends. A relatively vibrant, if loosely aligned, international media reform movement does exist (Hackett and Carroll, 2006); open source 'hackers' committed to social justice push back against cyber-censorship and surveillance (Sullivan, in press); and the internet can be used to provide safe havens for whistleblowers and other dissenters (re: Wikileaks, see also Martin, in press).

Fifth, ambiguity almost always adheres to charges of market censorship brought by culture workers. The relative invisibility of the mechanics of market censorship and its plausible deniability compounds that ambiguity. Without transparency, who can say for certain whether a manuscript was rejected because it failed to meet high editorial standards or because management insists on investing in and promoting works by authors with established 'brands'? Alienated insiders occasionally tell tales, but few authors ever admit that their own work was rejected because it lacked substantive merit. Businesses do exist to make money: dollars may damn a writer's creative impulses, but their absence damns business operators.

Sixth, critiques of market censorship are important, but they too are always mired in ambiguity. As the prescient Soviet publisher pointed out during *perestroika*, writers and other cultural producers need markets to be able to make a living doing creative work. Property and markets appear to be necessary features of human enterprise in the world as it is presently organized, even though far more democratic distributions of cultural resources are surely possible. And more support for public media is necessary to achieve more democratic balance. Yet public funding of culture is always a primary target of market fundamentalism and, in periods of economic recession, it is usually the first thing to be cut from public spending.

Seventh, to say as many of us who use the term do, that market censorship is systemic, and that once established it frequently functions like 'an authorless theatre', is useful in pointing to how pervasive, deeply embedded and largely invisible market censorship is under a regime of market fundamentalism. Yet this claim is also vulnerable to misinterpretation or cooptation. It can easily be reinterpreted as affirming rational choice economic theory and free market ideology which impute impersonality and objectivity to an 'invisible hand of the market'. The workings of markets are often invisible, especially to outsiders, but they are not impersonal, objective or inhuman. Indeed, they are all too human, as the 2008 global economic crisis demonstrated. Markets do not exist in nature. They are purposive human creations. The agents behind 'rational choices', as well as agents fomenting 'irrational exuberance', are human agents. Contemporary markets are indeed highly complex, but their operating systems are made up of management structures, strategies, protocols, practices and technologies that are human designs based on human decisions: decisions 'to do one thing instead of another'. There is nothing natural or inevitable about them. Some market designs and decisions serve the public good: they provide necessary goods and services, create jobs, contribute to prosperity and provide viable supports for freedom of expression. When all other social values are subordinated to market priorities, however, as they are under market fundamentalism, then what Herbert Marcuse presciently described as 'repressive tolerance' in 1964 may be the most we can expect (Marcuse, 2002).

Eighth, criticisms of the concept of market censorship are not without merit. It is a provocative pairing of terms, a leaky concept without firm boundaries, which is too often deployed as well as rejected on ideological grounds. Market censorship usually operates behind closed doors and is therefore difficult to document. Naming it goes against deeply ingrained liberal biases or blinders inherited from the Western Enlightenment; it cuts against the grain of some professional ideologies, especially that of journalism. Outsiders who did not grow up within Western democracies, such as Herzen, Solzhenitsyn and Andzhaparidze, seem to be able to spot it more readily than insiders can. Yet by now enough empirical

evidence of market censorship has accumulated to support continued development of the concept. To be sure, when it is used as a heuristic in social science research, the ideological 'freight' and evocative associations involved in linking the terms 'market' and 'censorship' need to be excavated, exposed and acknowledged (as I have done above, following Peters, 2004). The concept is perhaps best understood methodologically as akin to sociologist Max Weber's (1958) 'ideal' or 'pure types', which describe undiluted or extreme forms of an activity, the far ends on a continuum that can be used to construct a scale for locating, measuring and assessing the messy, complex and frequently contradictory behaviours that actually occur in everyday life. So that, for example, assessing the behaviours involved in the production of a particular media artefact may show that its conception was relatively autonomous, crafting of the product more constrained and that it hit a brick wall at the level of distribution, for example, the independent film that cannot find a distributor or the book that is deemed marketable and is published but subjected to 'privishing' – that is, not advertised and quickly sent to the shredders because a powerful corporation objects to its contents (Borjesson, 2002).

Friends of free expression should hope that the concept of market censorship has a short life: that the conditions of cultural production change in ways that make the concept and practices of market censorship less central to discussions of cultural production. It may be that the excesses of the immediate Cold War era will prove transitory.

The web has created some significant spaces for organized resistance to market censorship. The Free Culture movement, in its various manifestations, has gained international momentum. To be sure, there are realistic limits as to just how 'free' culture can be, as the current crises in the business models of newspapers demonstrate; it can nevertheless be far freer and more democratic than it is today. A just balance of democratic social values and market values is still possible if classic commitments to *intolerance of intolerance* can be revived and mobilized to constrain market excesses. This will be very difficult to achieve in a world with an expanding population and shrinking resources, but Tragedy and Farce are not inevitable.

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