

Ratings as Politics. Television Audience Measurement and the State: An International Comparison

JÉRÔME BOURDON¹

Tel Aviv University, Israel

CÉCILE MÉADEL

CSI–Mines ParisTech, France

Whereas most research has focused on the commercial uses of television audience measurement, this article examines the political dimension of audience measurement in a comparative study of France, Israel, the United Kingdom, and the United States. It identifies three types of relationships between the state and measurement. The *guarantor state* performs measurement via a public broadcaster and is involved in its implementation, be it as shareholder of the organization in charge of measurement, as reformer, or as supervisor of measurement procedures. The *regulator state* introduces audience measurement figures as criteria for policy into constraining legal texts, mostly to regulate concentration. The *reader state* interprets audience measurement figures as legitimate representations of the public. This political dimension helps explain the semiofficial status of measurement institutions across the countries studied.

Keywords: television audience measurement, ratings, Nielsen, broadcasting regulation, France, Israel, United Kingdom, United States

Introduction

The state, like the market, needs metrics. Each entity has its own tools to monitor its actions and its users/citizens/consumers, and each has, for a long time, used various statistics to analyze and shed light on its universe and actors. However, market tools also can be political or administrative tools, which is what we study here: the transfer of steering instruments from the market world to the political world—or their hybridization, to be more precise. This is not a matter of one world replacing the other, but of both market and state transforming each other, each of them imposing on the other constraints and modifying the other's practices.

Jérôme Bourdon: jerombourdon@gmail.com

Cécile Méadel: cecile.meadel@mines-paristech.fr

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We examine this issue using a cross-national study of the political dimensions of audience measurement, focusing on the technology that has been considered state of the art internationally since the 1980s: the People Meter. Our intention is to understand how audience figures contribute to constructing politics (i.e., models of representation and actualization of public affairs). More precisely, we will focus on democratic regimes, where a numerical representation of the people is a central question beyond the decisive moment of the elections. Audience figures, we claim, play an important representational role in such regimes.

For the most part, this aspect has been neglected by communication scholars who have focused on the professional dimension of ratings, whether they validate the use of figures or criticize them. We adopt an agnostic view here. Without assessing the veracity of figures, without blaming or praising their role, we look at the sociotechnical arrangements that, for political actors, either bolster or weaken these measurements depending on the circumstances. We follow an approach at the interface between the social history of statistics and the analysis of the state. As Gensburger (2013) wrote:

The history of statistical demographics is one of the most accurate fields to grasp some of the dimensions of the building of the state: the relationship between administration and political power, on the one hand, between state and society, on the other, through, among other things, the study of the genesis of social representations. (p. 61)

We begin by explaining the geographical scope of the study, then move on to theory, first discussing the treatment of audience figures in communication studies generally and then progressing to our specific approach. Our findings identify three types of relationships between the state and audience measurement. First, the state plays the role of the *guarantor* of audience figures, never indifferent to their production and a significant agent in the establishment of their validity. In the second role, the state is the *regulator*, introducing the figures into mandatory provisions, shaping the broadcasting scene, and/or forcing its actors to intervene based on audience results. Third, the state can be described as a *reader* regarding audience figures, which they themselves helped establish, as faithful representatives of the nation. Here, no difference exists between the state and other social actors who read society through audience figures.

The discussion of findings is not strictly chronological, although there is some sense of an order. Mainly, the state must create metrics before regulating with them or reading them. In addition, reading belongs more to the final stage of the story as it has been (and still is) slowly diffused across the state institutions and beyond. However, there is also an element of circularity: The state needs to believe in the representative power of the new representations before it becomes a guarantor and user of ratings.

Geographical Scope: Where Figures Speak for the People

We focus on television's main steering instrument, audience figures (or ratings), analyzing their evolution and uses in the democratic political world. Ratings are used to measure the number of viewers of a particular program during each minute of the broadcast. Until the 1980s, worldwide, television was mostly a public, or state-controlled, medium, which produced or commissioned its own ratings. Then, with

the deregulation of broadcasting, powerful commercial stations, which had been central to U.S. broadcasting from the start, grew across the globe (sometimes as a result of the privatization of public stations), alongside weakened public stations, with the state acting as regulator. Programming strategies and formats increasingly converged. So did audience measurement methods (Balnaves, O'Regan, & Goldsmith, 2011). Various devices had been used to measure audiences: phone surveys, diaries, and, early on in the United States, the audimeter, which continuously measured the number of TV sets switched on. With deregulation, the People Meter (which had originated in Europe around 1984–1985) slowly spread across the globe. It added to the audimeter a remote control that measured individual viewing (i.e., presence in the room in the vast majority of countries) rather than just TV sets being turned on. Audience figures became vital to the life of television channels throughout the world; these data are used to negotiate and calculate the hourly rate of advertising time, to sell content on national and international markets, to comparatively assess broadcast performance, and so on. These figures also acquired a new visibility; widely disseminated in the public sphere, particularly in the media, they were put to public use beyond their original professional purposes.

We study this process in four democratic (at least purportedly democratic) countries: the United Kingdom, France, Israel, and the United States. In each of these countries, free elections regularly take place and a high level of freedom of expression is accorded; the representation of the public and the legitimacy of representation are crucial issues (Rosanvallon, 2011); and opinion polls account for much of the quantified representation (Herbst, 1993; Igo, 2008). In such a context, television audience figures, like elections results and opinion polls, are more than a professional instrument; they speak for the people. Furthermore, at a time when television has become a quasi-universal medium, they (should) speak for all the people. This last aspect relates to the way democracy is conceived in different countries. Like other modes of representation, ratings have to “include” (Dahl, 1979) different subgroups of the national population. This process is crucial for ethnic minorities, especially in countries whose political culture admits some form of multiculturalism (Bloemraad, 2011).

Following a strategy proposed by Livingstone (2003), we maximize differences between countries to ensure that the results can be generalized beyond the chosen countries. In the four countries examined here, the relations between media and the public authorities, the formats of state intervention, and the recognition of multiculturalism differ substantially. In France, the United Kingdom, and Israel, the dominant model was that of public, national, monopolistic television, which was dominant worldwide until the 1980s. However, their present modes of regulation are very different. In the United Kingdom, there has been highly regulated competition since the 1950s, with the continued presence of the youngest and still strongest public-service broadcaster in Europe, the BBC. France had the strongest tradition of state intervention, but the public broadcaster was less legitimate and suffered a major blow in the 1980s, when the first public channel was privatized and new private channels were created. In Israel, the monopoly of the single public channel was greatly weakened by radical deregulation in the 1990s (Soffer, 2014). Further complicating matters, the definition and borders of the nation remain uncertain, with the domination of the ethnic Jewish minority (itself divided), limited political rights for the Arab minority, and the occupation of the Palestinian territories. Finally, television in the United States has long been an exceptional case in the global broadcasting landscape. From the start, its competitive commercial networks have been supervised by a powerful regulator (since 1934, the Federal Communications

Commission [FCC]) and contextualized by a greater acceptance of multiculturalism than in Europe. The United States is the only country where national audience measurement has always been the preserve of a private firm.

Theoretical Background

In the academic world, communication studies have tended to neglect audience measurement. The dominant approaches have been critical: The most influential texts continue to be those of Dallas Smythe (1977), who famously argued that the audience is a “peculiar commodity” whose participation in the media-advertiser-audience relationship is a form of free work. Smythe emphasized the key role of statistics producers as a “sub-industry sector of the consciousness industry” (p. 5). Ang (1991) studied the way ratings are used by commercial and public broadcasting institutions, emphasizing measurement as an instrument of discipline and surveillance à la Foucault. Finally, Bourdieu (1998) made the “ratings mentality” a cornerstone of television, describing the medium as a “major system of symbolic oppression” (p. 70). His analysis gives much power to ratings without trying to understand the sociological and technical foundations of this power.

A few, mostly U.S., researchers aim to understand the production, diffusion, and uses of ratings collection. They do not reject the ratings system, even if they are at times critical of some of its uses. Some of these researchers use the data to research the popularity of programs or the effectiveness of programming strategies (Stavistky, 2000). Others describe in depth the statistical and technological foundations of ratings (see Webster, Phalen, & Lichty’s classic text, 2014/1991) or their (American) history (Beville, 1988). These researchers have focused mostly on the commercial role of ratings but also have considered their role in policy (Webster et al., 2014, chap. 10; Beville, 1988, chap. 9; Buzzard, 2012), recalling in particular the various investigations led by regulators or congressional committees, and the way such investigations affected industry practices. More specifically, Webster et al. (2014) show how various forms of ratings data are used by the FCC or other public agencies. Napoli (2011) considers how the evolution of audience measurement has affected U.S. media policy.

Our theoretical framework draws on the sociology of quantification (Desrosières, 1998) and more broadly on actor-network theory (Latour, 2005). We hypothesize that ratings are robust “spokespersons” (Callon, 1986) for the audience. *Spokespersons* here means that those figures succeed in embodying the audience in a way that, despite their different approaches and potential oppositions, can make sense in the office of an advertiser; on the desk of the head of programming, a chairperson, or a regulating authority; or in an article by a sociologist of communications (Méadel, 2015). Spokespersons, in other words, give a (widely) accepted voice to mute audiences. Our aim is to understand how this legitimacy is built, transformed, and actualized—notably through the relations between audience figures and the state. This sociological perspective on television is close to that of Anand and Paterson’s (2000) on the commercial music industry. Like them, we study a specific “information regime,” which provides “a focus of attention around which groups of organizations consolidate” (p. 271). We do not discuss the validity of ratings or their effects, but analyze them as a “socio-technical mechanism,” effective for various actors (Bourdon & Méadel, 2011), focusing on a neglected actor—the state—as a central organization in the manufacturing, use, and diffusion of ratings; in short, central to the “information regime” of our specific

media market. The state has had much influence on this information regime. Conversely, the market has contributed to transforming the measuring state, which was at the origin of quantified representation in the public sphere (Didier, 2009); it has imposed new constraints on it and causes it to change its practices and approaches. Television, which, with the proliferation of channels and the transformation of regulation, has often undergone an abrupt shift from public monopoly to commercial competition, is an ideal place for the study of this hybridization.

Finally, a word is needed on the way we understand the state. We include in this term public broadcasters, supervisory authorities, regulatory authorities, administrations, statisticians, legislators, and the courts. The state is not considered, as in sociolegal studies of broadcasting, as an autonomous universal power. It is understood in the sense of Foucault (2010), from a nonessentialist angle, approaching it from the perspective of the constantly mobile actions and practices that constitute its materiality. Thus, the outlines of what we call the state can vary due to national particularities, but also because the process we discuss is dynamic. The ambit of the state as direct administrator is shrinking, and, at the same time, the state is still present in scalable bodies with a sometimes new legal status. This is illustrated by the classical case of regulatory authorities (present for broadcasting in all the countries studied); the measuring institute also can be analyzed as a new form of hybrid institution, neither fully commercial, nor fully public. In those specific places, we will see the state contributing to building the media system, but also building itself in the process. We are thus not talking about a unilateral use of power but of a symmetrical coconstruction.

We now move to a discussion of our findings with the three types of relationships between the state and television audience measurement: the guarantor state, the regulator state, and the reader state.

The Guarantor State: From Producer to Overseer

In this first type of relationship, the state can be involved in different ways and to varying degrees in building measurements, monitoring productions, and ensuring quality. In France, Israel, and the United Kingdom, as in most countries, the state moved from being a direct producer to an overseer. The ratings were either commissioned or managed by a professional body, where public and private broadcasters cohabit with advertising professionals, and sometimes with public authorities. The United States has quite a different setup, with private companies selling their services to broadcasters on a monopolistic market, overseen (at least potentially) by various public bodies.

The Producer State: The European Model

The producer state was the first configuration, dating back to the very beginning of television. Audience figures, however, did not correspond to the systematic quantitative measurement of individual programs: What mattered was the public's preferences, tastes, and behaviors (Schwarzkopf, 2014). This period corresponded to what Didier (2009) calls the "plasma" stage: the beginning of statistical activity, when professionals identify the elements they consider useful to capture the characteristics of the targeted population. This is not yet the age of systematic statistics, but of large-scale, wide-ranging public

surveys, using tools such as home visits by fieldworkers, coincidental telephone interviews, and questionnaires. It is an apparatus as close to the viewers as possible, designed to provide the state with extensive, dense, and multivocal information that contributes to its own constitution. Following Karila-Cohen (2008), one can say that the state is also a product of such a survey when it seeks to understand what a new media means and what it is going to do with it.

Before television deregulation (which started in Europe in the 1980s), with the growth of television and the beginning of competition between public broadcasters, the statistical approach to audience measurement changed (Méadel, 2015) to more directly influence decisions regarding choice of professionals, program selection, justification of expenses, and so on. The audience measurement figures remained tools of governance, produced in-house and available only to the authorities managing television. At the same time, the quantification of television audiences, even for public monopolistic television, came up against other measurements and methods, unlike public statistics of the various state institutes, which do not face competition. Popular newspapers commissioned and published polls on the popularity of programs, and advertisers began to compile their own figures, especially once they foresaw the arrival of private, commercial channels (Bourdon & Ribke, in press).

In the 1970s and 1980s, private broadcasting loomed large on the political agenda. This is when the idea began to emerge of a "single currency" able to represent viewers in any place and for any actor. The metaphor, which originated in the English-speaking world, rapidly spread across many countries. Deregulation played a crucial role in creating the circumstances under which the metaphor became universally applicable, and not only because of the emergence of a unified television advertising market. Regardless of whether a station broadcast commercials, it wanted to be able to rank itself and its programs; these figures were a source of recognition and legitimacy. Finally, the state needed this single currency to act as regulator on the new mixed, competitive television system.

The Role of the State in the Transition to Privatized Measurement

The unification of audience measurement figures and the rise of competition did not lead to the state's withdrawal from viewer measurement operations; instead, states redefined their roles. In France, the state was closely involved in the transition to a new measurement system. The company in charge of measurement was a semipublic company (without dividends) which, unlike "pure" joint industry committees, directly carried out measurements (Bourdon & Méadel, 2011). This company, Médiamétrie, was born out of the privatization of an administrative department, the Centre d'études d'opinion, under the remit of the prime minister, just as two private channels were created (1985). Advertisers and the newly formed private channels were wary of this new actor, and they launched a competing experiment, entrusted to the CESP (the body performing audience measurement for the commercial media). The CESP engaged Nielsen to build a rival panel, but the experiment did not last. Médiamétrie won the battle with a compromise: The company agreed to open 60% of its capital to private actors, leaving public service, with its 40%, in a position of referee. Médiamétrie has since remained a mixed company, managing to shield itself from controversies through a complex system that includes the co-optation of new members, self-submission to both internal and external controls, and the consolidation of its semi-official status.

In the United Kingdom, as in France, almost from the start, the BBC has had its own audience measurement figures, where tastes (measured with appreciation indexes) mattered as much as behaviors (watching). However, the creation of the first (highly regulated) commercial network in Europe, ITV, prompted a change. Beginning in 1959, the various ITV companies began to rely on a single national survey entrusted to a private company (Schwarzkopf, 2014). A long battle of audience measurement figures ensued between the rival systems. In 1977, in the British tradition of parliamentary commissions of enquiry that have punctuated broadcasting policy, the Annan Report suggested a major change: the creation of a new commercial channel, also recommending, *inter alia*, the unification of audience measurement (recommendation 170). This was readily accepted by the parties, including private companies, despite their many reservations about the report. The Independent Television Companies Association (ITCA, 1977) tellingly commented:

ITCA accepts that the BBC and ITCA should seek to devise a combined system for assessing audience ratings for all broadcast channels. There is good will on both sides and some preparatory work has already been done, but the remaining problems will not be overcome "at once." (p. 18)

Three years later, the Broadcasters Audience Research Board was formed; it became the global model for the joint industry committee comprised of public and private broadcasters, advertisers, and agencies, which does not perform measurement but commissions it from private companies (in the United Kingdom, it is AGB, or Audits of Great Britain).

In Israel (Bourdon & Ribke, *in press*), after 16 years of monopoly by a single channel, the arrival of a private channel in 1993, split among three contractors, forced a renewal of audience measurement, which had previously been in the hands of the public channel. The 1990 law on the creation of the so-called second authority regulating the private broadcasting sector stipulated that this regulator should make sure a unified audience measurement was provided. However, the sector's actors were unable to reach an agreement. The minister of religions, who was also in charge of the second channel, forced a compromise by dissociating equity investment from voting rights and by making the regulatory authority a shareholder of the newly formed joint industry committee. In effect, the regulatory authority paid more for less representation, while the private channel's contractors benefited from a discount. The Israel Audience Research Board (IARB) started functioning as a wobbly partnership, with the Israeli subsidiary of the British AGB uninterruptedly managing the channel. Recently, the minister of communication forced the IARB to change the mode of representation of audience shares of programs and to replace household figures with individual ones, on the grounds that household measurement artificially inflated the figures. He justified his intervention by declaring: "Television has become a considerably influential phenomenon . . . , and I therefore assign great importance to the transparency and accuracy of the audience data published" (YNET, 2013, para. 9).

In short, the state has played a crucial role in the transition toward ratings, albeit via different trajectories. In the United Kingdom, much weight was given to the public operator and parliamentary report, giving rise to the new system. In France, the state created the very company that directly

manages measurement. And in Israel, a law made the regulator a measurement partner with the occasional intervention of ministers.

The United States: Public Intervention as Potential or the "Raised Eyebrow"

The United States was the first historical example of the state as overseer, never involved directly in the production of television audience ratings, only occasionally monitoring the system, but—and this is crucial—always ready to intervene when the representative value of audience measurement figures was questioned. Audience measurement arose from competition between companies specialized in market studies, which led to a division of roles between Nielsen, for national measurement, and Arbitron, for local markets, which it abandoned to Nielsen in the 1990s.

In the early 1950s, when television was quickly growing, dissatisfaction with the contradicting results of different services was abundant. After the failure of the Advertising Research Foundation and the National Association of Broadcasters to produce "any action toward a true investigation, broadcasters finally sought relief from receptive members of the Congress" (Beville, 1988, p. 242). Some short hearings were held in 1958, without result. The 1958–1959 quiz show scandal led to an investigation of ratings service by the Federal Trade Commission, which blamed them for, among other things, "exaggerating the size of their samples and arbitrarily modifying the figures" (ibid., p. 243).

In 1959, Representative Oren Harris asked the American Statistical Association to examine the services. Two years later, it delivered a report that prompted Harris to organize public hearings, which took place from 1963 to 1964. The Harris Committee report was submitted in 1966. This highly publicized episode triggered a mea culpa among measurers, a review of the system, and the creation of the Broadcast Rating Council (now the Media Rating Council, still quite active) to accredit the companies conducting measurement. Overall, without direct implication, "the potential for (public) intervention seems enough to assure continued and effective industry discipline" (Beville, 1988, p. 256). This is the first occurrence of the pattern of the "raised eyebrow" of the state (Napoli, 2005): The threat of intervention is enough to ensure self-regulation.

Whether the state produces or merely supervises television audience ratings, it is never indifferent. This shows the limits of the "traditional dichotomy between broadcasting as a public service catering to the benefit of citizens, and broadcasting as a commercial market in which the consumer is sovereign" (Dawes, 2014, p. 705). Both perspectives merge into a larger, more encompassing one, where the public interest must be adequately represented. Audience figures reveal the state, as well as the preferences of the (increasingly) sovereign consumers. It is thus a single currency that allows for circulation in both worlds.

The Regulator State

In the second configuration, the state is a user of the measurements and directly integrates them into its activities. The data become points of reference in legislation and regulation, and the public authorities rely on them to build and justify decision making.

These decisions can relate to three areas: regulation of competition, the purpose of which is to ensure the free play of market forces, as well as social regulation on two fronts: facilitating access to media for people with disabilities and checking that ratings give a fair representation of society, ensuring that ethnic minorities are counted and consequently receive relevant media content.

Regulating Competition

The regulation of competition relies on the use of audience measurements in combination with additional criteria. Market watch public policy comes into force when certain thresholds are exceeded.

The risks posed by media concentration and the need to monitor it appeared early in the most open television market—the United States. Even if the audience is mostly considered a commodity, which is the dominant position in the United States, state intervention is needed to ensure effective competition. In addition, as Webster and Phalen note (1994), this model of the audience has a “chameleon like quality” (p. 33); it can be associated with the model of negative effects (audience as victim) or of the citizen audience in need of an effective “marketplace of ideas.” They provide several examples of this use of audience figures, focusing on effective competition, for reasons that go beyond regulation of a commercial market. As early as 1958, the FCC posited that excessive competition can lead to economic injury and destruction of a service, at which point “it ceases to be a matter of purely private concern” (Webster & Phalen, 1994, p. 31). With the rise of cable television in the 1970s, the FCC began using audience figures to “constrain competition in the name of preserving ‘good’ programming.” To this end, according to the 1996 Telecommunications Act, “the combined audience reach of all stations owned by a single person or entity cannot exceed 35% of the total United States” (Webster & Phalen, 2014, p. 252).

In Europe, laws established the first anticoncentration systems at the time of the deregulation of the broadcasting industry in the early 1990s (Iosifidis, 2010). As in the United States, regulators agreed that a high level of concentration of the most important medium in terms of political content would create two risks: endowing certain actors (the major broadcasting groups) with undue influence and the potential of harming pluralism. The question also was addressed at the supranational level: The September 17, 2009, decree of the European Court of Human Rights stipulates that states must not only promote pluralism but ensure that the public has access “through television and radio to impartial and accurate information and a range of opinion and comment, reflecting *inter alia* the diversity of political outlooks within the country” (Craufurd-Smith & Tambini, 2012, p. 40).

However, the *measurement* of this competition still needed to be defined. This led to a mix of audience share, audience reach, and other indicators. In the European Union, the audience criterion appeared in the 1992 Green Paper, *Pluralism and Media Concentration in the Internal Market* (see comment by Iosifidis, 2010). Other actors proposed a more complex mix: financial criteria (a shareholder’s maximum rate of investment in a company’s capital), criteria relating to the diversity of the offer (measured without taking the audience into account), and criteria of effective reception. The last criterion was used with the argument that “consumed” pluralism should be taken into account, beyond “available” pluralism only. All in all, “despite what is now an extensive body of empirical and theoretical

research into the nature of, and rationales for, media pluralism, the search for narrow, 'objective' metrics has not been successful" (Craufurd-Smith & Tambini, 2012, p. 35).

Most legislators have been cautious when it comes to studying reception pluralism. In the United Kingdom, the 2002 Enterprise Act, which, broadly speaking, reformed competition law, requires the secretary of state's intervention when a merger results in a company with a turnover exceeding £70 million, or when it allows a company to acquire at least 25% of the market of the goods and services concerned. The British regulator Ofcom, created in 2003 through the unification of previously different bodies, tried to refine these criteria by proposing to take into account such audience data as "a company's share of the audience, time-spent consuming specific services, revenue or reach (...), together with share of 'regular' or 'main source attribution'" (cited by Craufurd-Smith & Tambini, 2012, p. 50). France, like many other countries, uses a mix of criteria, combining turnover and audience figures. The regulator caps both the share of capital likely to be held by a single entity in a given company and the number of broadcast licenses that can be held by a single company. But again, an audience threshold triggers the law's application: Only channels with an "annual average audience" greater than 2.5% are concerned. To our knowledge, only one country (outside our sample) exclusively applies an audience share criterion: Germany. In 1997, Germany gave up the financial participation criterion in favor of audience share. For the commission on concentration in the media (KEK), the actors exert too great an influence on public opinion above a 30% audience share (Kops, 2000). In fact, the KEK can intervene even if the 30% threshold is not reached. For example, when in 2006 the Springer group took over Pro-Sat1, it reached only 22% of the television market, but the KEK weighted this figure with Springer's 26% of the press market and considered that the 30% threshold had been exceeded. Although television is considered the most influential medium, its audience figures can be combined with those of other media.

Estimating audiences has proven to be particularly difficult when it comes to managing competition. The audience of multimedia groups first needs to be quantified, which implies a heterogeneous construction, but the different media's audience indicators are based on diverse, incommensurable methods. The second difficulty relates to the notion of television genre. In England, pluralism is assessed based on the audience share of news programs, whose perimeter (between television news, news magazines, current affairs programs, and even documentaries) is not easy to determine (Craufurd-Smith & Tambini, 2012). Interestingly, in the less regulation-prone United States, the audience for news and current affairs has occasionally been considered. For example, in 2003, the FCC introduced a diversity index, working from a media survey commissioned from Nielsen. The participants "were asked to rate different media in terms of how much they relied on them for coverage of local news and public affairs" (Wildman, 2007, p. 154). The FCC elaborated on this data in a complex way, which triggered criticism, especially regarding the weighting of different media outlets.

Whatever the requirements, this discussion demonstrates the critical importance of the evaluation of diversity for providing adequate democratic debate, effective and not simply theoretical. In short, despite difficulties, regulators are not willing to forego an audience criterion to evaluate market concentration.

Representing Ethnic Minorities

The second area of intervention for the regulator state is assuring the representation of ethnic minorities through audience figures to ensure the diffusion of relevant media content. The proliferation of channels, their diversification, and, most importantly, their specialization lead to the emergence in the broadcast landscape of specific audiences comprised of particular cultures or ethnicities. In such cases, the political character of audience figures is blatant.

This is particularly sensitive in countries where the rights of ethnic minorities are rooted in the political culture, such as in the United States and Israel. In the United States, this criterion was applied early, and the threat of direct government, judicial, or regulatory intervention was influential on audience measurement practice. The earliest episode took place in California in 1984 and concerned the TVQ (TV quotients), a specific measurement of the appeal and familiarity of various entities, including famous actors. A state senator introduced "a bill aimed at banning use of TVQ survey results in casting decisions" (Beville, 1988, p. 255), claiming that this sampling did not properly represent minorities (Hispanics and Blacks, mainly). Although the bill was not passed, the threat was enough to prompt the company producing TVQs to modify its sample to better reflect the ethnic composition of the population. In its 1990 decision *Metro Broadcasting, Inc. v. FCC* (497 US 547), the Supreme Court admitted that the FCC could promote ethnic diversity by giving preference to stations owned or managed by minority groups when attributing a license, also claiming that this would benefit the audience at large. In 1994, an Illinois representative organized a task force "to examine Nielsen's effectiveness in measuring African American television audience" (Napoli, 2005, p. 8), which resulted in a change of sampling and recruiting procedures. A similar, albeit more complex, scenario occurred in 2004, when Nielsen started replacing the diary with the Local People Meter on local markets. Some broadcasters (mainly big ones), a civil society organization called Don't Count Us Out (financed by one of the broadcasters), some politicians (notably New York senator Hillary Clinton), and diverse public authorities all got involved. Although judicial and regulatory authorities refused to interfere (the FCC rejected the request), Nielsen was pressured again into changing its procedures.

In all these episodes, the scenario is similar: Private or civil society stakeholders unhappy with a measurement procedure appeal to public authorities—legislators, regulators, or the courts—but this does not result in direct state interference. The raised eyebrow is enough to cause a change of measurement procedure, where the political request of fair representation (at the level of measurement) resulting in a fair allocation of minority programs is no less important than the commercial validity of figures.

In Israel (Bourdon & Ribke, in press), with a considerably diverse population, the issue of the representation of categories through television also appeared as an inextricable political and commercial debate. The IARB panel excludes the specific minority of the Palestinians of East Jerusalem (who have an Israeli identity card) and includes the Jewish settlers of the occupied territories. Apart from the occupied territories, a public debate has taken place over the representation of minorities. Some broadcasters linked to those minorities have repeatedly protested against the underrepresentation of their audiences. The public educational channel complained several times that the IARB did not give enough weight to the Arab Israeli, Ethiopian, and Russian-speaking minority audiences for whom it produced specific programs.

After several public protests, the commercial Russian cable channel (addressing some 20% of viewers) went to court to obtain what it considered a more accurate measurement of its audience and, in parallel, organized an external audit.

In sum, in both countries, the legitimacy of the tool is determined by the capacity attributed to it to speak in the name of minority groups considered to have a claim to representation in the national political culture.

Ensuring Access for People With Disabilities

The third area of intervention of the regulator state relates to the question of social justice. In many countries, as soon as television channels reach a certain audience percentage, they are subject to obligations to allow persons with disabilities to access the programs, with three main forms of prescribed intervention: sign language dubbing, subtitling, and audio description.

The United Kingdom has long had this type of legislation. Its Code on Television Access Services stipulates that a channel's audience shares and annual turnovers are to be used to determine whether it should be subjected to these constraints. The thresholds are very low: An audience share greater than 1% requires sign language dubbing to be provided (provided the cost of this measure does not exceed 1% of the channel's revenue). In 2013, 70 channels had to meet the requirement to supply access services, accounting for more than 90% of the market. Such a low threshold clearly indicates that the law must apply to almost all broadcasters. In France, subtitles and audio descriptions are compulsory² for all programs on channels with an average annual audience greater than 2.5% of the total audience of television services. For other channels, an agreement reached with the regulatory authority, the CSA, sets program shares. Similar criteria are found with the same equally sensitive combination of minimal audience share thresholds and turnover in many European countries (European Platform of Regulatory Authorities, 2013).

In most cases, audience share has been chosen as the indicator determining broadcasters' obligations. This figure indicates the share of viewers of a unit in relation to the total: for example, of a channel in comparison to all the others, or of a time slot in relation to all time slots combined. These thresholds can be considered as arbitrary (Why 5% rather than 10% or 4%? How can the validity and sustainability of a threshold be established?). The legitimacy of the criterion is not questioned, but rather universally accepted. Social regulation concerns correspond here to combine with economic policy. The aim is to allow "small" actors to exist and develop by setting lighter obligations for them, and to make sure that audiences with disabilities receive adequate programming; a social concern translates into a market equilibrium measure.

We could have chosen other examples of legislative authorities' use of audience measurement figures to set intervention thresholds—for example, regarding the taxation of advertising resources. This would have led us to the same conclusion: To regulate the broadcasting industry, public authorities rely on

² September 30, 1986 law no. 86-1067, §5bis of Article 28.

audience thresholds that allow them to limit the strongest effects of competitive markets, especially when they target a mass audience, by alleviating the constraints weighing on the weakest companies through differentiated obligations.

The relationship between public authorities and audience measurement does not stop at regulation and the protection of specific groups. Even when the state does not directly intervene in broadcasting, it sometimes reads figures as a reflection of the behavior of viewers. And audience measurement figures, once again, become closely entangled with political debate. However, this reading is not universally accepted by all state agents; some are convinced, but others need to be educated about the legitimacy and the construction of the (relatively) new spokespersons of the public.

The Reader State: Pedagogies of Measurement

In this third configuration, the state resorts to audience data to learn about the social world. It thereby becomes a reader among others, relying on audience measurement figures to understand what interests citizens; analyze their behaviors and preferences; anticipate their commercial, electoral, and civic choices; and so on. Unlike the two previous configurations, this reading role does not need to be enshrined in specific texts, reports, or laws. It emerges here and there—in a parliamentary debate, an interview in the media, a public speech—where the data become a social metrology that speaks for the television audience, seen as a synecdoche for the entire population. Far beyond the television industry, audience measurement figures must be integrated into the long history of the expansion of population figures, first and foremost with the publication of electoral results and the extension of suffrage, followed by the gradual extension of polls (Herbst, 1993).

All countries offer examples of audience figures being used in parliamentary debates to give a voice to the public, with a parallel often drawn to the act of voting. A French minister of parliament clearly expressed this quasi-official status when he explained: “Médiamétrie’s Médiamat survey [is the] only measurement recognized by the entire profession and by the public authorities in France” (Chossy, 2004, art. 32, para. 4). Another minister of parliament used the analogy with voting to legitimate audience figures as a reliable source of TV viewers’ voices:

May I repeat that we must respect viewers, who have the right to pass their own judgment. Why would the choice of the majority be an absolute rule within the framework of universal suffrage and then dismissed in the field of the media? Everyday Médiamétrie shows that by flicking through channels our fellow citizens are voting for or against a program. (Sénat, 2009, p. 2)

In the United Kingdom, the Broadcasters Audience Research Board has this same ambivalent status: It can be seen as a spokesperson of the citizen-viewer that must be defended in the face of sometimes reluctant political actors. A lecture on ratings by the head of the BBC bears witness to this. He explained to a committee of the House of Lords: “We use the British [*sic*] Audience Research Board data because it is the largest survey available and it is the industry standard” (House of Commons, 2002a,

question 202). In the same month, in a moment typical of the tension between the two worlds, he also showed patience with a somewhat perplexed peer:

Mr. Dyke: Mr. Chairman, it might make a good headline but you are comparing share with reach, and you are comparing . . .

Chairman: Explain it to me, Mr. Dyke. If I am being stupid about it, explain it to me . . .

Mr. Dyke: If you look at pages 108 and 109, one gives you the share by reach, which is a 15-minute weekly reach: the other gives it to you by share. (House of Commons, 2002b, question 20)

In Israel, in 2004, the Knesset's economic committee summoned the representatives of the IARB and of TNS-Israel to discuss the media. In the heated discussion that took place, a representative of educational television, under the Ministry of Education, was blamed for financing commercial data. She found herself, as a public agent in contact with the world of television, pedagogically explaining the crucial role audience figures play as the spokespersons of the public, including for noncommercial operators (quoted in Bourdon & Ribke, in press). Once again, a circularity renders the guarantor state inseparable from the reader state, which, like all the actors involved, is subject to the new rules imposed by the representation of the public through figures.

Even in the United States, audience measurements are considered valid indicators of public opinion. In 2005, a congressman, also a former broadcaster, (unsuccessfully) proposed a Fair Ratings Bill to make affiliation to the Media Rating Council compulsory rather than voluntary—this in the wake of the aforementioned Local People Meter debate. He explained the legitimacy of Nielsen as follows: "The dominant company which provides TV ratings, and has done so for the last 50 years, is Nielsen Media Research. Nielsen is a great company and a *great American institution* [our emphasis], no doubt about that" (Congressional Records, 2015, p. 15304). More generally speaking, it is crucial to remember to what extent, in U.S. culture, the name Nielsen is (like Gallup) a quasi-official brand in charge of "giving America a voice" at critical times. Audience measurement figures have long been called the "Nielsens."

Public authorities, just like the media and the public at large, therefore consider the results of ratings to be valid forms of public representation. This approach is encouraged by the structural analogy made with voting. The link with democratic legitimacy appears more clearly—and this helps to justify state intervention in the first two configurations, as guarantor and user of audience figures.

Conclusion: A "Natural" Monopoly for Democratic Representation?

Audience measurement is far more than a professional indicator regulating advertising sales in the world of commercial television. The state was present (almost) from the start, irrespective of the configuration of the market. In France, the United Kingdom, and Israel (as in most countries), it produced or commissioned measurement for the monopolistic public broadcaster. Next, there was a shift from this producer state to the guarantor state, which actively intervened to unify audience measurement when the

deregulation era began. In this respect, the United States appears to be less exceptional than one may have thought, and the Harris hearings in particular can be interpreted as the major moment of state intervention to establish the validity of a measurement system; it merely happened much earlier than in other cases. The state as the regulator of the broadcasting market uses audience shares, in various forms, either to set limits to competition, to allow people with disabilities to be part of the collective of viewers, or to define communities entitled to have access to most programs. In two countries, ratings were debated to correct or amend the structure and effects of the market favoring large actors and neglecting small or minority ones. Finally, the reader state, in a social world where the public is quantified and these figures are made public, reads the wishes of the television audience in audience measurement figures perceived, like polls, as analogous to voting.

This eminently political dimension of ratings sheds light on a vexing question: that of audience measurement activity as a natural monopoly observed in most countries. This is the case in the four countries in our sample—including the United States, where the market has “chosen” a single actor for a specific market. Philip Napoli convincingly justifies this monopoly, combining J. S. Mills’ classical justification of natural monopoly (costs of entry to the market are so high that there is no room for several suppliers) with a pragmatic justification—the need for a single currency: “The introduction of multiple ‘currencies’ into the process of buying and selling audiences introduces confusion, controversy, uncertainty into the audience marketplace” (Napoli, 2005, p. 33). Several researchers (Buzzard, 2012; Taneja, 2013) have noted that challenges between measurements usually lead to an inevitable return of the monopoly. Durable dual systems are thus exceptions in the world of television audience ratings (Balnaves et al., 2011).

The natural monopoly, however, has a political justification as well. The state intervenes both to ensure the existence of a single provider and to guarantee its reliability. It does not do it only to assist the market. Audience measurement also helps constitute the state, especially the regulator state, by defining its scope of intervention (for the market) as well as the conditions of citizenship (for the minorities potentially excluded by measurement). In addition, like other social actors, the state needs audience figures to read social reality (at the national and sometimes the local level), particularly the democratic state constituted through voting.

In view of the elitist or radical critiques directed at audience measurement, reviewed in the theoretical background, the system is remarkably robust. We attribute this robustness to the fact that it can be analyzed as part of the system of modern democracy. To represent minorities, speak in the name of the people, and support public policy, audience measurements are endowed with a particular legitimacy, which Rosanvallon (2011) calls the legitimacy of impartiality. It is that legitimacy which operates when the state entrusts the general interest to authorities in charge of control, arbitration, and regulation, and which are neither public entities nor private actors. In the case of audience measurement, legitimacy stem not only from the mode of management and the type of intervention of the public authorities or from the legal norm that gave them authority and guarantees their independence (or is meant to guarantee it). It is also the product of the role that the state, *de facto* and not *de jure*, attributes to measurements by recognizing them as the legitimate spokespersons of television viewers.

Are the conclusions of this study limited strictly to democratic regimes, and to an audience information system that will soon belong to the past because of convergence and the (purported) end of the mass audience? We have reasons to think not. First, nondemocratic, authoritarian regimes care about television audiences—all the more, because in such countries, public or semipublic broadcasters are strong and play an openly political role (see Davydov & Johansson, 2014, about Russia). Beyond ratings, the way popular television uses voting in “plebiscitary TV shows” (Hartley, 2007, p. 138) has drawn the attention of political theorists and triggered debates about the political significance of figures of the audience, notably in China (ibid.). Regarding the transformation of television through migration on the Internet, this does not mean the end or the dissolution of figures of the audience. Television may lose its centrality, as the German commission on media concentration has suggested in a recent publication (Kommission zur Ermittlung der Konzentration im Medienbereich, 2015). Yet major sources of news (including websites of popular broadcasters) and entertainment (especially reality programming) remain central to the media landscapes. The long-predicted deep fragmentation of the audience is just not happening. In addition, media industries are busy organizing news audience information systems (Taneja & Mamoria, 2012), oscillating between the Holy Grail of a single source based on a coherent panel and data fusion from various sources. In those new systems, the state is certainly not involved as guarantor, although if the systems become stabilized and, eventually, institutionalized, the rationale for state intervention analyzed here will not disappear. At any rate, the state as regulator of the media (beyond television) will certainly have to rely on such a stable source and will remain, more than ever, an attentive reader of figures. In short, the state will not ignore audience measurement figures, although it is hard to predict what forms its implication will take.

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