

Discursive Institutionalism

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Abstract: Scholars across media and communication studies have used Vivien A. Schmidt's discursive institutionalism in the past years. Particularly the field of media governance research has discovered its value for studying media institutions as dynamic fields shaped through multi-actor constellations and discourses. This chapter displays the merits and shortfalls of discursive institutionalism, revisits its modification through the discursive media institutionalism framework, and exemplifies how both approaches have been employed by media governance scholars. In the concluding section, the chapter introduces open questions and pathways to advance the heuristic merits of the framework further.

Keywords: discursive media institutionalism, media policy, neoinstitutionalism, discourse, power, media governance

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<a>INTRODUCING DISCURSIVE INSTITUTIONALISM

The goal of this chapter is to introduce and discuss Discursive Institutionalism (DI) and to present Discursive Media Institutionalism (DMI) as a theoretical approach to study media and communication governance. Political scientist Vivien A. Schmidt's approach has gained considerable attention in media and communication studies, particularly among scholars studying media institutions. Discursive Institutionalism emphasizes the importance of ideas and discourses in institutional processes and provides a dynamic perspective on

institutions (Schmidt, 2010, 2011). DI allows to consider how and why media institutions are constructed, reproduced or changed by actors, how power operates in their discourses, and what the specific contexts of institutional change are.

While the first section of this chapter juxtaposes Discursive Institutionalism with other institutionalist approaches, the second section presents Discursive Media Institutionalism as an adapted and modified framework suited to analyse media and communication governance (Ganter & Löblich, 2021). Three case studies exemplify in the third section how Discursive Media Institutionalism can be applied to media governance. This last section explains which research questions and methodological approaches can be used applying discursive media institutionalism. The conclusion points to some unanswered questions and the potential of Discursive Media Institutionalism for future research.

<a>DISCURSIVE INSTITUTIONALISM

Discursive Institutionalism is a neo-institutionalist framework, which has received scholarly attention mainly in the version of US political scientist Vivien A. Schmidt. According to Schmidt, discursive institutionalism distinguishes itself from the older new institutionalisms while it is also founded in them (Schmidt, 2011, p. 106). Whereas Rational Choice, Historical, and Sociological Institutionalism have focused on the stability of institutions ‘based on rationalist interests, path dependent history, and cultural framing’ (p. 106), discursive institutionalism emphasizes the ‘dynamics of institutional change (and continuity)’ on the basis of ideas and discourse (p. 107). Discursive Institutionalism further differs from Rational Choice, Historical and Sociological Institutionalism (Hall & Taylor, 1996) in its definition of institutions, in its research object (discourse), and in its interpretive approach to understanding ‘sentient (thinking and speaking) agents’ in institutional contexts (Schmidt, 2010, p. 115).

Discursive Institutionalism studies institutions as structures and social constructs which can be traced in memory and agency. Institutions are theorized in a recursive way. On the one hand, institutions as institutional contexts shape ideas and discourse. This happens through internalization. Actors think and speak on the basis of internalized rules, norms and frames. Background ideational abilities enable actors to create and maintain institutions (Schmidt, 2010, p. 1). Institutional contexts are meaning contexts of communication and formal and informal ‘structural frameworks of power and position’ (Schmidt, 2011, p. 107). On the other hand, discursive practices may change institutions because of actors’ foreground discursive abilities, enabling them to question existing institutions (p. 4). Institutions are ‘simultaneously constraining structures and enabling constructs of meaning’ (p. 4).

Unlike Rational Choice Institutionalism, Discursive Institutionalism does not limit actors to rational goal pursuing individuals guided by incentive structures. On contrary, comparably to Sociological Institutionalism, this approach takes into account internalized orientations, referring to Bourdieu’s notion of habitus (Schmidt, 2011, p. 116). Whereas other ideational approaches largely remain centered around policy or ideology analysis, tending to lose sight of actors as social constructionists of ideas, Discursive Institutionalism includes the role of “sentient” (thinking and speaking) agents for institutional changes (Schmidt, 2011, p. 115).

Agents are engaging in a sometimes powerful, sometimes powerless way in discourse. Discourse is defined as ‘interactive processes by and through which ideas are generated and communicated’ (Schmidt, 2011, p. 107), and as ‘the representation or embodiment of ideas’ (p. 107). There are different types (normative and cognitive) and levels of ideas (ranging from concrete policy solutions to broad worldviews) and different strategic forms such as narratives, frames (Schmidt, 2011, p. 113). Historical Institutionalism also takes into account ideas to explain institutional development. However, its logic of explanation is path-dependency (Puppis, 2016, p. 167), whereas Discursive Institutionalism centers around

communication and ideational power (Schmidt, 2010). Power operates in ideas (authority of internalized meaning structures that guide thinking and speaking), over ideas (controlling the spread of ideas), and through ideas (persuasion) power through ideas (Carstensen & Schmidt, 2016).

Strengths of Discursive Institutionalism as an interpretive approach are that it enables us to study how and why institutions change or last because agents (with their internalized certainties, experience, knowledge, interests and identities), engage into (or abstain from) power related discourses, articulate ideas (or remain silent) within particular institutional contexts. With that, Discursive Institutionalism enables dense, context sensitive descriptions and its conceptual tools are applicable to historical and present-day media governance issues, as well as to various media systems. However, when applying to media institutions some of its conceptual shortcomings regarding the link between power, discourse and ideas (e.g. Panizza & Miorelli, 2013), the role of macro constituencies, as well as around organizational complexity need to be addressed, using insights from media and communication studies.

<a>DISCURSIVE MEDIA INSTITUTIONALISM

In media and communication governance research, Discursive Institutionalism helps to understand the change of institutions for media. We understand institutions for media as regulative rules which constrain and enable action of media and communication actors. Such regulative rules can range from legally formalized rules such as laws to informal forms of sanctioning, for instance through public pressure (Meyer & Rowan, 1977; Scott, 2001). Before showing how Discursive Media Institutionalism is applicable to media governance research, it is necessary to reflect on the basis of the knowledge, so far generated with this approach in media and communication studies. The modified framework of Discursive Media Institutionalism presented at the end of this section is based on this knowledge (Ganter &

Löblich, 2021). We offer an application that complements Schmidt's terminology and integrates the knowledge about media institutions.

Our main argument for a revised framework is that, unlike other policy fields, a central characteristic of media governance is the particular role of media and platforms. They are being regulated and, at the same time, also may powerfully influence discourses about regulations concerning themselves via public opinion formation.

To explain this further, we need to explain the term media institutions. Following Schmidt (2008), there are two concepts that we work with in the following: *Institutions* are discursively maintained or changed. *Institutional contexts* constrain or enable this discursive engagement for institutions. Transferring this to media governance, we distinguish institutions for media (how are regulative rules for the media constructed or abolished, as said in the beginning of this chapter) from institutional contexts which exist due to the media (there are of course also further – not media related - institutional contexts in media governance). Regarding media institutional contexts, we assume that media and (news) platforms themselves have institutional character which has consequences for the distribution of ideas in media governance discourses. The reason is that media governance issues turn into issues of the media or remain invisible, but public visibility is a central resource for all actors. To carve out media and platforms as institutional contexts helps to consider the power of the media as self-interested actors in media governance. Media and platforms as institutional contexts,

- first, 'involve cultural-cognitive rules that help to create shared understandings of reality that are taken for granted' (Donges & Nitschke, 2016, p. 123). These understandings are widely spread due to their mass reach and unfold their power because actors have learnt to adjust to the media as normal way of perceiving and interpreting the world (Donges & Nitschke, 2016). Thus, media institutions create an understanding of media governance reality, of how to

regulate (or not) the communication order, of who is a legitimate media policy actor and what the problems in media policy are.

- second, ‘include normative rules in terms of binding expectations’ of how organizations involved in media governance ‘should behave in specific situations.’ They ‘establish appropriate organizational structures, like press offices, and organizational routines and behaviors ... and perceive that other organizations share this common belief’ in the importance of such measures (Donges & Nitschke, 2016, p. 123).
- third, ‘comprise regulatory mechanisms for their enforcement. One of these is the provision of attention: Whenever political organizations do not follow the rules that indicate the newsworthiness of an event, they do not get the attention of the media and therefore the attention of the public’ (Donges & Nitschke, 2016, p. 123). We assume that actors of media governance need this attention (Ali & Puppis, 2018).

Integrating the knowledge about media institutions in Discursive Institutionalism means considering (1) the different media institutional contexts in which discourses about media governance take place. There are negotiations behind closed doors, there are semipublic experts’ circles and there are attempts to influence media policies via traditional media and communication platforms (Löblich, 2012; Steemers, 2017; Helberger, 2020). Each communicative space has its own rules and impact, targeting a broad or a specific audience. Media organisations and platforms are at the same time *institutional contexts* of media governance discourses and powerful actors in these discourses. As institutional contexts, media and platforms shape the conditions under which other actors may mobilize and influence public opinion on media governance issues. As powerful actors they pursue their own business and political interests trying to prevent or establish policies regarding themselves. Media organisations have taken specifically advantage of their particularly well-

positioned resources in the past to make their position visible in the public sphere and thus influence policy-making (Ali & Puppis, 2018; Herzog & Scerbinina, 2020; Löblich & Nietzsche, 2020; Ganter, 2022). Platform organisations influence public opinion formation on media policy for instance by activating their users against new law initiatives aiming to regulate themselves (Helberger, 2020). In the field of media and communication governance, *power* is thus strongly related to the particular institutional contexts of discourse determining access, and the preparation of ideas as well as the spread of ideas. In view of the importance of this *power over discourse*, analysis has to differentiate between public, semipublic or nonpublic communicative spaces and the organized interests behind them.

Furthermore, we learn from media institutional research that (2) there is a range of actors engaging in media institution discourses employing particular discursive strategies of legitimization and delegitimation (for instance framing, metaphors, research findings). Research has taken more into account non-state actors in the last years such as representatives from civil society and economy. Work from our field has shown how ideas for the communication order are not created in a vacuum, but are shaped through actors' past and identity, resources, internal organisation, positions in the policy field and in society, and coalition to other organisations. A range of factors influences what Schmidt calls the background ideational and foreground discursive abilities and thus the dynamics in the political shaping of media institutions (Breindl & Briatte, 2013; Katzenbach et al., 2016; Padovani & Santaniello, 2018). *Power operates through discourse* because actors employ particular framing strategies and rhetorical means in order to legitimate their ideas and delegitimize others' (Löblich, 2012).

Finally, (3) the insight that the *macro level* influences the change of media institutions leads us to integrate the macro level into the micro-meso focused framework by Schmidt. Discursive Institutionalism says little about the role that political, media, economic, and cultural systems and meta-trends such as globalisation, commercialisation or digitalisation play as institutional contexts of the dynamics of media institutions. One argument for this link

can be derived from media history, and another is from comparative media studies. To understand a specific media institution in the past, it is necessary to know for instance the dominant ideas relating to media and journalism, and the distribution and accessibility of media within society at a specific point in time, or the distribution of economic, political, and legal capital. To understand why countries develop similar or different institutional responses to media policy problems, it is important to consider their macro structures (Ganter, 2022). Moreover, a macro perspective may detect constraints and barriers of transnational discourse coalitions, their (dis)connects and reinterpretations of meaning structures through them (Ganter, 2018). We share a concern about the macro level with proponents of Historical Institutionalism in our field (Bannerman & Haggart, 2015). We use the macro level to differentiate larger, structural institutional contexts of media governance discourses from those at the meso level (media contexts) and the micro level (e.g. particular role context of individual agent) and to grasp the interconnections between them.

<a>A MODIFIED DISCURSIVE MEDIA INSTITUTIONALIST FRAMEWORK

In the following we present a modified Discursive Media Institutionalism framework (see Figure 4.1) which (1) sharpens the concept of discourse from a discourse theoretical perspective thereby emphasizing issues of power in media institutional processes, (2) suggests studying media as institutional contexts for media governance discourses and ideas. It takes into account the specific institutional logics of public (mass media) communication, nonpublic and semipublic communication, and (3) integrates macro perspectives (market, political system, culture, technology, globalization) into Schmidt's micro-meso-focused framework.

[Insert Figure 4.1 here.]

Figure 4.1: Discursive Media Institutionalism Framework

Source: Ganter & Löblich (2021, p. 8)

Institutional contexts have an impact on the discursive abilities of actors as they influence the ability to think and speak impactfully in the field of media policy. *Micro, meso and macro* are the three levels of institutional contexts. This analytical distinction allows us to take multilayered institutional contexts into account and to point toward their interconnections (see Figure 4.1). Media policy discourse is shaped and sustained through complex processes across analytical levels. Power operates in, over, and through discourses regarding media institutions on each and between each level of analysis. The decision which or how many analytical levels have to be considered, however, depends on the research question.

The conceptualization of the micro level allows us to study which ideas of media institutions are articulated by which actors, whether they aim at maintenance or change of institutions, and what their particular strategies of legitimation and delegitimation are. Furthermore, the micro level contexts of actors are analysed because they shape their attempts to exercise power through discourse. They help to understand the ways in which individual and organisational actors think and speak. We differentiate actors from each other, depending on their particular institutional context. We consider biographies of media policy actors as well as the history of an organisation, its material resources, organisational goals, rules, and positions. The organisations that are made of individual actors in particular role contexts and hierarchies are heterogeneous spheres themselves in which power struggles may occur.

The meso context of communicative spaces sheds light on the role of communicative spaces of media policy discourse for failure or success of an idea. Individual and organisational actors attempt to get access to the spaces relevant for the media institutional issue under study, and to spread their ideas. They might try to establish alternative spaces if access is denied to them. Communicative spaces may be for instance social media platforms, traditional journalistic content, experts' circles. They each have their particular rules that

determine access, require a certain preparation of ideas, and structure distribution and thus success of regulatory ideas. Studying power over discourse at this level means for instance analysing, whether a media policy statement is silenced within a media outlet, how and why platform organisations promote campaigns of other media policy actors by highlighting them on the user surface. Another example might be studying the selection of experts invited to public hearings in regulatory processes.

On the macro level, discourses on media institutions can be understood in the context of the structural conditions in society. The macro level of media policy can be substantiated for instance by discourse theory in the tradition of Foucault (1972). Meaning structures appearing in discourses might perpetuate institutional stability or change, for instance, myths (cf. Ali, 2019, p. 413) and ‘general justificatory principles’ (Edwards et al., 2015, p. 62). Such elements at the sociocultural level can be linked to the idea that power operates in ideas and discourse (Carstensen & Schmidt, 2016). Political economy approaches, enable consideration of how media policy discourses ‘are integrated into general processes of accumulation’ (Murdock & Golding, 2016, p. 736), and how these power dynamics shape the maintenance, emergence or change of media institution. Studies can involve a variety of macro components from local to global and can aim at depicting particularities on each level and how they interact and shape responses on the micro and meso levels. Studies hence can consider the reciprocity between the different level of analysis, to enable contextualization and implication of structural conditions for discourses and involvement of certain agents,

We show how using this framework can help study and understand the dynamics driving or hindering institutional change in the specific and highly complex field of media institutions.

<a>APPLYING DISCURSIVE INSTITUTIONALISM IN MEDIA GOVERNANCE RESEARCH

Scholars in our field have applied discursive institutionalism first in a more instrumental way to confirm that ideas and discourses matter in organisational decision-making processes (Hanitzsch & Vos, 2017; He, 2020; Katzenbach et al., 2016; Padovani & Santaniello, 2018; Pohle et al., 2016). Second, scholars in media and communication policy and communication history have used discursive institutionalism to explain how media organisations are particularly well suited to take advantage of their resources to influence public opinion around media policy-making (Ali & Puppis, 2018) and how certain political organizations in the past discursively dealt with visibility problems due to the increased spread of media in society (Löblich & Venema, 2020). Third, discursive institutionalism has been used in our field to analyse discourse coalitions nationally and globally (Ganter, 2016) and to explain how the establishment of certain regulatory discourses has been steered by individual actors over time (Löblich & Venema, 2018, 2020).

Scholars in media and communication policy have answered Schmidt's original question of 'when and how ideas and discourses matter' (2008, p. 305) in a variety of ways. Ali and Puppis (2018) argue that ideas and discourses matter particularly in the interaction between media organisations and policy. In their study, Ali and Puppis analyse the Canadian fee for carriage case to exemplify how communication operates as power resource in media policymaking. Theoretically, they frame Schmidt's discursive institutionalism as theory of power that helps to understand that news organisations behave in response to their institutional environments. They use a multi-layered approach in which they combine discursive and sociological institutionalism to analyse communication as power resource in the media policymaking process. Discursive institutionalism serves here to 'analyse policy discourse in media discourse over time' (p.3), whilst sociological institutionalism is used to explain 'the recursivity between media policy and media organisations' (p.3). They make the case for a combination of the both approaches arguing it helps to trace shifts in discourse and policy over time and thus helps understanding why certain policies fail or succeed, how policy

is made, changed, maintained. Ali and Puppis (2018) describe the communicative actions of media organisations and policy-makers as ‘discursive dance’. They use the example of the Canadian fee for carriage as a recursive process between the CRTC and Canadian Broadcasters to show how principles are encoded, enacted, replicated or revised in a process that might lead to institutional change over time. To map this process of establishing and changing discourse, Ali and Puppis suggest interviews, document analysis and content analysis to compare ideas of different actors, emerging issues and silences. With that they highlight the methodological relevance of discursive institutionalism to understand ‘how ideas are translated into policy action’ (p.12) and argue that it ‘adds methodological rigor to media policy studies’ (p. 16).

Whilst Ali and Puppis (2018) found that the analysis of silence in the policy-making process is particularly challenging, Löblich and Venema (2018) show that ideas and discourses matter particularly when we need to explain abstinence in a debate. In their historical analysis of the press reform debate in Germany in the beginning of the 20th century, they note that even though the Social Democratic Party (SPD) had long standing positions criticizing the commercial press, the party seemed not to take care in the press reform debate back then. Löblich and Venema (2018) tackle the issue of analysing silences by looking into the presence of individuals that represent the otherwise absent organisational discourse of SPD in public and semipublic fora. Through this analysis, they combine the micro and meso levels of discourses. Löblich and Venema (2018) explain how three intellectuals that were not members of the SPD, but sympathizers of the party, could voice their position for governmental involvement in the press structures because of their ‘institutional contexts’. Their particular foreground discursive abilities, product of their biographies and role contexts, explain why these intellectuals dealt with visibility problems of the SPD. The focus on biographies adds explanatory value to an often more meso focused application of Schmidt’s work. Methodologically, Löblich and Venema (2018) connect discursive institutionalism with

Entman's (1993) framing approach to identify actors' particular press reform ideas and they explained change and maintenance of these ideas by institutional contexts from the micro to the macro level. Through this, discursive institutionalism is the basis for establishing a coding scheme that served to identify press related ideas of each actor. In the coding scheme, Löblich and Venema (2018) separate press related ideas, world views and institutional contexts (press structures, political system, party system, ideational structure/ conditions for speech and publication, social context, profession and relation with organisation), and discursive strategies (negotiate, convince, sanctions). They apply these categories in their analysis of documents from 1908 to 1920. Through the analysis they bring some of the main concepts developed in discursive institutionalist frameworks to the fore. Particularly, they identify the foreground discursive abilities of the three individual actors analysed– and thus implicitly of the SPD. Through their work, Löblich and Venema (2018) demonstrate a) the importance of individual contexts in achieving foreground discursive abilities, and the importance of background ideational abilities in organizations explaining silence. They demonstrate b) the connection between public, semipublic and nonpublic fora and their importance in building and maintaining discourses that contain a certain set of ideas – and create ideational structures here the social democratic idea of a 'social democratic press' as an ideal that has been reproduced rather than questioned. In this work the complex constitution of discursive institutionalism is employed to identify absences from discourses, to analyse policy silences further and to embed them into a wider context of actors.

Whilst these earlier examples directly draw from discursive institutionalism, Ganter (2022) uses the modified discursive institutionalism framework (Ganter & Löblich, 2021). She argues that ideas and discourses matter particularly as integral part of policy regimes. Examining reactions to news aggregators' practices in five cases, Ganter (2022) shows how news aggregators have assumed definitional power in some copyright policy regimes where they managed to shift normative understandings, settings and interpretations concerning

copyright of news contents over time. Linking discursive media institutionalism to media governance and regime theory, she explores the questions of (a) which different types of reactions can be identified to news aggregators' practices? (b) why do countries' reactions to news aggregators practices vary? (c) what is the role of policy regimes in shaping the reactions to news aggregators' practices? In her analysis she draws from policy documents, legal texts, draft laws and public statements such as press releases and media interviews with regards to copyright regimes in general and also specifically related to news aggregation, governmental agencies, political parties, industry associations, news publishers, and civil society organisations in the decade from 2005-2015. Using policy tracing (Venesson, 2008), she maps the processes through which established policy regimes responded to commercial news aggregation. Linking discursive media institutionalism with regime theory, Ganter (2022) shows that ideas are integral of policy regimes, but their strength and longevity will be determined through the power of discourses that represent the policy regime. With that, she discusses links between stable/unstable regimes and weak/strong ideas as represented in discourses that lead to normative acceptance/resistance.

This study is the first study that explored the applicability of discursive media institutionalism in comparative studies. Comparing cases from Brazil, France, Germany, Spain and the UK it was possible to identify similarities and differences in regime constitution and regime strength and normative acceptance/resistance across contexts. With that, this study connects meso and macro perspectives to explain how definitional power in policy regimes is linked to the capabilities of the actors to gain power in, through or over discourses representing or contesting existing policy regimes.

To sum up, the three mentioned studies exemplify how discursive institutionalism has been applied so far in our field. They underscore the ways in which the framework can add methodological rigor, is applicable for comparative research designs and can be linked-up with a variety of theoretical perspectives. Questions explored at large dealt with the dynamic

aspects of media policy as a field of study, explore multi-actor perspectives and emphasize on struggles around meaning structures and their interpretations in negotiation processes around norms, regulations, habits and conventions. These studies underpin the potential and applicability of discursive institutionalism approaches in media governance research and also point to future potential of a discursive media institutionalist framework.

<a>CONCLUSION

Media governance research can benefit from the strengths of discursive institutionalism and should take the chance to develop the shortcomings of the framework further. Its heuristic qualities have been explored and expanded upon in a number of studies, and in the modified discursive institutionalism framework. However, there are questions future research should consider, such as on a theoretical level, for example, first, the question of whether differences in power resources are considered appropriately when using discursive media institutionalism. This includes the exploration of material enablers and structural conditions that foster, support or lead to decay of media policy discourses. Second, how we can include more non-elite actors into studies using the approach in meaningful ways, and third, how to deliver more explanatory insights that include macro contexts. On a practical level, we need to be conscious about the need to break down the complexity of the discursive media institutionalism framework. It is important to explain which level of analysis are covered in a study using the framework and why, and to outline the delimitations of the focus chosen clearly. Lastly, should scholars using the approach reflect upon whether or to which extent they follow Schmidt's complex understanding of change, given that she includes administrative settings, tools, underlying ideas, discourses, agents, which all can be studied as object of change and as transformation per se.

Several scholars have emphasized that studying discourse means also studying absence from discourse or silences (Freedman, 2010; Ali & Puppis, 2018; Löblich & Venema,

2018). In analogy to this statement, we have to include stability, continuity, inactivity, and fixtures in media policy to enhance the understanding of change through the use of conceptually thick descriptions of what can be established as a *Gegenbegriff*. Following this thought, looking at differences in discourse trajectories across nonpublic, semipublic and public fora can be enriching to study absence, silence and lack of change. This example shows how it is possible to continue to develop the potential of Discursive Media Institutionalism to help make the powerful, partly public, often non- or semipublic contentions over rules for the communication sector and the public sphere more accessible.

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