

## The Media Revolution and Public Debate

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**In a democratic regime, do new media represent a threat or a step forward for the press? Charles Girard examines the renewal of the journalistic profession and its impact on democratic debate. And sees no contradiction between the current emphasis on democratic media and the traditional role of the press as the mediator of public opinions.**

The press is our most vital non-governmental institution, and the one that presents the biggest challenge to democracy—that is at least the long-standing belief that has driven theoretical and political discourse on the role of journalism in modern regimes. The press is vital because, in a large society, only the press can guarantee that information is revealed and circulated, and that opinions are shared and challenged. In short, it is the institution that provides the conditions for the public debate that is necessary to shape the individual will of each citizen. On the other hand, the press presents a challenge for democracies, as it can have a harmful effect on the way in which individual wills are shaped—by distorting, highlighting or retracting information and opinions. This two-fold belief is now being undermined by a series of changes: the decline of traditional newspapers, the failures blamed on press institutions, and the emergence of new media that facilitate universal access to a form of communication which sidesteps previously unavoidable mediations. If journalists' control over the means of public broadcasting is continually being eroded, what political role should

the press play in regimes that still claim to adhere to the ideal of a government by and for the people?

### **The Democratic Role of the Press**

The founders of parliamentary regimes in the 18<sup>th</sup> century, much like the theoreticians of representative democracies in the following century, were acutely aware of both the significance and the danger of the press for a self-governing regime. While Jefferson claimed that he would choose newspapers without government over government without newspapers, Tocqueville pointed out that one cannot go without the other: “sovereignty of the people and freedom of the press are two entirely correlative things.”<sup>1</sup> Democracy means not only granting citizens the right to vote, but also creating a political context that enables them to exercise their political judgment in an enlightened way during an election. The temptation of state censorship is a contradiction in this kind of regime. As Tocqueville explains, “When you grant each person a right to govern society, you must recognize his capacity to choose between the different opinions that trouble his contemporaries and to appreciate the different facts, the knowledge of which can guide him.” (*Ibid.*) It is also imperative to guarantee the existence of an independent institution, whose primary role is to make facts and opinions available to all—in other words, the press.

Always watchful, the press constantly lays bare the secret motivating forces of politics and compels public men, one by one, to appear before the court of opinion. It rallies interests around certain doctrines and formulates the creed of parties. Through the press, interests speak together without seeing each other, agree without having contact. (*Ibid.*)

This political role gives the press a power that it can misuse or abuse. While each journalist or press institution has only minor influence over public discourse, their combined influence can be considerable when they “manage to follow the same path,” as Tocqueville puts it. To be sure, “each newspaper individually has little power; but the periodical press, after the people, is still the first of powers.” (*Ibid.*)

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<sup>1</sup> Alexis de Tocqueville, *Democracy in America: Historical-Critical Edition of De la démocratie en Amérique*, Vol. 2, ed. Eduardo Nolla, translated from the French by James T. Schleifer, Indianapolis, Liberty Fund, 2010, book 1, part. 2, chap. 3.

Admittedly, the role of the press cannot be reduced to its function as an institution for public debate. The mass media are also commercial instruments and sources of entertainment, advertising platforms and propaganda tools, spaces for cultural production and a rallying or dividing point for identities. They are not only, or even primarily, forums for political debate. The creation of a press dedicated to reporting the news—one that institutes a clear difference between facts and opinions and aims to reconstruct and comment on current affairs—is a relatively recent invention of the 19<sup>th</sup> century. So is the consequential professionalization of an institution specifically dedicated to informing the public.<sup>2</sup> The heterogeneous multiplicity of media institutions, the variety of national traditions and the rapid development of media professions also run the risk of turning any general discussion of the role of the media in a democracy into a meaningless abstraction.

Nevertheless, the idea that the particular role of the press is to establish conditions for public debate is a constant feature of contemporary democratic discourse. This mission also has vital links to other political duties that are commonly assigned to it. The press enables the public to witness the disclosure of facts and the challenging of ideas, and thereby to become a watchdog that looks out for the people's interests, a counter-power that limits the scope for deviation by the established authorities, an investigative body responsible for muckraking in order to reveal information that should not remain hidden, or an orchestrator of the "court of public opinion".

This is the traditional view of the press' democratic role, which is embodied in the protection of the freedom of the press as laid down in constitutions, in codes of journalistic practice and in social discourse denouncing the media drift. Today, however, it clashes with the radical transformation of public communication. The gap between the ideal of the press as the guarantor of public debate and the technological, economic and cultural forms of mass communication has admittedly been criticized since the 19<sup>th</sup> century. Almost half a century ago, Jürgen Habermas condemned the way in which the principle of advertising was being corrupted: influenced by "ever greater selective pressure,"<sup>3</sup> the independent newspapers of Enlightenment Europe, which guaranteed the existence of a public sphere for rational-critical

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<sup>2</sup> Michael Schudson, *Discovering the News. A Social History of American Newspapers*, New York, Basic Books, 1978.

<sup>3</sup> Jürgen Habermas, "Further Reflections on the Public Sphere," in C. Calhoun (ed.), *Habermas and the Public Sphere*, Cambridge, MIT Press, 1992, p. 437.

discussion by linking the formal and informal spaces for debate, gave way to a public relations industry that put the influential power of the mass media in the service of private interests. “The public sphere,” Habermas argued, “simultaneously prestructured and dominated by the mass media, developed into an arena infiltrated by power, in which, by means of topic selection and topical contributions, a battle is fought not only over influence but over the control of communication flows.”<sup>4</sup> The latest media revolution, however, marks a fundamental break in the development of public communication. It shatters both the traditional conception of the democratic role of the press and the long-established criticism of journalistic practices.

### **The end of mediation?**

The appearance of “new media” (the Internet and social networks) constitutes just as important a change for the press as mass literacy, the development of the advertising industry or the invention of television. The current proliferation of communication channels—which began with the liberalization of traditional media and the development of cable and satellite television—has brought about a “democratization” of access to not only *listening* but also *contributing* to the media. Non-professionals thus have a growing role in circulating information and challenging opinions, and therefore in shaping people’s will. Whether it be the leaking of American diplomatic telegrams organized by Wikileaks or the account of the attack by American Special Forces on Osama Bin Laden’s residence, posted live on Twitter by a micro-blogger from Abbottabad, these new media agents work from outside the journalistic field and sometimes against it.

This change has revived two older discourses on the press’ role in a democracy. The discourse of *decline* warns about the gradual disappearance of the conditions in which journalism can exist. It deplores a number of supposed shifts: the collapse of the written press and the difficulty with which the major newspapers of the past retain their readership when they move to new media platforms; the proliferation of simple data aggregation; the withdrawal of the economic and human resources needed to carry out proper investigative work; “disloyal” competition from untrained amateurs; and the proliferation of unfounded news and commentary without analysis. The discourse of *abdication*, meanwhile, draws on traditional criticisms of the media. The major press institutions are accused of contributing to

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<sup>4</sup> *Ibid.*

journalism's decline by shirking their democratic responsibilities under the pretext of adapting to the new media context. The discourse of abdication highlights the fact that harmful tendencies are continuing or growing, whether in the form of the willful concealment of political issues behind entertainment, as shown by Berlusconi's television channels in Italy; the building up of an arsenal of propaganda disguised as information, as embodied by the American channel Fox News; or the cosy familiarity between the governing elite and the media elite, as seen in France. Both the narrative of decline and the narrative of abdication maintain that the growing impotence of the press—be it victim or accomplice—is as dangerous today as its misused power was in the past.

However, the current media revolution is also giving rise to a third discourse announcing *the end of mediation*. This narrative heralds the dawn of a new age in public communication, in which the press is needed less and less as a specialized institution. Its premise is simple: the democratization of access to expression through the media could put an end to “gatekeepers,”<sup>5</sup> whose role in the past has been to select the facts, opinions, accounts and ideas that could gain greater public visibility when published in the mass media. Now that every individual can express himself through a blog and read any message from his mobile phone, the argument goes, there is no more need for journalists. Why bother reading what the newspapers print about the Arab Spring when they merely reflect information exchanged on Facebook? According to the “end of mediation” discourse, recent changes suggest a brand new media landscape, ultimately creating a new public sphere in which citizens are equal at last, and where everyone can communicate with everyone.

Caution is required when analyzing these changes, as their outcome remains largely open. Traditional media continue to play a dominant role in circulating public messages. Newspapers and press agencies still generate the majority of political information, of which television is the primary broadcaster. It is not sure whether the decline of general mass media, whose disappearance has been repeatedly forecast, will continue in the future. Nevertheless, the struggles of the traditional press, the inadequacies of the dominant media with regard to the democratic ideal, and the considerable resources offered by new media can hardly be disputed.

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<sup>5</sup> David M. White, “The Gate Keeper”, *Journalism Quarterly*, 27, 1950, p. 383-390.

## **Traditional Mass Media and the Power of Selection**

But do these changes threaten the press' role as an institution of public debate, its traditional political role in democratic systems? Is the press destined to become superfluous as an institution in which citizens can collectively debate, since self-expression within the media space is now more equally accessible?

The expectation arising from the proliferation of communication channels can only be understood in the light of the criticism that is aimed at the traditional mass media, identified as those media organizations that serve as a platform for circulating public messages from a few broadcasters to a large numbers of receivers. Such mass media do not allow the reader, listener, viewer or user to respond immediately to what has just been said via the same channel—unlike those media that enable correspondence between a small number of individuals who are both receivers and broadcasters.

While the influence of mass communication on the shaping of political judgments is still little understood after a century of study,<sup>6</sup> it is accepted that the media are not capable of shaping public beliefs and behaviour however they please, because they cannot determine the conditions in which the messages they broadcast are received. On the other hand, it is equally clear that the media are not neutral channels of transmission. Their most obvious influence relates to the task of selecting the content that is broadcast. This capacity to filter information, exercised in a competitive and uncoordinated way by media organizations, *collectively* gives them considerable power to choose and prioritize the majority of the data that we use to shape our representations of the world.

It is precisely this process of selection that, well before the recent media revolution, formed the focal point of the main political criticisms directed at journalism. The “propaganda model” developed by Chomsky and Herman drew attention to the existence of “filters,” which automatically lead to the removal or marginalization of data and points of view likely to undermine support for the dominant political and economic interests. Filters have a variety of causes: a dominant ideology, the economic structure of media firms, their funding through advertising, the dependence of journalists on their sources, and campaigns to intimidate the press. “Manufacturing consent” is the fruit of the constraints that influence the way in which

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<sup>6</sup> Michael Schudson, *Sociology of News*, New York, W. W. Norton & Company, 2003, p. 6.

journalists select facts and opinions, even when they are not aware of it.<sup>7</sup> The critique of the media begun by Pierre Bourdieu in the French context condemns the way that media elites hold a quasi-monopoly over the means of mass broadcasting and therefore over the organization of public debate. Bourdieu highlights the “censorship, which journalists practice” when “they reject as insignificant or remain indifferent to symbolic expressions that ought to reach the population as a whole.”<sup>8</sup> The economic rationale that influences journalism, particularly in the dominant medium of television, leads to the standardization of content and to a weakening of the professional principles meant to guide the selection process.

These critiques, like many others, primarily condemn the *convergence* of the selections carried out by the main media. Whether it results from the widespread influence of elites, the conformism of press organizations, the precariousness that undermines journalists’ independence or the weight of majority points of view in the political sphere, convergence leads to the exclusion of facts and points of view that should be relevant to the shaping of opinions. Recent critiques of the media thus echo Tocqueville’s warning: when press institutions follow the same path, they carry out a type of censoring that, however unplanned and involuntary, can be as formidable as the centralized and planned censorship that is carried out by authoritarian states.

### **The Impossible Conversation of Everyone with Everyone**

The emergence of the Internet and new media, which allows a growing number of individuals to express themselves in universally accessible spaces, was hailed as a democratic revolution precisely because it heralded the end of gatekeepers. New media enable a new kind of communication that allows for correspondence rather than broadcasting, but a correspondence that is public rather than private. People who take part in an online forum can, for example, respond to one another, with their exchanges available for all Internet users to see. Those who use social networks can also send content with such frequency and on such a scale that the proliferation of correspondence ultimately has the same effect as mass broadcasting.

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<sup>7</sup> Noam Chomsky & Edward S. Herman, *Manufacturing Consent. The political economy of the mass media*, New York, Pantheon Books, 1988.

<sup>8</sup> Pierre Bourdieu, *On Television*, New York, The New Press, 1998 [1996], p. 47.

However, new media do not facilitate the kind of shared public conversation that allows each citizen to address all the others without mediation. While communication from a few to many is possible, as is communication from a few to a few, the same cannot be said of communication from many to many. The constraint here is not a technological one, but rather a cognitive one. Each person can receive—read, hear, watch—a small number of messages, but no one can receive a very high number of messages and respond to them. For the handful of active participants, an online forum works well as a medium for exchange; for the other Internet users, however, it acts like a traditional mass medium, broadcasting content to which not everyone can respond at the same time. Even if a considerable number of responses can accumulate on a single website, that number in itself makes it impossible for all those who have contributed to read each others' messages and answer them. In short, thousands of messages in juxtaposition do not equal shared communication. If by passing on an email or video posted online, each individual receiving a message can in turn “broadcast” it to other receivers, they are still passing along the same message, initially produced by a few.

This structural limitation explains why the growing democratization of self-expression in the media does not allow everyone to express themselves in the most visible public spaces. Only rarely do speakers and content gain such access. The current revolution lies in the proliferation of media which allow for correspondence or low-visibility broadcasting that *might* in turn feed mass media broadcasting. As such, it is better understood as a diversification of the agents who select content—and is likely to bring about the diversification of that selected content—rather than as the disappearance of the selection process.

We can now more clearly understand what is excessive in Habermas' contrasting of the Enlightenment press, which “had merely been an extension of [the public's] debate,”<sup>9</sup> with the “media power” of the 19<sup>th</sup> and 20<sup>th</sup> centuries, which he blamed for having taken “care of the innocence of the principle of publicity.”<sup>10</sup> While the lack of proportion between the number of speakers and the number of listeners increased considerably from one century to the next, particularly due to the inclusion of a sector of the population that had previously

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<sup>9</sup> Jürgen Habermas, *The Structural Transformation of the Public Sphere. An Inquiry Into a Category of Bourgeois Society*, Cambridge, MIT Press, (1962) 1989, p. 183.

<sup>10</sup> Jürgen Habermas, “Further Reflections on the Public Sphere,” in C. Calhoun, *Habermas and the Public Sphere*, Cambridge, MIT Press, p. 437.



been largely excluded, the pre-revolutionary press could not be a mere conduit transmitting public discussions without making any selection. In the same way, while the filtering process that allows certain messages to shift from “low visibility” to “high visibility” now happens *after* rather than *before* publication,<sup>11</sup> it has not disappeared. The struggle that took place within a limited, elite group of gatekeepers gave way to a more open struggle to control the instruments of selection. The fact that selection is an integral part of mass communication does not only lead us to dismiss the idea of a conversation involving all citizens as contradictory. It shows that public debate cannot happen spontaneously; it must be *instituted*—and that is the role of the press.

### **The Free Marketplace of Ideas and Mass Debate**

Since everybody cannot express themselves in high-visibility mass media, universal access to the media and the constitutional guarantee of freedom of expression are not enough to ensure that spontaneous and fair public debate will take place. This is why the model of the free market of ideas, which has had considerable influence over media law and theories of the press,<sup>12</sup> is unsuitable. The free-market model was initially inspired by Justice Oliver Wendell Holmes’ idea that “the best test of truth is the power of the thought to get itself accepted in the competition of the market.”<sup>13</sup> It soon became a dogma, gaining legitimacy by misguided references to the writings of John Milton and John Stuart Mill. We can accept alongside the latter that our fallible nature should never let us censor a single opinion even though we believe it to be undoubtedly mistaken.<sup>14</sup> We can also understand why the former, in the middle of the 17<sup>th</sup> century, was trying to convince members of the English parliament that censorship was futile because the truth would always triumph over falsity “in a free and open encounter.”<sup>15</sup> But it still remains difficult to accept the premises of the “free market of ideas.” Taken literally, this model states that implementing a *laissez-faire* policy—which aims only to protect individual freedom of expression—would eventually lead to an optimal result for all: the highest number of people would identify and adopt true opinions and valid reasons. But if we have learned one thing from thirty years of studies on “deliberative democracy,” it is that unregulated communication has very little chance of promoting the most informed,

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<sup>11</sup> See Dominique Cardon, *La démocratie Internet. Promesses et limites*, Paris, Seuil, 2010, chap. 2.

<sup>12</sup> Paul Starr, *The Creation of the Media: Political Origins of Modern Communications*, New York, Basic Books, 2004, chap. 8.

<sup>13</sup> *Abrams vs. United States*, 250 U.S. 616 (1919).

<sup>14</sup> John Stuart Mill, *On Liberty*, 1860, chap. 2.

<sup>15</sup> John Milton, *Areopagitica; A speech of Mr. John Milton for the liberty of unlicensed printing to the Parliament of England*, 1644.

justified and valid opinions. On the contrary, minority voices are commonly stifled; beliefs and arguments are often suppressed; opinions can mechanically shift in the direction of the dominant opinion; and false data and justifications continue to spread, having failed to be refuted or countered.<sup>16</sup>

The problem, therefore, is not only the *imperfection* of the market of ideas, which could be corrected by establishing minimum regulations allowing it to function in a truly competitive way.<sup>17</sup> Rather, the model itself needs to be called into question. To begin with, it does not explain the process of self-adjustment by which the free circulation of opinions, left to itself, could produce the anticipated results. Moreover, it disregards the structural necessity of information selection. It is not enough to recognize each person's equal right to express himself freely in order for each individual to be *equal* to others in the public debate. Media law cannot simply be based on the individual right to freedom of expression if it is to facilitate the press' task of establishing a shared debate.

If it is vital for the public debate to be of a *deliberative* nature—at least when the public is called on to express its will at the ballot box—in other words for it to enable an egalitarian and mutual exchange of opinions and reasons on the subject of what must be done, then it is not sufficient to give everyone an equal right to self-expression and to allow the balance of power to determine who will have the chance to access that rare asset: expression in the mass media. When the electorate is called on to adopt or reject a constitutional treaty, or to put a party in power, how can we agree to allow those with a favourable social position to take over the media scene or change the course of public debate?

It is tempting to object that mass communication does not lend itself to public debate. Can fragmented communication through a multitude of channels, which remain asymmetrical and difficult to regulate, really foster an equal, public and well-argued exchange? Yet a mass media debate is not unimaginable if we dispense with the fantasy notion of a conversation of everyone with everyone and retain only the more realistic project of a political discussion in which each member of the public can observe the debate among the main positions (and

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<sup>16</sup> See Cass Sunstein, "Deliberative Trouble? Why Groups Go to Extremes", *The Yale Law Journal*, 110, 2000, p. 71-119.

<sup>17</sup> As the economist Ronald H. Coase proposed in "The Economics of the First Amendment: The Market for Goods and the Market for Ideas," *American Economic Review*, vol. 64, 1974, p. 384-391.

reasons) at stake. Fragmentation does not prevent adequate publicity if each individual has access to sufficiently varied and porous channels of communication. Asymmetry does not prevent adequate equality if the speakers addressing the majority give a fair representation of the points of view that exist within society. And the decentralized nature of the media landscape does not prevent an adequate form of deliberative regulation if a few people endeavour to push to the forefront of the media scene objections to ideas already proposed and responses to arguments already laid out.<sup>18</sup> Admittedly, a vital part of the work of *establishing* debate falls to other social institutions (parties and trade unions, associations and churches, etc.), which put together speeches and programmes, identify problems and claims, train spokespeople, and confront one another in order to gain access to the mass media. However, the very terms of the conflicting yet cooperative process of debate depend on the most powerful media organizations, particularly press institutions.

One question remains: if the press is gradually being deprived of the quasi-monopoly it had over the means of disseminating and selecting information, how can it continue to help establish the public debate?

### **Organizing the Public Debate, Regulating the Media**

The notion that the press now has little influence over the selection of the content broadcast is doubtful at best. Moreover, the main advantage that the media “system” offers public debate has been strengthened rather than weakened by the emergence of new media. This stems from the possibility of a plural organization of public debate, created by the new media’s lack of a centralized structure. While the spontaneous emergence of a sufficiently equal, public and mutual exchange is unlikely, and while the organization of that exchange by a particular social group serving its own interests should be feared, a plurality of actors can help bring it about through their simultaneous, albeit uncoordinated, efforts. Specialized professionals should be at the forefront of this effort, because the work involved requires specific capacities in terms of investigation, analysis and interpretation. The need for a professional press results not only from the need for investigations that reveal hidden facts, but also from the need for a proper selection of media content. By helping to direct the process of selection, which is always subjective and contestable, the ideal of a mass media–

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<sup>18</sup> Charles Girard, “La délibération médiatisée. Démocratie et communication de masse”, *Archives de philosophie du droit*, 54, 2011, p. 249-266.

mediated deliberation clarifies the role that “the press,” helped and sometimes hindered by non-professional media agents, can and should still play in a democracy.

Democratic deliberation via the mass has several preconditions. First of all, publicity presupposes that the press circulates the positions formulated between the fragmented spaces of mass communication, so that no partial arena can become an isolated enclave. Secondly, equality requires the press to ensure that no point of view is permanently marginalized; only the press can try to actively identify the points of view that lack media representation and the spokespeople who are most likely to increase the presence of those marginalized perspectives. Thirdly, contradictory debate demands that conflicting opinions respond to each other effectively, by pitting account against account, story against story, and argument against argument. Especially during election campaigns and referendums, the deliberative and democratic nature of mass communication requires the vigilance of gatekeepers, the perseverance of investigators, and the intelligence of multiple orchestrators. In the end, none of these tasks is useful if the basic work of collecting and reproducing factual data in a reliable way is not guaranteed.

The role assigned to the press is therefore highly demanding. There is a large gap between the ideal vision set out above and the familiar landscape of media controversy. Nonetheless, the existence of multifarious sources for the regulation of institutions and of media practices makes it reasonable to think that this sort of ideal could have some relevance for guiding the evaluation and transformation of contemporary regimes. Formal regulation through media law and informal regulation through media analysis can both serve as powerful tools for steering the actions of press organizations. The former determines the possible economic and legal structures of media enterprises—for example by establishing limits on corporate concentration and by authorizing subsidies for social objectives such as press pluralism. The latter exerts substantial social pressure by pushing for either enforcement or reform of the rules governing press institutions.

Neither of these forms of regulation is sufficient, however, and attempts to establish deliberative rules within the field of mass communication are also based on the self-regulation of those who select information—or at least of journalists, professionals who view themselves as contributing to the proper functioning of public debate. It is excessive to conclude that journalists’ reduced position as gatekeepers is the main threat to democratic discussion. Since

efforts to establish debate do not have to come from all media agents, the existence of “non-professional” gatekeepers is not in itself a danger. From that point of view, the economic and political constraints that weaken the implementation of professional rules constitute a far more worrying threat.

The first media revolution of the 21<sup>st</sup> century has left the press neither superfluous nor impotent. In addition to its other functions, the press is still responsible for establishing adequate conditions for democratic debate, even if it no longer has a monopoly of the means of mass broadcasting and the process of selecting content. On the other hand, it is true that the increase in spaces for private and small-scale correspondence, and the resulting dilution of gatekeepers’ individual power over the selection process, has changed the press’ role. It can no longer claim to be the sole coordinator of the arena in which political points of view are publicly debated. There are many reasons to welcome this democratization of the means of expression. However, the press can and should still intervene within the broader media landscape in order to guarantee 1) that the main opinions and arguments being expressed are available everywhere; 2) that they are sufficiently representative of the opinions that exist in society as a whole, and 3) that these points of view challenge each other effectively, so as to give members of the public the means to use their judgment. For in the end, if the public now has greatly improved access to the means of expression, it nevertheless also remains a spectator of broader political debates.

Almost a century ago, Walter Lippmann noted that “the problem of the press is confused because the critics and the apologists [...] expect it to make up for all that was not foreseen in the theory of democracy.”<sup>19</sup> As Lippmann suggests, a theory of democracy that seeks to define what role the press can play today should not demand that journalists single-handedly create the right conditions for public debate. What we can expect from democratic theory, however, is that it establishes high standards for debate. Such standards are part and parcel of the political project that consists in recognizing “the right of everyone to govern,” even if indirectly, imperfectly or intermittently.

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<sup>19</sup> Walter Lippmann, *Public Opinion*, New York, Free Press, [1922], 1997, p. 19.