



Jan-Werner Müller

**Still the “Fourth Power”?**  
**Rethinking the Press in Liberal Democracies**

SCRIPTS Working Paper No. 18

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Series-Editing and Production: Dr. Anke Draude, Felipe Hernández Crespo, Inga Sell, and Carol Switzer

Please cite this issue as: Müller, Jan-Werner 2022: Still the “Fourth Power”? Rethinking the Press in Liberal Democracies, SCRIPTS Working Paper No. 18, Berlin: Cluster of Excellence 2055 “Contestations of the Liberal Script (SCRIPTS)”.

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# Still the “Fourth Power”?

## Rethinking the Press in Liberal Democracies

Jan-Werner Müller

### ABSTRACT

The relationship between democracy and professional news media is currently being profoundly questioned, however, there is a lack of standards to determine their proper political role. This working paper sketches a basic normative theory of the press in a democracy. Journalism is reconsidered as a distinctive practice both informed by professional norms and protected by particular constitutional provisions. It is argued that the press, defined as the collective of journalists playing a special political role in a democracy, remains indispensable because it constitutes an informal power that holds formal power-holders accountable and serves the citizens' basic right to be informed. Even news media organisations might be legitimately partisan under specific conditions. When constitutional democracy itself is under threat, journalists, the press, and media organisations must defend the very structures which sustain reasonable pluralism. The rise of social media has not changed this normative picture but has aggravated both the normative and the practical challenges.

Wenn die Presse mit kommandierenden Generalen verglichen worden ist [...], so weiß jeder Mensch: darüber gibt es bei uns nichts rein Irdisches mehr, und es wäre nötig, in das Gebiet des Überirdischen zu greifen, um Vergleiche zu finden. Ich erinnere Sie einfach daran: Denken Sie sich die Presse einmal fort, was dann das moderne Leben wäre, ohne diejenige Art der Publizität, die die Presse schafft (Weber 2016 [1910]: 263).

### 1 INTRODUCTION<sup>1</sup>

Donald Trump's presidency was bookended by the US White House pushing “alternative facts” and the President's violent supporters scrawling

“Murder the Media” on Congress's door. Plenty of observers recognised that his reign – no less than that of figures like Jair Bolsonaro and Boris Johnson – prompted profound questions about the relationship between democracy and professional news media. To be sure, many observers put the blame for what was going wrong on the people themselves. A supposedly post-factual age could ultimately be explained by ordinary folks no longer caring about “the facts” or “the truth”. But others were more likely to find fault with journalists who, as part of a supposed “liberal cosmopolitan elite”, had overlooked genuine grievances among the people, or were generally guilty of cultural arrogance. According to this logic, journalists only had to blame themselves for the fact that the people no longer believed what they read or saw, for they had not believed the people (or even listened to them).

One problem all sides in this debate faced was the apparent lack of standards to determine the proper political role of journalists or “the media” (not the same thing at all, as I shall argue in a moment). This has something to do with the fact that political theory and journalism studies as well as media studies have long parted ways in the academic sphere. It is hard to imagine the days when a figure like Walter Lippmann – arguably the most influential American journalist of the twentieth century – could be a theorist of modern democracy, a philosopher of the press, and a successfully

<sup>1</sup> Parts of this essay draw on my book “Democracy Rules” (Müller 2021). I am also grateful for feedback on this paper at a seminar at the WZB in June 2021, kindly organized by Mattias Kumm.

practicing newspaperman all at the same time (see also Schudson 2018: ch. 2). Even more recently, democratic theory has had little to say about journalism or helped with specific press criticism, and journalists have not exactly felt the need to contribute to more abstract reflections on democracy (see also Carey 1974).

Moreover, theories of democracy no less than accounts of constitutionalism tend to rely on a standard set of claims such as “the public sphere” or “media pluralism”, which are in and of themselves unobjectionable but which often appear like ineffective liberal pieties in the face of the strategies pursued by today’s autocrats and authoritarian hopefuls.<sup>2</sup> After all, the latter tend to deny the value of a free press or basic communicative rights for citizens; their approach is to disable them. Arguably, such strategies have partly been successful because notions that appeared to belong firmly to the professional news media in a free society – such as “journalistic objectivity” or “marketplace of ideas” – have been weaponised against liberal democracy itself.

This essay will sketch a basic normative theory of the role of “the press” (again, not the same as journalism as a practice) in a democracy. It starts by putting a number of basic distinctions in place to avoid the common confusion about the individuals and institutions that have particular tasks relating to public communication in a democracy. I will offer a reconsideration of journalism as a distinctive practice both informed by professional norms and protected by particular constitutional provisions. I also argue that “the press” – the collective of journalists playing a special political role in a democracy – remains indispensable: not because it is “the opposition” (as Trump and Stephen Bannon would have it), but because it

constitutes an informal power that holds formal power-holders accountable and, less obviously, serves citizens who have a basic right to be informed. More controversially, I claim that even news media organisations might be legitimately partisan under specific conditions.

After this general sketch, I analyse the nature of the attacks that authoritarians have launched against freedom of the press, analytically distinguishing three types. I then claim that journalists – under particular circumstances, when constitutional democracy itself is under threat – must resist the temptation to seek safety in seemingly obvious professional norms and that the press, as a cohesive institution characterised by professional solidarity, might be of particular help in this regard. In other words, journalists must on occasion shift from occupying a comfortable place within reasonable pluralism to an active defence of the very basic structures which sustain reasonable pluralism. Journalists have to take the side of democracy itself; the press must defend the very institutions which enable not just the immediate use of basic communicative freedoms, but also larger structures sustaining media pluralism; and media organisations in turn have to be able to see beyond their immediate commercial interests. Finally, I briefly suggest that what is commonly referred to as a structural transformation of the public sphere by social media and platform capitalism have not changed this basic normative picture. But, without a doubt, they have aggravated both the normative and the practical challenges.

## 2 DISTINCTIONS

Following a suggestion by the media critic Jay Rosen, I distinguish between journalism, the press, and the media (Rosen 2021). Journalism is a practice that prescribes particular roles and norms which are fairly well known: seeking out facts to the best of one’s abilities, explaining larger

<sup>2</sup> Constitutionalising freedom of press has a long history; according to Linda Colley, freedom of the press was the most frequently mentioned right in constitutions written between American Independence and the mid-nineteenth century (Colley 2021).

political developments, and, already more controversially, holding the powerful to account. Plenty of journalists have nothing to do with democratic politics directly: they cover exotic travel destinations or try as hard as they can to get the facts about celebrity infidelities right. The press, by contrast, is a *collective* tasked specifically with a role in a democracy: to seek and provide the information needed by citizens to judge politicians and, more specifically, hold governments accountable (the press is not just print publications for my purposes here, but includes radio and electronic media oriented toward covering political matters). That is the reason why there is an official, accredited press corps in democratic states (which is not to deny that unofficial, unaccredited reporters can also play an important role). Press freedom is the right for the press to write and say what it knows; and the right to ask the powerholders about what it does not know (Schneider 1978: 909).<sup>3</sup>

Finally, “the media” refers both to cultural techniques – such as writing – and to a whole infrastructure of institutions that transmit information (as well as opinions, entertainment, for example), for the sake of making a profit or for fulfilling a particular public mandate (as with public service broadcasters). When Trump supporters attack “the media”, they are most likely to have in mind the press, or in fact just particular journalists asking tough questions of their idol (since the press corps changed significantly during the Trump administration, with the inclusion of employees of cable channels generally deemed favourably inclined to the president and his agenda). All journalists need media, but not all media require journalists.

Let me now further specify the three central functions of the press in a democracy. First, it gathers and represents facts. This might seem too obvious to mention, except that part of today’s moral panic about a “post-truth-age” relies on false expectations in this regard: journalists hardly have the time and resources to achieve something that academics – in particular scientists – might possibly be willing to call “the truth”. What can be expected of them is something like the best possible effort under the circumstances, which usually do *not* include procedures like comprehensive peer review. For instance, we want to be sure that a reporter did not fail to double-check with sources, or fail to follow up on additional information, or fail to verify documents, or fail to give equal treatment to sources (because they think women are always less trustworthy, or never really know what they are talking about) (Fricker 2007). This is largely, but not only, a matter of craft – the kind of thing a professional learns in school, or as an apprentice on the job. It can be demonstrated when journalists, or sometimes the press as a whole, fail to exercise these skills properly (think of large parts of the press in the run-up to the Iraq War in 2003). It can also be demonstrated that it is possible for journalists to operate in ways approximating the work of social scientists and contemporary historians, through close attention to public records (and seeking of records not yet available to the public), sophisticated analysis of data, judicious use of expert opinions, and other such methods (Mediapart in France is a good example).

Of course, just as neither research questions nor methods of inquiry magically (let alone objectively) suggest themselves, “information” and “facts” are not out there, waiting to be discovered and mechanically reproduced for a universal audience (after all, no one has ever heard the facts “speak”). Sometimes a particularly pertinent question is obvious enough (e.g. did Hamas fire

<sup>3</sup> The more or less asymmetrical counter-concept is hence not just censorship but also the political arcanum or what Clapmarius had famously called the *arcana dominationis*. The earliest German use of the term *Preßfreiheit* dates back to 1774.

rockets first or not?).<sup>4</sup> But plenty of times, facts of the matter only become clear in light of particular questions asked. Interpretations will frame which facts are deemed to be salient – so far so obvious. Less obvious might be that facts can be entirely accurate individually, and yet their framing might be highly misleading. As Onora O’Neill has argued, we should not expect truth from journalists, but we should certainly demand *truthfulness* (O’Neill 2013).

Note the perhaps rather obvious point that has been conceded here, but with maybe not so obvious consequences. Journalists are legitimately in the business of interpretation, but it would be peculiar if the entire press offered a uniform view of a sequence of events or complex developments that call out for explanation and an account of its larger meaning. Not just anything is a skilful interpretation, but a reasonable pluralism of interpretations is both legitimate and potentially desirable, as audiences can look at matters from multiple perspectives (Rawls 1993).

This has not always been recognised. After the great push for professionalisation in US journalism in the 1920s, there was a virtual taboo on interpretation. “Objectivity”, as a core professional norm, was understood to entail that reporters simply repeated what governments told them (Pressman 2018). This did not rule out investigative work which might end in an account of the facts differing from that of the government – but it did rule out seemingly subjective comments on what particular facts meant. Only in the post-war period did interpretive journalism become fully legitimate.<sup>5</sup>

<sup>4</sup> The classic account in this regard remains Hannah Arendt (Arendt 1977: 227-264).

<sup>5</sup> It also became highly lucrative; in the 1980s and into the 1990s, some U.S. newspapers still had larger profit margins than Google today, partly because savvy interpretation could be nicely bundled with ads for luxury brands and for upper-middle-class jobs (see Pressman 2018).

### 3 MEDIA ORGANISATIONS CAN BE PARTISAN; THE PRESS CANNOT

Interpretations are premised on some kind of larger orientation in the world. That can include a broadly speaking normative interpretation, or a particular explanatory *Weltanschauung* such as Marxism. My point is that journalists can legitimately place their reporting in a frame of values they pursue *as long as* that frame is clearly acknowledged and assessable (O’Neill 2013). Timothy Garton Ash has coined the term “transparent partiality” (Garton Ash 2016: 204). An example would be an Orwell who made it absolutely clear to the readers of *Homage to Catalonia* that his reporting on the Spanish Civil War was presented from a particular point of view, an engaged partisan – there was no pretence of a “view from nowhere” (Garton Ash 2016: 204). As Garton Ash observes, we believe him precisely because he does not claim to be “fair and balanced” (Garton Ash 2016: 204).<sup>6</sup>

Sometimes one might even be transparent without being known, that is to say: while remaining anonymous. Heinrich Heine, in his often deliciously ironic writings for the Augsburg Allgemeine Zeitung from Paris, on *Französische Zustände*, left no doubt about where he stood politically and which forces he hoped his German readers would support; but he also never spared his own side and produced masterpieces of political journalism which simultaneously captured a particular atmosphere and analysed the inner political dynamics of an era in European history.

Furthermore, rather than journalists just recording, and the press responding (critically, if necessary) to governments, journalists can take the initiative and actively campaign about particular

<sup>6</sup> To be sure, the self-presentation of Fox oscillates between objectivity (“we report, you decide”) and supposedly transparent partiality, as when Bill O’Reilly claimed to offer news and analysis from a distinct working-class point of view (Peck 2019).



issues (what in Italy is known as *giornalismo militante* or militant journalism (Gozzini 2000)).<sup>7</sup> Rather than facing a ready-made public, the dynamics of a campaign itself can bring a particular audience into existence; in that sense, the journalist themselves becomes a self-selected representative of a group that has been formed by their writings to begin with.<sup>8</sup> A journalist postulates that there must be others that are as scandalised by certain wrongs as they are – for instance, local corruption, or neglect by social services – and they systematically seek to draw attention to this set of wrongs.<sup>9</sup> The campaign might be predicated on a controversial normative stance; that is not in and of itself a problem, as long as these normative starting points are openly avowed and made subject to proper contestation.

The single campaigning journalist and the political writer who combined open subjectivity with a claim to make sense of the inner dynamics of contemporary history were perhaps more obvious (and obviously legitimate) figures in the nineteenth century. W. T. Stead, arguably the archetype of the “campaigning journalist” called the journalist nothing less than the “uncrowned king of an educated democracy”; he came closer to describing his own work when he claimed that the journalist combined the roles of the “Hebrew prophet and Roman tribune with that of a Greek teacher” (Bösch 2006). The young Belarusian, Roman Protasevich – a practitioner of “activist journalism” against the dictator Lukashenko – might be a contemporary example of how reporting, a pro-democratic campaign, and building

a movement (especially through social media) could amount to a “tribunate” of the twenty-first century.

It is often forgotten that parties and press were thoroughly mixed in the past, and not always in a nefarious manner. Many leaders of socialist parties started out as journalists, or even actively combined the roles of parliamentarian, agitator, theorist, and journalist. In fact, some historians have argued that the very idea of revolutionary socialist parties emerged from radical journalism (rather than trade unions or the labour movement, for example): Karl Marx was a journalist before he ever led a party (the Communist Manifesto was written at a time when there was no Communist Party whatsoever; Marx and Engels wrote, and reported, it into existence) (Mudge 2018: 74–75).<sup>10</sup> In 1920, a US presidential election pitted two newspaper editors (who both also happened to be from Ohio) against each other. There is nothing inherently wrong with a party emerging from a talk show (Podemos) or a blog (Five Star) – as long as what it says is accurate and truthful. That logic also goes the other way: There is nothing wrong with a paper being produced by a party; the problem with a number of recent small-town publications in rural America, for instance, was not the partisanship, but the fact that financing and partisan orientation were hidden on purpose.<sup>11</sup>

Of course, many will worry about such a mixing of journalism and partisanship. It is easy to tell the story of the shift from party papers to profit-making papers, from the *Parteizeitung* to the *Generalanzeiger* (based on revenue from ads) as not just one of progress in professionalism, but also as proper systems differentiation (with new

7 One might also think of the nineteenth-century German *Meinungsprese* associated with figures like Joseph Görres.

8 In other words, the dynamic that the theorists of the “constructive turn” in conceptions of representation have tried to capture (see, in particular, Saward 2010).

9 Schlegel memorably described an audience as a postulate: “Mancher redet so vom Publikum, als ob es jemand wäre, mit dem er auf der Leipziger Messe im Hotel de Saxe zu Mittag gespeist hätte. Wer ist dieses Publikum? – Publikum ist gar keine Sache, sondern ein Gedanke, ein Postulat, wie Kirche” (Schlegel 1967 [1797]: 150).

10 Arguably Mirabeau was the first modern campaigning journalist. Gramsci would be another example. And maybe Boris Johnson, who, after all, combined a seat in parliament with the seat of the editor of “The Spectator”.

11 There is also the problem that supposedly non-partisan non-profit journalism in fact relies on partisan sources (see Konieczna 2018: 59–61).

media being guided solely by code/distinction news/not-news) (Luhmann 1996). But it seems important to remember that media organisations more broadly – understood as different publishing houses, TV channels, or similar outlets – do not just supply a diffuse public with neutral information; they are not simply institutions of record. Rather, they seek out and, often enough, actually create particular audiences. And that particularity can often be based on partiality. A working-class audience is not just objectively given; rather, while workers know that they are workers, a socialist party, and a socialist paper, will educate them into thinking of themselves as a distinct class with interests opposed to those owning the means of production.

The basic point here is hardly new. Tocqueville commented on the specific role of newspapers in the US with these memorable lines:

In democratic countries [...] large numbers of men who feel the desire and need to associate may often find themselves unable to do so, because all are insignificant and none stands out from the crowd, so that they cannot identify one another and have no idea how to meet. But let a newspaper come and give visibility to the feeling or idea that has occurred simultaneously but separately to each of them, and all will immediately rush toward this light. Wandering spirits that had long sought one another in darkness will meet at last and join forces. The newspaper brings them together, and they continue to need the newspaper in order to stay together (de Tocqueville 2004: 600–601).

In other words, free press and free association were dependent on each other. In America, Tocqueville witnessed both served the aims of partisanship. We might find the idea of an unashamedly partisan press objectionable but this erstwhile fusion points to an important function that both parties and professional media organisations can fulfil. Parties are not just what Edmund Burke described as “a body of men united for promoting

by their joint endeavours the national interest upon some particular principle in which they are all agreed” (Burke 1951 [1770]); they also, just like the media, offer representations of society and, in particular, of its political conflicts, to society. They create what Pierre Bourdieu called a “vision of divisions” (Bourdieu 1990: 138).

Note how we have shifted from individual journalism as a practice centred on the truthful representation of facts and opinion to the press as an institution holding governments accountable and then to different media organisations potentially providing collective sources of meaning and identification. One might discern some tensions here, but I hope that the use of the distinctions will become clearer as we move on to discussing a concept that is invariably invoked in discussions of the importance of communicative freedoms for democracy: pluralism.

#### 4 WHAT PLACE IS THERE EXACTLY FOR PLURALISM?

The term “media pluralism” is well-established (if hardly ever normatively specified or successfully operationalised for empirical inquiries), but what about “pluralism of journalists” or a “pluralistic press”? Does it make sense to talk about pluralism in this context? If not, why not?

It is *prima facie* an advantage if journalists have different skills and, less obviously, different life experiences from which they can draw (this is, in principle, an argument for “diversity of the newsroom”). But it is hardly a requirement that every news organisation hires the most diverse possible “équipe”. There is ample room for institutional autonomy as long as journalists meet basic professional standards.

The press, as an institution, does have a fairly fixed set of tasks; in particular, it has to hold a

government to account. If governments try to evade critical questioning or pick off individual members of the press and replace them with more pliable journalists, the press needs to exhibit solidarity and a kind of “esprit de corps”. In that sense, it actually *ought* to be a relatively homogeneous actor.

Note how this demand does not justify calling the press “the opposition”. Trump’s strategy – which I will revisit in more detail below – was, of course, to discredit attempts to hold him accountable by portraying the press as uniformly partisan. Anything like follow-ups in press conferences was re-coded as illegitimate “criticism” or even as a conspiracy to undermine his administration (nothing completely new here: Friedrich Wilhelm II complained about impertinent Preßfrechheit (insolent press; Schneider 1978: 915).<sup>12</sup> The term “fake news” was so fateful not because journalists invariably report the facts and tell “the truth”, but because it served to undermine the proper function of the press as such. Questioning is not partisan, a point that should be obvious as long as journalists from transparently partisan media organisations do not quit playing their proper roles as part of the press corps.

The press, then, should not be “the opposition” in the sense of opposing a government in principle, let alone in the sense of offering alternative political visions – that would be the wrong kind of pluralism. The press has to be wary but not confrontational for its own sake (even if, sometimes, incentives to publicly perform a hermeneutics of suspicion might lead journalists in this direction).

That leaves “pluralism of media” as such. What is properly meant here is not just a plurality of “sources” in general, but a plurality of organisations (using different forms of media such as

papers and TV) with different orientations. Less obviously, such institutions should not be dependent on a single powerful actor, be it a government or a small set of corporations. In other words, ideally, pluralism goes “all the way down” and is not a surface phenomenon, leaving audiences at the whim of politicians or proprietors who could change their minds about what content particular media organisations should offer at any time. Note, however, that deep media pluralism, so to speak, does not license an illegitimate form of pluralism within the press – something is wrong if the avowedly socialist paper goes easy on the left-wing prime minister or stops investigations into corrupt trade unions connected to the government.

Beyond deep pluralism, however, there is the need for a basic level of provision with information and facts relevant to civic debates. In theory, one could have a large and varied number of media organisations, but with only the slightest attention to political news items and hence insufficient resources properly to constitute the press itself. Thus, the well-known argument for public-service institutions remains valid: properly providing citizens with information relevant for forming political judgments – in turn, crucial for decisions in free and fair elections – might or might not be a commercially attractive proposition. Hence, it cannot be left to the media market itself and justifies the use of state resources (while, obviously, keeping state actors at an appropriate distance) (BVerfGE 73, 118).

That leaves the more difficult question of pluralism within professional news organisations themselves. Whole right-wing cottage industries are devoted to proving that an institution like the BBC has a left-liberal bias and hence lacks proper internal pluralism; similar accusations are sometimes levelled against public service broadcasters in continental Europe (Barwise/York 2020). In principle, there would be both internal and

<sup>12</sup> Ironically, the Prussian government sought to justify censorship to preserve proper Preßfreiheit, and prevent the wild, irresponsible press freedom practiced in England.

external epistemic advantages associated with political pluralism inside media organisations. Different questions might be asked, different lines of inquiry opened, and different sources might become available. And on the outside, audiences would learn not about “alternative facts” but about alternative frames and interpretations relating to the same facts. Note that these arguments are specific to journalists in their professional capacity. Media organisations, just like universities, are not, as such, places of unlimited self-expression; they serve an important public function not reducible to individuals exercising free speech.<sup>13</sup>

The counterargument is, of course, derived from the legitimacy of what I have called deep (but also transparent) pluralism. News organisations are perfectly within their rights to pursue a political tendency; they are, as German law has it, “Tendenzunternehmen”. Thus, they are also entitled to limit pluralism internally – not in the sense that journalists could be ordered to stop the investigation of the misdeeds of a politician who exhibits the right kind of tendency; but in the sense that opinions (or even interpretations) at odds with the premises of the organisation would find no place even if written in exquisite prose or spoken by the most charismatic commentator. The “all-out anarchy in the UK” advocate just will not end up writing the lead article for an audience known primarily to be located in the Home Counties.

The more interesting challenge relates to journalists writing in their own capacity outside their media organisation – and seemingly outside its quasi-official normative framework. Almost all journalists today have Twitter accounts. Some are simply about self-promotion, but some are genuine extensions, even enrichments of the work that appears in the paper, on TV, or other channels.

<sup>13</sup> Compare the 1970s German debate about innere Pressefreiheit (for a conservative take denying inner press freedom (inside media organizations), see Weber 1973).

Some also serve as a means to offer criticism or meta-comments about one’s employer. Prima facie, one would think that there are two benefits to this, especially for media organisations that take transparent partiality seriously. Epistemically, something might be gained from a critical perspective of an organisation; and, less obviously, the audience that the institution builds might be extended. An analogy would be to something like intra-party democracy – including the thought that disputes do not always have to stay within the rooms where party committees meet. Disagreement is compatible with a notion of such critical but loyal opposition as long as all concerned agree on fundamental principles. Analogously, as some newspapers have started to offer “membership”, one would think that a range of critical voices do not prompt one to resign one’s membership immediately but might become the starting point for deeper and more sustained engagement.<sup>14</sup>

That is a highly idealised picture, of course, and on one level, it is perfectly understandable why editors would react badly to sniping on social media by their own employees. But since journalists are never just passive “recorders” – and especially in the case of organisations that avow some commitment – it is misleading to claim that professionals are just “activists for fact and truth”.<sup>15</sup>

## 5 THREATS

What are the main threats to a democratic press today? Some are not exactly new: in a number of countries, journalists are systematically harassed by governments, content is simply censored, and

<sup>14</sup> The Guardian is one example for a paper offering membership (for some of the reasoning behind the scheme, see Rusbridger 2018).

<sup>15</sup> Paraphrasing a remark by former Washington Post editor Martin Baron, “We should not be an activist for anything except fact and truth” (Baron et al. 2021).

professional news organisations are brutally shut down without any concern for appearances. The Covid-19 pandemic has offered plenty of justification for repressive measures in the name of public health and security. Journalists have been prevented from speaking to health workers, not by hindering the journalists, but by threatening doctors and nurses with fines (for an analysis of the situation in Hungary, see RSF 2021; Spike 2021); certain forms of reporting have been attacked as “fake news” effectively hindering the fight against the spread of the virus; in India, citizens pleading for help on social media have been charged with civil or criminal action, because they “spoil the atmosphere”, according to Yogi Adityanath, the Hindu nationalist extremist (even by the standards of the BJP) and prime minister of Uttar Pradesh (Coll 2021). The larger message to anyone inclined to complain should be clear enough: bad news is fake news, and it is politically unwelcome even if it happens to be correct.

Yet the distinctive feature of our era is, of course, that the repertoire of repression at the disposal of autocratising actors has generally become more subtle and sophisticated. Why make oneself look like a tin-pot dictator from the twentieth century when power can be concentrated without paying the costs of international sanctions or at least informal ostracism? Better to be Orbán (in non-pandemic times) than Lukashenko (Polyák 2019).

In this logic, one can disable the press by taking over the news media organisations which field its members – some form of media capture (see Schiffrin 2021). The obvious way, at least in some countries, is to staff public service broadcasters with loyal hacks, which has infamously happened in Poland and Hungary (for a recent analysis, see The Economist 2021). With regard to profit-seeking organisations, one can withhold state advertising (which has often increased during public health emergencies) from critical outlets (Scheppele

2012). Rather than censoring them, they can be starved to death. If that does not work outright, there is always Strategic Litigation Against Public Participation – one can force the media organisations to spend precious funds on bogus lawsuits, weakening and financially exhausting them with ever new accusations.

Finally, autocratising actors can help businessmen friendly to the regime to buy up media organisations, all in the spirit of “autocratic legalism”, where no law is broken, but the institutional infrastructure of a polity is transformed to enable extreme concentrations of power (while minimising the chances of power changing hands) (Scheppele 2018). Just think of the construction oligarchs in Turkey who have benefited from the recent building boom and are repaying political debts to Erdoğan by taking over independent papers (Waldmann/Caliskan 2019).

While the reasons for the rise of right-wing populism are often very specific (and cannot be generalised as obviously “cultural” or “economic”), the resulting patterns of governance often look similar. And why? Because regimes are busy learning from each other. This puts in doubt a typical post-1989 illusion among liberals – not that history had ended, but that only democracies were capable of learning. Democracies make mistakes all the time, but, so the optimistic thought went, they alone can also correct and learn from these mistakes. By contrast, authoritarians supposedly have a distinct epistemic disadvantage and will all end like the Soviet Union in 1991. While right-wing populist regimes are hardly invincible (and observers should be careful not to engage in “authoritarian inflation” by simply repeating some of the stories aspiring autocrats tell about themselves and their ability to wield global influence), it would be naïve to think that their demise is inevitable because they cut themselves off from information-gathering and learning (Krekó 2021); on the contrary, they are constantly developing novel



policies, such as facially neutral laws that de facto serve to repress civil society.

One element of this right-wing populist art of governance still needs to be discussed. It relates specifically to the press and is not reducible to the destruction of media pluralism – an attractive alternative to rendering the press too obviously unfree is to render it irrelevant by ignoring it. Orbán has long ceased to give anything like regular press conferences for domestic audiences; he simply makes announcements and offers musings on the state of the world in a weekly radio “interview”. Modi has not given a regular press conference in many years either, but he still manages to be omnipresent – be it through holograms (or, for that matter, fans wearing masks with his face), through his own Namo app, or on Twitter, where he has sixty-eight million followers (see Anderson/Jaffrelot 2018; Komireddi 2019). The world’s most tech-savvy far-right populist offers many lessons to fellow autocratising actors. But a simple one that requires no tech and, in fact, no resources at all is to avoid stages designed for critical questioning (for the important distinctions between forum, stage, and network, see Rummens 2012).

There are more or less subtle ways of denigrating the press as a collective body of professionals, namely by sending a message that there is nothing special about them. During the pandemic, Boris Johnson, shifting to a more and more presidential style of press conferences, insisted on first taking a question from “Michelle in Cornwall”, making it plain that any citizen would be as capable as journalists to ask the important questions (the question Michelle, a hotel owner, ended up asking was “Please can we ask how tourism with-in the UK will be managed in the coming weeks?”; Boris Johnson 2021).<sup>16</sup>

16 And the answer? “You will come back, Michelle, we are going to make sure that the UK bounces back as strongly and as fast as we possibly can.”

Where right-wing populists are not in government yet, they have become very skilful at building up counter-publics online to put pressure on journalists.<sup>17</sup> The latter are regularly accused of being biased left-liberals.<sup>18</sup> They are also told that, in order to prove their professionalism, they must give maximum attention to the topics preferred by the right and, less obviously, engage in strict both-sides-(or all-sides)-reporting on every issue (Allsop 2020; see also Hammer 2017). The imperative of proving objectivity by neutrally covering all politically relevant perspectives works reasonably well in functioning democracies. But it certainly does not work when parties are turning against democratic basics.

The US is only the most obvious example in this regard. “Polarisation” is often presented as a symmetrical phenomenon. One does not have to like Bernie Sanders’ or Alexandria Ocasio-Cortez’s policy ideas, but these are hardly figures engaged in undermining democracy. Republicans not recognising the election outcome 2020 and busying themselves with voter suppression really are; to equate them – often with reference to the horseshoe theory of *les extrêmes se touchent* – can seem neutral and objective. But, as Jay Rosen has pointed out, to present an asymmetrical political reality as symmetrical is, in fact, a distortion (Rosen 2020).

17 In some countries, it has even been possible to organize counter-publics on public TV. Think of *Ongehoord Nederland* – in the Netherlands, anyone who can obtain 50,000 paying subscribers can get their own public TV channel (see *The Economist* 2021).

18 There is evidence that in some countries, a large number of journalists identify as broadly speaking centre-left. But, as in the discussion of biased professors, ill-willed observers then simply assume that professionals will never really be professionals and seek to abuse their power to indoctrinate unsuspecting or even helpless audiences. The same survey that showed German journalists are inclined toward the liberal left also demonstrated that they highly prized their role as neutral transmitters and as providing impartial explanations of complex developments (see Steindl et al. 2017).

## 6 REMEDIES?

It is a mistake to think that theorising best proceeds by constructing a normative mirror of autocratising practices. At best, one might become a general for democracy, always fighting the last war. At worst, one builds distortions into one's account to begin with (including unintended antidemocratic uses of what is meant to be institutions and practices in defence of democracy). Hence it is imperative to tie anything prescriptive for practices and institutions back to basic principles.

I shall repeat here the analytical framework suggested at the beginning and start with journalists as practitioners of a particular profession. It will sound facile to many of them, but one suggestion should certainly be that journalists become more robust in the face of criticism, especially online mobs (the fashionable concept of “resilience” would come to mind here). True, that is easy to say, but the point is not just about nerves – it is also about being prepared for the tactics and strategies of the autocratisers. By now, there is plenty to be learned from how journalists have been made to feel that they must cover certain topics or perform “balance” to refute the accusation that they are all biased left-liberals (those levelling the accusation will, of course, never be satisfied).

This is not just a matter of individual moral courage, psychological robustness, or, for that matter, provision of moral arguments (Meyers 2010). Professional peers can assist, thereby making the press homogeneous in a good sense – and, more important still, employers must stand by those who are being vilified by online groups (or offline groups, for that matter).

Journalists can try to show audiences the crucial difference between issues where both-sides-ism is entirely justified and ones where democracy itself, or what Rawls famously called “constitutional

essentials” (Rawls 1993), are evidently at stake. This might seem obvious, but it is a distinction that has been blurred by some activist journalists who thought any topic should be made subject to a heroic resistance narrative (something made easier if one can inflate one's notion of democracy at will).

To give an example (which might not be entirely uncontroversial): the abolition of the Patient Protection and Affordable Care Act is a cruel policy decision – but it is what any Republican President other than Trump also would have tried. Were it to happen, it would not be the end of democracy. By contrast, defying any oversight by Congress is not a matter of ordinary political disagreement; it is an attack on the system as such. Marking such distinctions is political art, not science; if it is done convincingly, it may limit the spread of a resigned and cynical view along the lines of “whatever Trump does, they never like it, so who cares what they say”. A journalist can show the vulnerability of particular populations in the US without claiming that a change in health care policy is the same as consolidating authoritarianism.

Obviously, there is a structural problem with such prescriptions. The more autocratisers succeed in discrediting journalists, disabling the role of the press, and reducing media pluralism, the more difficult it gets for any particular voice to make the case that democracy itself is at stake and that their work is not partisan but also requires the basics of liberal democracy.

Proper foresight would suggest that, even in the absence of pernicious actors, one must avoid concentrations of power. Dieter Grimm has argued that a diverse infrastructure of public broadcasting is necessary not just because of the scarcity of the spectrum (an argument that technological innovation has largely rendered moot) but also as a basic democracy-preserving precaution (Grimm 2003; for Grimm's account more broadly,

see Hoffmann-Riem 2021). Concretely, the concept of broadcasting freedom as *dienende Freiheit* (and not just defence against state power or domination) must mean that committees overseeing public broadcasters are not just appropriately removed from the state but also internally pluralistic (possibly involving “lay citizens”). More generally, those regulating media must avoid instances of market dominance, even if just for commercial reasons.

Note how, here again, partiality would not be sufficient as a sign of danger. A panoply of transparently partial but clearly autonomous institutions might be preferable to a media system where some dominant actors might be devoted to impartiality – but are at the arbitrary will of controlling agents who might change their minds at any time (i.e. domination in the specific republican meaning of the term) (Pettit 1997).

Rather than just looking at potential problems as rights violations from the point of view of journalists, the press, and particular media companies, it is important to invoke citizens’ right to information (not least information that is crucial to forming judgments in a free and fair election) (see also Bodnan/Morijn 2021). Of course, what exactly is entailed by the standard of the basic provision will be controversial. But the kind of *Gleichschaltung* that one has witnessed in autocratising countries even inside the EU is evidently not compatible with it.

Finally, if all else fails, outside actors might try to make up for structural decay in a particular country. Public broadcasters can offer news in local languages, an option discussed by American officials with regard to rural Hungary, for instance.

## 7 A WORD ON SOCIAL MEDIA

It has become almost trite to point out that opinion about the political meaning of social media has swung from one extreme to the other: from the hope that democratic revolutions would be tweeted to what some scholars call a “moral panic” about the authoritarian implications of new media technologies; from the Arab Spring as a “Facebook revolution” to the conviction that Facebook will deliver fascism for us (Jungherr/Schroeder 2021). Undoubtedly, there was an initial over-investment of hope in “liberation technologies”; also, in our day of seeming disillusionment with democracy in the aftermath of Brexit and Trump, it has been tempting for a certain type of liberal to project prejudices about “the masses” – which can no longer be uttered in polite society – onto social media as such.

The claim most relevant for the discussion in this essay is that social media might be an inherently populist-authoritarian form of technology (for the view that social media are structurally populist, see Strohschneider 2018 and Vogl 2021; for the view that they are inherently authoritarian, see, for instance, Beauchamp 2019). The particular worry is that social media seem immediate, in a double sense. They appear to allow direct connections (or, rather, the illusion of a direct connection) between leaders and followers, leaving no space for professional mediators such as journalists; plus, they really are “immediate” in the sense of instant reactions, both by a leader and by online mobs.<sup>19</sup> Moreover, social media are said to be inherently biased towards the immediate spread of disinformation, as well as inherently anti-pluralist, since they facilitate the creation of self-sustaining “echo chambers” and “filter bubbles” (Sunstein 2017).

<sup>19</sup> Thanks to Jaeun Kim for this distinction.



These are well-known worries, and one can be forgiven for seeing in them a return to images familiar from nineteenth-century crowd psychology. That is, in and of itself, not an argument; an argument is that, empirically, claims about echo chambers and disinformation appear to have been vastly exaggerated (Guess et al. 2018). To be sure, this is not the kind of finding that would end the discussion. Part of the problem is that social media companies are so opaque that social scientists rightly feel that they are not in a position to offer a conclusive picture of, let us say, how particular algorithms might nor might not facilitate particular forms of political behaviour (Persily/Tucker 2020).

No technology determines the conditions of its own implementation. True, the internet creates a new kind of infrastructure, but the shape of that infrastructure will depend a great deal on the infrastructure we have already inherited. Party systems and, above all, the public sphere have been shaped by basic regulatory (and often deregulatory) decisions over the past two centuries.

The US is a case in point. In a brilliant analysis of the 2016 presidential election, three American social scientists (Benkler et al. 2018) identified what they call a distinct right-wing media eco-sphere.<sup>20</sup> Within that largely self-enclosed sphere, “news” serves primarily as a form of political self-validation; disinformation (or even just misinformation) goes largely uncorrected because the audience has hardly any contact even with centre-right sources of news and opinion, such as the Wall Street Journal. The result is that misinformation and especially disinformation – divorced from any fact-checking whatsoever veracity – can travel fast and far, a process for which Walter Lippmann’s condescending expression “contagion of unreason” seems entirely accurate.

20 For once, there is something to the Weimar analogy: the first German Republic also had largely self-contained communication networks (see Fulda 2009).

The crucial insight of the Harvard scholars is that the emergence of this right-wing eco-sphere – which has no symmetrical counterpart on the left – significantly predates the internet (Benkler et al. 2018). The rise of AM radio as a channel of conservative talk and highly partisan cable news after the end of the Fairness Doctrine in 1987 proved crucial (in fact, even today, the medium that reaches most Americans is radio). The introduction of Fox programmes increased the vote share of Republicans by between 0.4 and 0.7 per cent – not much, one might conclude, but remember that George W. Bush “won” Florida by fewer than 500 votes, thus Fox, according to this calculation, gave the Republicans an additional 10,000 votes (DellaVigna/Kaplan 2006). Regulatory decisions which were shaped only to a limited degree by technological innovation – such as FM radio and cable – enabled a form of polarisation which, it just so happens, turned out to be very, very big business, especially for self-declared “advocacy journalists” or “opinion journalists” on the right. And rather than the party controlling the paper, as had been the case in Tocqueville’s day, it now seems that the electronic media is ideologically policing the party (though, possibly, as an unintended side effect of maximising profit).

None of this is to say that re-regulation would magically make polarisation and disinformation disappear. Instead, it claims that the default case is that technology is imposed on an already existing infrastructure – possibly exacerbating, but not necessarily creating, challenges for democracy.<sup>21</sup>

In the end, two more modest hypotheses of how particular forms of social media – not the

21 In the absence of professionally produced news, citizens are not necessarily left to their own devices. Quite apart from professional producers of disinformation, there are plenty of actors on the scene paid to influence (without lying) but without any commitment to professional norms in the way journalists are. In 2014 there were still 47,000 professional journalists in the United States; by contrast, the number of PR consultants stood at 264,000. Similar proportions hold elsewhere (Garton Ash 2016: 192).

technology as such – aid autocratisers appear plausible. First, it has become easier both to harass individual journalists and to build counter-publics to put pressure on the press as a whole. Letters to the editor, or even letters sent to a home address, are obviously not the same as a Twitter “mob” that can be mobilised very quickly. Here, the logic of campaigns that build their own audiences, or relate to a direct representative without any form of pluralistic mediation, can have nefarious consequences (Urbinati 2015).

Second, it has become easier to hide the origins of such campaigns. This is not just a matter of bots or disinformation; it can also apply to accurate information or materials that are released at a particular time without audiences properly understanding who is doing what and why (the Wikileaks dump after the story of the Access Hollywood tape story broke is a point in case).

Note that none of this justifies the claim that social media are inherently populist or authoritarian. It is a particular business model based on what the historian Quinn Slobodian has called “incitement capitalism” that best explains the dynamic of seemingly self-radicalising online “mobs” – just as much as the lack of transparency is a matter of regulatory decisions and not a given of the medium as such (Callison/Slobodian 2021). Less obviously, the amplification of disinformation or misleading frames has more to do with the misjudgements of individual journalists, or sometimes perhaps even the press as a whole. In a “hybrid” media system, the conduct of professionals still matters a great deal in terms of what is verified as a fact, which stories take off, and how opinions are formed online; broadcasting remains more important than virality (Chadwick 2013; Starr 2021). Hence, I would conclude this – admittedly superficial discussion – by tabling again some of the suggestions made above; social media have exacerbated a number of threats, but they have, I would argue, not created entirely new ones.

## 8 CONCLUSION

Not all journalism has to be democracy-promoting, but all journalists have to act in ways that are democracy-preserving. Like judges, journalists rely on preconditions that they themselves cannot fully reproduce but whose reproduction they can certainly contribute in moments of peril. This most obviously entails a duty to defend fellow journalists in the face of intimidation or outright censorship.

That duty also applies particularly to the press as an institution. The press is decidedly *not* the opposition, even if individual members of the press might hail from media organisations committed to normative frameworks deeply at odds with the programme of a particular government. When the press is undermined or simply ignored, professional solidarity must take priority over any partisan commitments. More important still, the press should do everything possible to make those who violate norms of accountability pay a price with relevant audiences. Beyond such individual conduct, there is the idea of properly institutionalising accountability; just as much as the Prime Minister’s Question Time is not optional, a proper press conference ought to be a regular duty.

Of course, it would be naïve to think that such an institutionalisation would automatically make the strategies of authoritarians *in spe* less successful. Trump was spoiling for fights with the press, generating an audience of committed supporters who enjoyed the president sparring with “liberal elites”. Yet, that framing of the press as the opposition can be countered: journalists can make it clear that their task is not to come up with solutions or alternative visions at all and they can take themselves out of a fight when they realise that the point of the exercise is to perform culture war rather than a government offering justifications (or even just information).

Media pluralism must mean not just diversity of content but a robust variety of institutions oriented towards news and public affairs commentary. The liberty of such institutions serves the public at large, which has the right to a basic provision of information and opinions that assist citizens in forming political judgements. Public service broadcasting remains indispensable in this regard but must be legally shielded from hostile take-overs by governments. How that might be done exactly is the subject of a further working paper.

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The Cluster of Excellence  
“Contestations of the Liberal Script (SCRIPTS)”  
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