Media ownership remains the most contentious ethical issue facing journalists and those who own them in the early part of the 21st century. The problem is a challenge on many levels. Philosophers continue to agree that corporations cannot assume the responsibilities expected of autonomous individuals, despite their near-human standing in many areas of law. Americans are loathe to consider that big economic power may be a more serious and sinister threat to individual liberty than is any level of government. Mass media scholars, hearing a cacophony of voices, sometimes suggest this din constitutes the necessary quality and quantity of information to fund the public sphere (Habermas 1989). As Englehardt suggests, the conglomeration of media ownership raises important ethical issues. Central among them is: what is the goal of regulation?

First, some political history. John Locke (Barker 1962) was the first political theorist to connect private property to liberty. He viewed the accumulation of private property as a check on government. While private property itself is not considered among the traditional “negative liberties” enshrined in the U.S. Constitution and the Bill of Rights, Locke’s writing makes clear that the acquisition of property gives the individual standing and power in relation to government. De Tocqueville (2000), writing about the American experiment 100 year later, was the first to note that the American preoccupation with the amassing of wealth, while it reflected the nation’s love-affair with individuality, also had the capacity to erode equality and to skew political discourse.

However, the founders relied intellectually on Milton’s metaphor of the marketplace of ideas. The metaphor worked relatively well in 1781, but it has proved increasingly misleading. Neither Locke, nor the founders, nor de Tocqueville anticipated that amassing and aggregation of wealth would create a new oligopoly of media owners by the end of
the 20th century. Oligopoly of political power was what the founders sought to prevent.

But, what was it the founders sought to achieve? First, they thought to empower individuals. Second, they acknowledged that individuals would have divergent political views. Third, they sought to provide a system — by restricting government power to interfere — whereby those views could be considered by the body politic. They created a system built on Locke's institutional analysis that also incorporated Aristotle's ethics. The polity was the highest, and most ethical, of human achievements. Only in political community could autonomous individuals flourish. These notions of autonomy, of achievement, and of coming to an understanding of the self in the company of one's political fellows were Aristotle's ideals. In sum, the reasons for the law as it was constituted and approved at the republic's founding are rooted in ethics. Private property was only a means of achieving these ends. It is by harkening back to these normative roots that the current state of affairs can best be evaluated.

Scholarly study suggests that media content is homogenous and biased in predictable ways. For example, studies affirm that women are seldom portrayed as powerful people in news accounts; the organization of newspapers — with their style and home sections — provides structural evidence of this discriminatory content. This generalization pre-dates consolidation but continues in the present. Other studies suggest that minority political opinion, regardless of place on the spectrum, is often ignored in news accounts. Murdoch, with his invention of the FOX network, has provided some remedy, but if a citizen is a vegetarian, an environmentalist, or a stay-at-home dad, news of that role and its political import is relatively scarce. The ownership oligopoly is very good at staying in business, but, to paraphrase Robert Putnam (2000), news and entertainment content has Americans increasingly reading, watching and thinking as if they are solitary tenants of a sprawling apartment complex rather than owners and residents of a vital public sphere. By ethical standards, the current structure appears to discourage human flourishing and to reduce too many human interactions to mere commerce.

Individuals are not the only “entity” at risk. Oligopolies, at the institutional level, need robust institutions to curtail their influence. This is the justification of much of American anti-trust law, but it applies equally well to the imperial Presidency in its relations with Congress, or to the current struggles in developing democracies to balance the competing claims of church and state. When the oligopoly attempts to influence the regulatory power of government — as demonstrated in the 1996 Tele-
communications Act or in Michael Powell’s drive for fewer ownership restrictions — the balance and check on “big power” no longer exists.

What, then, is to be done? The following suggestions take their root first in ethics, and then in political philosophy. They seek to privilege the growth and maintenance of political community, and then of human flourishing — in that order. They accept the communitarian contention (Sandel 1982; 1996) that only in political community can human beings self-actualize.

On the philosophical level: The metaphor of the marketplace of ideas needs to be re-examined. Too often in journalism, the notion of “letting the market decide” takes on positive, normative implications. The notion that the market is an appropriate normative arbiter of media content needs to be questioned, particularly in light of the empirical evidence that suggests the contrary is often true.

On the policy level: The market needs to be supplemented, and sometimes supplanted, by funding that encourages the airing of divergent views, regardless of audience size. While many voices can be found on the internet, that medium, too, is becoming the subject of market forces. In contemporary American democratic society, the only institution capable of levying and collecting such support is the government. But, rather than taking such support from individuals in the form of increased taxes, such support could be extracted from the existing oligopoly, which is profoundly profitable by any analysis. A one percent tax on those profits — a level that would not threaten the economic viability of those behemoths — could support much political debate at the margins and the center.

At the level of the profession: Journalists need to remind their corporate owners that good journalism is a long-term investment in democracy. Academic research is currently underway to demonstrate that good journalism — news coverage that is thorough, in-depth, contextualized, investigative, integrative and critical — is more profitable in the long-term than the current approach. This fight can best be waged locally, where audiences feel most closely connected to their media outlets. But, professionally, journalists need to remind those who own them that news produced by professionals working toward exclusively short-term goals will be less profitable in the long-run than news informed by long-range thinking.

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REFERENCES


