

Liberate (Press) Freedom from Its Ideological Baggage!

Libérer la liberté (de la presse) de son carcan idéologique !

Pas de titre en espagnol

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Paper Outline

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Abstract

In the West, press freedom is typically understood as self-evident – as part of a pervasive ideology rather than of a rational doctrine. Therefore, while cherishing the idea of freedom, there is a need to deconstruct libertarian myths about press freedom. For instance, the metaphor of a free marketplace of ideas turns out to be something other than the original liberalism proposed by John Milton and John Stuart Mill. The history of ideas does not support a (neo) liberal notion of freedom, but rather a concept of freedom tied to moral values. Hence narrow-minded advocates of Western freedom are just as fundamentalist as those Islamists who are designated as such.

Keywords

Press freedom, liberalism, free marketplace of ideas, self-righting truth, John Milton, John Stuart Mill.

Résumé

En occident, la liberté de la presse est typiquement envisagée comme allant de soi – comme faisant partie d’une idéologie omniprésente, plutôt que d’une doctrine. En conséquence, bien que largement revendiquée, il est nécessaire de déconstruire certains mythes libertaires sur la liberté de la presse. Par exemple, la métaphore de libre marché des idées se révèle différente du libéralisme proposé par John Milton et John Stuart Mill. L’histoire des idées ne soutient pas une vision (néo) libérale de la liberté, mais plutôt celle de la liberté arrimée à des valeurs morales. Ainsi les avocats à l’esprit étroit de la liberté à l’occidentale sont tout aussi fondamentalistes que les islamistes ainsi étiquetés.

Mots clés

Liberté de la presse, libéralisme, libre marché des idées, vérité auto-rétablie, John Milton, John Stuart Mill.

Introduction

Freedom is a cornerstone that guides our ways of thinking about media and society. In the Western tradition, press freedom is typically understood as a self-evident concept – as part of a pervasive ideology rather than of a rational doctrine. For this reason, we are invited to take critical excursions into the concept of freedom, in general, and press freedom, in particular.

I call this an exercise in *deconstructing libertarian myths about press freedom*. As a starter, we should recall the landmark documents that the international community (UN) adopted in the 1940s: the Universal Declaration of Human Rights of 1948 and the Constitution of UNESCO of 1945. These introduced an idea of media freedom that is quite balanced and far from the ultra-libertarian version conventionally held in dominant Western thinking – namely, that freedom means absence of state control. Indeed, international law does not support a simple notion of negative liberty (freedom *from*) – following Isaiah Berlin’s well-known distinction. What is suggested instead is a notion of positive liberty (freedom *for*), whereby freedom is not an end product to be protected as such but a means to ensure other more general objectives, such as peace and democracy. Moreover, the subject of the right to freedom of expression is “everyone” – each individual – and not the media, which Western press proprietors typically present as the guarantors of freedom.

Legacy of liberalism

The core of the traditional notion of press freedom is the doctrine of a *free marketplace of ideas*. According to the doctrine, a free flow of information and ideas on this marketplace automatically ensures that truth will prevail, notably through a mechanism of *self-correcting truth*. This doctrine was given shape in 20th-century America, first in legal and political debates between the two World Wars and finally during the Cold War in the 1950s. However, going back to the classics of liberal thought, particularly to John Milton’s (1644) *Areopagitica* and John Stuart Mill’s (1859) *On Liberty*, it turns out that their thinking does not exactly correspond to the later doctrine. Hence, it is a myth to consider the free marketplace of ideas as part and parcel of original liberalism.

In point of fact, the doctrine of a free marketplace of ideas with a self-righting truth, as it keeps circulating in the contemporary professional and academic discourse, cannot be found in the works

of Milton and Mill. Although these classics of liberalism used the market metaphor, it was not understood as an appropriate way for individuals to approach the world of ideas. Actually, both were aghast at the prospect of ideas being treated as if they were goods to be bought and sold on a market. They certainly advocated freedom of thought and speech without prior censorship, but the concept of a free marketplace of ideas had no strategic place in their thinking.

Milton's main point was to oppose the licensing and censorship of printing. He insisted that all kinds of views should be allowed and should be brought to the public, where they could clash without hindrance. Today, his philosophical view would be called a maxim of pluralism, according to which we cannot find the truth without also encountering falsehood. Milton was passionately opposed to forbidding anything from being published; he compared censorship to murder. In his main work, *Paradise Lost*, Milton (1667) elaborated the struggle between truth and falsehood and made a fervent appeal to challenge official truths, including God's commandments, as a means to acquire knowledge and achieve human growth and development.

Accordingly, truth will not automatically prevail, but must be cultivated through an active and radical process. This view is simply incompatible with the concept of self-righting truth. In short, Milton cannot be taken as an early advocate of market liberalism: "*Call him radical, call him puritan, call him republican, but do not call him (neo)liberal*" (Peters 2005: 72).

John Stuart Mill, who minutely scrutinized what Milton had written two centuries earlier, shared Milton's position on the free encounter of ideas and the impropriety of censorship. Mill's *On Liberty* is a fine elaboration of the same theme, and it does not include the doctrine of a free marketplace of ideas. The rest of Mill's production is likewise void of this concept. For a liberal, he was far from dogmatic about the role of the state, considering that state intervention may well be necessary in ensuring social justice and other higher values. Moreover, to Mill, freedom of opinion and expression was not an end in itself; he viewed it as "*the necessity to the mental well-being of mankind (on which all their other well-being depends)*." Thus, in his summary of the grounds for pursuing this freedom, he suggested that human well-being was the ultimate objective.

As to the concept of self-righting truth, Mill actually held a contrary view, according to which it was quite possible for truth to fail to prevail in a free encounter and for falsehood to become the dominant public opinion. In *On Liberty*, he dismissed the concept of self-righting truth as "pleasant falsehood." Later, Mill had bitter personal experience of how falsehood may prevail: With his wife, Harriet Taylor-Mill, he fought for women's emancipation, but failed to gain broader support and even became the object of ridicule, finally losing his seat in Parliament.

Consequently, it is a myth that the standard practice of justifying press freedom using the doctrine of a free marketplace of ideas comes from the classics of liberalism. The ideas of Milton and Mill do not provide direct support for contemporary neoliberalism and cannot be taken as the basis for a libertarian theory of the press. The legacy of original liberalism instead represents social democracy and corresponds to a social responsibility theory of the press proposed by the Hutchins Commission in the United States (*A Free and Responsible Press* 1947). The concept of freedom in the original liberal philosophy was positive rather than negative: freedom *for* something, not freedom *from* something.

Where, then, are the roots of the doctrine of a free marketplace of ideas? An often-quoted source in the literature is the 1919 proceedings, held in New York, against Russian immigrants accused of distributing anti-American leaflets (supporting the socialist revolution of 1917). In this process, Judge Oliver Wendell Holmes referred to a "*free trade in ideas - that the best test of truth is the power of the thought to get itself accepted in the competition of the market*" (Peters 2004: 71). However, as John Durham Peters pointed out, this was not, literally speaking, the doctrine and slogan of a free marketplace of ideas.

Peters (2004) traced the first uses of the phrase “free marketplace of ideas” to the pages of *The New York Times* in the mundane political discourse of the 1930s, but a more profound usage, prior to the 1948 Congressional election campaign, can be found in an unusual quarter: the communist party of the United States, which wanted to campaign “in a free marketplace of ideas.” Obviously, American leftists employed the slogan as a defense against rising anticommunism. However, Peters (2004) showed that the Cold War context soon turned around the political sponsorship of the slogan and that, already in 1953, *The New York Times* used it as an argument against East European countries that employed censorship to prevent the emergence of a free marketplace of ideas.

In addition to this Cold War context, the free marketplace doctrine should also be seen as a politically appropriate response to the development of media structures in late capitalism. Because the commercialized and concentrated media market no longer guaranteed a genuine competition of ideas – something that had existed in the early modern era when each town had several competing newspapers – the monopolized media declared themselves a virtual marketplace of ideas.

Freedom in perspective

Consequently, we can trace a centuries-long historical line, from the early modern age to the postmodern world, characterized by a surprisingly coherent idea of freedom of information. In this context, liberalism is not a partisan ideology hijacked by U.S. diplomacy, but a balanced philosophy that is far from outdated. In media philosophies, the original liberal tradition is closer to what was advocated by the Hutchins Commission in the 1940s than to the manifestos of the World Press Freedom Committee in the 1970-80s.

It is instructive to view the concept of freedom in light of the philosophical traditions that can be traced behind the *concept of power*. In short, there are two fundamentally different notions of power: a Hobbesian view and a Hegelian view.

The first of these traditions follows Thomas Hobbes and the Galilean metaphor of a *universe of freely moving objects*, including human beings and their will, where “freely” means the absence of external impediments to motion. In this tradition, power means impeding free movement – power is the capacity to block free movement.

The latter tradition, for its part, follows Hegelian-Kantian philosophy, in which human beings are shaped not merely by the laws of nature, but above all by *moral reasoning*. Marxism later shared more or less the same philosophy. In this tradition, freedom means autonomy from nature and is based on the rational and moral capacity of human beings; freedom is not the ability to act according to one’s will without being hindered, but rather almost the opposite – it is the product of a human mind governed by moral judgments.

The former tradition introduces an ontology, where power emerges as a fairly simple (negative) element, with freedom as its (positive) opposite. The latter tradition, for its part, has an ontology, where power is not an obstacle that distracts natural movement, but an essential instrument to ensure morality and order in civil society and ultimately in the state.

The overall lesson here is that when freedom is applied to media, it is a notoriously problematic concept. Moreover, it is a deceptively ideological concept – especially when understood to be simple and apolitical. We must therefore be alert and critical if we are to avoid ideological traps – and the complacency that is fed by top rankings for press freedom in international comparisons. After all, we are always bound to a certain tradition, and our thinking – with all its concepts and paradigms – is constructed rather than inherently given.

On the other hand, a critical approach to the topic does not suggest that the idea of freedom – in general or applied to media – should be undermined or questioned. On the contrary, freedom of thought, expression, and media is cherished as a vital element in the lives of individuals as well as societies. It is precisely because of its great value that freedom should not be allowed to degenerate

into an ideological instrument, as has too often been the case. To disprove the old myths and avoid the emergence of new ones, it is important that freedom, and the lack of it, remain a topic of constant debate.

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