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Hansen, Ejvind. "Aporias of Digital Journalism." *Journalism – Theory, Practice and Criticism* 14, no. 5 (2013): 678–94.

xxxxanonymization3xxxx

Hansen, Ejvind. "Can the Ethics of the Fourth Estate Persevere in a Global Age?" In *The Ethics of Journalism: Individual, Institutional and Cultural Influences*, edited by Wendy Wyatt, 229–44. Reuters Challenges. London: I.B.Tauris & Co Ltd, 2014.

xxxxanonymization4xxxx

Hansen, Ejvind. "Den Dialog-Udfordrende Journalist." In *Forandringens Journalistik. 40 Års Tilbageblik*, edited by Roger Buch, 97–117. Aarhus: Forlaget Ajour, 2011.

xxxxanonymization5xxxx

Hansen, Ejvind. "Den Uregerlige Ytringsfrihed – et Bud På Hvordan vi Bedst Begrænser Ytringsfriheden I Dag." In *Ytringsfriheden Til Forhandling - Ytringsfrihedens Betingelser Og Udfordringer I Det 21. Århundrede*, 201–22. København: Hans Reitzels Forlag, 2013.

xxxxanonymization6xxxx

Hansen, Ejvind. "Freedom of Expression in Distributed Networks." *tripleC - Cognition, Communication, Co-Operation*, no. 10.2 (2012): 741–51. Hansen, E., 2012.

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# THE POSITIVE FREEDOM OF THE PUBLIC SPHERE

– the need for courageous truth-tellers

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*The relationship between democracy and media has since the appearance of Habermas' major texts in the sixties been articulated through theories of the public sphere. The structure of the public sphere is significantly influenced by the communicative media, and the emergence of the Internet thus calls for new reflections on the possible relationship between media, public sphere and democracy. This paper argues that we should change the questions that are raised when we try to assess the public sphere. It will be argued that the traditional (Enlightenment) focus upon negative liberties and the truth-value of utterances is not adequate. Negative freedom and truth are certainly important in the public sphere, because they are necessary conditions for taking a qualified stance towards the challenges that we face. It is, however, important also to reflect on what the negative liberties are used for – which kinds of truths are articulated in the public discussions. To answer this question it is argued that it is important to distinguish between affirmative truths and liberating truths (based on courage), the latter being what is called for in democratic dialogues.*

KEYWORDS: Courage, democracy, freedom of expression, positive freedom, public sphere.

## Introduction

Since the appearance of Habermas' major texts in the sixties, the relationship between democracy and media has been articulated through theories of the public sphere.<sup>1</sup> From the beginning, there was a shift from the classical view of politics as a matter of state institutions to that focusing on the structures that sustain the public sphere – notably, the communicative media. Up until the nineties, that meant print, film and television. However, the massive emergence of the Internet in the nineties and its ubiquity twenty years later has created a host of new reflections on the ties between media, public sphere and democracy.

This paper will argue that we should change the questions that are raised when we assess the public sphere. I will argue that the traditional (Enlightenment) focus upon negative liberties and the truth-value of utterances is not adequate. Negative freedom and the search for the truth are certainly important factors in the dynamic of public sphere, being the necessary conditions for taking any stance within the modern public sphere. It is, however, important to reflect on what the negative liberties are used for, or which kinds of truths are articulated and privileged in public discussion. To answer this question we must distinguish between *affirmative* and *liberating* truths. The role of the latter is not incidental, but essential, to democratic dialogues. When liberating (i.e. *courageous*) truths are hedged in or repressed, a democracy enhancing public sphere cannot flourish.

## Theories of the Public Sphere

Two main approaches emerge in the history of the theories of the public sphere that have been articulated since the Enlightenment. On the one hand, some theorists (e.g. Kant, Dewey and Habermas) understand the public sphere as a structure serving to sustain the continuous liberation of democratic processes. It gives a framework within which the public challenging of views and dialogues can be produced. It thus facilitates the elimination of bad arguments and reasoning. On the other hand, other theorists (e.g. Nietzsche, Lippmann and Schumpeter) point out that the actual discussions in the public sphere are not very fruitful. The voices in the public sphere often deteriorate into unqualified chatter with no sense of the main perspective, which makes it fundamentally manipulable. The role of the public sphere should thus, according to this position, be minimized in political processes.

In the mass media based public sphere (typically based on the industrially driven press (newspapers, magazines) and the ether-based mass media (radio, TV)) that characterized high modernity, the journalist was the prime public agent. Journalists acted as imperial gatekeepers (Park 1922; Lewin 1943), deciding which voices were let into the public awareness. This gave them a vast

political power, so much so that they were understood as agents of the “fourth estate”.

With the emergence of Internet based media, this position was abruptly challenged (Bardoel 1999; Gillmor 2004; Stuart 2002; 2006). Suddenly, other agents increasingly have the possibility of accessing a public space independently of the journalistic media. Traditional mass media are often still important in gaining a general public *awareness* of such voices, but a high ranking in Google or a viral hit in social media may be just as effective.

The journalist-centered media have been challenged on every dimension by this new phenomenon, and in response journalists are sometimes claimed to have certain special skills or special ethical standards (recent discussions and suggestions for such standards can be found in White 2008; McBride and Rosenstiel 2013; Wyatt 2014). In many cases this argument is plausible; however, the older media has been dogged recently by scandals, such as the *News of the World* scandal in 2011 that spread to other Murdoch owned organs of the British press, which demonstrated special deals with the powerful and unethical intrusions on privacy so as to cast doubt on the rest of the press. *News of the World* is, hopefully, an extreme example,<sup>2</sup> but journalistic media in an effort to attract an audience in the Internet age are succumbing to pressure to tabloidize their product, which puts into question both the special skills claim and the claim to high ethical standards (Alotaibi 2013).

### **The Market Based Public Sphere**

The structures and conditions of the public sphere have changed considerably in an astonishingly short period of time. It therefore becomes an open question whether the public can maintain a positive function in democratic societies. In order to answer the questions surrounding these changes we should have a solid account of how the public might influence democratic processes in society positively, which is something that would extend beyond the scope of this paper.

However, it is quite uncontroversial that the public sphere has traditionally been the forum in which counter-voices are raised against established institutions of power. In the classic account this dissent was oriented to the improvement of the lot of the citizens, making it possible for them to participate on an enlightened background in elections of political representatives. In this narrative, journalist media not only informed the common citizen about what happened in the world, and how politicians coped (or failed to cope) with the pressing challenges, but in a sense represented the common citizen by asking questions to those in power.

In order to be a counter-voice to established political powers, it is important that the public sphere media are independent of the political establishment. It is important that the media do not share the same material interests as the politicians, and that they do not operate along the same logics.

A first approach to establishing an arms length between the political establishment and the public media has been made with the market driven solution, in line with a general liberal tradition. Simon Dawes has (in Dawes 2014) convincingly shown how the market driven media appeared to be perfectly in accord with the independent public sphere because the market, according to a general liberal interpretation, constitutes a field of freedom – the freedom of the consumer.

This idea certainly assumes that a market driven public sphere is representative of the will of the people, which again assumes that the interests of the media owners are coextensive with the interests of the public in general. However, while the media owners quite often *are* interested in serving the interests of the general public (this is, as it were, the very *raison d’être* of the media), the negative effects of competition and the needs to boost profits might drive media owners to pursue their own private interests at the cost of the general public interests (Dawes 2014, 22). Cases like *News of the World* demonstrate that at times the interests of the media owners actually are *contrary* to the individual citizens (privacy interests are being overruled by the hunt for juicy stories).<sup>3</sup>

Dawes concludes his critique of the market driven system by pointing out that just as the citizens need to be cultivated and educated in a public sphere that is independent of the political establishment (in order to be able to make autonomous political choices), the market driven system poses other kinds of threats towards the autonomy of the citizens. Thus, “constraints will need to be

placed on corporate as well as on government power over public opinion” (Dawes 2014, 24).

### **Liberalism and Negative Freedom**

The claim that a regulation and supplementation of the market driven media is necessary is not controversial. Most democratic nations have sanctified an arms-length principle between media and the political establishment. But even so, nations almost always pose limitations on the activities of the media. And in many countries the market driven media are supplemented with public service media to which are attributed special obligations. The difficult question is however, *which* criteria should found the regulations and limitations. What do we need from the public sphere, and how may media serve to obtain this?

As mentioned previously, the public sphere should, at least, host countering voices to the established institutions of power, in order to prevent the powerful from abusing their power, and to allow citizens the chance and preparation to respond in qualified ways to problems in society.

However, there are various conceptions of the freedom and autonomy that is needed to judge independently about problems and their solutions. Dawes criticizes the market driven approach for basing itself on a false opposition between the individual and society (Dawes 2014, 25-28). In this approach freedom is an attribute of individuals; it is the autonomous (free) individual whose private life we are seeking to protect against infringements by public power, i.e. the state.

Against this approach Dawes suggests a republican approach (heavily inspired by Hannah Arendt) in which freedom is not a pre-given assumption, a fact that only needs protection. To focus the question upon the sanctity of private life fundamentally misunderstands true freedom (in Arendt’s words: action), because it only comes to being when we as individuals leave our private *oikos*, when we step out into the public *polis* as acting creatures (Arendt 1958, ch. 1+2).

Arendt’s philosophy is an obvious starting point from which to criticize the common understanding of the dichotomy between the private and public, as well as rejecting the market as an obvious institution for the public sphere (Dawes 2014, 29). In terms of the media, one could say that the tabloidization that results from market pressure to gain the greatest ratings shows that the market is not the most obvious carrier of a free public sphere.

I am, however, less convinced that Dawes concluding remarks will help us reaching a better understanding about how the public sphere might foster critical counter voices:

Only an approach that considers the freedom of both the press and the individual from the market as well as from the state [...] can ensure that the press and the public are truly free (Dawes 2014).

The problem with this suggestion is that it merely extends what Isaiah Berlin calls the negative freedom (Berlin 1958). The freedom of the press is thus conceived as being not only free *from* the state, but also free *from* the market. It is true that Arendt sometimes articulates freedom negatively (e.g. when she argues that man became more free as soon as he was liberated from the soil (Arendt 1958, 10-11), and when she articulates freedom as independence (Arendt 1958, 12)). However she also points out how necessary it is to understand freedom through *natality* (Arendt 1958, 8-9+247) and *rebirth* (ch. 5). This current in her work that helps us understand how freedom cannot satisfactorily be articulated in negative terms alone (freedom *from*) but also has to be articulated (positively) as an ability *to* create something new.<sup>4</sup>

The problem with the purely negative approach is that the mere pointing out of what we are liberated from (the negative freedom) does not take us very far – if it is not supplemented with an idea of what the public can and should be used for (the positive freedom – Taylor 1979). To paraphrase Kant: Negative freedom without positive freedom is just as empty as a positive freedom without negative freedom would be impotent. Add to this that a purely negative approach cannot articulate the modes through which diverse kinds of freedom should be favoured, which always involves trade-offs. It is not only the media owners who might use their freedom in inappropriate ways. Looking at the new Internet based media in which ordinary citizens raise their voices without

any journalistic filter, we encounter numerous examples of humiliating, obstructive and destructive exchanges. Abstract freedom in which everybody can do as they wish is not necessarily a good thing. Thus, it is important that we qualify the discussion of the positive aspect: what should our negative freedom facilitate? What is our goal when we support a public sphere liberated from the logics of the private market as well as the public political sphere?

### **Positive Freedom in Foucault and the Stoics**

As soon as we realize that Foucault was serious when he claimed that power and freedom are two sides of the same coin (eg. in Foucault 1984a, 720), we can see that Foucault was, in a certain sense, one of the prime theorists of positive freedom in the twentieth century. Foucault repeatedly emphasized that his analyses of power structures did not per se have critical implications. Foucault's conception of power was not primarily negative. Foucault sought to demonstrate what was *made possible* through the prevailing power structures (Foucault 1976, 121-35; 1977, 175-89). Foucault's demonstration of (say) structural similarities between prison, health care, political and administrative practices, the state and institutions of education (panopticism – in Foucault 1975, ch. 3.3) was not per se critically intended. Foucault merely demonstrated the way a historically contingent structure facilitated the emergence of several social institutions. Critical implications do, however, arise insofar as these institutions gradually come to be thought of as unquestionable, because the Foucaultian analyses show that they are products of social battles that could have ended otherwise (Foucault 1984b, 574).

In the 1980's Foucault turned towards an investigation of the Greek term *parrhesia* (Foucault 2001a; 2001b; 2008; 2009), which with some justice may be seen as a predecessor to the modern notion of freedom of expression. Foucault's analyses however show how a certain element in the ancient conception vanishes in the Enlightenment understanding of it. Parrhesia can be translated to "free speech" with the strong implication of telling the truth. A person is "parrhesiastes" if he speaks the truth, even if it is inconvenient. This focus on truth is quite in line with the spirit of the Enlightenment articulation, because Enlightenment thinkers also related free speech to a process where, through diversified discussions, we gradually reach the truth.

According to Foucault, the pre-Enlightenment approach to parrhesia, however, differed from the Enlightenment tradition in accentuating a relation between truth and *courage* (Foucault 2001a, 15; see also Arendt 1958, 36). The parrhesiastic person ultimately risks death by telling the truth. To characterize an act as courageous entails that the actor could have done otherwise. The act of parrhesia thus entails freedom (Foucault 2001a, 19; 2001b, 255). However, with Foucault this freedom immediately confronts the question: "On est libre, mais libre de quoi?" ("One is free, but free for what", Foucault 2001b, 260) – the question of the positive side of freedom.

One answer to this question is given by the Stoics: One is free to flee servitude to the self (Seneca, according to Foucault 2011b, 260<sup>5</sup>). At first sight, this answer may seem to accentuate a negative freedom (*fleeing* the servitude), Foucault, however, interprets it positively: In fleeing the servitude to the self, a new kind of *care of the self* is born: The care of the self is no longer to know oneself (the paradigm of the Delphic Oracle), but to *become* oneself. The self is no longer thought of as pre-given, something we need to know about, in order to live proper lives, but rather as an emerging, continuous project. For the Stoics, this project meant being liberated from the vices of the soul (luxury, ambitions, etc.) but not in an *escape* from the world (negative) – rather, it was about approaching the world in more qualified ways (positive). The vices of the soul are thought as impediments to a true perception of the world.

It is not the aim of this paper to advocate a Stoic public sphere. However, the idea of parrhesia might serve to problematize some truisms that are stuck in our liberal understanding of the public sphere. The liberal understanding of freedom takes the subject as a pre-given entity who possesses freedom – and then devises a general schema to protect that freedom. With parrhesia we have a concept that can help us articulate ways in which the subject emerges as a product of our social interactions.

In the current philosophical landscape this is not by itself a controversial claim.<sup>6</sup> More

controversial is the Stoic claim that not every interaction produces selves: Only courageous communication can liberate man and facilitate a proper approach to the world in general (Foucault 2001a, 101; 2009, 18+27).

In order to relate this discussion to the modern challenge of facilitating a liberating public sphere wherein citizens can navigate authoritatively and competently: maybe the focus on a (negatively conceived) freedom of expression shelters the fact that in modern (post-Internet) public sphere, the main challenge is not to make room for the expression of every voice in society. Perhaps the challenge of animating the public sphere to allow it to host a counter voice to the political establishment does not rely on the ability of raising as many voices as possible. Possibly the challenge of today's public sphere is that we have all *too many* public voices (a point also well articulated by proponents of slow journalism – Masurier 2014, 10-11) – voices that (for various reasons) do not actually challenge the political establishment, but on the contrary rather affirms the establishment.

It would certainly be difficult to substantiate an affirmative answer to these questions. However, the suggestion in this paper is not that our current public spheres are either particularly good or bad. The point of the following is rather to suggest that we should change the questions that are raised when we try to assess the public sphere. The remainder of this paper will take as its starting point that the Enlightenment focus upon the truth-value of utterances is inadequate.

Truth is certainly one important element in the public sphere, because truth is a necessary condition for taking a qualified stance towards the challenges that we face. Foucault has famously taken the position (especially in Foucault 1969 and Foucault 1976) that truth can be repressive. To counteract this, his archaeological investigation of how we approach the world may be helpful.

Suggesting new approaches towards the world can help us realize new aspects of the world, and this restructuring can have liberating potentials, in that it frees us to try new approaches to the world, to understand differently, to act differently – in a world that normally seems quite well known (see also Schudson 2008 on this point). The well known is a comfortable starting point, and in order to broaden the perspective of the well-known, it is necessary to estrange it – to alienate oneself from it. This does not come by mere willing. In ordinary approaches and pragmatic coping with daily challenges we are exhausted in attempts to gain overview and knowledge – to reduce the world to something that is comprehensible, and thus act successfully according to pre-given goals. Thus we need a device, a technical method, for instance, discourse analysis (as suggested in Fairclough 1992), to gain the required reflective distance from the world. Discourse analysis may help us by setting our normal concepts free – and hereby our understanding of the world is set free too and thus also our actions in the world (examples of this can be found in Crawford 2012; Goss 2014; Klaus and Kassel 2005; Maesele 2013; Nickels et al. 2012; Way 2014).<sup>7</sup>

Discourse analysis reveals the contingent bases of paradigms of truth (Benhabib 1986, ch. 8; 1992). Through these analyses we are set free from existing hegemonic narratives. We are not hereby left in the postmodern vacuum of “everything-is-possible”, but rather are urged to create new narratives. Even though we are *urged* to do this, freedom (in the positive sense) is still at play because there are no pre-given conceptualizations in the new narratives. The new narratives have to be products of creative (positive) freedom, trying to cope with challenges in the best possible ways.

### **Liberating Truths Based on Courage**

It thus makes sense to distinguish between affirmative truths and liberating truths. Liberating truths are characterized by an emancipation from existing discourses, but never so as to leave us in a vacuum; we are emancipated *from* existing discourses *to* new (de-constructed) discourses. The de-constructed discourses do not necessarily refute previous discourses, but rather force us to deal with new aspects and dimensions of the world.

When, as in the current public sphere, endless amounts of information are in circulation and are easily accessed, it becomes urgent to supplement the quick approach to information (in which the need for clarity and manageability calls for quick answers) with an approach that dares keeping the questions open a little longer.

The Stoics called for *courageous* expressions, and in the following I will argue that this call still makes sense: liberating truths call for courage because we may risk our public reputation by taking perspectives that are normally considered either strange or even morally unacceptable. The courageous expressions are the ones which diverge from mainstream narratives.

On the other hand one might argue that the ability to take unpopular perspectives cannot serve as a sufficient condition to define liberating truths. In order to substantiate the argument, I will reflect upon some possible counter-examples:

### *Trolls*

One such counter-example to the claim that unpopular perspectives define liberating truths could be the practice of “trolls”. In current public exchanges we see the emergence of trolls who specialize in disruptive and non-constructive interferences in discussions through expressions of outrageous statements and views. They do this by posing views that are, according to mainstream norms for communicative exchange, impolite, false and/or normatively outrageous (Hardacker 2010; Binns 2012) whereby they generate contempt and an unfruitful communicative atmosphere. Even though the trolls thus may be considered courageous in some sense, most of us would probably agree not to characterize them as democratically fruitful.<sup>8</sup>

A first attempt to defend courage against this counterargument could be to argue that trolls are actually not courageous at all, because actually they *enjoy* the aggressive responses, and furthermore they hide behind anonymizing measures.<sup>9</sup>

However, in order to assess this defence we need to consider how the situation would have been *if* the trolls had not enjoyed the negative responses and if they had revealed their true identities. In that case they *would* have put their public reputation at risk. Are there cases where we should say that outrageous views, when posed by sincere and identifiable agents, are liberating to the general public exchanges? We will consider Holocaust denial as a case:

### *Holocaust Denial*

One challenge in letting courage be a prime qualifying element in the definition of liberating truths is of course that we need to accept that there are people who (veraciously) maintain outrageous views. To what extent should it be considered liberating to express these views in the public sphere?

The expression of Holocaust denying views is a case that has traditionally caused heated discussions among politicians and researchers (Fraser 2009; Whine 2009). Holocaust deniers (among other things) seek to trivialize the genocide of the Jews during the Second World War. And even though mainstream politicians, academics and other citizens agree that there “can be no doubt that Holocaust denial is morally repugnant, politically dangerous, and demonstrably false” (Fraser 2009, 517) it is difficult to deny that Holocaust deniers are courageous and risk their public reputation (in some countries they are even imprisoned).

The heated discussions certainly demonstrate that it is difficult to settle the case. On the one hand, according to traditional accounts of freedom of expression (based on a negative account of freedom) it is argued that the Holocaust deniers cannot be silenced by legal prohibitions. On the other hand it may traumatize Holocaust survivors and support antisemitism (Fraser 2009, 517-520), issues that may call for some kind of regulation.

The turn towards focus on courage will not settle the case either. Since the Holocaust deniers may certainly be said to express courageous views, the focus upon courage cannot be used to legitimize legal prohibition. In fact, one might even argue to the contrary: In current public spheres of the Western societies it is more courageous to trivialize the genocide of the Jews than it is to bring it out.

However, at this point it is important to remember that courage is supposed to be connected with *truth* (liberating truths). Holocaust deniers are only dangerous to the public sphere if their expressions are not treated as expressions about real states of affairs. If they *are* treated as such, they will have to stand up against evidence proving them wrong. Therefore Holocaust denying claims may actually be of value – it facilitates the discussion of the validity of such claims.



### *Cultural and Religious Bashing*

The situation is somewhat more difficult when it comes to views that are not based on facts. The Holocaust denier is quickly defeated in the public sphere because (s)he cannot explain certain things in the world. This is however less of a problem when it comes to *views*. In most democratic countries we find regulations of the freedom of expression that prohibit discriminating expressions. Thus, one could object to the courageous criterion by applying it to someone who dissents from this norm. An example could be “Muslims support terrorists” – which may be said to be one of the main messages expressed in Muhammad caricatures printed in the Danish Newspaper *Jyllands-Posten* in September 2005 (Cram 2009). Should we characterize such expressions as courageous, and if yes, is it then, in spite of its racist tone, something that ought to be given room in a democratic public sphere?

First of all it is difficult to determine the truth value of a claim that Muslims (as a general claim) support terrorists. What kind of evidence might substantiate it? It is certainly true that some Muslims support terrorists. It is also possible to find expressions in some of the Muslim founding texts that might be interpreted as supportive towards terrorism (Cram 2009, 323-324). But it will always be open to interpretation whether or not the Muslim background is the *defining* cause for the support – even if the Muslim background is actually used as such. Thus the claim that Muslims support terrorism is so general, open and vague that it will be difficult to prove or refute it.

This might lead to the conclusion that since the claim has no clear truth value, it is not courageous, because its adherents do not risk to be refuted. This defence is, however, on second thoughts not obvious, because on a personal and social level it might have huge consequences (one of the cartoonist in the Danish Cartoon controversy, Kurt Westergaard, actually had to live under police surveillance, and was subject to an assassination attempt). Muslims might, rightly, feel devalued if such claims are expressed. Thus counter attacks (at least verbally) are expectable and it thus takes some courage to express such claims.

A more obvious approach would be to state that since the statement has no obvious truth value it cannot be a liberating *truth*. Statements with no clear truth value will never change our horizons of truth, because they are approved only by those who are already in agreement. Expressions can only force us to give up on our prejudices if the test of the validity of the expression has the power to convince us of the sterility of the prejudices. However, statements with no clear truth value are not amenable to such tests.<sup>10</sup> When the truth value is uncertain we are left free to determine whether or not to give our consent. Thus it makes sense to claim that racist claims of this kind are not liberating (because they do not actually change anything) and thus have no obvious democratic worth in public spheres.

For precision's sake, we should distinguish between claims articulated as *propositions about the world* (the current case: “Muslims support terrorism”) and claims articulated as expressions of personal convictions (“I believe that Muslims support terrorism”). The former is racist, while the latter merely informs us of a (racist) conviction. It is not racist to tell about racist convictions. We are thus left with the question: Should democratic public spheres leave room for expressions of racist convictions?

This question directs us to one of the issues in democratic theory: for if racist convictions are spread out in the population, this fact ought to be part of the public awareness. Once again it is enlightening to turn to the distinction between affirmative and liberating truths. If the information about racist convictions is courageous, i.e. invites for dialogical exchanges (in which the views might be challenged on their foundations) it might have a democratically positive value – because both defenders and opponents will have to strengthen and sometimes modify their arguments in the face of counter-arguments, and this will force the views to become more subtle and rid themselves of bogus claims or reasoning. If, on the other hand, the statement of racist convictions is not put forward as something that invites for dialogue (the speaker merely expects the addressees to accept it), then the statement is not courageous and not of democratic value.<sup>11</sup>

## Conclusion

With the emergence of an Internet-based public sphere, the negatively conceptualized freedom of expression that was articulated during the Enlightenment is less urgent as a legal or journalistic aim. The main problem of today's public sphere is not to have many public voices – the distributed structure of the Internet facilitates this (xxxxanonymization5xxxx; xxxxanonymization6xxxx). In today's public sphere it is more urgent to facilitate utterances that are courageous. It thus seems that parrhesia in the Stoic conception might serve as a fruitful starting point for a positive formulation of a democratic public sphere. Through the notion of courageous truth-telling (liberating truth) it becomes possible to rearticulate the positive freedom of the public as not merely being liberated *from* the market and the public administration. It becomes possible to point out what negative freedom should make possible – courageous expressions, parrhesia.

Dawes might very well be right in claiming that it is important to be liberated from both public and market-driven logics, but his critique does not account for the fact that the negative freedom might be used in both critical-challenging and affirmative-repressive ways. The focus upon courageous truth-telling could (as shown above) serve as a first step.

Journalists who want to further this kind of public sphere should certainly still communicate stories that are reliable, the truthfulness of journalist products is as urgent as ever. However, incidents and events are multifaceted and the interpretive (Salgado and Strömbäck 2011) or analytic (Schudson 2008, 16-17) skills should be emphasized in order continuously to challenge the recipients. The Internet in general, and social media more specifically, hosts a great variety of sources already. If the journalist is to contribute with something of a special democratic importance in to this field of communication, (s)he should focus more on making the recipients stumble and think, rather than the mere informing of citizens (Masurier 2014). Journalists need to be courageous and to give voice to courageous truths.

It is, however, at this point important to notice that the notion of courage and truthfulness – need to be further articulated (Luxon 2004). The focus upon truthfulness and courage might suggest a virtue ethical interpretation of the good of the public. In (xxxxanonymization3xxxx) I have, however, argued that virtue ethical approaches are problematic because they are too open for interpretations, and the evaluation of concrete actions (in this case: concrete expressions in the public sphere) might thus too easily withdraw from critique and sanction, due to open interpretations of the virtues.

A public sphere with positive freedom does thus not necessarily result through a focus upon truth and courage. Courage as we have seen needs to be further explicated in order to illuminate what courageous expressions really are. These explications are necessary in order to avoid emptying the notion of courage. They are thus necessary – but the task is also impossible, explications will always tend to become too strict, because our expressive practices will always seek out the limits of the known, and the limits of prevailing normativity. Thus, the explications of courage will tend to become a straitjacket which will also need to be challenged. Courage and its explications will thus have anaporetic structure: It is necessary to articulate explications, but it is always an open question to what extent prevailing explications are helpful and fruitful.

This is not to say that the explications are inconsequential. Fallible explications are of value because they may serve as a starting point for a necessary and continuous critique of prevailing power structures in existing public spheres. The alternative to fallible explications is not an unlimited public sphere. Public spheres are always limited, and not only due to technological inadequacies. In ongoing communicative relationships (like those that inhabit the public sphere) there are embedded limitations which are based on power structures combined with our collective attention span. Any public sphere will thus need to carry limitations as to which expressions gain prominence.

Our choice is thus not whether we should have explicit norms for courageous truth-telling or an unlimited public sphere. The main choice is whether or not the limitations of the public sphere should be implicit (based on unregulated, perhaps even unacknowledged, power structures) or whether they should be explicitly articulated. The advantage of explicit norms is that they are more

accessible for focused critique than unacknowledged norms.<sup>12</sup>

In order to wrap up the argument, it is fair to say that Dawes' criticism of a liberal approach towards the freedom of the public sphere is well put. To base the freedom of the public on market driven institutions certainly liberates the public sphere from the logic and powers of public and political institutions, but the private sphere does not adequately mirror the interests of the public. We thus need a public sphere that is not determined by private market logic, either.

It is, however, not enough merely to claim that we should be liberated *from* the logic of the market if this claim is not supplemented with an articulation of what this freedom should be used *for*. I have argued that a turn towards the stoic conception of parrhesia might be a start in articulating the positive freedom of the public – emphasizing that the public sphere should seek out occasions of courageous truth-telling, because the public is only a true counterpart to the political establishment if it seeks the liberating truths rather than the affirmative truths.

## REFERENCES

- Alotaibi, Nasser N. "An Analysis of the Implications of the Growing Tabloidization of News Coverage on Democratic Politics." *European Scientific Journal* 9, no. 14 (May 2013): 185–95.
- Arendt, Hannah. *The Human Condition*. Chicago & London: The University of Chicago Press, 1958.
- Bang, Henrik, and Anders Esmark. *New Publics - Politics With/out Democracy*. Frederiksberg: Samfundslitteratur, 2007.
- Bardoel, Jo. "Beyond Journalism: A Profession between Information Society and Civil Society." In *News A Reader*, edited by Howard Tumber, 379–91. London: Oxford University Press, 1999.
- Benhabib, Seyla. *Critique, Norm, and Utopia: A Study of the Foundations of Critical Theory*. New York: Columbia University Press, 1986.
- Berlin, Isaiah. "Two Concepts of Liberty." In *Four Essays on Liberty*. Oxford: Oxford University Press, 1958.
- Binns, Amy. "Don't Feed the Trolls! Managing Troublemakers in Magazines' Online Communities." *Journalism Practice* 6, no. 4 (2012): 547–62.
- Butler, Judith. *Giving an Account of Oneself*. New York: Fordham University Press, 2005.
- Carlson, Matt, and Dan Berkowitz. "'The Emperor Lost His Clothes': Rupert Murdoch, and News of the World Journalistic Boundary Work in the UK and USA." *Journalism* 15 (2013): 389–406.
- Cram, Ian. "The Danish Cartoons, Offensive Expression, and Democratic Legitimacy." In *Extreme Speech and Democracy*, 311–30. Oxford: Oxford University Press, 2009.
- Crawford, Ewan. "Them and Us: Why They Are Nationalists and We Are Not. An Analysis of Journalists' Language in Relation to Others." *Journalism – Theory, Practice and Criticism* 13, no. 5 (2012): 620–38.
- Dawes, Simon. "Press Freedom, Privacy and The Public Sphere." *Journalism Studies* 15, no. 1 (2014): 17–32.
- Fairclough, Norman. *Discourse and Social Change*. Cambridge, UK; Cambridge, MA: Polity Press, 1992.
- Foucault, Michel. "Cours Du 7 et 14 Janvier 1976." edited by Daniel Defert, François Ewald, and Jacques Lagrange, 1994th ed., III:160–89. *Dits et Écrits 1954-1988*. Paris: Galimard, 1977.
- . *Fearless Speech*. Edited by Joseph Pearson. Los Angeles: Semiotext(e), 2001.
- . *L'archéologie Du Savoir*. Paris: Gallimard, 1969.
- . *La Volonté de Savoir. Histoire de La Sexualité I. Vol. 1*. Paris: Gallimard, 1976.
- . *Le Courage de La Vérité. Le Gouvernement de Soi et Des Autres II: Cours Au Collège de France 1983-1984*. Edited by François Ewald, Alessandro Fontana, and Frédéric Gros. Paris: Gallimard Seuil, 2009.
- . *Le Gouvernement de Soi et Des Autres: Cours Au Collège de France 1982-1983*. Edited by François Ewald, Alessandro Fontana, and Frédéric Gros. Paris: Gallimard Seuil, 2008.

- . “L’*éthique Du Souci de Soi Comme Pratique de La Liberté.*” edited by Daniel Defert, François Ewald, and Jacques Lagrange, 1994th ed., IV:708–29. *Dits et Écrits 1954-1988*. Paris: Galimard, 1984.
- . *L’herméneutique Du Sujet: Cours Au Collège de France 1981-1982*. Edited by François Ewald, Alessandro Fontana, and Frédéric Gros. Paris: Gallimard Seuil, 2001.
- . “Qu’est-Ce Que Les Lumières?” edited by Daniel Defert, François Ewald, and Jacques Lagrange, 1994th ed., IV:562–78. *Dits et Écrits 1954-1988*. Paris: Galimard, 1984.
- . *Surveiller et Punir: Naissance de La Prison*. Paris: Gallimard, 1975.
- Fraser, David. ““On the Internet, Nobody Knows You’re a Nazi’: Some Comparative Legal Aspects of Holocaust Denial on the WWW.” In *Extreme Speech and Democracy*, 511–37. Oxford: Oxford University Press, 2009.
- Gillmor, Dan. *We the Media: Grassroots Journalism by the People, for the People*. 1st ed. Sebastopol CA: O’Reilly, 2004.
- Goss, Brian Michael Goss. “The World Is Not Enough. An Analysis of Us/Them Dichotomies in the International Herald Tribune/International New York Times.” *Journalism Studies Currently Online First* (2014): 1–16.
- Habermas, Jürgen. *Der Philosophische Diskurs Der Moderne: Zwölf Vorlesungen*. Frankfurt am Main: Suhrkamp, 1985.
- . *Theorie Des Kommunikativen Handelns*. Frankfurt am Main: Suhrkamp Verlag, 1981.
- Hardaker, Claire. “Trolling in Asynchronous Computer-Mediated Communication: From User Discussions to Academic Definitions.” *Journal of Politeness Research* 6 (2010): 215–42.
- Honneth, Axel. *Kampf Um Anerkennung: Zur Moralischen Grammatik Sozialer Konflikte*. Frankfurt am Main: Suhrkamp, 1992.
- Klaus, Elisabeth, and Susanne Kassel. “The Veil as a Means of Legitimization. An Analysis of the Interconnectedness of Gender, Media and War.” *Journalism – Theory, Practice and Criticism* 6, no. 3 (2005): 335–55.
- Kuhn, Thomas S. *The Structure of Scientific Revolutions*. 3rd ed. Chicago, IL: University of Chicago Press, 1960.
- Lewin, Kurt. “Forces Behind Food Habits and Methods of Change.” *Bulletin of the National Research Council* 1943, no. 108 (1943): 35–65.
- Luhmann, Niklas. *Die Realität Der Massenmedien*. 2. erweiterte Auflage, 1996. Opladen: Westdeutscher Verlag, 1995.
- . *Soziale Systeme: Grundriss einer allgemeinen Theorie*. Frankfurt am Main: Suhrkamp, 1987.
- Maesele, Pieter. “Risk Conflicts, Critical Discourse Analysis and Media Discourses on GM Crops and Food.” *Journalism – Theory, Practice and Criticism Currently: Online First* (2013): 1–20.
- Masurier, Megan Le. “What Is Slow Journalism?” *Journalism Practice Currently: Online First* (2014): 1–15.
- McBride, Kelly, and Tom Rosenstiel, eds. *The New Ethics of Journalism: Principles for the 21st Century*. Washington, DC: CQ Press, an imprint of SAGE, 2013.
- Nickels, Henri C., Lyn Thomas, Mary J. Hickman, and Sara Silvestri. “De/constructing ‘Suspect’ Communities. A Critical Discourse Analysis of British Newspaper Coverage of Irish and Muslim Communities, 1974–2007.” *Journalism Studies* 13, no. 3 (2012): 340–55.
- Park, Robert. *The Immigrant Press and Its Control*. New York: Harper & Brothers, 1922.
- Salgado, Susana, and Jesper Strömbäck. “Interpretive Journalism: A Review of Concepts, Operationalizations and Key Findings.” *Journalism – Theory, Practice and Criticism* 13, no. 2 (2011): 144–61.
- Schudson, Michael. *Why Democracies Need an Unlovable Press*. Cambridge: Polity Press, 2008.
- Stuart, Allan. *Online News: Journalism and the Internet*. Open University Press, 2006.
- . “Reweaving the Internet. Online News of September 11.” In *Journalism after September 11*, edited by Allan Stuart and Barbie Zelizer, 119–40. London and New York: Routledge, 2002.
- Taylor, Charles. *Sources of the Self: The Making of the Modern Identity*. Cambridge, Mass:

Harvard University Press, 1989.

- . “What’s Wrong with Negative Liberty.” In *Philosophy and the Human Sciences.*, 211–29. Philosophical Papers 2. Cambridge; New York: Cambridge University Press, 1979.
- Way, Lyndon C.S. “Discourses on Somali Piracy.” *Journalism Practice* 8, no. 1 (2014): 80–95.
- Whine, Michael. “Expanding Holocaust Denial and Legislation Against It.” In *Extreme Speech and Democracy*, 538–56. Oxford: Oxford University Press, 2009.
- White, Aidan. *To Tell You the Truth. The Ethical Journalism Initiative.* Brussels: International Federation of Journalists, 2008.
- Wyatt, Wendy, ed. *The Ethics of Journalism: Individual, Institutional and Cultural Influences. Reuters Challenges.* London: I.B.Tauris & Co Ltd, 2014.
- Zúñiga, Homero Gil de, and Amber Hinsley. “The Press Versus the Public. What Is ‘Good Journalism?’” *Journalism Studies* 14, no. 6 (2013): 926–42.

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### **Author details**

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I will refer to the public sphere in the singular, even though it may be argued that public exchanges do not add up to one common “sphere” (Luhmann 1995: ch14; Bang and Esmark 2007). Even though I sympathize with the objection as a description, I agree with Habermas that this should not prevent us from articulating counter-factual ideals about how the dispersed public spheres could be evaluated. And one approach in doing this is to reflect upon the “sum” or “unity” of the dispersed public spheres.

2 A thorough analysis of how journalist professionals dissociate themselves from the case can be found in Carlson and Berkowitz 2013.

3 Other factors in the disagreements between the public and news professionals have been analysed in Zúñiga and Hinsley 2013.

4 It might be argued that the concept of “positive freedom” used in this paper differs slightly from the one presented by Isaiah Berlin in his famous paper on positive freedom. At least insofar as he defines positive freedom as a “wish to be a subject, not an object” (Berlin 1958, 13). With this approach Berlin emphasizes a cultivating aspect of freedom where the subject gradually emerges as something more than a physical object. In the post-structuralist approaches I use, the distinction between subjectivity and objectivity is, however, not certain. The idea of a positive freedom is thus thought as an emphasis on *what is made possible* through the prevailing structures of thought and practice. The emergence of subjectivity (and its structures) is certainly important, but positive freedom has other important dimensions as well.

5 In Butler 2005 we find this point elaborated: We flee the servitude of the self by speaking courageously because our selves are to a large extent created in our expressive relationships.

6 This theme has been elaborated in differing ways by (among others) N. Luhmann, J. Habermas, C. Taylor and A. Honneth (Luhmann 1987; Habermas 1985; Taylor 1989; Honneth 1992).

7 Simpson 2012 has demonstrated how parrhesiasts aim to counter prevailing discourses through the presentation of alternative readings.

8 In (xxxxanonymization1xxxx; xxxxanonymization4xxxx; xxxxanonymization2xxxx) I have elaborated the need for *balanced* discrepancies between participants in dialogical interchanges.

9 The anonymous character of trolls are often emphasized in the academic literature on trolls (Hardacker 2010; Binns 2012). In xxxxanonymization4xxxx I discuss ways in which anonymity due to the structures of the Internet has become an urgent problem and how this may be said to be problematic in a constructive freedom of expression.

10 Even in cases where prejudices are clearly challenged by new evidence, it is not certain that we actually give up the prejudices (Kuhn 1960/1996).

11 One might argue that I am assuming that subjective expressions have clear truth claims. But how do we *know* whether it is true or not that the person is truthful? Is not the truth value of such expressions even more unsettled than the racist statements about Muslims and totalitarianism? This paper does not leave room for a detailed discussion of this objection, because it takes us into a huge semantic discussion with a lot of controversies. Suffice it therefore to say that I rely on Habermas’ distinction between various kinds of truth claims. Pragmatically speaking, subjective truth-claims *are* criticizable – we know what it means to criticize subjective validity claims. Sometimes we do in fact discuss whether assertions of one’s state of mind are veracious or not – and successfully demonstrate that the speaker is not veracious. Subjective expressions thus have truth values – even though they need to be redeemed differently than with more objective propositions (Habermas 1981, ch I).

12 The desirability of criticizable rules has been elaborated in xxxxanonymization3xxxx.