

SAVING LOCAL NEWS: OUR MORAL OBLIGATION TO CONTRIBUTE TO JOURNALISM IN COMMUNITIES

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Abstract: In this paper, I argue that citizens are morally obligated to contribute to local journalism based on George Klosko's interpretation of the principle of fairness. Klosko argues that people are morally obligated to contribute to schemes that produce non-excludable, presumptively beneficial public goods. I argue that local journalism produces an educated public and helps promote the rule of law, which are both non-excludable, presumptively beneficial public goods. These goods create obligations to contribute to the scheme that produces them—i.e., local journalism.

Imagine you are in line to vote. Although you do not make much money, you can purchase a relatively inexpensive local newspaper in order to learn about the candidates, their stances on issues, their plans for the community, and any scandals in which they may be implicated. On the other hand, you can also make your best guess when you get into the voting booth, perhaps just voting down the party line with the political party you think you agree with most. Yet another alternative is simply to go home and not participate at all.

I argue that citizens are obligated to contribute to local journalism because an educated public and the rule of law are both non-excludable, presumptively beneficial public goods that local journalism cultivates. These goods generate obligations to participate in the process that produces them, according to George Klosko's interpretation of the principle of fairness. The free press, as the so-called fourth estate, is critical to the sustainability of a democracy because (1) it informs the public and (2) it holds those in power accountable for their actions. Citizens are therefore obligated to participate in the provision of a free press that provides these benefits. For these reasons, I argue that it is each citizen's duty to contribute to the success and continuation of remaining local media enterprises.

My argument proceeds as follows:

P1: Citizens have obligations of fairness to contribute to initiatives that provide non-excludable presumptively beneficial public goods.

P2: An educated public and the rule of law are non-excludable presumptively beneficial public goods produced by the scheme of the free press.

C: Citizens are morally obligated to contribute to the continuation of free press and local news.

While Klosko's theory may be interpreted *to force* people to contribute to initiatives such as the continuation of local news, I am arguing that there is at least a non-enforceable duty for citizens to contribute, either by subscribing to local newspapers or offering donations to media organizations.

First, I will explain and defend Klosko's interpretation of the principle of fairness as it is related to political obligations while explaining and replying to Robert Nozick's objection to this theory. I will then establish an educated society as a non-excludable, presumptively beneficial public good and offer it as one possible solution to Jason Brennan's argu-

ment against all citizens exercising his or her right to vote. Third, I will explain the idea of the rule of law as a non-excludable, presumptively beneficial public good as it relates to the press, referencing the “Bathsheba Syndrome.” Finally, I will defend my conclusion and discuss practical implications.

GEORGE KLOSKO, THE PRINCIPLE OF FAIRNESS, AND POLITICAL OBLIGATIONS

George Klosko argues that some political contributions are obligatory. He begins his argument with H. L. A. Hart’s Principle of Fairness, which states:

When a number of persons conduct any joint enterprise according to rules and thus restrict their liberty, those who have submitted to these restrictions when required have a right to a similar submission from those who have benefited by their submission.¹

Klosko narrows this concept to account for political contributions. While his argument is based on the principle of fairness, Klosko creates specific qualifications for which kind of “joint enterprises” would fall under his interpretation of the principle of fairness idea, namely those that produce non-excludable, presumptively beneficial public goods. Non-excludable goods such as the rule of law and national security cannot be denied from those who benefit. In Klosko’s view, the only goods that require everyone to contribute are those that are beneficial enough to outweigh the cost of providing them. This idea of obligatory political contributions presented by Klosko helps clarify the principle of fairness that Hart first put forth, since it applies to politics and describes “the just distribution of benefits and burdens.”²

Local journalism is also an important service as it informs citizens on area politicians, elections, crime, education, and even weather emergencies. Since local news covers a small geographic area, there is a considerable chance that the information news organizations share will affect consumers. Contributing to local journalism helps ensure that these institutions can continue to provide necessary information while at the same time creating an educated public and, potentially, enforcing the rule of law.

Robert Nozick rejects this argument. Nozick gives an example of a non-excludable, presumptively beneficial public good—i.e., a public-address system—that every neighbor pitches in to run on a rotating basis. The system is non-excludable (everyone can hear it from home), public (the entire neighborhood contributes to the good), and presumptively beneficial (all are entertained by the content of the broadcasts). Yet Nozick argues that one is not obligated to contribute by skipping work in order to run the public-address system when it is his or her turn.³ Klosko replies that the examples Nozick gives are not actually

¹ George Klosko, “Presumptive Benefit, Fairness, and Political Obligation,” in *Philosophy and Public Affairs*, vol. 16, no. 3 (1987): 242. First cited in H. L. A. Hart, “Are There Any Natural Rights?” in *Philosophical Review* 64 (1955): 175-191.

² David Lyons, *Forms and Limits of Utilitarianism* (Oxford, UK: Oxford University Press, 1965), 164.

³ Robert Nozick, *Anarchy, State, and Utopia* (New York, NY: Basic Books, 1974), 93.

⁴ Klosko, “Presumptive Benefit”, 246.

beneficial. A non-excludable, presumptively beneficial public good, in Klosko's view, must "be necessary for an acceptable life for all members of the community."⁴ A public-address system, while entertaining, is not essential to a good life. Klosko does not even see the public-address system as presumptively beneficial; rather, he views it as a discretionary good—i.e., a good that would be nice to have, but one whose continuation a citizen is not obligated to contribute toward. For actual non-excludable, presumptively beneficial public goods, he argues that "the indispensability of the goods overrides the outsider's usual right to choose whether he wishes to cooperate."⁵ In other words, the goods received are so beneficial to an acceptable life that citizens are obligated to participate in the continuation of the goods whether or not they consent. In Klosko's view, goods must be also fairly distributed to everyone, not too burdensome in cost, and necessary for an acceptable life in order to incur obligations to contribute. Though Nozick also worries about citizens' lack of consent, there are moral duties—such as a duty to not kill—that we do not necessarily consent to, yet nevertheless must follow.

FREE PRESS AND AN INFORMED DEMOCRACY AS A NON-EXCLUDABLE PUBLIC GOOD (NEPG)

Imagine that the public-address system that Nozick discusses was, in fact, a news organization in a small community that offered newscasts and published updates on current events in the world instead of providing entertainment. The free press produces an informed citizenry and the rule of law, both of which are non-excludable, presumptively beneficial, public goods to which citizens are obligated to contribute. The benefits of an informed citizenry and the rule of law to a democracy greatly outweigh the costs of contributing to the free press, creating an effective and successful democracy.

In an effective democracy, journalists and citizens play a critical role in its success. The notions of the freedom of speech and the freedom of the press, as stipulated in the First Amendment of the United States Constitution, are important to our democracy. As John Stuart Mill argues:

There must be discussion, to show how experience is to be interpreted. Wrong opinions and practices gradually yield to fact and argument; but facts and arguments, to produce any effect on the mind, must be brought before it. Very few facts are able to tell their own story, without comments to bring out their meaning.⁶

Journalists act as filters to report the most important information and the context in which it was originally disseminated. The press cuts through the rhetoric of politicians and those in power to relay the most critical information to those who make decisions about how they are governed—i.e., citizens. News media also authenticates stories, bears witness to events, and uncovers wrongdoing.⁷ As Robert Post writes, "Freedom of thought

⁵ Ibid., 247.

⁶ John Stuart Mill, "On Liberty," in *On Liberty, Utilitarianism, and Other Essays*, ed. by Mark Philip and Frederick Rosen (Oxford, UK: Oxford University Press, 2015), 22.

⁷ Bill Kovach and Tom Rosenstiel, *The Elements of Journalism: What Newspeople Should Know and the Public Should Expect* (New York, NY: Crown Publishing Group, 2001) 27.

by itself creates merely anarchy. [...] Freedom of thought is transmuted into new knowledge only when it is integrated into those forms of social practices that define and establish knowledge.”⁸ Seana Shiffrin elaborates on the interests that justify the First Amendment, which include the “capacity for practical and theoretical thought, apprehending the true, and moral agency.”⁹

These ideas are all critical to the success of an educated democracy. It is necessary for citizens to be able to think critically about the government, understand the truth, and act morally based on what they have learned. As Post writes, “the creation of knowledge, however, depends upon practices that continually separate the true from the false, the better from the worse.”¹⁰ One of those practices is the free press. The job of the press is to find the truth and report it, in order that citizens might then inform themselves.

An educated public is a non-excludable presumptively beneficial public good because people have the right to vote. Everyone benefits from the votes of informed citizens who have made an effort to acquire and critically assess information disseminated by the press. There is no way to opt out of the benefits of an educated citizenry when those educated voters are making decisions about who governs the entire country.

Not everyone believes in the promise of an educated democracy. Jason Brennan bemoans the public and their tendency to vote badly from what he calls “immoral beliefs, ignorance, and epistemic irrationality and bias.”¹¹ He discusses citizens voting for personality over policy and calls attention to voters who cannot understand which policies will produce the best consequences for the country. Since the government is operated by the people and for the people, there is a disconnect if the people are not informed to such an extent that they cannot elect effective leaders and effective policies.

Local journalism, however, plays a significant role in informing voters for local elections, and often provides the only coverage of area politicians, their views, and the top issues surrounding each candidate’s campaign. The Pew Research Center found that those who always vote in local elections (about 27% of all U.S. adults) have stronger local news habits than those who do not regularly vote, signaling a strong connection between civic engagement and the news media.¹²

National journalism like *USA Today* simply does not have the space to cover small-town elections. A chart with each candidate, their stances on issues, and their experience in politics, however, can be easily found in an area newspaper and could help voters make informed decisions on Election Day. If everyone were to contribute to local journalism, even in rural and poor areas, the public would have less of a chance of voting badly, or, at least, less of a chance of voting from an uneducated and uninformed perspective.

⁸ Robert Post, “Participatory Democracy as a Theory of Free Speech: A Reply,” in the *Virginia Law Review*, vol. 97, no. 3 (2011), 478.

⁹ Seana Shiffrin, “A Thinker-Based Approach to Freedom of Speech,” in *Constitutional Commentary* (2011), 289.

¹⁰ Post, “Participatory Democracy,” 479.

¹¹ Jason Brennan, “Polluting the Polls: When Citizens Should Not Vote,” in the *Australasian Journal of Philosophy*, vol. 87, no. 4 (2009), 538.

¹² Michael Barthel, Jesse Holcomb, Jessica Mahone, and Amy Mitchell, “Civic Engagement Strongly Tied to Local News Habits,” The Pew Research Center, November 3, 2016, online.

FREE PRESS AND THE RULE OF LAW AS A NEPG

I have argued that an educated citizenry is a non-excludable, presumptively beneficial public good because citizens make the choices about who governs the country. In addition, the news media also improves the rule of law through investigative journalism, by asking tough questions to those in power and by relentlessly pursuing the truth at the heart of legislative concerns. The rule of law is a non-excludable, presumptively beneficial public good because everyone is held accountable under the law, regardless of status or personal beliefs.

Everyone not only must be held accountable, but they also must generally understand what the rules are and how they are used. John Rawls explains in *A Theory of Justice* that citizens should have common knowledge of how rules are applied, their requirements, and the extent to which others conform to those requirements in order for a democracy to be just. Rawls writes that “when these rules are just, they establish a basis for legitimate expectations. They constitute grounds upon which persons can rely on one another and rightly object when their expectations are not fulfilled.”¹³

The news media is a critical factor in spreading information about new laws, changing laws, and letting the public know when laws have been broken. Arguably, without the news media, those in power would be able to live “above the law.” Dean Ludwig and Clinton Longenecker describe a phenomenon called the “Bathsheba Syndrome” wherein leaders are willing to abandon personal principles when they have achieved great power and success.¹⁴ Consider, for example, President Nixon’s downfall. If journalists had not relentlessly pursued the complex nuances of this groundbreaking story, Nixon might have served two full terms as president, and the American people would have been none the wiser. Ludwig and Longenecker also found that “successful leaders can frequently make unethical choices which not only hurt them personally but contain the potential to destroy or severely damage the organizations they are responsible for protecting.”¹⁵ It is up to the press, then, to keep those in power “in check,” so to speak, in order that the government and the country as a whole can both flourish.

Local press can also expose community leaders. *The Boston Globe*, a well-known but local publication, ran a series of pieces in 2002 exposing the Catholic Church for covering up child molestation by clergy and retaining priests accused of pedophilic behavior. In a city with a strong Catholic identity, the *Globe*’s journalists wrote 600 stories covering the scandal, leading to the resignation of Cardinal Law and creating the journalistic space for more survivors to come forward and tell their stories.¹⁶ Since then, 250 priests have been accused of sexual abuse within the archdiocese of Boston.¹⁷ While the cover-up did not constitute a government scandal, the Catholic Church is a predominant social institution in Boston, and it took a group of journalists to expose a scandal that had been happening for more than three decades.

¹³ John Rawls, *A Theory of Justice* (Cambridge, MA: Harvard University Press, 1971), 207.

¹⁴ Dean C. Ludwig and Clinton O. Longenecker, “The Bathsheba Syndrome: The Ethical Failure of Successful Leaders,” in the *Journal of Business Ethics*, vol. 12, no. 4 (1993), 270.

¹⁵ *Ibid.*, 271.

¹⁶ Michael Rezendes, “Journalists who broke church sex abuse scandal could not have foreseen the impact,” from *The Boston Globe*, November 20, 2015, online.

¹⁷ *Ibid.*

As former Speaker of the House Tip O’Neill said, “All politics is local,” meaning that the success of politics begins at home, as it were. Media’s success, or failure, in educating the public and serving as a watchdog for those in power can also begin at home, where the decisions citizens make in the polls have direct effects on their lives. Because the rule of law applies to everyone equally and beneficially, it is our duty to contribute to the scheme that produces it—i.e., the local news media.

One possible objection to this theory implicates cable news shows. As cable news networks like MSNBC, Fox News, and CNN cover current events in the 24-hour news cycle, one might argue that citizens have obligations to contribute to networks like these in addition to local news stations and newspapers. These stations, however, can often be largely partisan, and while biased news networks can still apply the rule of law to keep political leaders (usually of the opposing party) “in check,” they consistently fail to adequately educate the public. Take, for instance, the speed at which they deliver the news in order to beat competitors; this can be dangerous, since these major news organizations often distort the facts of a story in order to be the first to report it. At least two networks (MSNBC and Fox News) are often charged with disseminating the news with partisan interests in mind, and therefore presumably have a tendency to skew the facts in order to conform to a particular worldview shared by the majority of their viewers. Misused facts and journalistic bias both contribute to Jason Brennan’s concern about voting badly, and these reporting tendencies do not cultivate an educated public.

CONCLUSION

I argue that an educated citizenry is a non-excludable, presumptively beneficial public good because citizens have the right to vote. I also argue that the rule of law is a non-excludable, presumptively beneficial public good. Everyone must be held accountable, so it is non-excludable, and it is beneficial for the success of a democracy and society as a whole. Given that an educated public and the rule of law are both non-excludable presumptively beneficial public goods, it is our duty to contribute to its perpetual success. In order for a democracy to flourish, the public must be educated to such an extent as to choose its leaders wisely, and everyone (especially elected officials) must be held accountable under the rule of law. The news media performs these two critical functions. Citizens therefore have an obligation to contribute to local media.

REFERENCES

- Barthel, Michael, Jesse Holcomb, Jessica Mahone, and Amy Mitchell. “Civic Engagement Strongly Tied to Local News Habits.” The Pew Research Center. November 3, 2016. Online.
- Brennan, Jason. “Polluting the Polls: When Citizens Should Not Vote.” In the *Australasian Journal of Philosophy*, vol. 87, no. 4 (2009): 535-549.
- Klosko, George. “Presumptive Benefit, Fairness, and Political Obligation.” In *Philosophy and Public Affairs*, vol. 16, no. 3 (1987): 241-259.
- Kovach, Bill and Tom Rosenstiel. *The Elements of Journalism: What Newspeople Should Know and the Public Should Expect*. New York, NY: Crown Publishing Group, 2001.
- Ludwig, Dean C. and Clinton O. Longenecker. “The Bathsheba Syndrome: The Ethical Failure of Successful Leaders.” In the *Journal of Business Ethics*, vol. 12, no. 4 (1993): 265-273.

- Lyons, David. *Forms and Limits of Utilitarianism*. Oxford, UK: Oxford University Press, 1965.
- Mill, John Stuart. "Utilitarianism." In *On Liberty, Utilitarianism, and Other Essays*. Edited by Mark Philp and Frederick Rosen. Oxford: Oxford University Press, 2015.
- Nozick, Robert. *Anarchy, State, and Utopia*. New York, NY: Basic Books, 1974.
- Post, Robert. "Participatory Democracy as a Theory of Free Speech: A Reply." In the *Virginia Law Review*, vol. 97, no. 3 (2011): 617-632.
- Rawls, John. *A Theory of Justice*. Cambridge, MA: Harvard University Press, 1971.
- Rezendes, Michael. "Journalists who broke church sex abuse scandal could not have foreseen the impact." From *The Boston Globe*. November 20, 2015. Online
- Shiffrin, Seana. "A Thinker-Based Approach to Freedom of Speech." In *Constitutional Commentary* (2011): 283-307.