

Strengthening the Democratic Project: Information as the Foundation of the Fourth Estate

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Abstract

Studies show that citizen dissatisfaction with democracy is on the rise. Equally, trust in public institutions is on the decline, but despite this, citizens desire to shape the future of society is growing. The contribution of this paper is three-fold. First, the varying interpretations of democracy are scrutinised in order to surface the nature of scrutinized liberal democracy. Second, the negative impacts of democracy cycles are highlighted as shaped by the interests of elites in their pursuit of economic gain thus undermining liberal democracy and the adoption of diversity. Third, and through such influence, the independence of the fourth estate is diminished requiring the institutionalisation of the custodianship in order to promote a fourth democratic wave. Thus, the aim of our paper is to surface a free flow of contrasting perspectives from multiple entities and in so doing make the case for regulation which limits undesired monopolistic and oligopolistic interests.

Keywords

Democratic Cycle, Custodianship, Fourth Estate, Independent Perspective, Representative Democracy

1. Introduction

At a time when democracy, a form of government where the citizens of the nation have the power to vote on the government of their choice, is becoming ever more widely adopted (Desilver, 2019), citizen dissatisfaction with democratic politics seems to be at its highest. In a study spanning 154 nations, 57.5% of citizens indicated they were not satisfied with the functioning of their democratic system (Foa et al., 2020). In 2019 citizens of the USA and UK, 50% and 60.3%

respectively, reported their dissatisfaction with the functioning of their democratic system (Foa et al., 2020). The highest level of dissatisfaction has been reported in the UK, particularly since the 1970s when the Labour government struggled to contain the widespread strikes during the “winter of discontent” (Martin, 2009).

Trust in public institutions and systems in the UK is at its lowest ever position, identified through global trust rankings across 28 countries, with only Russia emerging as a less trusting society (Edelman, 2020). The Edelman (2020) survey shows that three in five Britons indicate they are losing faith in democracy as an effective form of government. Equally, 53% believe that capitalism does more harm than good. Additionally, 45% of Britons feel their views are not represented through representative politics. Despite this, 62% of employees desire the opportunity to shape the future of society (Edelman, 2020). At the same time, in parallel, the rise in a variety of right-wing populisms (Golder, 2016; Williams, 2010), based on exclusionist, ethno-nationalist notions of citizenship, is reflected in the slogan “own people first” (Rydgren, 2005).

Such citizen estrangement is understandable as election coverage has become increasingly driven by the news media’s predilection for sensationalism. Such logic can be understood as “the institutional, technological and sociological characteristics of the news media, including their format characteristics, production and dissemination routines, norms and needs” (Strömbäck, 2011: p. 373). Media logic is perceived to be prominent or “even the dominant” feature of election coverage, with news about the personalities, strategy of parties, campaign events and horse-race type stories prioritized above more substantive policy issues (Strömbäck & Kaid, 2008: p. 425). Whilst in the past citizens were separated according to wealth, the “haves” and “have-nots”, in the digital era, separation is increasingly being determined by those who have access to critical technologies and those who do not (Strömbäck & Kaid, 2008).

In this paper, we explore the nature of liberal democracy drawing attention to the varying interpretations of democracy and their underpinning rights. The point emphasized is that current liberal democracy is the outcome of varying democratic forms adopted over time. The notion of democratic cycles shaped by the interests of key elite groups and by economic gains and setbacks minimizes or enhances social conflicts, which in turn leads to populist movements or acceptance of diversity. An emerging recognition is that there has been a decline in democracy (Haggard & Kaufman, 2021), which in turn has restricted the spread of accessible information and by so doing has undermined the independence and impact of the “fourth estate”. Recognizing the challenges faced, this paper presents the case for the promotion of the fourth democratic wave. Central to this is the defence of the fourth wave through the institution of the “custodiary”. It is considered that this body and its members, independently nominated, should be awarded the mandate for recommendation and regulation, including the dissemination of large media and platform entities. The view adopted is that

the most effective regulation is to ensure for a free flow of contrasting perspectives for multiple entities competing with each other for public attention. Such intervention best guarantees that no monopolistic or oligopolistic interests sway opinion towards their ends.

2. Liberal Democracy

Democracy, variously defined, involves the adoption of three fundamental principles: the configuration of authority whereby through the institutional format of “upward control” sovereignty resides at the lowest level of the hierarchy; the value of political equality; and norms that shape individual and institutional behaviour limited by the principles of upward control and equality (Kimbe, 1989). Liberal democracy is the most common form of representative democracy (Bashar & Tsokos, 2019), often used to describe Western democratic political systems, such as in the USA, UK, Australia, New Zealand, and Canada.

Liberal democracy traces its origins to the 18th century European “Enlightenment” or “Age of Reason” period. Liberalism, through its political and social philosophies, emerged to counter the “natural laws” of the day as dictated by the church and the aristocracy. The French and the American Revolutions inspired the birth of the ideology of liberalism with emphasis on individual rationality/reason and autonomy supporting the “natural laws” of the market whereby the competitive pursuit of self-interest was to the benefit of society as a whole (Nerone, 1995: p. 134). Thus, the market is hypothetically seen as acting as an equalizer (Nerone, 1995). Liberalism rests on the idea that individual rights can be and should be upheld as individual legal liberties, albeit differently interpreted by economies, such as the USA, UK, and Canada. According to Hacker (1957: p. 1010) “liberal democracy in America never had politics. It was essentially an upper-middle-class and upper-class creed.” Hacker (1957: p. 1010) continued that “the basis of power of liberal democracy has traditionally been deference to a ruling class.”

Overall, numerous definitions and interpretations of democracy prevail. Huntington (1991a) holds that the “essence of democracy, the inescapable *sine qua non*” is that elections are “open, free and fair”. Additional to elections, democracy needs to guarantee free public discourse and deliberative interaction in terms of political thought and practice. Rawls (2005) argued that a just democratic society needs to safeguard the diversity of their belief system that, by nature, is fundamental to pluralism on the basis of basic rights and liberties.

Warren (2017: pp. 43-45) on the other hand identifies three normative functions that political systems need in order to be recognized as democratic: participation—the empowered inclusion of all members of a *demos* (Greek, “common people”) through votes, voices, legal challenges, political mobilization and other tenable means; public deliberation—a process of collective will formation that facilitates the organization of competing claims into agendas and understandings that can emerge as grounded legitimate collective action; institutional

action—formal and informal institutions that facilitate effective and legitimate collective action. Deliberation is deemed as critical as it leads to less controversial decisions, reducing the risk of “pluralised ungovernability” (Warren, 2009: p. 13) through taking account of others’ needs and interests to promote mutual respect, tolerance, and empathy.

Mansbridge et al. (2012: p. 20) argue that,

epistemically, any democracy needs the political media to play the role of a transmitter of reliable and useful information to help citizens interpret facts and make connections between facts, roles, and policies, and to act as watchdogs, critics, and investigators.

Mansbridge et al. (2012: p. 18) consider deliberation as a “genuine persuasion, not pressure” and consider that the two most non-deliberative pressures—money and protest—pose challenges for deliberative theory. Both money and protest are effective political tools to advance important social and political causes. Paying people to induce agreement and protest to disrupt normal activity, both in order to induce the desired outcomes, violates the very core of deliberative persuasion (Mansbridge et al., 2012).

Mukand and Rodrik (2015) differentiate between three sets of rights which underpin liberal democracy:

- **political rights** that “guarantee free and fair electoral contests and allow the winners of such contests to determine policy, subject to the constraints established by other rights”—benefit for the majority.
- **property rights** that “protect asset holders and investors against expropriation by the state or other groups”—benefit for the wealthy, primarily the propertied elite.
- **civil rights** that ensure equality before the law, for example, justice, security, education, and health; benefit for those who are normally excluded from the spoils of privilege or power—benefit ethnic, religious, geographic, or ideological minorities.

In theory, liberal democracies are organized to define and limit power in order to promote legitimate government within a framework of justice and freedom, through liberal institutions such as an independent judiciary, freedom of the press (i.e. the fourth estate), the rule of law, and protected space for civil associations (secular and religious). Kakabadse et al. (2003) argue that the “present-day democratic processes” are becoming increasingly constrained, which, in turn “become the dominant ideology of modern political life” (Kakabadse et al., 2010: p. 280). These constraints induce the rise of populist ideology promoting authoritarian values, which, in turn, threaten the institutions and norms that support democracy. Popularist leaders undermine democratic norms through the rhetorical veneer of “people power” and endorsed cultural values (Mounk, 2018). By promoting an ideology-based exploitation of fear through resisting instability and disorder, authoritarian values of conformity to preserve tradition as well as to promote discrimination require loyalty to strong leadership (Wodak,

2015). Populist rhetoric provides a veneer of democracy. When populist values are used to dehumanize immigrants, demonize the most vulnerable, and undermine civility and culture as was the case with Trumpism (Rowland, 2019), cohesion and democracy are fractured. Moreover, the fourth estate in ever greater pursuit for populist ratings and circulation, is succumbing to this populism and in turn sacrificing their primary duty to keep the public properly informed, which if unattended further undermines democracy.

In a similar vein, questions are raised as to whether the increased dominance of oligopolistic, private, media firms provide an objective, value-neutral substitute for the public sphere (Dahl, 1989; Leys, 2003). In fact, Dahl (1989: p. 339) emphasizes that new technology may be used in ways harmful to democracy “on behalf of democracy”.

3. Democratic Cycle Development

Liberal democracy is an outcome of democratic forms practiced over time. The 6th century BCE, Athenian city-state, based on the *demos* and *kratos*, (*Κράτος* literally “power”, “strength”) provided the pathway that subsequent societies followed. Although the partocracy, direct democracy, of the Athenian city-state was bounded by a relatively small-scale society (Dahl, 1970; Bryan, 2003), it was dependent on slave labour, excluded women from citizenship, and created an empire by conquering other city-states. It also developed three authentic practices that protected democracy which, on the whole, have not been utilized by large-scale democracies today, namely, choosing lawmakers and other deliberative bodies by lot rather than an election; dividing legislative tasks between multiple bodies, each with particular characteristics; and utilizing both temporary bodies and ongoing fixed-term bodies in the decision-making process (Bouricius, 2013). This unique structure, pioneered in ancient Athens, matched legislative tasks to the inherent characteristics of each type of body. It also minimized the opportunity for power-hoarding and corruption which, in turn, permitted optimal performance (Bouricius, 2013). For Athenians, democracy was the outcome of active participation aimed at achieving greater equality (Hanson, 1989). Although only a few particular executive positions, such as generals and financial officers, were filled by election at the People’s Assembly, Athenians regarded elections as an inherently aristocratic practice, as only those with money and status could participate (Bouricius, 2013: p. 1). The People’s Courts (*dikasteria*) and almost all of the magistrates who conducted governmental business were chosen by lot (Woodruff, 2005; Ober, 2008). Council selected by lot was a key institution in Greek democracy, and possibly more central to the concept of democracy than the People’s Assembly (Ober, 2008). The Greek biographer and historian Plutarch suggested that the randomly selected People’s Court was thus the ultimate sovereign authority, rather than the People’s Assembly. Aristotle (1926) identified voting with the aristocracy and sortition with democracy. Some 2000 years later, Montesquieu et al. (1910) took for granted the relationship between sorti-

tion and democracy. Protagonists of sortition emphasize its two strengths, namely, its ability to promote democratic representation by creating microcosms of the general population or “minipopuluses” (Callenbach & Phillips, 2008; Sutherland, 2008) and its ability to deter domination and corruption by preventing powerful special interest groups (both inside and outside the government) from browbeating public officials to do their bidding (Stone, 2011; Delannoï et al., 2013).

4. Modern Day Democracy

From such a foundation, modern-day democracy has developed in a variety of forms. Sen (1999) attributes modern democracy to such critical historical developments as the signing of the Magna Carta in 1215, the French and American Revolutions in the 18th century and to growth in Europe and North America in the 19th century. In contrast, Huntington (1991a) suggests that advances in modern democracy have occurred predominately in three waves. From the 1820s, the USA extended suffrage to 50% of all adult males, which slowly progressed until 1926 to some 29 democracies in the world. The period between the 1920s and 1930s witnessed a “reverse wave” so that by 1942 that had reduced to 12 democratic states worldwide. The second, short wave of democratic expansion began with the WWII triumph of the Allies and ended in 1962 with 36 countries democratically governed. A second reverse wave followed from 1960 until 1975 when democracy experienced a low point in the developing world with the number of democracies back down to 30. The “third wave of democratization” which Huntington (1991a) calls the “Catholic wave” had democracy sweep through Southern Europe (e.g., Spain, Portugal) in the 1980s and then spread to Latin America and parts of Asia. By the 1990s, democracy became embedded in Eastern Europe and Africa (Huntington, 1991a). Thus, during the final quarter of the 20th century, democracy experienced the greatest global expansion in history. Nobel Prize laureate Amartya Sen (1999: p. 2) noted that “while democracy is not yet universally practiced, nor indeed uniformly accepted, democratic governance has now achieved the status of being taken to be generally right”. However, the question remains as to whether the third wave is in the “early stages of a long wave, or near the end of a short one”, as Huntington (1991b: p. 12) implies that we may be in a period of a “reverse wave”. Huntington (1991b: p. 17) informs that both the first and second democratic reverse waves spawned major changes “during which most regime changes throughout the world were from democracy to authoritarianism”. Huntington (1991b: pp. 17-18) identifies seven critical factors that contribute to first and second reverse wave occurrences:

- 1) the weakness of held democratic values among key elite groups and the general public;
- 2) severe economic setbacks, which intensified social conflict and enhanced the popularity of remedies that could be imposed only by authoritarian govern-

ments;

3) social and political polarization, often produced by leftist governments seeking rapid adoption of significant social and economic reforms;

4) the determination of conservative middle- and upper-class groups to exclude populist and leftist movements and lower-class groups from political power;

5) the breakdown of law and order resulting from terrorism or insurgency;

6) intervention or conquest by a non-democratic foreign power;

7) “reverse snowballing” triggered by the collapse or overthrow of democratic systems in other countries.

5. Democratic Cycle Reverse Wave

Plattner (2015), in contrast to Huntington’s (1991a, 1991b) reverse wave, highlights the current absence of democratic progress as “stagnation” and attributes this to three factors: the emergent sense that the advanced democracies are in difficulty in terms of their economic and political performance; the self-confidence and seeming vitality of certain authoritarian countries; and the shifting geopolitical balance between the democracies and their rivals such as China, which is able to make considerable economic progress without introducing democratic reforms.

A number of scholars (Goul Andersen, 2006; Maus, 2006; Diamond & Plattner, 2015) argue that democracy is in decline, whilst in counter-democratic states such as the Brazil, Russia, India, and China (BRIC) nations, democracy is on the rise. As Youde (2007) points out, China is providing African governments with alternative non-Western markets, trade partnerships, and sources of military and developmental aid that are not tied to considerations of human rights or government accountability in the recipient states. Perhaps most alarming is Piketty’s (2014) magnum opus that suggests inequality is inherent in capitalism and that the wealth gap is worsening. If capitalism is not reformed, the very democratic order is threatened. Piketty (2014: p. 571) drew on two centuries worth of data to show that return on capital (r) in the form of profit, rent, and interest has systematically exceeded the overall rate of economic growth of income (g); “the central contradiction of capitalist economics” is that the return on capital is greater than the rate of economic growth ($r > g$). Piketty (2014: p. 572) reasons that if $r > g$, the wealth of the capitalist class will grow faster than the incomes of workers, leading to an “endless inegalitarian spiral” and, as a consequence, as the rich get richer, society becomes increasingly unequal. Piketty’s (2014) second finding equates inequality with war or its frequent progenitor, revolution. He concludes that since the early 1980s inequality has been increasing in most Western economies and that we now revert to the inequality that prevailed prior to WWI. If little is done to reverse the situation, this trend that will continue for the rest of the 21st century. Piketty (2014) suggests that globalization has intensified the inequality trend through the immigration of

unskilled labour and imports of inexpensive manufactured goods produced by low-skilled workers in developing economies. Kakabadse et al. (2010: p. 280) concur as they argue that ‘the very values that inspired belief in the superiority of democratic participation seem threatened (in practice) by contemporary forms of “representative” democracy, emphasizing the capture of democracy by “big capital” (Leys, 2003). Schumpeter’s (1994: p. 336) minimalist concept of democracy underlies mainstream Western political science, in that representative democracy is considered the only possible democracy, where the main political role of the citizens is to elect (and replace) those individuals who will represent them in the executive and legislative branches of government.

6. Decline of Democracy

The V-Dem Institute (V-Dem, 2018: p. 1) annual report, “Democracy for All?” reveals that “for the first time since 1979, the number of countries backsliding (24) on democracy is again the same as the number of countries advancing”. A large-scale study, “Democracy for All?” which includes data from 178 countries from 1972 to 2017, undertaken by Lührmann et al. (2018: p. 1), found that whilst the most visible feature of democracy, elections, is stable and in some places improving, the other aspects of democracy such as; media freedom, freedom of expression, and the rule of law, face “increasing restrictions and threaten to undermine the meaningfulness of elections”. The decline of democratic qualities or “autocratization”, namely democratization in reverse, occurs because the qualities fundamental to the pursuit of democracy (e.g. an independent media, open elections, and free expression) are increasingly undermined. The world’s most populous democracies, such as the USA and India, are the new backsliders on democracy (Lührmann et al., 2018). One example is that of “suppression of voters through tactics, such as polling place closures and strict ID requirements”. Such measures have been on the rise since the Supreme Court reversed key protections through the landmark USA Voting Rights Act in 2013 (Weiser & Weiner, 2020: p. 2). From 2016-2018 some 17 million voters were purged from casting their vote mostly in jurisdictions with a history of discriminatory voting practices (Weiser & Weiner, 2020: p. 2). The Brennan Centre (2019) reported that 31 state legislatures in 2019 introduced 99 bills designed to diminish voter access. The USA finance campaign system has “engendered a lack of trust in governmental institutions and political campaigns fairness, resulting in lower participation in the electoral process” (Ravel, 2018: p. 1022).

For example, the “hyper commercialisation” of the media shaped by the principles of sensationalism and over simplification leads to a “dumbing down” of the news but crafted according to press and media ownership preferences and prejudices (McChesney, 2016). Not surprisingly, liberal-democratic norms and institutions are progressively undermined. Contemporary media, when convenient, ignores context and the complexity of issues and thus present news in a black/white format. In contrast, politics is a balancing act between contradictory

interests and demands according to developments in context. The inadequate capture of reality encourages mistrust, between people and politicians, media and people, journalists and politicians, all of which further undermines democracy.

The emergent low trust in “government and confidence in political institutions” was inevitable (Dalton, 2017: p. 375). Campaign finance laws have left many citizens with the belief that “their” representatives are “bought and paid for by the wealthy” long before the elections’ (Ravel, 2018: p. 1023). Ravel (2018: p. 1023) also revealed that special interests “have captured the vote, and that ‘dark money,’ non-profit ‘social welfare’ organizations, which don’t disclose their donors, are manipulating the system”. According to Transparency International (2013), US citizens believe that the government and state institutions are no longer beholden to the people and instead are responsive to special interest groups. The Pew Research Centre (PRC, 2018) found that only two in ten Americans believe that government benefits all Americans and that 76% of Americans view government as run by a few big interests. Moreover, 61% of their sample agree that “significant changes” are needed in the fundamental “design and structure” of the American government to make it work for current times (PRC, 2018).

The Lührmann et al. (2018) study emphasized the decline in liberal democracies in that 95 out of the 178 countries (53%) in the V-Dem dataset were classified as democracies of which only 39 were classified as liberal democracies. In contrast, there existed in 2007 43 liberal democracies (Lührmann et al., 2018). Lührmann et al. (2018: p. 4) conclude that there has been a steep decline in democracy over the last six years which has “brought us back 25 years in time”. “In terms of the share of the population enjoying democratic rights and freedoms, Western Europe and North America are back to levels of liberal democracy last seen nearly 40 years ago” (Lührmann et al., 2018: p. 4). Lührmann et al. note that “the most negative developments occur in ways that are less conspicuous”, “government censorship of the media and harassment of journalists can occur gradually and by relatively hidden means such as inducements, intimidations, and co-optation” (2018: p. 12). In turn, these methods lead to “increasing levels of self-censorship and less explicit criticism of the government” (Lührmann et al., 2018: p. 12).

A report by the Centre for the Future of Democracy (Foa et al., 2020), based on research conducted across four million respondents, between 1973 and 2020, revealed “dissatisfaction with democracy has risen over time and is reaching an all-time global high, in particular in developed democracies”, namely the UK, Australia, Brazil, Mexico, and the USA (Foa et al., 2020: p. 1). The rise in democratic dissatisfaction has been especially sharp since 2005. Foa et al. (2020) identified 2005 as the beginning of the “global democratic recession”. The decline of democracy in developed economies has been partly put down to political polarization. This has been a gradual development in the USA but a much sharper de-

cline over the last few years in the UK (Foa et al., 2020). The Foa et al. (2020) study also found an “island of contentment” in Europe, namely in Denmark, Switzerland, and Norway. Here satisfaction with democracy has reached an all-time high. This finding is in keeping with the perspective purported by classical Greek thinkers (Pericles (Samons II, 2007); Plato (2007); Aristotle, 1926), and enlightenment thinkers (Rousseau, 1913; Montesquieu, 1949), and modern scholars (Diamond & Tsalik, 1999; Anckar, 2002) that democracies are more suited to smaller states if the polis is to be free of tyranny. Anckar (2002: pp. 378-380) contended that the link between wealth and the undermining of democracy is apparent in large states. This does not hold for smaller ones, where even the most low-income states are democratic in their practice.

Freedom House (2020) annually evaluates 195 countries and 15 territories, and concluded that 2019 is the 14th consecutive year of decline in global freedom. The growing number of citizen protest movements reflect the inexhaustible and universal desire for fundamental rights (Freedom House, 2020). Kakabadse and Kakabadse (2019: p. 1) argue that,

“UK politics has switched from being held up as a bastion of global democracy and civilised debate to being seen as the epitome of unreasoned, often angry, discourse and extreme partisan polarisation.”

According to the democratic measures adopted in various studies, we are in what Huntington (1991a, 1991b) termed the third “reverse wave” of democracy.

7. The Decline of the Impact of the “Fourth Estate”

Sen (1999: p. 6) argues that,

“voting and respect for election results, (democracy) also requires the protection of liberties and freedoms, respect for legal entitlements, and the guaranteeing of free discussion and uncensored distribution of news and fair comment.”

Elections can be deeply defective if there is no adequate opportunity for different sides to present their respective cases, and if the electorate does not enjoy the freedom to obtain news (Sen, 1999).

In the early decades of the 19th century, the term “fourth estate” referenced the press and the journalistic profession. The belief was that a positive, reciprocal relationship existed between a free press and the processes of democracy (Norris, 2008). During that early modern era, many governments actively facilitated the growth of the press; in England, through subsidies to newspapers; in the USA, through postal subsidies (Burrowes, 2011). For Tocqueville (1986: p. 906), the press was “par excellence, the democratic weapon of freedom” whose importance was “not just to guarantee liberty, but to maintain civilisation”. Tocqueville (1986) held that without a free press, there is no public sphere, no informed citizen, and thus no democracy.

Yet, Carlyle (1840: p. 392) attributes the phrase “fourth estate” to the British

politician Edmund Burk's sarcastic dismissal of public opinion "there were three Estates in Parliament, but in the Reporters' Gallery yonder, there sat a Fourth Estate more important than them all". The Times editor of the day, John De-clare, popularized the term "fourth estate" and held that the press could hold the state to account by "seeking out the truth, above all things" (Louw, 2010: p. 49). In a similar vein, the British MP, Cobden (1870: p. 268), who was not an admirer of the press, observed that the newspaper in the House of Commons is the "most powerful vehicle of public opinion in the world".

In the USA, the First Amendment protects a newspaper's right to publish lawfully acquired information about matters of public concern. Although this right is not just limited to the press, it has been a cornerstone of publishing (Anderson, 2002; Volokh, 2011). The founding fathers viewed the press as needing to be independent to freely exercise editorial discretion and in so doing being a structural check on government (Carroll, 2020).

The role of the fourth estate is to be "set apart from the rest of society to provide the checks and balances necessary to make society function well" (Stiglitz, 2017: p. 14). Thus, whilst the First Amendment to the US Constitution provides the press with independence from government control, it also carries with it a responsibility to be the people's watchdog. The *raison d'être* of this fourth estate is to act as a counterbalance to the three estates of the Legislative, Executive, and Judiciary.

During the 18th and 19th century, shaped by the forces of democratization, the press became an important source for the legitimization of democracy. During the 20th century, private ownership reshaped the nature, contribution, and value of the press and media. At the turn of the 21st century, technology and ownership have become dominant in moulding the fourth estate to a form of "hyper commercialization", sensationalism, and simplification (McChesney, 2016). The deregulatory ecosystem prevalent since the 1970s has accelerated ownership concentration of the media leading to intense competition between huge conglomerates (Tumber, 2001). Concentration of ownership, the consolidation of the media markets through a web of alliances, and changes in production, distribution, and consumption of news, raises the question of whether the media can claim to be the fourth estate serving the public sphere. Mungiu-Pippidi (2012: p. 41) defines "media capture" as "a situation in which the media have not succeeded in becoming autonomous in manifesting a will of their own, nor able to exercise their main function, notably of informing people. Instead, they have persisted in an intermediate state, with vested interests, and not just the government, using them for other purposes". In many parts of the world, government control of the media is entwined with control by intermediate business interests (Schiffrin, 2017). This has led to ever greater ferocious ratings and circulation wars, and a "dumbing down" of content. The triumph of banality is now ever more evident. In effect, communication empires threaten effective democratic governance (McChesney, 2016).

8. Concentrated Ownership

Baker (2006) contends that concentrated media ownership creates the likelihood of individual decision-makers exercising enormous, unchecked, and potentially irresponsible power. In certain economies, the media ever more openly champion the structural and capital capturing of particular interests (Besley & Prat, 2006; Prat & Strömberg, 2012) which adds a further level of complexity through the digitization of communication ending up in an exercise of “context capture”.

A further complication has been the “too cosy” relationship with sources of “information subsidy”, mostly from PR agencies, who potentially compromise journalist integrity (White & Hobsbawm, 2007). Information subsidies are provided by policy actors and information specialists “whose responsibility is to ensure that the nation’s public media carry the desired message forward to the general public” (Gandy, 1982: p. 74; Gans, 1979). Information sources shape the coverage of the news through developing relationships with particular journalists. Thus, in many parts of the world the control of the media is intertwined with control of business interests (Gans, 1979; Matherly & Greenwood, 2021), which enhances the unwelcome collusive relationship between information sources and message delivery. The concentration of media ownership creates a top-down form of communication thus empowering elites, which deprives voters of the information they need to be their own governors (Bagdikian, 1983). Concentrated private media ownership has news editors brow beaten to become reluctant to deal with controversial political and social issues especially those that alienate potential consumers (Bagdikian, 1983: pp. 180-181) and certainly media owners.

Within the context of an ever of ever growing emasculated fourth estate, numerous commentators draw attention to the unwelcome relationship between media ownership and information distortion. Docherty’s (2015) empirical study reveals the propensity for media outlets to frame stories in a way that legitimizes neoliberal economic orthodoxy and suppresses criticism of alternative political-economic doctrines. Chomsky and Herman (2008) argued that news content is the reproduction of the hegemonic interests of the elite through their ownership of the medium’s funding sources, nurturing a “fear ideology” that filters out undesired coverage. Chomsky (2004) continues that rather than functioning as the fourth estate, the mass media have taken on the role of mass propagandists, being little more than a mouthpiece serving both government and corporate elites. Similarly, Stiglitz (2017: pp. 15-16) argues that the fourth estate is a critical element of the checks and balances within our society and

“when the media get captured by those they are supposed to oversee—whether government, corporations, or other institutions in our society—they cannot or will not perform their critical societal role.”

With media ownership concentration, profit becomes the main priority, perilously restricting the quality of viewpoints represented and “distributing” democratic power to the large corporations that own the media outlets (Baker,

2006). In effect, ever greater media ownership restricts the speed and availability of both information and the gaining of broader insights which then directly contribute to the decline of democracy.

Stiglitz (2017: p. 14) argued that cognitive capture “is the subtlest form of capture, it is the most corrosive”, so when the media are captured, “their reporting can give rise to the acceptance of views within society that reflect those interests” and that the fourth estate (the media) “become part of the echo chamber that amplifies and solidifies conventional wisdom”. Similarly, McQuail (2005) argued that privately held media outlets do not serve the public interest but rather disseminate world views of the ruling class, denying alternative perspectives that might lead to the growing consciousness of the proletariat.

Media Ownership Theory (MOT) suggests that “the content of the press is directly correlated with the interests of those who finance the press” (Altschull, 1984: p. 254). The owners of media organizations hold the ultimate power over the news content of their newspapers (Altschull, 1984; Shoemaker & Reese, 2013). Shoemaker (1987) found that news organizations financed primarily by “interest” sources are less likely to place emphasis on impartiality and newsworthiness, but that news content more likely reflects the psyche of the hegemony. It is under such circumstances that media and communication empires are threatening effective democratic governance (McChesney, 2016).

Drawing on the “Propaganda Model”, Parenti (1997) argues that the media draws on six proven tools to avoid displeasing those in political and economic power: suppression—by omission; attacking and destroying the target whereby the “media move from ignoring the story to vigorously attacking it” (Parenti, 1997: p. 2); labelling, whether positive or negative; face-value transmission, despite being known “official lies”; false balancing; and framing without resorting to explicit advocacy (Parenti, 1997: p. 3). Petrova (2008: p. 121) identified the mechanisms for media capture as “investment in media firms, political advertising and paid articles, subsidies, and bribes”. Following this line of argument, Nechushtai (2018) suggests that digital platform infrastructure also inhibits media discretion. The media becomes incapable of operating sustainably without the digital resources provided by the digital platforms thus creating an infrastructure dependency.

In effect, concentration of media ownership has fewer individuals or organizations controlling the mass media (Barnett, 2010: p. 219). Lutz (2012) showed that in 1983, 90% of US media was controlled by 50 companies. From 2011 onwards, 90% was controlled by just six companies. Since 2016, only five corporations in the USA (AT&T, Comcast, The Walt Disney Company, ViacomCBS, and Fox Corporation), and similarly, in Australia, four corporations (News Australia, Fairfax Media, Seven West Media, and APN News and Media) account for over 90% of industry revenue in 2015-2016 (Dwyer, 2016).

In the UK, just five companies, including online (News UK, DMG, Reach, Guardian and Telegraph) dominate some 80% of market share (MRC, 2019). Sky, owned by the US giant Comcast, is by far the UK’s biggest broadcaster and

continues to dominate the pay-TV landscape followed by BT, Apple, Amazon, and Netflix. Bauer, Global, and Celador Radio own over 50% of all commercial radio stations (MRC, 2019). UK internet search engine space is overwhelmingly dominated by Google, while the most popular apps like Instagram and WhatsApp are owned by Facebook (MRC, 2019). As a counter to these forces, the BBC remains a powerful presence in broadcasting and online, but its budget has been harshly cut by the last two licence fee deals. Its independence has thus been undermined. Research further suggests that “the BBC’s news agenda is also disproportionately influenced by the predominantly right-wing national press” (MRC, 2019: p. 2).

With the growing awareness of bias in the press/media towards large capital interests, an expectation has also surfaced that the new information age will create a new enlightenment of discourse, and greater individual and community participation concerning independent news content. Yet, news that independently and accurately captures current circumstances has not materialized (Bell, 2017; Bindrim, 2016). As media ownership globally has become increasingly concentrated, the digital platform companies that host rather than create content (Google, Facebook, Microsoft, Amazon, Apple, Snapchat, Twitter, Instagram, and YouTube) and the digital intermediaries (i.e. news gatekeepers) increasingly mediate how people access information and consume media content. The Western online media ecosystem—Google for searching, YouTube for video, Facebook for social networking, Amazon for e-commerce—has become more powerful and wealthy than the largest UK media organizations (MRC, 2019). Digital intermediaries may “deliberately or otherwise, control or constrain access to news, or affect its commercial viability... They are increasingly important for the distribution of and monetisation of news in the digital world” (Foster, 2012: p. 15). Most platforms are “profit-maximizing enterprises that exchange ‘free’ services for valuable user data they repackage and sell” (Entman & Usher, 2018: p. 301).

Márquez-Ramírez and Guerrero (2017: pp. 54-55) observe that,

“an environment where digitisation has pulverised markets, changed consumption patterns and blurred media platforms, private firms actively lobby for advantageous or very limited regulation to minimise the threat to their economic interests.”

Platform companies have been able to scale up and grow because their content is mostly produced by users’ activities. Although Amazon generates value and revenue through facilitating the sales of a growing array of products, its cloud-based voice service, Alexa, marketed as a modern assistant for shopping lists or kids’ homework, is also listening to its users, sifting through enlightened users’ conversations to harvest further data about them so that Amazon can sell more effectively to them. Digital, analytically enabled micro-targeted messages empower the public to think or act more independently of elite influence but the very same mechanisms reinforce the elites’ manipulative capacities (Entman &

Usher, 2018: p. 306). In a similar vein, digital analytic companies used by Google, Omniture, Chartbeat, and others enable journalistic surveillance over news consumption patterns, which in turn adversely affects content creation (Tandoc, 2014). Platforms play a critical role in the distribution as well as in the distortion of news. Their role in business, social, and cultural dynamics is enormous and growing (Scholz & Schneider, 2017). Bell's (2016) study based on interviews with more than 60 employees of news organizations and platform companies, concludes that "tech companies are now actively involved in every aspect of journalism", and that "newsroom personnel at every level express anxiety about the loss of control". That digital platforms have "seized control" over the news has been acknowledged by journalists (Greenberg, 2016; Carr, 2014; Newitz, 2016). Entman and Usher (2018: p. 306) conclude that platforms, analytic and algorithm operators "largely deny responsibility for quality and accuracy of the frames they disseminate and profit from, thereby giving rogue actors and ideological media power to distort democracy". Strömbäck and Kaid (2008: p. 425) through their study of media impact in 22 countries agree and conclude that media logic was a prominent and "even dominant" characteristic of election coverage.

9. Conclusion: Towards the Fourth Democratic Wave

Kakabadse et al. (2010: p. 289) position that, to provide balance to existing legislative, executive and judicial structures there is a need for a new democratic organ, that of the "custodiary". The new custodiary organ would ensure that "citizens can be informed in a deliberative manner so that democratic values can be upheld and new values and social policies negotiated" (Kakabadse et al., 2010: p. 289). Kakabadse et al. (2010: p. 289) propose that the new organ, "the custodiary constitutionalises the fourth estate in the Democratic Project".

The Athenian interpretation and enactment of democratic governance and rights was that of direct democracy (government by the people) supported by four distinct organs of governance: legislative (*Ekklesia*), executive (*Boulé*), administrative (*Magistracies*), and judiciary (*Dikasteries*) (Kakabadse et al., 2003) and was based on three essential principles: *isonomia* (equality of law), *isegoria* (free speech), and *sortition* (random selection).

In Athenian democracy, liberty was defined in terms of participation in the "polis" and in the affairs of the state (active participation) (Constant, 1988; Kakabadse et al., 2010). In contrast, in the Roman Republic (*Respublica*) and later in the American "extended republic" (Madison, 2003: p. 17), liberty was construed in terms of rights awarded to citizens by the state (Constant, 1988; Kakabadse & Kakabadse, 2019).

"How this history plays out depends on how societies view inequalities and what kinds of policies and institutions they adopt to measure and transform them" (Piketty, 2014: p. 20, 35). Piketty and Saez (2014: p. 842) argue, "both Marx and Kuznets were wrong". They argue that there exist powerful forces that "push alternatively in the direction of enlarging or shrinking inequality" (Piketty

& Saez (2014: pp. 842-843). Thus, according to Piketty and Saez (2014: p. 842) which force dominates “depends on the institutions and policies that societies choose to adopt”.

The “new civic culture” of advanced industrial democracies is thus fundamentally different from the cultural models of the past (Dalton, 2017: p. 391). Schlesinger (1997) positioned that when the dominant liberal agenda exhausts itself, or when its unintended consequences become too manifest to bear any longer, the body politic moves on, looking for an alternative.

In order to reverse the democratic deficit and thus enable the fourth democratic wave, the concentration of ownership surrounding information requires urgent attention. The Media Reform Coalition (MRC) (2019: p. 1) raises concerns: “what does it mean to have free media when the nation’s (e.g. UK) social media platforms... are owned by a handful of giant corporations?” Diminishing levels of trust in journalism and political actors, and the attention given to fake news emphasizes the necessity to challenge concentrated ownership. MRC (2019) reported that the UK market is overwhelmed by News UK and DMG Media, responsible for over 60% of print sales. Furthermore, five publishers deliver 80% of “aggregated online and offline reach” (MRC, 2019).

In a similar vein, the platforms and intermediaries with global reach shape the mindset of those who access media content and one indication of their dominance is their global revenue: Apple—£203 billion; Amazon—£178 billion; and Alphabet/Google—£996 billion (MRC, 2019).

From the top/down, Lukes’ (1974) shaping of intellectual and emotional orientations and identity is only part of the story. The bottom up, local, contextual, and community involvement in the unbiased reporting of community consensus is equally important to address. The Aspen Institute white paper (Cochran, 2010) forcibly argues for greater acknowledgement and representation for local news under the strapline, “more local, more inclusive, more interactive”. The case in support of independently positioned public service media is strongly advocated (Cochran, 2010). The emergent incompatibility between strengthening and communicating local content against recommending structures which “break down barriers between television and radio” (Cochran, 2010: p. 42), and for “structures to consolidate and merge” (Cochran, 2010: p. 46), raises distinct questions concerning the current and future independence of information content.

Thus, the task of the custodiary is to gauge at national and local levels when independence protocols are being breached. The functions of this entity would range from offering advice to enforcing compliance, with the capacity to introduce legislation to disentwine the large media and information entities so that a balance of perspective predominates. Within its remit would be financial support to attract start-up media and information entities that would deliver this contrast of views in order to inform the nation and its array of communities of the variance of interpretations surrounding particular themes.

Not until a custodiary function is institutionalized will other reforms have any

impact on reversing the democratic deficit, particularly in addressing inequality.

Income and wealth transfer to facilitate an equitable increase in purchasing power/disposable income (e.g. progressive taxation) to those less well-off will remain an “obsession” of those labelled as leftist extremists (Joumard et al., 2012). Piketty (2014) suggests instituting a modest 2% tax on personal fortunes greater than \$5 million and to tax financial transactions and progressively tax inheritance, property, and income. These require financial transparency of all significant assets and in particular international coordination to block capital flight, especially by multinationals and high-tech firms.

Unless the custodiary is in place, the dispersal of ownership of the media and information conglomerates will remain opaque. Worse still, by remaining unchallenged, these entities will assume it is their right to determine the shape and slant of information on behalf of communities. The disproportionate power of corporations and the very wealthy on market and political systems and information content and flow requires enforcement of antitrust laws to undermine the dominance of the few firms in critical sectors, such as pharmaceuticals, media, and tech platforms, and, in order to do so, the establishment of an institution that can independently investigate and regulate and in turn be held to account by the legislative. Information control ultimately needs to be deemed a public right.

Populating the custodiary could be realized through the ancient Athenian practice of sortition, which has been used in certain countries such as the USA and the UK in the selection of juries. Citizens’ Assemblies have been used to provide input to policymakers (e.g. the Irish Constitutional Convention). In 2004, in British Columbia, a randomly selected group of citizens was organized to propose a new electoral system. Three years later, Ontario created the Citizens’ Assembly on Electoral Reform. In 2019, a small German-speaking region of Belgium located in Eupen adopted a Permanent Sortition programme for their upcoming election, the “Ostbelgien Model” (Vandamme, 2019). Their long-term Citizen Council combined with the short-term Citizens’ Assemblies were accepted by Parliament. The point of contention lies in the design of an institution and its allocation of members in order to embed its independence so it can similarly act to safeguard information independence.

Ultimately, institutional mechanisms must have the capacity to “disperse contradictions” of platform ownership (Helberger, 2020: p. 850). Counteracting the shaping of opinions in favour of particular interests, but on the grounds of neutrality and fair and open expression of opinion is only realized through institutionalizing mechanisms and having the courage to do so.

Conflicts of Interest

The authors declare no conflicts of interest regarding the publication of this paper.

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