

University of Groningen

## Shared Standards Versus Competitive Pressures in Journalism

Herzog, Lisa

*Published in:*  
Journal of Applied Philosophy

*DOI:*  
[10.1111/japp.12491](https://doi.org/10.1111/japp.12491)

**IMPORTANT NOTE: You are advised to consult the publisher's version (publisher's PDF) if you wish to cite from it. Please check the document version below.**

*Document Version*  
Publisher's PDF, also known as Version of record

*Publication date:*  
2022

[Link to publication in University of Groningen/UMCG research database](#)

*Citation for published version (APA):*

Herzog, L. (2022). Shared Standards Versus Competitive Pressures in Journalism. *Journal of Applied Philosophy*, 39(4), 393-406. <https://doi.org/10.1111/japp.12491>

### Copyright

Other than for strictly personal use, it is not permitted to download or to forward/distribute the text or part of it without the consent of the author(s) and/or copyright holder(s), unless the work is under an open content license (like Creative Commons).

The publication may also be distributed here under the terms of Article 25fa of the Dutch Copyright Act, indicated by the "Taverne" license. More information can be found on the University of Groningen website: <https://www.rug.nl/library/open-access/self-archiving-pure/taverne-amendment>.

### Take-down policy

If you believe that this document breaches copyright please contact us providing details, and we will remove access to the work immediately and investigate your claim.

*Downloaded from the University of Groningen/UMCG research database (Pure): <http://www.rug.nl/research/portal>. For technical reasons the number of authors shown on this cover page is limited to 10 maximum.*

## **Shared Standards versus Competitive Pressures in Journalism**

---

**LISA HERZOG**

**ABSTRACT** *Democratic societies need media that uphold journalistic standards of truthfulness and objectivity. But sensationalism has always been a temptation for journalists, and given the intense competition between news outlets, especially in the online world, there is pressure on them to ‘chase the clicks’. The article analyzes the incentive structures for journalists – focusing on the harmfulness of sensationalist framing as an example – and the challenges of establishing shared standards in a highly competitive online environment. Drawing on concepts and arguments from business ethics, it argues that the structure of this problem points to the need for an ‘ethics of sportsmanship’ that upholds journalistic standards despite competitive pressures. But the specific role and nature of the media imply that there can be no once-and-for-all solution. Instead, there is a need for reflexivity, that is, for an ongoing dialogue about journalistic standards and the role of media in democratic societies.*

### **1. Introduction**

Sensationalist headlines have been part of journalism ever since it came into existence. And yet it seems that in today’s online environment, the struggle for attention has intensified. Most business models for online news rely on attracting and retaining large audiences in order to sell advertisements. ‘Chasing the clicks’ has become an imperative for journalists, which stands in obvious tension to the objectivity and measured tone that one would expect from high-quality reporting. How should journalists behave in this situation? How can their responsibility to uphold journalistic standards coexist with the fact that most news outlet operate in such a highly competitive environment?<sup>1</sup>

The ‘ethics of journalism’ has been captured in various codes of conduct, for example, the Code of Ethics of the Society of Professional Journalist.<sup>2</sup> But the competitive nature of journalism, and especially the competitive dynamics of online reporting, have received less attention. I will discuss this problem by focusing on the example of sensationalist headlines. In an online environment, the role of headlines and keywords – e.g. the ones captured in hashtags – is, arguably, even more important than in offline environments. Headlines spread quickly, and they ‘stick’: they can continue to frame political issues even when they have long been shown to be one-sided, distorted, or plainly false. This is harmful for democratic public discourse, which requires a certain degree of precision and nuance.

My arguments build on a schematic account of how competition puts pressure on journalistic standards, for example with regard to the choice of sensationalist framings

(Section 2). Building on this descriptive account, I ask in what ways such framings are harmful, arguing that they create specific forms of collective harm to democratic discourse (Section 3). How can journalists react to this situation? I argue that the challenge can be understood as structurally similar to many problems in business ethics: competitive dynamics that are, in principle, justified create negative externalities along other dimensions. But while many such problems in other industries can be addressed by regulation, this is not a straightforward option with regard to the media: political censorship would not only be unconstitutional in many countries, it would also create high risks of abuse and threaten the media's watchdog function. This does not mean that legal regulation has no role to play – it can, for example, indirectly support journalistic standards – but other factors, such as individual ethics and social norms in the professional community, are also needed. However, such social norms can create their own problems and need to be carefully balanced against the dangers of self-censorship. Ongoing criticism and debates about journalistic standards are needed to deal with these intricate ethical questions (Section 4).

Before delving into the discussion, let me briefly state what I will not discuss. There are many other forms of questionable behavior in the online public sphere, e.g. trolling, vitriolic anonymous commenting, the use of bots, or microtargeted political advertisement. Traditional problems of journalism ethics – e.g. how to report about suicides – take on specific forms in the online world. Last but not least, there are questions about the power of online platforms and their design decisions and business models. Many of these are related, directly or indirectly, to the problem of journalistic standards. Drawing on concepts and arguments from business ethics – a literature that does not seem to have been connected to that on journalism ethics so far – helps understand why the problem is so difficult to address.

## 2. Threats to Journalistic Standards in an Online Environment

Journalism should uphold certain standards – this is a widely agreed-upon premise from which my reflections start. These standards concern various issues: fact-checking reports before publishing them, correcting false claims, not reporting about certain issues, etc. I here focus on one example: the framing of headlines, teasers, and the general tone of reporting. This aspect of journalistic standards is interesting for a number of reasons. The wrongness of sensationalist framing may not be as straightforward as that of, say, reporting fake news, but this is precisely what can make it more tempting, especially for journalists who think of themselves as having high standards. Moreover, the gradual dynamic of shifting standards, and the specific challenges it raises, can be illustrated very well by focusing on this example. Some of the lessons that can be learned from this example can easily be carried over to other aspects of journalistic standards, but for reasons of scope, I will not do so in this article.

What, then, is framing? The way in which political news are presented can vary massively: from sober one-liners to highly sensationalist statements that evoke various kinds of emotions. This phenomenon is called framing; a widely used definition describes it as selecting 'some aspects of a perceived reality and make them more salient in a communicating text, in such a way as to promote a particular problem definition, causal interpretation, moral evaluation, and/or treatment recommendation'.<sup>3</sup> The

way in which different news items are framed 'will influence the schema called upon [by audience members] to process that information'.<sup>4</sup> For example, a famous study showed that different frames of events as instances of 'terrorism' influenced the way in which the audience ascribed responsibility to different actors.<sup>5</sup>

The framing of topics happens, to a great extent, through the choice of headlines, together with teasers and other keywords. And these are, of course, also crucial for attracting the audience's attention. A headline that reads 'TV duel: A and B disagree on immigration policy' may attract readers who are already interested in reading the article; the headline 'TV duel: A rips B apart over selling out the nation' might attract far more readers. Such sensationalist headlines and other attention-seeking strategies target our 'automatic' rather than our 'controlled' attention.<sup>6</sup> They appeal to our emotions and our sense of identity, and they satisfy our desire for outrage and scandal. Hence, while journalistic standards push towards the former version,<sup>7</sup> the pressure to attract a larger audience pushes towards the latter.

In an online environment, the importance of framing is, arguably, even greater than it was when news items were transmitted by other media. Journalists tend to copy one another's ways of framing news, in 'news waves'.<sup>8</sup> This phenomenon predates the online era, but here, the waves can be much faster, and more difficult to control. The framing of news can trigger 'shit storms' in which large numbers of people (and often also bots) attack individuals or organizations, for good or bad reasons. Moreover, once certain formulations, catchphrases, or labels have been published online, it is very difficult, and maybe sometimes impossible, to take them back, so that they may continue to shape debates for a long time.

A second, related phenomenon of the online age is that many individuals read online headlines 'and not much more'.<sup>9</sup> As a recent study from the US states: 'Overall, 4 in 10 Americans report that they delved deeper into a particular news subject beyond the headlines in the last week'<sup>10</sup> – which means that 6 in 10 do not. Evidence also shows that many readers of online news share them on social media without having read the actual articles.<sup>11</sup>

Moreover, in an online environment, the pressure on journalists is enormous. Most commercial news outlets rely on advertisement income, and while there are various ongoing experiments with subscription models and paywalls, they are all 'chasing the clicks'.<sup>12</sup> The fact that search engines and online platforms siphon off a considerable share of advertisement income has increased the pressure on news outlets to retain 'the "right" readers, listeners, and viewers'.<sup>13</sup> While headlines have always been important for media outlets, the online environment has brought about some changes. One concerns measurability: one can now see, in detailed figures, which headlines get most clicks. Many news outlets have started to use the method of 'headline testing': they use several headlines for the same content to see which one gets most clicks, and then they choose the 'winner' for the presentation of the topic. Click figures have become an important way of measuring journalistic success. By presenting the 'most read', 'more liked', or 'most shared' articles on their websites, news outlets further reinforce this quantitative logic, potentially adding a self-fulfilling dynamic.

Journalists are thus faced with the question of how far to go when framing their topics: where on the scale from 'boring but objective' to 'hair-raisingly sensationalist' should they place their pieces? They are not confronted with this question in a vacuum, but in a highly competitive space, in which different agents vie for the audience's

attention – attention is, after all, ‘a zero-sum game’.<sup>14</sup> This leads to a collective-action problem with an interesting structure, which one needs to consider in both its synchronic and its diachronic dimensions.

One might be tempted to see the problem as one of collective harms: harms that do not arise because of single instances – each of which, taken in isolation, may seem harmless and hardly worthy of ethical consideration – but because of their sum. Such collective harms raise complex questions about the individual responsibility for contributions.<sup>15</sup> In areas such as the fights against climate change or global poverty, such ‘new harms’ are ubiquitous.<sup>16</sup> It is certainly correct to say that one sensationalist headline alone is not particularly harmful, but if more and more headlines are sensationalist, then this can become a problem, because there is a summative effect (I say more about what exactly the normative problems consist in below). But there is an additional dimension here, which arises from the interconnectedness of the perception of media headlines. It adds complexity to the normative structure of this problem.

If an audience sees one sensationalist headline among many other nonsensationalist ones, this one headline is likely to attract more attention – and this creates incentives for other journalists to follow suit and to also frame their pieces in more sensationalist ways. Because they compete for audience attention, and because the degree to which they can distinguish themselves by presenting more attractive (i.e. more sensationalist) headlines depends on the overall level, it is difficult for news outlets to resist this pressure. But once all news outlets have gone one pitch down in their framing, as it were, they are again on a level playing field. This means that there are incentives to go even further and to appeal to even lower instincts among audience members. There is thus a self-reinforcing dynamic, with more and more pressure on those outlets that would like to retain a more objective framing.

Such downward spirals and pressures on standards are a typical feature of market competition.<sup>17</sup> They imply that for agents in such markets, there is not only a question of how their own actions contribute, synchronically, to the overall quality at a given point in time, but also a question of how their own actions contribute, diachronically, to these dynamic developments. There is evidence that such self-reinforcing dynamics do indeed exist in media systems<sup>18</sup> and that they exert pressures even on news outlets committed to high journalistic standards.<sup>19</sup> Thus, to consider sensationalist framing and related questions of journalistic standards from a normative perspective, one needs to consider this entire constellation of self-reinforcing dynamics in the media system. In the next section, I discuss what is so problematic about the endpoint of this spiral, i.e. a media system in which sensationalist framing prevails and makes other frames difficult or impossible to maintain.

### 3. The Harms of Sensationalist Framing

Why should one worry about sensationalist framing, and what is normatively at stake? Spitting out one-sided or distorting headlines does not cause the kind of immediate harm that one finds, for example, when a victim of violence has her privacy destroyed by the press. The latter kind of example has specific consequences for specific individuals. Codes of professional ethics, such as the Code of Ethics of the Society of Professional Journalist, offer specific rules and guidance for preventing such forms of harm,

but they remain vague when it comes to less specific, collective issues. Precepts with regard to the latter take forms such as ‘Take special care not to misrepresent or oversimplify in promoting, previewing or summarizing a story’ or ‘Avoid pandering to lurid curiosity, even if others do’.<sup>20</sup> But why should journalists do so? In what follows, I spell out four ways in which sensationalist framing is harmful.

First, such headlines often use, and thereby continue and probably reinforce, tropes and stereotypes that contradict an egalitarian ethos by drawing on sexist, racist, or homophobic prejudices or by dehumanizing those who are perceived as opponents. Such tropes and stereotypes constitute a form of harm: they can lead to biases, e.g. in hiring decisions, or to lower confidence of targeted group because of stereotype threat.<sup>21</sup> As Baker argues, such effects can be understood as negative externalities: they have implications for third parties beyond the transaction between buyers (the audience) and sellers (news outlets).<sup>22</sup> Individuals who are bombarded by headlines that reinforce sexist, racist, or homophobic prejudices are more likely to continue to act on these prejudices in interactions with their fellow citizens. This stands in tension with the egalitarian principles of democracy that forbid discrimination along lines of gender, race, religion, etc. Insofar as they make such discrimination more likely, sensationalist framings are harmful.

Second, sensationalist headlines can overemphasize, and thereby reinforce, the ‘competitive, horse-race aspects of politics’.<sup>23</sup> Headlines about fights between political opponents are likely to generate more clicks than headlines that focus on political compromise and the search for consensual solutions. Seeing this as a problem does not amount to arguing, as some authors in the tradition of ‘civic journalism’ do, that journalists have a civic duty to support the common good.<sup>24</sup> It is sufficient to endorse an imperative not to make political compromise more difficult. Salacious headlines can harm active politicians, but arguably even greater harm is done indirectly, in ways that are impossible to measure: how many competent, civic-minded individuals decide not to enter politics because of the risk that news outlets, and specifically their sensationalist headlines, might damage their reputation? How much democratic participation is hindered by the fear of being attacked by a sensationalist press (and maybe subsequently being exposed to online shitstorms)?

A third form of harm can be formulated in response to an objection. It might be said that we should not be critical of sensationalist framings because at least they manage to get public attention to important topics, e.g. the abuse of political office. Thus, sensationalism is part of the media’s role of holding those in power accountable, this critic might say. One can and should indeed acknowledge that it may sometimes be justified to quickly draw attention to an issue and to use drastic rhetoric for that purpose. ‘Lame’ headlines may not fulfil the media’s watchdog function very well: while they may help preserve objectivity and avoid premature judgments, they may also create a risk that important issues are drowned in the steady stream of other news. Thus, one might imagine that too ‘civilized’ a press would fail to create incentives for politicians and other powerful individuals and organizations to fulfil their role well.

But the problem here is that if everything is a scandal, nothing is. Hypersensationalist media lose the ability to make clear when something truly out-of-the-ordinary happens. Sensationalist framing presents too many news items as worthy of the audience’s sense of outrage. This creates the risk that it becomes impossible to distinguish between what are real scandals and what is just made to appear so in order to get

more clicks from viewers. When the general standards for how to frame items have been pushed down in the self-reinforcing spiral I have described above, then all headlines scream at the top of their voice, metaphorically speaking. This leaves no room for special attention when really extraordinary events take place. The harm done is thus a decrease in the ability of democratic publics to differentiate between the importance of news items.

Fourth, the framing by media outlets is superimposed onto, and potentially distorts, another form of framing that is, arguably, unavoidable and even desirable for democratic politics. One might think that all framing is bad, but this would be too quick a conclusion. To a certain extent, framing is unavoidable – after all, political actors need to articulate issues and present them to voters, thereby inevitably also framing them. As Disch has argued, it is one of the roles of political parties to offer competing frames of political issues.<sup>25</sup> Political parties present ‘issues’ in different ways, and the battle around frames is a constant feature of democratic politics. It allows citizens to think about alternative frames and to evaluate their strengths and weaknesses.<sup>26</sup> To be sure, some such frames may also be problematic from a normative perspective, for example, if they demonize certain groups. But this is a problem of political ethics, which is beyond the scope of this article.

From the perspective of media ethics, what matters is that sensationalist framing by the media superimposes a second layer of framing onto the political framing done by parties. And this framing follows a different logic: market competition instead of party competition. Political parties have to compete for votes, on the basis of ‘one person, one vote’.<sup>27</sup> Media outlets, in contrast, follow a different competitive logic: while they also aim at maximizing their reach, what they want to maximize are profits. And because they make profits through advertisement, there are distortions when customers have differential purchasing power. Groups that have low purchasing power and are thus not interesting from an advertising perspective do not ‘deserve’ coverage, from that perspective. As Baker summarizes his analysis of the economic incentives of media outlets: ‘the media system is biased toward content connected to marketable products and services and is tilted away from content valued by the poor’.<sup>28</sup>

There are, thus, various forms of harm that can arise from sensationalist framing – not to mention the additional harms, often connected with them, that come from the lowering of other dimensions of journalistic standards. It is therefore of great importance to prevent media systems from sliding into competitive spirals in which news outlets ‘chase the clicks’ with greater and greater sensationalism. In the next section, I discuss what could be done to respond to such a dynamic, drawing on literature from business ethics.

#### 4. Upholding Standards in Competitive Contexts

Having sketched the competitive dynamics that push news outlets towards sensationalism, and the harmfulness of the latter, I now turn to the question of what, if anything, can be done to address such a situation. My account is normative, but also descriptive, in the sense that I take it that in those parts of the media system where journalists are able to resist these pressures, it is thanks to some of the elements I describe. I first briefly explain why professional ethics alone is not sufficient and then look at the

limited role that legal regulation can play. I turn to business ethics – and in particular Heath's suggestion of an 'ethics of competition'<sup>29</sup> – to analyze further options, and then I return to a proposal that is also an element of professional ethics, namely the role of social norms. Social norms can play an important role in stabilizing journalistic standards, but there are also drawbacks, such as the problem of self-censorship. In fact, analyzing the ambivalence of social norms can illuminate some current developments in media outlets that aim at upholding journalistic standards.

Let's first consider what insights one can gain from professional ethics. Ideals of professionalism and professional ethics have seen a cautious revival in recent years.<sup>30</sup> These new proposals suggest forms of professionalism that are more transparent and accountable to the public than past forms, and that acknowledge the importance of different forms of knowledge, including lay people's knowledge.<sup>31</sup> Whether or not journalism should be seen as a profession is a notoriously contested issue<sup>32</sup> – one that I will not try to resolve here. Instead, let me draw attention to some differences between typical cases of professional ethics, such as medicine, and journalism.

The paradigmatic constellation to which professional ethics responds is that of an asymmetry of knowledge (or know-how) between lay people and experts, which the latter must not use at the cost of the former. Professional experts have a duty to support the goals of their clients, whether these concern health, legal protection, or spiritual guidance, to name the three classic professions. Many aspects of journalism ethics, in contrast, concern not so much the vulnerability of single individuals, but the responsibility towards society as a whole.<sup>33</sup> The point is not (only) to protect vulnerable lay people, but rather to maintain standards of quality and integrity, to make sure that journalism can fulfil its societal function. Professional ethics is not ideally positioned to respond to this constellation, nor does it provide specific guidance with regard to the competitive pressures I have described above.

A more suitable approach is business ethics, in which the tension between ethical standards and competitive pressures is at the center of many discussions. Many business ethicists agree that market competition as such can be justified under certain conditions, but that it can have harmful consequences if it pushes companies towards violations of ethical standards, e.g. by exploiting employees or polluting the environment. Such forms of behavior often create negative externalities. Both from a perspective of efficiency and from a perspective ethics, the first-best strategy for dealing with them is legal regulation: by making certain options illegal and sanctioning them, the competitive pressures on companies are channeled into other directions.<sup>34</sup> For example, environmental standards are classic tools by help of which regulators can make sure that market competition does not undercut certain environmental norms and thereby harm society.

Would such legal regulation also be a possible strategy for reining in the competitive pressures that push journalists towards sensationalism (or, for that matter, towards other violations of journalistic standards)? Here, one has to tread with great care. In contrast to other industries, the media have to fulfil specific roles in society – especially their watchdog function towards governments – that make all legal regulation potentially suspicious, raising fears of sliding into illegitimate forms of censorship. Such censorship is unconstitutional in many countries, e.g. the United States, where it is a violation of the First Amendment. 'Freedom of the press' is an important principle in democratic countries, and all forms of legal regulation – even when issued with the



best of intentions, to rein in harmful competitive pressures – are therefore potentially problematic.

Does this mean that no legal regulation can be legitimate? Not quite. There are good arguments for banning certain forms of hate speech that hinder the equal participation of all citizens in public discourse.<sup>35</sup> Adjustments might be also possible with regard to defamation laws and the definition of reputational damage. If individuals can sue media outlets for being portrayed in certain ways, this might reduce certain forms of sensationalism (without creating risks for the freedom of the press, as the experiences of countries with stricter defamation laws show<sup>36</sup>). Moreover, there can be indirect legal strategies, for example, regulating the degree of competition in media markets. Theoretically, at least for some media, such as TV and radio, states could lower the intensity of competition by handing out fewer licenses. However, in today's world, the genie of unlimited numbers of channels has been let out of the bottle. And with the internet as a medium, there seems to be no way back to less competitive constellations, at least none that would not appear dangerously close to problematic forms of censorship. Thus, while some legal regulation can be part of an answer, it is unlikely to be sufficient to fully address the problem.

Given this constellation, we can next turn to the question of which individual ethical responsibilities lie with journalists. The question of how individuals should behave in competitive situations has been explored by Joseph Heath in his 'ethics of competition',<sup>37</sup> which is based on the assumption that whenever externalities or other market failures cannot be prevented by legal tools, market participants need to prevent them themselves. This implies, for example, that they should not trick customers into buying products by withholding relevant information or externalize costs by polluting the environment, even when this would go unnoticed. Heath's framework focusses on market efficiency; for the media, this is not the only relevant normative standard. But we can nonetheless draw on his point that individuals should follow the logic of an institution even when 'the referee is not looking'. Heath's metaphor of 'good sportsmanship'<sup>38</sup> seems applicable to journalism as well: there should be an appropriate sense of what a foul consists in, and a commitment not to resort to it.

Such a motivational structure – a willingness to compete, combined with a commitment not to undercut the standards of the practice in question – has long been defended by ethically-minded friends of markets. As Adam Smith wrote in a famous quote:

In the race for wealth, and honours, and preferments, he may run as hard as he can, and strain every nerve and every muscle, in order to outstrip all his competitors. But if he should justle, or throw down any of them, the indulgence of the spectators is entirely at an end. It is a violation of fair play, which they cannot admit of.<sup>39</sup>

Even in one of the most infamous texts of free-market thinking, Milton Friedman's 1970 piece on 'the social responsibility of business' being to 'increase its profits', there is a rarely noticed phrase that holds that businesses should do so 'while conforming to their basic rules of the society, both those embodied in law and those *embodied in ethical custom*'.<sup>40</sup>

Applying this logic to the problem of competitive pressure towards sensationalism (or other forms of lowering journalistic standards) results in a duty of individual

journalists to uphold standards even when there is no legal regulation. Is this a realistic proposal? It seems that without positive reinforcement for ethical behavior, it is a rather shaky strategy. Depending on how strong the competition is, those who do not participate in unethical behavior may simply go out of business – or eventually lower their standards in order to survive. In either way, unethical players will survive, while others will be driven out of the market. It is a complex ethical question to what extent the risk of going out of business might justify forms of behavior that are otherwise not justified. I take it that it cannot be answered without looking at the specific features of particular cases and the concrete implications that different forms of behavior would have.

What can be said, with a sufficient level of generality, is that an ‘ethics of sportsmanship’ creates specific dilemmas and tensions for journalists. One is that there is a constant temptation to lower one’s standards, which makes it difficult to habitualize ethical behavior. Another related problem is that there is a great likelihood of psychological tensions, because one asks oneself, for every decision one makes, whether one might be rationalizing forms of behavior that actually fall below the standards one is committed to. It is all too easy to tell oneself that one is making ‘just one exception’, without considering that by doing so, one also sends a signal to other players to which they might react by also lowering their standards. Thus, an ‘ethics of sportsmanship’, even when not directly driving ethical individuals out of business, is extremely demanding in terms of the psychological toll it takes on individuals in highly competitive systems who try to live up to higher ethical standards.

However, it is not clear that it is necessarily the case that those who uphold ethical standards will be driven out of a system. Whether or not this happens depends on a number of contextual factors that determine towards which equilibrium a system gravitates. In what follows, I will focus in particular on one such contextual factor, namely the existence of social norms.

As sociologists and social philosophers have long emphasized, the desire to stick to social norms, to avoid being censored by one’s fellow human being, and instead to receive their approval, is a powerful motivation, for good or for evil.<sup>41</sup> In recent years, after a long period of relative neglect, there has been increasing interest in social norms among philosophers. For example, Bicchieri has emphasized the importance of social norms for coordinating human behavior, often on an unconscious level, but also the possibility of being collectively trapped in a suboptimal state of affairs because of social norms.<sup>42</sup> As such, social norms have a descriptive (individuals expect that others will follow) and a normative (individuals expect that others should follow) dimension.<sup>43</sup>

It is this role of social norms as coordination device that is also of interest for the current topic: if all journalists follow a social norm not to use sensationalist framings, then there is no danger of a downward spiral. As Hlobil argues, we often do not even consider options that would violate social norms.<sup>44</sup> If such norms are internalized, then it becomes a matter of one’s identity as a journalist that there are certain things that one simply ‘does not do’. This is a point that has long been emphasized in the literature on professional ethics<sup>45</sup> and which can also be integrated into the overall conception of an ‘ethics of sportsmanship’: if one’s peers, the other players, also stick to certain norms, then the game as a whole can take place in an equilibrium in which certain moves are simply ‘off the table’.

However, it is not clear whether social norms among the players alone – to stick to the metaphor – would be sufficient to maintain a stable equilibrium. It also seems crucial that the audience follows the same set of norms: that it does not cheer, but rather boo, when there is a foul that the umpire does not notice. Translated to journalism, this means that readers, listeners, or viewers also need to be susceptible to violations of the norms and sanction them. As Wyatt notes, in an essay on the ‘ethical obligations of news consumers’, ‘we’ – meaning citizens and readers – ‘get the journalism we deserve’.<sup>46</sup> As Benkler and his coauthors show, for those parts of the US media system in which journalistic standards are held up, there is indeed a self-reinforcing dynamic, of which the audience is also part, that stabilizes fact-oriented norms.<sup>47</sup>

Does this mean that once such a system of social norms is in place, everything is well? In parallel to the issues around legal regulation, there are some specific challenges around the role of social norms in the media. Whenever one speaks of ‘social norms’, friends of the freedom of expression are likely to be reminded of John Stuart Mill’s powerful warnings against vigilantism and self-censorship.<sup>48</sup> Negative sanctions, even informal ones such as those used to enforce social norms, can be problematic from that perspective. The Society for Professional Journalism in fact forgoes any ‘quasi-judicial system’ that would punish violations of its code of ethics.<sup>49</sup> Instead, its strategy is to ‘encourage the use of the Society’s Code of Ethics’ and to showcase ‘case studies of jobs well done under trying circumstances’.<sup>50</sup> Positive reinforcement of good practices might seem able to avoid problems of peer censorship, at least at first glance. Moreover, by having experienced colleagues provide evaluations, one can make sure that those who make the judgments have a sufficient sense of the complexities and tensions journalists find themselves in.

But even this strategy can have its pitfalls. For example, the withdrawal of positive approval might, under certain conditions, amount to a form of social sanctioning that individuals might try to avoid by self-censorship. This can happen if certain forms of approval become the rule rather than the exception, making cases in which approval is withheld clearly visible. Moreover, there may be a desire for harmony within the occupational group of journalists, in places where antagonism, and maybe sometimes even certain (nonviolent) forms of aggression, may be needed for journalism to fulfil its role. Each professional community probably has its stories about unpopular outsiders who were long ridiculed or even ousted, but who then turned out to be right – journalism seems to have many and seems to need such people very much!

We thus face a dilemma. On the one hand, social norms are important in order to counteract the competitive pressures to slide into sensationalism (or to violate journalistic standards in other ways). On the other hand, social norms can foster conformism and self-censorship, which make it impossible to fulfil all the roles that the media have in a democracy.

This constellation is one for which no stable, one-size-fits-all solution can be found. The adjustment of the right point between social norms that are too weak or too strong, and the application of these norms to new phenomena, are challenges that require constant adaptations and ongoing debates: about the ethical standards for journalistic framing that democratic societies need, about the changes in the incentive structures that technological developments bring, about the appropriateness of peer approval, about the psychological dilemmas that journalists experience, and about appropriate ways of responding to them. Socially established practices must remain

open to criticism, which, however, also means that they remain vulnerable to those who want to undermine them with insincere intentions or who want to put pressure on others to self-censor.

I have postulated the existence of such metadebates as a logical consequence of the ambiguous role of social norms as an element of media ethics. But we can also easily find examples of such debates in reality, especially among those journalists who try to uphold high standards in the face of intense competition from outlets that do not. For example, in summer 2020, Bari Weiss, a columnist of *The New York Times*, stepped down from her post and accused her former colleagues of ‘bullying’, claiming that she had witnessed various cases of self-censorship.<sup>51</sup> Her critics, however, held that Weiss had repeatedly violated norms that they considered important to uphold, beleaguered as they were (or felt) by an unscrupulous right-wing press.<sup>52</sup>

I cannot adjudicate this particular case here. My point is merely that these are exactly the kinds of controversies we should expect, given the tension between the need to uphold certain social norms and the risks of conformity and self-censorship. Such metadebates may seem onerous or even a detraction from the actual roles that journalists are supposed to fulfil. But given the complex ethical landscape within which they have to operate – and of which I have here discussed only one dimension – it seems unavoidable to have such debates. Understanding them as an unavoidable consequence of the fact that there is both a need for strong social norms and a risk that strong social norms lead to self-censorship might help to see them as a normal part of the process. This could maybe contribute to conducting them in a more sober, less vitriolic way.

## 5. Conclusion

In this article, I have discussed the challenges for upholding journalistic norms in a competitive environment, focusing on the framing of issues and the avoidance of sensationalism. I have explored why this issue has gained weight in the era of online communication and analyzed the incentive structures for journalists and the ways in which sensationalism causes harm. I have argued that it is a kind of collective harm that need to be avoid by journalists, collectively, sticking to certain social norms, as parts of an ‘ethics of sportsmanship’. And yet, if such social norms become too strict, this in turn creates risks, making constant metareflection unavoidable from an ethical perspective.

In the introduction of his edited volume on journalism ethics, Meyers emphasizes, time and again, that journalistic ethics is ‘hard work’.<sup>53</sup> Part of what makes it so hard, according to the arguments I have presented in this article, is the challenge of maintaining standards under competitive pressures. In online environments, in which the competition for attention is maybe fiercer than ever, and in which trolls and bots play their dirty games, finding the right tone for headlines and framing political issues in appropriate ways is a key task for journalists. While more could be done to support them through appropriate laws and regulations, such steps can only go so far, because the media also need to have the freedom to fulfil their watchdog function, and competition is needed to enable the expression of a pluralism of worldviews. Finding this delicate balance, again and again, is indeed ‘hard work’, but it is work that needs to be done by journalists in democratic societies.

Lisa Herzog, Faculty of Philosophy, University of Groningen, Groningen, The Netherlands.  
l.m.herzog@rug.nl

## Acknowledgements

I would like to thank the organizers and audience members of the workshop ‘Debating Media Accountability’ at the University of Leiden in 2019, as well as two reviewers, for valuable comments and feedback.

## NOTES

- 1 My focus is on journalists with morally legitimate intentions – in contrast to, say, bloggers who are paid to drag someone through the mire or programmers of social bots that serve as ‘loudspeakers’ for fake news. I take it that there is a considerable number of journalists who have high professional standards but struggle to live up to them in today’s media landscape.
- 2 See e.g. Society of Professional Journalists. 2014. “SPJ Code of Ethics.” <https://www.spj.org/ethicscode.asp>. Accessed 4 August 2020.
- 3 Entman, Robert. 2006. “Framing: Toward Clarification of a Fractured Paradigm.” *Journal of Communication* 43(4): 51–8, p. 52; quoted in van der Pas, Daphne. 2014. “Making Hay While the Sun Shines: Do Parties Only Respond to Media Attention When the Framing Is Right?” *The International Journal of Press/Politics* 19(1): 42–65, p. 45. I follow those researchers in communication science who use the term ‘frame’ to refer to the how, rather than the what, of media presentation, e.g. Scheufele, Dietram. 1999. “Framing as a Theory of Media Effects.” *Journal of Communication* 49(Winter): 103–22; see also Cacciatore, Michael A., Dietram Scheufele, and Shanto Iyengar. 2016. “The End of Framing as We Know It ... and the Future of Media Effects.” *Mass Communication and Society* 19: 7–23.
- 4 Cacciatore *et al.*, op. cit., p. 11.
- 5 Iyengar, Shanto. 1987. “Television News and Citizens’ Explanations of National Affairs.” *American Political Science Review* 81: 815–31.
- 6 Wu, Tim. 2016. *The Attention Merchants. The Epic Struggle to Get Inside Our Heads*. New York: Alfred A. Knopf, p. 328, referring to Posner, Michael I., and Charles R. Snyder. 1975. “Attention and Cognitive Control.” In *Information Processing and Cognition: The Loyola Symposium*, edited by R. L. Solso, 55–82. Hillsdale, NJ: Lawrence Erlbaum Associates.
- 7 As one commentator puts it in a recent piece about journalism ethics: ‘Journalists still wield an amazing amount of power over the national conversation [...]. As a result, the words and terms used in published and broadcast work are important. [...] Journalist[s] must be conscious about how the words they use will be read, used and — possibly — weaponized.’ Seaman, Andrew. 2018. “10 Lessons in Journalism Ethics.” <https://www.quillmag.com/2018/09/30/10-lessons-in-journalism-ethics/>. Accessed 4 August 2020.
- 8 Scheufele op. cit., p. 117, referring to earlier work by Fishman, Mark. 1977. “Crime Waves as Ideology.” *Social Problems* 1: 531–43, and Fishman, Mark. 1980. *Manufacturing the News*. Austin, TX: University of Texas Press.
- 9 Cillizza, Chris. 2014. “Americans Read Headlines. And Not Much Else.” *The Washington Post*, March 19, 2014. [https://www.washingtonpost.com/news/the-fix/wp/2014/03/19/americans-read-headlines-and-not-much-else/?noredirect=on&utm\\_term=.3369aa0a69e3](https://www.washingtonpost.com/news/the-fix/wp/2014/03/19/americans-read-headlines-and-not-much-else/?noredirect=on&utm_term=.3369aa0a69e3). Accessed 4 August 2020.
- 10 American Press Institute. 2014. “How Americans Get Their News.” <https://www.americanpressinstitute.org/publications/reports/survey-research/how-americans-get-news/>. Accessed 4 August 2020.
- 11 This was demonstrated by a satirical webpage that posted a headline saying ‘Study: 70% of Facebook users only read the headline of science stories before commenting’, followed by one paragraph of normal text and then blocks of ‘lorem ipsum’ text, which was shared by nearly 46,000 people. Dewey, Caitlin. 2016. “6 in 10 of You Will Share this Link Without Reading It, a New, Depressing Study Says.” *The Washington Post*, June 16, 2016. <https://www.washingtonpost.com/news/the-intersect/wp/2016/06/16/six->

- in-10-of-you-will-share-this-link-without-reading-it-according-to-a-new-and-depressing-study/?utm\_term=.dcf8b2188db8. Accessed 4 August 2020.
- 12 On the economic problems of newspapers in the online age, see e.g. Edmonds, Rick. 2010. "The Decline of the News Business." In *Journalism Ethics. A Philosophical Approach*, edited by Christoph Meyers, 185–96. New York: Oxford University Press.
  - 13 Richards, Ian. 2010. "Journalism's Tangled Web: Business, Ethics, and Professional Practice." In *Journalism Ethics. A Philosophical Approach*, edited by Christoph Meyers, 171–84. New York: Oxford University Press, p. 173.
  - 14 Wu op. cit., p. 534.
  - 15 For discussions, see e.g. Parfit, Derek. 1986. *Reasons and Persons*. Oxford: Oxford University Press, pp. 70–82; Kagan, Shelly. 2011. "Do I Make a Difference?" *Philosophy & Public Affairs* 39(2): 105–41; Nefsky, Julia. 2012. "Consequentialism and the Problem of Collective Harm: A Reply to Kagan." *Philosophy & Public Affairs* 39(4): 364–95.
  - 16 Lichtenberg, Judith. 2010. "Negative Duties, Positive Duties, and the "New Harms"." *Ethics* 120(3): 557–78.
  - 17 See e.g. recently Kuch, Hannes. 2019. "The Market, Competition, and Structural Exploitation." *Constellations*, Online First. <https://doi.org/10.1111/1467-8675.12443>; he draws on work on the erosion of norms as described in Herzog, Lisa. 2020. "Lying, Misleading, and the Argument from Cultural Slopes." *Res Publica*, Online First. <https://link.springer.com/article/10.1007/s11158-020-09462-4>.
  - 18 Benkler, Yochai, Robert Faris, and Hal Roberts. 2018. *Network Propaganda: Manipulation, Disinformation, and Radicalization in American Politics*. New York: Oxford University Press describe what they call a 'propaganda feedback loop' in the right-wing part of the American media system (especially Chapter 3); it contains not only sensationalist framing (especially in the form of 'identity confirmation') but also inattention to facts and other features. As they describe it, this loop contains not only the media but also members of the audience, a point to which I come back to below.
  - 19 See Benkler *et al.*, op. cit., Chapter 6, on the pressures on 'established' media outlets vis-à-vis fake news and sensationalism.
  - 20 Society of Professional Journalists op. cit.
  - 21 On biases in hiring, see e.g. Moss-Racusin, Corinne A., John F. Dovidio, Victoria L. Brescoll, Mark J. Graham, and Jo Handelsman. 2012. "Science Faculty's Subtle Gender Biases Favor Male Students." *PNAS* 109(41): 16474–79. On implicit bias, from a philosophical perspective, see recently Madva, Alex, and Erin Beeghly (Eds). 2020. *An Introduction to Implicit Bias: Knowledge, Justice, and the Social Mind*. New York: Routledge. On stereotype threat, see e.g. Goguen, Stacey. 2016. "Stereotype Threat, Epistemic Injustice, and Rationality." In *Implicit Bias and Philosophy*, edited by Michael Brownstein and Jennifer Saul, 216–37. Oxford: Oxford University Press. An overview of the harmful effects of gender stereotypes in the labor market can be found in Bohnet, Iris. 2016. *What Works? Gender Equality by Design*. Harvard, MA: Harvard University Press.
  - 22 Baker, Edwin C. 2002. *Media, Markets, and Democracy*. Cambridge: Cambridge University Press, Chapter 3.
  - 23 Baker op. cit., p. 268, referring to work by Fallows, James. 1996. *Breaking the News*. New York: Pantheon Books.
  - 24 For a discussion, see Baker op. cit., p. 2028.
  - 25 Disch, Lisa. 2011. "Toward a Mobilization Conception of Democratic Representation." *American Political Science Review* 105(1): 100–14, pp. 102–3; she draws on work by Druckman, James. 2001. (esp. his "The Implications of Framing Effects for Citizen Competence." *Political Behavior* 23(3): 225–56).
  - 26 Disch op. cit., p. 103.
  - 27 The fact that in some nominally democratic countries politicians compete mostly for the money of donors is a pathological distortion of the democratic ideal, not a counterargument to this point.
  - 28 Baker op. cit., pp. 380–81. The lack of media coverage of issues that concern minorities is another deplorable result of this distortion (ibid.). However, it concerns the *what*, not the *how*, of reporting, so I here do not focus on it.
  - 29 Heath, Joseph. 2006. "Business Ethics Without Stakeholders." *Business Ethics Quarterly* 16(4): 533–57, and Heath, Joseph. 2014. *Morality, Competition, and the Firm: The Market Failures Approach to Business Ethics*. New York: Oxford University Press.
  - 30 See in particular Dzur, Albert W. 2008. *Democratic Professionalism. Citizen Participation and the Reconstruction of Professional Ethics, Identity, and Practice*. University Park, TX: The Pennsylvania State University

- Press and Sullivan, William M. 2005. *Work and Integrity. The Crisis and Promise of Professionalism in America*. San Francisco, CA: Jossey-Bass.
- 31 See also Moore, Alfred. 2017. *Critical Elitism. Deliberation, Democracy and the Problem of Expertise*. Cambridge: Cambridge University Press.
- 32 See e.g. Shudson, Michael. 2013. "Reluctant Stewards: Journalism in a Democratic Society." *Daedalus, the Journal of the American Academy of Arts & Sciences* 142(2): 159–76; Elliot, Deni, and David Ozar. 2010. "An Explanation and a Method for the Ethics of Journalism." In *Journalism Ethics. A Philosophical Approach*, edited by Christoph Meyers, 9–24. New York: Oxford University Press; Davis, Michael. 2010. "Why Journalism Is a Profession." In *Journalism Ethics. A Philosophical Approach*, edited by Christoph Meyers, 91–102. New York: Oxford University Press.
- 33 See also Elliott and Ozar op. cit., p. 11.
- 34 This has been suggested, for example, by Pies, Ingo. 2016. (e.g. in "Taking or Locating Responsibility? – An Ordonomic Perspective." *ZfWU* 17(1): 148–53).
- 35 See e.g. Brison, Susan J. 1998. "The Autonomy Defense of Free Speech." *Ethics* 108: 312–39; Gelber, Katharine. 2010. "Freedom of Political Speech, Hate Speech and the Argument from Democracy: The Transformative Contribution of Capabilities Theory." *Contemporary Political Theory* 9(3): 304–24.
- 36 The 'Press Freedom Index' published by *Reporter without Borders* lists a number of European countries at the top of the 2020 ranking that have far stricter defamation laws than, say, the United States (rank 45) with its notoriously weak protection against libel or defamation. The three top countries are Norway, Finland, and Denmark – in them, defamation is either a crime or can be pursued by through civil lawsuits.
- 37 See fn. 29 above.
- 38 See e.g. Heath op. cit., p. 552.
- 39 Smith, Adam. 1776 [1776]. *An Inquiry into the Nature and Causes of the Wealth of Nations*, edited by R. H. Campbell and A. S. Skinner; W. B. Todd (textual ed.). Oxford: Clarendon Press; New York: Oxford University Press, II.II.2.1.
- 40 Friedman, Milton. 1970. "The Social Responsibility of Business Is to Increase Its Profits." *The New York Times Magazine*, September 13, 1970 emphasis added.
- 41 For a general account of social norms see e.g. Elster, Jon. 1999. "Norms." In *The Oxford Handbook of Analytical Sociology*, edited by P. Hedström and P. Bearman, 195–217. Oxford: Oxford University Press. On recognition see e.g. Honneth, Axel. 1992. *The Struggle for Recognition: The Moral Grammar of Social Conflicts*. Cambridge, MA: MIT Press.
- 42 Bicchieri, Cristina. 2017. *Norms in the Wild: How to Diagnose, Measure, and Change Social Norms*. New York: Oxford University Press.
- 43 Bicchieri op. cit., pp. 30–5.
- 44 Hlobil, Ulf. 2016. "Social Norms and Unthinkable Options." *Synthese* 193(8): 2519–37.
- 45 See e.g. Parsons' notion of 'integrated situations', in Parsons, Talcott. 1939. "The Professions and Social Structure." Reprinted in: *Essays in Sociological Theory*. New York: The Free Press, pp. 34–49. For a recent application to competitive situations see Herzog, Lisa. 2019. "Professional Ethics in Banking and the Logic of "Integrated Situations": Aligning Responsibilities, Recognition, and Incentives." *Journal of Business Ethics* 156(2): 531–43.
- 46 Wyatt, Wendy N. 2010. "The Ethical Obligations of News Consumers." In *Journalism Ethics. A Philosophical Approach*, edited by Christopher Meyers, 283–300. New York: Oxford University Press, p. 293.
- 47 Benkler et al., op. cit., esp. Chapter 2.
- 48 Mill, John Stuart. 1859. *On Liberty*. London: John W. Parker & Son, Chapter 2.
- 49 Society of Professional Journalists op. cit.
- 50 Ibid.
- 51 <https://www.bariweiss.com/resignation-letter>. Accessed 4 August 2020.
- 52 See e.g. Peretz, Evgenia. 2019. "Mad about Bari Weiss: The New York Times Provocateur the Left Loves to Hate." *Vanity Fair*, April 24, 2019. <https://www.vanityfair.com/news/2019/04/bari-weiss-the-new-yorktimes-provocateur>. Accessed 4 August 2020.
- 53 Meyers, Christopher (Ed.). 2010. *Journalism Ethics. A Philosophical Approach*. New York: Oxford University Press, e.g. at p. lx.