Publication in a free society: the problem of accountability

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Is there a crisis of accountability?

Whether or not we are truly experiencing a communications revolution or entering a new 'information age', there are certainly major changes under way that are disturbing settled institutions of the press and media. We have also entered a period in which the mass media of press, television and radio and other means of communication are becoming more central and more important to the political, economic and cultural life of societies. In some respects, they can be thought of as actually more powerful. These 'older' media are also being joined by a range of newer media, especially the internet, that share the same functions and offer new ones, without yet finding a place within the systems of formal and informal regulation of media in society.

There has been increasing criticism in many countries about the failings of contemporary mass media, even if the evidence for any general and new state of true *crisis* is not fully convincing. The changes referred to do at least raise urgent issues of accountability as between modern mass media and society. They are related to four main media trends that have become familiar, especially: *globalization*; *commercialisation*; the *increased scale and abundance of media*; and *increasing concentration or conglomeration*. The potential problems encountered can be expressed in terms of the following propositions, stemming from these trends.

• An ever more narrowly defined 'core' of the media industry is increasing its power to control the gates of publication, which is governed by essentially commercial assessments of gains and risks. There is a growing absence of responsibility for wider matters of social and cultural concern.

• Global media concentration has increased the impersonality of publication decisions and the 'remoteness' of media at their sources from actual societies and

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communities at the receiving end. Truly global media have no obligation to serve any wider public good.

• Media culture is increasingly dominated by adulation of popular success in quantitative and market terms, threatening the integrity of minority media cultural forms. Increasingly conscienceless media have become willing to victimize individuals for profit, in respect of their privacy, reputation or innocence.

• Private accountability of media to shareholders replaces public accountability, whether to audiences, government or 'society' at large. For the most part only rare cases of individual and demonstrable harm provide any basis for actionable claims against media. Larger issues of long term and moral responsibility cannot be handled by the available means of accountability.

• The journalistic core of major media is in relative decline, thus limiting the development of the 'press' as a self-regulating and professional institution, voluntarily accountable to the audience and the wider society.

• The conditions of the media market environment in which the 'new media', especially the Internet, are being introduced largely eliminate their potential in terms of access, alternative voices and participatory communication. Self-regulation cannot develop beyond crude forms in situations where 'authorship' is obscure and or where media are complex multiple carriers rather than publishers in the traditional sense with a face and clear presence.

This list of grievances is discouragingly long and holds out little hope that the media will become more responsible or accountable by their own volition or through outside pressure. The signalled failings and deficits stem from enduring circumstances that are largely and literally 'beyond control', although not necessarily 'out of control'. Although there are also positive features of media developments, there is a prima facie case for believing that they reflect a general breakdown of the relations of accountability between media and society.

Presented like this, the problem posed has many dimensions and many possible causes. It can be interpreted in different ways, each leading in a different analytic direction. One formulation of the problem is to question the feasibility of any effective regulation of mass media in a free society. Media systems that are so extensive, so complex and operate with such speed that their very architecture defies control, especially when they no longer operate exclusively within national frontiers. Secondly, we can interpret the situation as one of increasing *normlessness* in which media organisations pursue profits in expanding markets and have little time for standards of professional conduct or standards of morality, especially when their normlessness may be increasingly shard by the audience. A third way of defining the problem is to focus on the absence or persistent failure of accountability mechanisms, arising not from practical difficulties but because of the apparent impossibility of reconciling freedom of expression with measures that could legitimately call the media to account for a range of public responsibilities. The media typically resist external accountability both

on the ground of its conflict with their right of freedom of expression and also because it might interfere with economic freedom and commercial decisions. Viewed from this perspective, all potential means for restoring accountability seem likely to be either ineffective or delegitimised in a free society.

Although each of these lines of argument is relevant, I will be especially concerned with the third view and will challenge the assumption that freedom is necessarily inconsistent with accountability. I also have to acknowledge at the outset that until now the body of normative theory of the media (or social theory of the press) has failed to make much progress in providing any adequate framework for reconciling the two goals of freedom and accountability. This is a failure of traditional political and social science as well as of the new 'communication science'. Theories of democracy seem unable to provide any coherent account of the necessary role of press in the political process and theory of journalism seems also incapable of providing what is missing. Social theory more generally does not seem able to make sense of the fact that freedom for publication in contemporary society is inevitably very restricted because of inequalities of access and other pressures to conform. The failures of theory stem partly from the fact the issues at stake to fall on the boundaries of several disciplines and are consequently neglected. But they also stem from the highly contested nature of the issue of freedom of publication in a free society and the unwillingness of the interested parties (especially politicians and the press) to concede any ground to any other party, even theoretically. We are not dealing with a purely academic or theoretical issue, but one where power and interest are at stake. Nevertheless, there is much that can and needs to be done to develop a more adequate body of theory and my lecture is intended as a contribution to this task.

Normative media theory has allowed the debate to be narrowed down to a choice between freedom of the media market on the one hand and control or censorship by the state in one form or another on the other, as if greater accountability can only be achieved by sacrificing more freedom. This ignores the complexities of what freedom means in media publication, the inevitability of constraint in public communication and the diversity of means by which the interests of 'society', as variously manifested, can be identified, expressed and achieved, without violating the essence of freedom of expression. It also ignores the many responsibilities that are actually and properly entailed in the exercise of freedom by public media. In my talk I can do little more than point out the pathways that might be followed in search of solutions.

On being published

P*ublication* has to be differentiated from 'non-public' processes of personal communication, although the line between the two is not always clear. It certainly involves crossing a border that cannot be re-crossed (publication cannot be undone). It usually implies a degree of completion and decisiveness that makes it different from private reflections, provisional ideas, drafts, etc. It produces a new kind of 'text', one that will circulate

independently of the author and have a life of its own. It often involves making a statement or declaration, which can be expected to provoke a reaction. If it receives attention, it can also be expected to have some short or long term effects, some of which may be unintended and or unpredictable.

An essential aspect of being published is that it involves the identification of the author, or an equivalent agent. Without this, a communication is neither fully public (because an important aspect is concealed) nor is accountability possible, except by holding a 'gatekeeper' (publisher) liable, which is only variably justifiable. Although there are some shared features of all kinds of media publication, there are also significant differences between types of authors, types of texts, types of media (in socio-technical terms) that lead to quite large differences of meaning of 'publication'. The title of my talk implies that 'acts of publication' are more or less of the same kind, but in fact there is an enormous range of variation in scale, type and potential impact of media publication. The massive, industrialised production and distribution processes of modern media firms have also little in common, historically, with the early days of printing, when ideas of freedom or expression and the press were formulated.

The point of these remarks is to underline the possibility and necessity of differentiating more clearly within the range of forms of publication that are now available, since different types of publication carry very different degrees and kinds of responsibility and accountability, just as they involve very different kinds of communicative power.

The contested idea of media responsibility

The view that mass media, broadly defined, have some obligation to serve the society in which they operate is certainly contestable, since there are always different and opposed versions of the public good. It may be true that the media make a necessary contribution to the working of a modern social system, including many basic and sensitive social and political processes. Necessity, if nothing else, brings with it an obligation. Moreover, the operation of media brings with it consequences for individuals and society for which the media cannot evade responsibility. But the alternative view that true freedom of expression and publication (of the press in all its forms) implies a ultimate lack of *obligation* to meet any outside claim can also be strongly argued, especially where a claim is made in the name of the society or state and therefore backed by force as well as authority. However well-intentioned, all attempts to impose responsibilities and require accountability can become instruments that lead to suppression of free speech and ultimately oppression. Such attempts also distort the working of the 'free market place of ideas' that has been widely seen as the best guarantee of both truth and freedom (Lichtenberg, 1990).

We need not be paralysed by this irreconcilable opposition and there are, of course, possibilities for steering between the conflicting positions.

In the light of the remarks made above, we can say that all forms of publication by way of mass media have a public character and a public role, whether chosen or not.

The media do not operate in a normative vacuum, but are buffeted by strong and often conflicting currents of obligation, whether internally and autonomously chosen or stemming from their external environment. There are numerous sources of normative impulses and valid grounds for public expectations of service. Most generally, ideas of what contemporary mass media owe to society are rooted in the history of democratic institutions, especially in the western liberal tradition that has freedom of expression as its foundation stone. Democratic political theory posits that the self-government of states by its people will require the free circulation of information and ideas relevant to the issues on which collective decisions have to be made (see Keane, 1991; Schultz, 1998). The positive duties of the press in this respect can be supported by reference to a positive rather than a negative version of freedom. In practice this represents a basic choice between a libertarian view (the free marketplace of ideas) and some form of social control designed to secure fairness and diversity in the face of market tendencies to concentration and exclusion (a 'democratic' view). There are also differences within the libertarian camp according to whether freedom is an absolute value (the deontological view), or a means to certain ends (Schauer, 1982). Equally, within the 'democratic' camp there is also a wide range of views about the degree and kind of restrictions that can be tolerated and about the means for implementing the 'will of the people'. Intervention can be 'statist' and backed by law, or it can take the form of social pressure and small-scale and grass root initiatives.

What responsibilities do media have?

This question is intended to uncover the *content* of possible obligations in general terms. The *issues* on which the media might be called to account can be considered as having a more private or more public character, as shown below. But there is another dimension, which relates to their positive or negative character. The media are expected both to provide certain benefits for society, and also to avoid various kinds of harm, that are not always the reverse of the benefits. It is these public and collective issues according to which media may be called to account that are most relevant here. These can be summarised as follows.

- To maintain order and security
- To respect public mores
- To advance cultural quality
- To serve needs of government and the justice system
- To provide "Public Sphere" benefits
- To uphold human rights and international obligations

On the whole, the issue here is one of responsible use of the power of publicity held by the media. The main issues of a more private nature where accountability is likely to arise mainly concern meeting the needs of audiences and clients as well as compli-

ance with the law in respect of individual rights and interests in matters of property or reputation. Harm to individuals can be caused in a number of ways, for instance by reports that lead to their being vilified or targeted, or where individuals are provoked to attack others under some media influence. Invasion of privacy and lack of respect are also matters of potential accountability. Finally there are a number of specific issues of media conduct and performance where media may be called to account, without their being any victim, for instance concerning the protection of sources, the means used to obtain to secure confidential information, breaches of confidence, etc.

Relations of accountability

The media are often impelled to meet a number of the obligations mentioned for reasons that are often simply expedient and circumstantial. They are typically beholden to a range of potential *claimants* that can call them to account for acts and omissions, according to diverse expectations and on a more or less continuous basis.

The operating environment of all media is occupied by a set of actors and agencies with some power of constraint or potential for influence on the media. Although the 'power of the media' is often stressed, they are themselves also at the receiving end of power and influence. In general they owe responsibility, with some entailed accountability, to the following: their owners; those sources to whom they have contractual ties or other obligations (including as advertisers, but also authors, performers, etc.); relevant regulators and legal authorities (in the end governments); society (as expressed in public opinion, but also as embodied in social institutions); all those whose rights and interests are affected by the media; those to whom promises of service have been made (which often includes their audiences). The situation described is sketched in Figure 1.
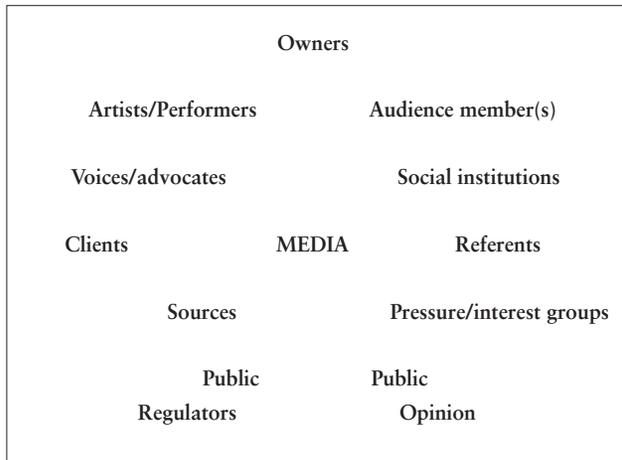

Figure 1. External lines of media accountability

The linkages represented are often interactive, reflecting a mutual state of dependence. In fact, there are many pulls and pushes involved that do not all work in the same direction and may cancel each other out. These are relationships that entail some forms of accountability. The 'lines' of accountability can have different strength and direction in different cases. Most direct influence, and therefore the strongest claims to accountability, is likely to come from those on whom the media depend on most directly for their continued operation. This varies according to the medium but all media may depend on their audiences, sooner or later and private media have to respond to their owners, shareholders and major clients. All must also obey the law.

More accountability, less freedom?

At this point I need to clarify the meaning of terms that have already been freely used, especially the terms 'responsibility' and 'accountability'. The two key words are often used interchangeably and defined in terms of each other, with common core idea of 'answering' for something and to someone. But there is an important difference. The key to this difference has been succinctly put by Hodges (1986: 14) as follows: 'The issue of responsibility is as follows: how might society call on journalists to account for their performance of the responsibility given to them. Responsibility has to do with defining proper conduct, accountability with compelling it'. This statement makes it clear that responsibilities principally refer to prior or established obligations (of various kinds, origins and strength) and accountability to a subsequent process of measuring performance against the standard stated or implied in the 'obligation'. Although clear enough, the statement also opens up several other issues, most centrally the extent to which journalists have any binding obligation, which the quotation implies. The notion of 'compulsion' also sits uneasily with the notions of press freedom and journalistic professionalism.

This takes us to the core of the problem of accountability, which is the apparent inverse correlation between freedom and accountability. The contradiction seems especially marked in the context of publication, where the principle of freedom of speech rules out censorship or punishment for speech, except under a limited number of circumstances. This is not just a theoretical issue, since virtually all modern efforts to make the press more accountable for alleged breaches of responsibilities on many of the issues listed above have been countered by an appeal to a more or less absolute protection of freedom of the press or media. The motives for such resistance may often be questionable but this does not reduce the strength of the argument.

Nevertheless, given the extensive network of formal and informal obligations that all media are enmeshed in, as outlined above, I believe we can answer the question in posed above in the negative. Increased accountability need not materially decrease the freedom of media. In the real world, there is no freedom totally devoid of accountability and there have to be ways of reconciling one with the other if we want the principle of freedom of expression and the press to retain its legitimacy. But the problem remains

of finding effective *means* of accountability that would be consistent with the notion of responsibility (especially to society or the 'public interest') and also with essential principles of free expression. In conducting this search, it becomes apparent that the problems encountered are not unique to public communication. There are numerous contexts where legitimately free actions affecting the interests of others are subject to claims and limitations and efforts to keep them within the boundaries of what is acceptable or normal. This applies in business relations, where freedom of the market has become surrounded by various constraints and in government where legitimate actions of the state can be questioned and countered by formal and informal means of accountability. In many contexts of professional practice, obligations are accepted, typically accompanied by defined forms of accountability for performance. Even in personal relationships our 'free' dealings with others are subject to many informal cons-traints and requirements in order to maintain relationships. Negotiation and exchange cannot be avoided (see Giddens, 1984; Semin and Mansfield., 1983; Buttry, 1993).

Meanings of responsibility

Given the variety of sources of potential obligation it is not surprising that there is also a variety of types of responsibility. One basic distinction is between obligations that are either legal, or moral, or ethical or social in character, referring the main source and also the type of pressure to conform. In addition to this differentiation we can also consider whether the responsibilities at issue are voluntarily adopted, assigned (as in the case of regulated public broadcasting) or contracted in some way, especially in a market relationship with content supplier, client, distributor or the audience. For present purposes, the most relevant types of responsibility of media are described as follows:

Contractual obligations and promise-keeping. This relates mainly to responsibilities to audiences made in the form of promises of kinds and standards of informational and cultural services. Media may also 'promise' certain benefits to society and contributions to the public good. Many of the expectations that media give rise to amongst the public and other social institutions are informal and matters of good faith. Even so, in some respects of service to the 'public interest' there may be an 'unwritten social contract' that accompanies press freedom and in some cases, privilege and protection.

Fulfilling the tasks of an occupational role. It is obvious and not trivial that the work of the media is largely carried out by persons with varied professional, craft and creative skills and their activities can be treated as responsibilities, subject to accounting for performance.

Meeting formal external obligations. Responsibilities under this heading include all legal and regulatory requirements that apply either to media in particular or to all citizens.

Having causal responsibility. The media are potentially powerful agents that can affect behaviour and attitudes, whether intentionally or not, giving rise to claims of harm. The failure to achieve certain effects, for instance in the sphere of public infor-

mation, leading to public ignorance, apathy or cynicism may be treated under this heading.

Having moral responsibility. While moral responsibility has been mentioned above as a matter of the conscience of the many individuals in media, there may also be a collective responsibility, not for direct harm but for general and long term consequences, usually unintended, of publication practices. The responsibility for consequences of this kind is unlikely to be accepted by the media, but it may nevertheless be attributed.

Meanings and types of accountability

Despite the overlap with responsibility it is possible to offer a distinct definition of accountability, although several different paths for realising it in practice are available. Pritchard (2000:2) defines it as follows: 'Media accountability is the process by which media organizations may be expected or obliged to render an account of their activities to their constituents'. He describes an account as 'an explanation or justification of a media worker's or a media organization's conduct'. In this view it is a process which *follows on from* but it is distinct from the normative prescriptions that comprise possible responsibilities. Rendering an account has to be made to someone, for something, on the basis of certain criteria and with varying degrees of enforceability. The partners in an accountability relationship are those to whom a promise is made, those to whom a legal duty is owed, those who are affected by one's actions and those who have the power to affect oneself in return. . The media may employ or be required to undergo any of the following different means of accountability:

• Providing information, reporting about performance and publishing audience research;
• Making a voluntary response to claims and complaints, in the form of apologies or explanations;
• Formal processes of self-regulation, involving some independent adjudication;
• Legal action in the courts;
• Submission to the judgement of the market, at the hands of audience or advertisers;
• Public review, criticism and debate.

Accountability forms and procedures vary according to three main dimensions. One is that of internal versus external procedures, although both are interconnected. Secondly, there is a difference between voluntary and obligatory accountability although the line is not a sharp one, since a threat of compulsion may lead to voluntary action. Thirdly, there is a difference according to the type of penalty that might be involved (especially as between material and verbal penalties) and the severity of application.

Liability versus answerability

Christians (1989: 36) distinguishes between three main 'levels of accountability, identified as those of liability, moral sanctions and answerability. Liability relates to circumstances where formal and defined obligations exist, along with penalties for non-compliance. The second relates mainly to issues of moral or ethical concern. Answerability relates to many issues and circumstances where claims or complaints are made against media, calling for some explanation and debate although no liability to respond exists. Leaving aside the case of personal moral responsibility, there is a marked contrast between a model of accountability based on the idea of answerability and one based on liability. The former implies responsiveness to the views of all with a legitimate interest in what the media do, whether as individuals affected or on behalf of society. Answerability may not achieve redress or improvement, but it does reaffirm the norms appropriate to publication and is consistent with principles of freedom.

The liability model mainly arises where harm is alleged and the media are blamed, rather than in relation to quality of content and service. It involves a relation of conflict with partners to the communication relationship. Its intended outcome is not explanation or reconciliation, but compensation or punishment and its application involves compulsion, which media are free to contest, but must ultimately submit to. The main differences between the two types of accountability, each with its own typical accounting procedures is summed up in the contrasts presented in Table 1.

ANSWERABILITY		LIABILITY
Social or moral basis	vs.	*Legal basis*
Voluntary	vs.	*Compulsory*
Dialogue and debate	vs.	*Formal adjudication*
Cooperative relations	vs.	*Adversarial relations*
Non-material penalties	vs.	*Material penalties*
Reference to quality	vs.	*Reference to harm.*

Table 1. Two accountability models compared

These are two opposed ideal types, with a range of intermediate possibilities. In any given case, there may be no freedom of choice, since a given type of accountability may not be available at all (for instance there is no formal liability for failing to follow certain ethical rules) or may be the only one available (as where legal regulations have to be enforced). However, in many cases where the liability path is pursued, there is an option of proceeding by another route. The position taken here is that the answerability model is generally the most suitable for dealing with the main issues of accountability that public communication gives rise to, even if it may be less effective.

The main reason for stating this preference is that answerability is most consistent with freedom to publish, since it involves no threats or punishments (and thus indirect censorship). It is also most consistent with a reasoned and principled defence of any given act of publication and is more likely to lead to voluntary acceptance of responsibility and also to improvement of performance. It is certainly much more appropriate to the search for the adoption of positive goals of serving the public good and likely to be more effective in this respect. It avoids some of the dilemmas of free publication, which can cause offence and harm to some, even when pursuing some public good, such as holding governments and powerful institutions to account. It is the best way of dealing with conflicted communication relations in the public life of society. The liability model depends at root on a model of media power and causal influence that has limited demonstrability and application.

It has to be admitted that contemporary conditions of media systems are not very conducive to the applicability of the answerability model. Media are increasingly owned by large and remote corporations that are not inclined, even if they were able, to enter into meaningful dialogue with their audiences or those affected by their activities. They are often not at all connected with the national society or any local community. They obey such laws as apply, but are primarily governed by the conditions and rules of the market place. This theoretical analysis can be and concluded by reference to Figure 2, which summarizes much of the preceding argument in a single statement.
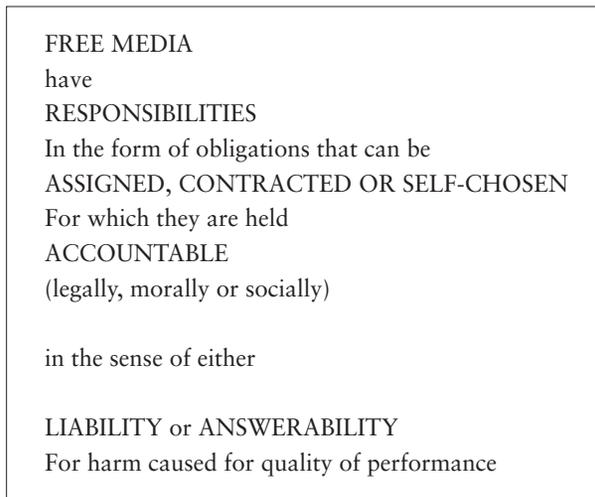
FREE MEDIA
have
RESPONSIBILITIES
In the form of obligations that can be
ASSIGNED, CONTRACTED OR SELF-CHOSEN
For which they are held
ACCOUNTABLE
(legally, morally or socially)

in the sense of either

LIABILITY or ANSWERABILITY
For harm caused for quality of performance

Figure 2: A summary of the argument

Frames of accountability

It is useful to think in terms of a small number of basic 'frames of accountability', each representing an alternative, although not mutually exclusive, approach to accountability, each having its own typical discourse, logic, forms and procedures. We can define a frame of accountability as ' frame of reference within which expectations concerning conduct and responsibility arise and claims are expressed. A frame also indicates or governs the ways in which such claims should be handled'.

The four most generally prevalent accountability frames can be derived from the points already made. The alternatives available differ according to the typical instruments and procedures involved, the issues they are most suited to dealing with and the degree of compulsion involved. There are varying possibilities for drawing on these frames and each has its typical advantages and disadvantages.

The frame of law and regulation

The main *mechanisms and procedures* comprise regulatory documents concerning what media may and may not do, together with formal rules and procedures for implementing the provisions of any regulation. The main issues dealt with under this heading relate either to alleged harm to individuals or to other matters on which media (especially electronic media) can be regulated and called to account.

The market frame

The *market* is an important means for balancing the interests of media organizations and producers and those of their clients and audiences (consumers). The *mechanisms* are the normal processes of demand and supply in a free (and therefore competitive) market that should in theory encourage 'good' and discourage 'bad' performance. For the most part, the market is self-regulating and self-correcting,

The frame of public responsibility

This refers to the fact the media organizations are also social institutions that fulfill, with varying degrees of voluntariness and explicit commitment, certain important public tasks, that go beyond their immediate goals of making profits and giving employment. This has sometimes been called a 'trustee model' of media, especially with reference to public broadcasting (Hoffmann-Riem, 1966; Feintuck, 1999). The media are a trustee of the public interest in key areas. Where media are seen to be failing they may be called to account by public opinion or other guardians of the public interest, including politicians.

The frame of professional responsibility

This refers to accountability that arises out of the self-respect and ethical development of professionals working in the media (e. g. journalists, advertisers, public relations), who set their own standards of good performance. It can also apply to associations of owners, editors, producers, etc. that aim to protect the interests of the industry by self-regulation.

Brief assessment

It is clear that in an open society there are likely to be many overlapping processes of accountability, but no complete system, and no single one of the 'frames' described is sufficient for the task on its own or uniquely superior to the others. There are many gaps (performance issues not dealt with adequately), and some media accept no responsibility except what is imposed by market forces.

The diversity of forms and means of accountability can be considered a positive feature in itself even if the overall result is not satisfactory. In general, according to the principle of openness, we should prefer forms of accountability that are transparent, voluntary and based on active relationships and dialogue and debate – following the answerability model I have described. The alternatives of external control, legal compulsion and threats of punishment may be more effective in the short term and sometimes the only way to achieve some goal, but in the long term they run counter to the spirit of the open society.

The available forms of accountability include informal and unavoidable pressures to conform as well as to those that are freely chosen. We may speak of them as having a range of different purposes or effects, in keeping with the complexity of the notion of accountability. Six main purposes or effects can be proposed:

- Prevention of harm
- Control of media by public authorities or media industry
- Improvement of quality
- Getting performance of public duties
- Promotion of trust amongst the public or audience
- Protecting the interests of the communicator, as organisation or professional.

These different aims are likely to be achieved by different means of accountability. Law and regulation, for instance, may be required to limit certain kinds of harm, but will not contribute to the creation of trust and loyalty in relations between media and audience. For this, either professional self-regulation or an established fiduciary framework may be required. The market is probably good at promoting certain kinds of product quality (especially if popularity is the measure) but not an incentive to performing various public duties. A number of other such connections and disconnections can be instanced and are indicated in a provisional way in Table 2.

In general terms, the purposes of accountability range from control and prevention to those of improving communicative relations and quality of content and service. This dimension approximately matches that separating the liability from the answerability mode described above.

PURPOSE	MEANS:			
	Market	*Law*	*Public Opinion*	*Professional & Self-regulation*
• Quality	x			x
• Trust				x
• Public duty			x	x
• Prevent harm To society	x	x		
Prevent harm To individuals			x	x
Control	x	x	x	
Protect Communicator				x

Table 2. The relationship between purpose and means of accountability

Almost any of the means of accountability can have a controlling effect, although accountability is clearly not the *same* as control. It does not necessarily diminish the freedom of a communicator and can enlarge it. At issue are two conceptually distinct phenomena. Control involves the use of power to achieve some desired outcome or behaviour on the part of another (or place limits on action). Accountability has to do with securing from an actor an explanation or justification of actions. Unlike control, it takes place after the event. Clearly the anticipation of accountability does potentially inhibit action and can be designed as a method of control, but the anticipation of consequences is intrinsic to rational, let alone responsible, action.

Is there an ideal of communication?

There are several possible versions of what counts as ideal communication and impossible to find one that covers the entire range of private and public expression, purposeful or utilitarian as well as emotional or artistic expression. Even so, there are some widely accepted desirable characteristics. These include integrity, good faith, sincerity, honesty, respect for others (including the audience). Accountability is supportive of these and similar communication virtues.

The 'good communicator' of the ideal model of public communication accepts accountability not in order to 'be good' for its own sake but to achieve certain purposes. Most mass media publication cannot be considered as 'ideal' in intention or execution in this full sense, although none of the characteristics mentioned are impossible or unknown in mass communication, especially where individual authorship is involved.

The principle of freedom of communication does not *require* either ideal conduct or accountability. It permits a person to choose their own ideal, or none at all. Even so, freedom of expression, when it is idealised usually includes a number of qualities that are consistent with being accountable, especially: an awareness of consequences, a lack of manipulative intent, an interest in challenge, response and debate. It is clear that most publication activities of the media are not carried out in order to 'serve society', but to satisfy many communicative and expressive purposes and to meet the needs of their audiences and clients, who view them in a similar light, with little or no thought to 'society' in the abstract. Nevertheless, the media are not outside, but part of society and cannot escape its claims or ignore its framework of values for public communication. In practice disputes turn not on the idea of having responsibilities or not but on the degree and kind of obligation that might be involved and how it should be promoted.

Despite many complexities and necessary qualifications, we can summarize the essence in terms of several *principles of right and responsibility* that both satisfy essential requirements of society and also command wide acceptance by the 'mainstream' media institution. My own formulation of these is as follows.

> • As much freedom to communicate as possible should be available to as many as possible, including a public right to receive communication. The media enjoy the benefit of this freedom and should help to extend it to others.
> • The use of this freedom brings with it a responsibility to adhere to truth, in the widest sense, including informativeness, openness, integrity, honesty, reliability.
> • Media have solidaristic obligations as collective participants in social life. This includes expressing and supporting the needs and interests of component groups in the society as well as meeting essential informational, social and cultural needs of society.
> • Media can be held to account for the use they make of their power of publication.

• Public communication by media are subject to the ethical and normative requirements of society as appropriate to place, time, context and content. The general public and groups within it have rights to be listened to on these matters.

• Human rights, especially as codified, of all affected by communication should be respected. This has an international range of application.

• A range of 'private' rights, ranging from privacy to property should be recognised and respected in public communication.

The position outlined implies that media are not as free as individual citizens and do not enjoy freedom of expression or communication in the same manner or degree, despite having some privileges and more opportunity in practice to 'publish'. The relative unfreedom of the media has four main sources. One is the power to have effects, for which they may be held to account. Secondly, not all types of content have an equal claim to protection, Some content is socially disapproved or simply not regarded as significant. Thirdly, the media are not only in the business of communication and can be restricted for non-communication reasons. Fourthly, it seems to be the case that the general public does not support freedom for media when it conflicts with some other values. This is not to say that the public must be right or the majority obeyed but, there is a rough and ready calculus according to which the more impact a medium can have and the greater its reach the more it is likely to have its freedom limited, with public approval. There is an inverse correlation between potential for communication effects and permitted degree of freedom.

On publication and freedom again

It has seemed that on close examination all the main terms employed in discussing these matters decompose into a variety of different meanings. This is true of responsibility, accountability and publication. It applies equally to the concepts of publication and of freedom when used in relation to publication. In respect of publication, the simple meaning of 'making public' does not adequately capture the diversity of roles that communicating by way of media involves. The media are engaged in different types of publication activity: acting as a channel or conduit for information originating elsewhere in society; providing a platform for diverse 'voices' to express themselves; facilitating individual authorship in various media forms; acting as an advocate, author or source in their own right. There are many different kinds of and roles publication and these are still changing as new media develop. Issues of freedom and constraint have to be thought out in relation to changing conditions.

This variety of communication roles and purposes reinforces the need for some fundamental distinctions to be made in respect of responsibility and accountability of the media.

Freedom of expression also means different things. One meaning is the *libertarian* one of there being no limits, no prohibitions or taboos, nor obligations either. Another meaning is being able to use media actively and with impunity to question and oppose

dominant groups and ideologies for a shared social purpose. A third meaning is the real possibility of access to the means of communication in public. A fourth, more individual, meaning is the freedom to express a personal belief or view of the truth openly and honestly without constraint or impediment. A fifth meaning is the commercial one of freedom to trade in media goods in the open market without restrictions on competition or other conditions. These different meanings have often been confused or just lumped together in the arguments for and against freedom for the media although they have varying implications for accountability.

Final remarks

My argument, arrived at by a rather tortuous route can be summarized in fairly simple terms. Firstly, the media as public institution of communication cannot and do not escape a range of responsibilities to society arising from their history and the position they occupy in society. But they are also and essential part of the whole process of communication and not to be regarded simply as impediments to freedom.

Secondly, and following from this the media are called to account in various ways and with varying degrees of possible constraint, depending on the issue and other circumstances of the case. The fact of being called to account does not in itself violate the various freedoms of communication that can be claimed. Accountability cannot be considered of its essence as inconsistent with freedom. One important aspect of freedom of communication is the freedom to choose to whom one is accountable.

Thirdly, in a free society it is desirable that multiple forms and *for a* of accountability should exist, to avoid centralised power of control over media, to maximise space for freedom, even freedom for 'error' and 'irresponsibility' and also to reflect the many and real differences of purpose lying behind the whole enterprise.

Fourthly, mass media cannot claim the same kind and degree of freedom for all their publication decisions as can individuals. In some cases they may even have more freedom where the public good requires it. There is also a role for public policy that has as its goal both the protection of media freedom and also conformity to the expectations of society, to be secured by legitimate and non-punitive means.

Finally, I would like to use the occasion to recommend more attention within the field of communication to the matters discussed and other issues of a similar kind. There is a need to develop a branch of theorising in which philosophical ethical, social political and legal matters surrounding public communication can be explored. This need arises from the relative paucity and fragmentary nature of current theorising, which is often too closely tied to practical and immediate concerns of policy and the current realities of a single country or media system. It also stems from the rapidly changing circumstances of public communication that have been referred to. The task is not, of course, for communication science alone, but the field does have something distinctive to contribute and stands at a central point in identifying particular issues of the kind that I have been discussing today.

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