

Essay

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Opinion or attitude

Clarification in a journalistic debate on values and knowledge

Abstract: There are voices demanding that journalists have an attitude. Some even proclaim the end of neutrality in journalism. On the other hand, journalists are reproached for this exact same thing: To no longer to report what is, but to present reality as they wish it were. So what should be the benchmark in journalism: Attitude, facts, or even opinion?^[1] In fact, there is renewed interest in the opinion journalism of the 1920s. However, too many ideological as well as journalistic terms and concepts are thrown into the discussion without sufficient clarification. This article^[2] will depart from the debate about tendency protection and publishers' or journalistic tendencies as well as the historical distinction between business and opinion press to trace the de-ideologization of the publishers' or journalistic tendency, which is accompanied by an ever louder demand for of a perception of journalistic attitude. Attitude is certainly often confused with opinion. This in turn leads to a criticism of the ideal of journalistic objectivity, threatening to reduce it to ideological activism. For this reason, journalists' work attitude must be self-critical and keep asking what constitutes journalistic, and thus also social, reality. By questioning this constitution of reality, we can more clearly define the task of journalistic self-criticism as ›attitude‹ in its epistemological dimension, making the ideal of objectivity a boundary limit. Based on this type of media criticism in the tradition of Husserl's phenomenology, this

- 1 There are several ways to translate the German term »Gesinnungsjournalismus« into English, e.g. »(political) partisan journalism« or »conviction journalism«. Here the author has chosen »opinion journalism«.
- 2 An earlier version with slightly different content was published on www.riffreporter.de (11.9.2020).

paper shows how the discussion about attitude threatens to degenerate into a question of opinion and what we can do to counter this danger.

There is currently a fierce debate about the relationship between attitude, opinions, and the presentation of facts. The topic has greatly impacted the social and media-political discussion in recent months, or even during the past five years. Some voices demand that we abandon neutrality and objectivity as guiding principles for reporting.^[3] On the other hand, »attitude journalism« is under criticism for allegedly producing nothing but opinion pieces in absolute disregard of the facts (Bittner 2019).

This discussion involves several questions. It is of utmost importance to precisely distinguish these questions and to clearly differentiate the terminology used in these contexts. First of all, we need to clarify how tendency entered journalism. »Tendency« and »opinion«, while they stem from different contexts, must nonetheless be clearly differentiated from each other, which happens all too rarely in the current discussion. Then, we must also address where and why we have been observing opinion journalism.

Tendency and Journalism

In this context, it is very important to clarify what all this has to do with journalistic attitude. We must clearly distinguish between a journalist's opinion and a journalistic attitude, because all too often, the fault line of this discussion runs a dreadful zigzag pattern.

If we want to clarify how tendencies entered German journalism, we must look at our history with the Allied forces, among others. A publisher's right to determine a political opinion for a medium was enshrined in German law under the name »tendency protection« (Tendenzschutz) as early as the Weimar Republic^[4]. However, our present tendency situation is essentially governed by the Works Constitution Act of 1972, which, in turn, was passed in the light of tendency protection practices when granting press licenses, which the Allies put into effect after the World War II, i.e. after 1945.

In the early phase, »Information Control chose a relatively large number of publishers of varying political stances« (Welsch 2002:42). By doing so, the British and American military authorities wanted to ensure that the publishers of daily

3 See Oehmke 2020, my response is available in the video: Welcherer 2020 and Gathmann 2020.

4 In 1919, the constitutional assembly had stated »that workers with divergent political views could never stand up for the economic prosperity of a company whose political outlook they opposed« (committee report of 18 December 1919, document by the constitutional national assembly no. 1838, quoted after: Schulze 1981:311).

newspapers, news magazines, or journals were politically as unencumbered as possible, and, by granting licenses to a consortium of publishers whose members represented a great variety of political persuasions, that the various political tendencies would all have their say in the press. But this licensing practice changed soon thereafter »because several licensees often could bring themselves to cooperate like colleagues« (Welsch 2002: 43).

Diversity of opinion and protection of tendencies

This often led to licensing practices whereby one license would be granted to a newspaper with a clear left-wing tendency, as was the case in Frankfurt with the *Frankfurter Rundschau*, and another license to a newspaper with a right-wing tendency (in this case, favorable to the CDU and the Catholic Church, Welsch 2002: 103-107). Although these papers were not supposed to act as party newspapers, they were certainly expected to cultivate their ideological tendencies.

Thus states the American High Commissioner for Germany's 7th Report on Germany for the period from 1 April – 30 June 1951, albeit after the license requirement was dropped in 1949:

»Only a few of these newspapers are the direct mouthpiece of a given political party, comparable to the papers that dominated the newspaper industry during the Weimar Republic. Nevertheless, many of them exhibit a natural proximity to one major political group or another in their opinion pieces. This kind of political tendency is particularly distinct in the major newspapers in the British zone, where, in contrast to the arrangements in the French and American zones, initially both political groups and individuals were able to obtain a newspaper license from the military government« (Office of the U.S. High Commissioner for Germany 1951: 74).

The Allies did not directly codify the protection of tendencies. Law no. 22 of the Allied Control Council in 1946 (Works Councils Act) also did not contain with a tendency protection clause (Wienert 1981: 35). However, two developments may be indications of a tendency protection practice: the fact that from 1946, licenses were no longer granted to a consortium, but rather to only one or two licensees of defined political tendencies, as in Frankfurt am Main; and rising demands for an anti-fascist, and later, anticommunist, tendency. We won't be able to fully clarify whether this practice was the result of a strategic plan by the Allies, or whether it was a reaction to German publishers' policies, who did want to continue their tradition of opinion journalism of the 1920s.

The *de facto* tendency protection practiced by the British and American control authorities had effects on later tendency protection practices and legislation in the Federal Republic of Germany. This is how tendency protection later found its way into the Works Constitution Act. Conveniently, the Adenauer government was then able to use it to partially exempt certain companies from hard-won union rights, which subsequent Federal Governments were happy to continue. It is unsurprising that on this particular issue, the 1972 Works Constitution Act was the subject of intense controversy.

Publisher protection under the Works Constitution Act

Section 118 of the Works Constitution Act still stipulates that parts of it do not apply in so-called tendency companies and religious communities.

»The provisions of this Act shall not apply to companies and establishments which directly and predominantly serve 1) political, coalition, denominational, charitable, educational, scientific, or artistic purposes or 2) purposes of reporting or expression of opinion to which Article 5 para. 1 sentence 2 of the Basic Law applies, insofar as the specific nature of the company or establishment precludes it.«

This means that publishers are still shielded by tendency protection as laid out in the Works Constitution Act. Employees' and trade unions' participation rights are considerably restricted.

Trade unions have, of course, made repeated demands to abolish this tendency protection, countered by the argument that tendencies must exist even in public broadcasting, where they should, however, be subject to a certain internal plurality.

This is the context of our current situation. We are currently confronted with demands that journalists should have an attitude. At the same time, we must note that this attitude is often not distinguished from political opinion, and the two terms are often simply confused.

At the same time, however, the major newspapers have socially converged to the point that we could actually argue that the traditional publisher's tendency has all but vanished. Seen in this light, tendency protection is actually nothing more than a power tool to ward off employees' participation in media companies to a certain extent.

De-ideologization and opinion

This is, of course, a very notable discussion. Let us first look at the disappearance of traditional journalistic tendency in our press landscape. In this context, Dietrich Krauß stated, in a rather remarkable contribution:

»This de-ideologization, which is a welcome development as such, comes with a price: the narrowing and homogenization of published opinion – often with a strong proximity to the views of the political elites. This reinforces an elitist worldview and makes reporting increasingly detached from the life realities of broad sections of the population.« (Krauß 2019: 69)

In other words, when you read taz and FAZ today, you sometimes won't even notice any major differences in the coverage of a particular event anymore. For example, in the early days of the Corona crisis, a lot of people felt that reporting was squarely aligned with the government's policy and that there was actually no criticism of the government or individual pandemic measures at all.

Business press and opinion press

Later on, that changed a little. But this criticism, which is partly justified, is still under discussion. I feel that the pandemic has held a magnifying glass over a development that has been progressing for some years now. We must examine more closely what this criticism has to do with our discussion about journalists' opinions and attitudes. However, we must first examine the historical distinction between business and opinion press, which was particularly emphasized in the 1890s.

The business press was founded during this period because it wanted to present economically relevant facts, such as certain technological developments, without any grand ideology behind it. The idea was to present the facts in a way that all readers (which rarely meant women readers) can move with agility in the economic context and take action because they have all the information necessary for this economic process and the corresponding business decisions.

Publishers who published such magazines or newspapers (primarily newspapers), called themselves business press in contrast to the opinion press, which represented a social or political position. This is a very interesting distinction, also partly due to the fact that the opinion press was simply no longer considered capable of adequately presenting the problems of the time (see Löbl 1903, Brunhuber 1907).

Demand for a journalistic attitude

Today, there are voices saying that journalists need to have an attitude and are actually no longer able to function properly without one. The journalist's attitude, the argument goes, is far more important than facts.

Some find this highly problematic, but there is, in fact, a very important question behind it: What must a journalist bring to the table in terms of ethical reflection, and in part also in terms of a moral orientation derived from such ethical reflection, in order to be able to work in this profession?

So this is where the demand for a journalistic attitude comes in. The prime obligation here is to truthfulness because without a commitment to truthfulness, I am unable to work effectively as a journalist. Then perhaps I am an opinion journalist who represents a certain position. Then maybe I am a public relations specialist handling a certain communication assignment and representing a certain position in line with my assignment.

This commitment to truthfulness distinguishes journalists from other communications professionals who work in propaganda or PR. This is why public relations is not just a variation of journalism, but rather a form of commissioned communication – something entirely different.

Open-ended investigations and research

A meticulous journalist must always approach research with an open mind. At the beginning of a research process, of course, I often start out with a working hypothesis, which I use to approach my research and determine interview partners, experts to question, and sources to tap. In the course of my research, I keep adapting or reframing this working hypothesis, for example because the experts I questioned contradict it or because the sources indicate that it does not hold water.

That happened to us some time ago. I was researching digitization in agriculture with a colleague (Rähm/Welchering 2019). We started out with rather simple working hypothesis: There are five or six large companies that want to digitalize agriculture and are doing so successfully, thus creating new monopolies. That was our working hypothesis.

In the course of our research, however, it became apparent that the development outlined above had only taken place in the early phases of agricultural digitization. There were some large companies who were indeed trying to build an oligopoly, aiming for a monopoly. But as more and more smaller cooperatives and machinery rings realized that they should not abandon themselves to the mercy of these monopolists, these companies who were trying to create an oli-

gopoly, they came up with something pretty clever. They built the necessary digitization structures themselves and passed them on to their members, creating a large number of digitization projects at the coop level and thus undermining the monopolization efforts of these companies.

So our first working hypothesis was clearly on the wrong track. We had assumed that a monopoly was building precisely because digitalization in agriculture was progressing. The facts we then researched revealed a different picture: What is really going on is multi-level digitization with strong support from coops, which largely prevented this kind of monopolization in Germany. This meant we had to fundamentally change our working hypothesis in the course of our research.

The constitution of journalistic reality

By the way, there is a third thing journalists should always do as they strive to assume a journalistically sound attitude to publish and work with: Their stories should always reflect how different people, pressure groups, and elites constitute social reality. They should also reflect the counter-worldview presented by other involved actors, how compromise was reached, and how a mediated constitution of perception was thus created.

Of course, this constitution of social reality, which has been a strong, recurrent theme in phenomenology, in particular, has an impact on our work of faithfully depicting this reality.^[5] For this representation is a constitutional process mediated between different individuals. We journalists must shed light on this constitutional process and always ask the following questions: How did we actually reconstruct this process of constituting social reality? How did we reflect on it? And what impact did this have on the journalistic presentation, on what we are now reading, seeing, or hearing?

Minority opinions are important

In this context of a reflected journalistic attitude, we must also allow minority opinions and even actively give them room. Journalistic attitude requires not only to always represent the majority opinion and to float along with the famous ›mainstream‹, but also to truly depict minority opinions with all their perspectives and their possible changes in perspective, in all their colorful diversity. And

5 See Schneickert 2013, on the epistemological classification of the question of »intentionally constituted reference objects«, as which we must also classify journalistic products, see Welchering 2011: 29f.

that, of course, presupposes that we protect minority opinions, and journalists must defend them very forcefully. In fact, the corridor of opinions that get media coverage is narrowing (see Gräf/Hennig 2020).

We journalists are also committed to examining the facts very thoroughly, which means that we start out by questioning everyone and everything. We mistrust what experts, politicians, scientists, and people tell us, and we doublecheck everything. Only when this examination shows that we cannot at least disprove the facts that were stated and cited, we assume that we can publish them following this fact check.

But we can only do that when we approach the whole story, i.e. the entire research, the entire work on a journalistic product, with a very unbiased mind and not with any preconceived interest in a specific outcome, which we then simply apply to our journalistic output.

Our commitment is to recognizing different points of view and to relating these points of view to the sources, opinions and statements by experts and other interview partners, all without bias, and then coming to an overall view of the issue.

The ideal of objectivity as our boundary limit

This overall view should present as many different perspectives on the current topic of social debate at hand as possible. The ideal of objectivity (with an emphasis on »ideal«) helps us do this. Of course, we do not report completely impartially. We are not entirely free from bias. We are also never neutral. We always bring our social position into our reporting.

Even when we factor out our own political preference, our own political opinion, it naturally always impacts our everyday actions. But by sharply reflecting on them, by making it clear to ourselves that objectivity is a constitutive ideal for our work, we leverage it as an intellectual corrective.

When we make sure we don't approach to our reporting too subjectively, we can achieve precisely this change of perspective. After all, we must apply the ideal of objectivity to the greatest possible variety of perspectives and opinions. The principle of »audiatur et altera pars« – always hear the other side, as well – is therefore enormously important for our work. This has very concrete consequences: We must not rely on just one source. Even when we report on controversial issues, we must not limit ourselves to covering only what confirms our own viewpoint, but also aspects that may challenge or discredit that viewpoint, perhaps even because they present or are based on a different set of facts.

Dovifat and his opinion journalism

Opinion journalists fail to meet these demands on a reflected journalistic attitude. That is why we must make a precise distinction between attitudes and opinions in journalism, but we don't always do that. Often, people demand opinions and then falsely present them as attitudes.

Emil Dovifat is an important representative of opinion journalism who holds a certain appeal with today's journalists, association officials, and journalism teachers.^[6] He was active as a journalism teacher as early as the 1920s. During the Weimar period, he exerted a strong influence on the younger generation of journalists as the media specialist for the Centrist Party and as a Centrist journalist. In 1933, he fell in line with the regime at that time: the National Socialists. After 1949, he latched on firmly to Adenauer and his CDU government.^[7]

Apparently, Emil Dovifat has recently developed a certain appeal to journalists of our time, also in journalism training. Suddenly, old Emil with his opinion journalistic principles and structures is resurfacing. In our discussion about teaching journalistic attitude to young journalists, some leading figures are referring to Dovifat again.

On the way to structural opinion journalism

Dovifat is thus once again studied in journalism training, and by no means in a critical manner, as was the case in the 1980s. The Journalist Center Herne and its chairman, who is also Federal Chairman of the German Journalists' Association, refer to Dovifat as a role model, as a great, beneficial tradition to follow.

On 15 February 2020, for example, the Journalist Center Herne even took to Twitter to advertise that it trains journalists in the tradition of Emil Dovifat. »We are continuing to train journalists independently and in accordance with collective agreements. In January 2020, Herne opened a new school of journalism, @jzherne, which follows the tradition of Dovifat's courses for journalism trainees.«

A rather intense discussion ensued as to which ›tradition of Dovifat‹ they meant, followed by a debate whether opinion journalism is really what we need right now. Emil Dovifat's Nazi past was, of course, a topic of discussion, as were the standards to which we should hold a »traditional authority« before we use

6 Dovifat's *Zeitungslehre* [Theory of Newspapers] is still considered a standard work and has recently been used in journalism training without any critical distance to the sort of opinion journalism that it represents, cf. Dovifat 1976.

7 See also: Köhler 1995, chapter 2: Große Kunst der Camouflage – Ein Zeitungswissenschaftler im Wechsel seiner Auflagen: Emil Dovifat, pp. 58-88.

it in modern journalist's education. It became very clear how problematic it is to consider Dovifat's opinion journalism as constitutive. Dovifat not only represented this kind of journalism in the period from 1933 to 1945, but also called for it for media and journalists in the Federal Republic. It is problematic to present opinion journalism as important for today's world and as a tradition to be honored in journalists' training before the backdrop of our debate on opinion journalism.

Media researcher Horst Pöttker called it downright dangerous on 22 February 2020 on WDR 5. He, however, suspected ignorance on the part of those responsible.^[8] The discussion about Emil Dovifat, the »traditional authority« after whom the Journalist Center Herne had named a seminar room, mainly revolved around his activities in National Socialist journalist training and continuing education in the period from 1933 to 1945 (see Muscheid 2020a).

In the context of this debate, DJV Federal Chairman Frank Überall and the leadership of the Journalist Center Herne did drop their seminar room dedication to Dovifat (see Muscheid 2020b), yet didn't distance themselves adequately from Dovifat's opinion journalism. On the contrary: There is some evidence that does, indeed, speak in favor of a structural opinion journalism, which I will examine in this paper.

Thus on 19 February 2020, Frank Überall, who is not only chairman of the association that operates the Journalist Center Herne, but also National Chairman of the German Journalists' Association, cited the following arguments in support of the kind of opinion journalism that is taught at the Journalist Center Herne in an email to the WDR:

»Ultimately, however, we are not referring to his ›lifetime record‹, but to the objective decision in the 1960s to establish trainee training of high quality and under firm collective agreements with newspaper publishers. In this sense, I personally prefer to speak of the ›Düsseldorf‹ tradition, which then came to herne (sic!) via Hagen. Parts of the public are now hyper-focused on the person of Dovifat, which has nothing to do with the reality at the Journalist Center Herne: It is all about structures and not about the individual.«^[9]

Emil Dovifat describes this structure in great detail in his 1963 essay »Opinions in Journalism«. He considers the journalist's opinion a »means of journalistic leadership« (Dovifat 1963: 30) which »inevitably« is at work »in all phases of

8 See: <https://www1.wdr.de/mediathek/audio/wdr5/wdr5-toene-texte-bilder/audio-zeit-im-osten--falsche-vorbilder--das-medienmagazin-100.html> (6.9.2020)

9 Email from Frank Überall to the author of the article »Journalist Center is relying on the wrong role models« on WDR 5 dated 19 February 2020

production« (Dovifat 1963: 36). This, of course, has profound implications for the way journalism mediates content: »In this mediation, technical and journalistic skills are just as important as opinions.« Doviati concludes: »It's opinion that matters.« (Dovifat 1963: 33)

This thinking then enters the very structures of journalists' training and will therefore have a decisive impact on journalists' everyday routines, ultimately leading to political journalism that is governed by opinions (cf. Dovifat 1963: 51).

Opinion does not equal attitude

Those who are trying to convey and shape modern journalism by building on this tradition and by relying on this structure are not doing it out of ignorance, but are rather modelling a clear stance, demanding that journalists lead the way and set an example through their opinions, in the sense of a paternalistic state.^[10] And that, of course, is highly problematic!

In the current debate, protagonists such as Frank Überall and other leading figures at the Journalist Center Herne, who also hold offices in the German Journalists' Association, call on journalists to assume an attitude, yet then – at least when it comes to journalists' training – rely on the structures of Dovifat's tradition of opinion journalism.^[11]

This is why it is so important to make a clear and precise distinction between journalistic attitude and journalists' opinions, as Claus Richter did in his guest article »Practice what you preach« on *cicero.de* on 28 June 2020, pointing out that new journalism speaks of ›attitude‹ when they really mean »opinion«.

10 Cf. Hachmeister 1987, in particular: chapter VI: Publizistik als normative Elitetheorie

11 In Überall's above-cited email to the author of the article »Journalist Center is relying on the wrong role models« on WDR 5 on 19 February 2020, this becomes very clear for journalists' training, yet the tendency towards opinion journalism extends beyond the field of journalists' training. What's interesting in this context is Überall's criticism of citizens who reject the interpretation of reality offered by the media because they claim that authority for themselves. He voiced this opinion at the Campfire Festival on 31 August 2020 in front of the Düsseldorf parliament building, cf.: <https://journal-nrw.de/gesellschaftliche-debatten-und-nutzwertiges-wissen/> (last accessed on 5 September 2020). Überall's demand to refrain from criticism of the government's anti-pandemic measures in the Covid crisis, presented in the newscast Tagesschau on 3 May 2020, also shows a tendency towards a structural paternalistic opinion journalism, justified with the infamous argument of a state of emergency, because »in emergency situations, the first priority is to collect, process, and share information with the public«. After Krüger 2020. That provides us the context to assess Überall's view that Public Relations is a form of journalism, as he told NDR media magazine *Zapp* (cf.: <https://www.ndr.de/fernsehen/sendungen/zapp/Eine-Gratwanderung-PR-oder-Journalismus.journalismus144.html>). Then, of course, PR as commissioned communication is not much different from structural opinion journalism, which also views journalism as commissioned communication (Dovifat calls it »means of journalistic leadership«).

Journalistic attitude as a work attitude

According to Richter, attitude is subject to constant scrutiny and self-criticism, whereas opinion is not. This confusion of journalistic attitude and opinion in journalism has consequences. For those who conflate attitude and opinion in this way want to enforce certain interests. Clear political interests.

Those who do so are not in the business of presenting the results of open-ended research, in the course of which working hypotheses may change. Those who conflate attitude and opinion want to decide on good and bad, desirable and undesirable contents and positions under an ideological, perhaps even moral cloak, omitting those parts of reality that do not fit their position. They want to pass a moral-ideological judgement instead of reflecting in an ethical manner. While ethical reflection does lead us to a moral judgment, this judgement will, if ethically well reflected, be free of ideology.

Yet those who conflate attitude and opinion are also confusing the act of contextualizing facts with the act of commenting on facts. Those who do so work based on opinions, not on facts (cf. Richter 2020).

In this context, Gabriele Krone-Schmalz, who for many years reported from Moscow and afield on behalf of ARD, provides an excellent summary: »There has been much talk of ›attitude‹ recently. Journalists must have an attitude, they say, which may also show in their work or even determine it. I am skeptical of this. If attitude means that as a journalist, I feel called upon to lead audiences on the ›right‹ path, then attitude is unprofessional and really also quite arrogant in my view.« (Krone-Schmalz 2019: 217)

So, on this treacherous terrain, we would be well advised to make a clear, precise, and sound distinction between journalistic attitude and the publisher's tendency (often disguised as a journalistic tendency), the paternalistic attitude of a journalism whose purported mission is to educate the general public, and structural opinion journalism. Journalistic attitude is something quite different from opinion journalism. The latter is always ideologically defined, sometimes disguised as morals, and leads to a disastrous narrowing of journalism. Therefore, we must be very careful when we speak of attitude, and even demand it from journalists, so as not to fall into the trap of opinion journalism (possibly of the Dovifat variety).

For only if we make these distinctions carefully can we report fact-based information and fulfil our mandate as journalists – to report impartially, truthfully, and mindful of the constitutional conditions of our own reporting.

About the author

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