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Chapter 1
Political Problem, Political Solution

Mention "the problem of the media" and most people think of poor or inadequate media content that negatively affects our, culture, politics, and society. If the media were doing a commendable job, there would be no problem. But there is another meaning for the word *problem',* its first definition in *Webster's Dictionary* is "a question raised for inquiry, consideration, or solution." Media systems of one sort or another are going to exist, and they do not fall from the sky. The policies, structures, subsidies, and institutions that are created to control, direct, and regulate the media will be responsible for the logic and nature of the media system. Whether their content is good, bad, or a combination, the media therefore present a political problem for any society, and an unavoidable one at that. In other words, the first problem with the media deals with its content; the second and larger problem deals with the structure that generates that content. Understood this way, the manner in which a society decides how to structure the media system, how it elects to solve the problem of the media in the second sense, becomes of paramount importance. Such policy debates will often determine the contours and values of the media system that then produces the media content that is visible to all. I address "the problem of the media" in all these dimensions in this book.

The problem of the media exists in all societies, regardless of their structure, but the range of available solutions for each society is influenced by its political and economic structures, cultural traditions, and communication technologies, among other things. In dictatorships and authoritarian regimes, those in power generate a media system that supports their domination and minimizes the possibility of effective opposition. The direct link between control over the media and control over the society is self-evident. But in democratic societies, the same tension exists between those who hold power and those who do not, only the battle assumes different forms. Media are at the center of struggles for power and control in any society, and they are arguably even more vital players in democratic nations.

The political nature of the problem of the media in democratic societies is well-known; virtually all theories of self-government are premised on having an informed citizenry, and the creation of such an informed citizenry is the media's province. The measure of a media system in political terms is not whether it creates a viable democratic society—that would be too much of a burden to place upon it. Instead, the measure is whether the media system, on balance and in the context of the broader social and economic situation, challenges antidemocratic pressures and tendencies or reinforces them. Is the media system a democratic force? Much less understood is the importance of the media to economics; this relationship with economics goes a long way toward shaping the media's political role and their relationship with the dominant political and economic forces in society. In the United States the starting point for grasping the problem of the media is seeing where the media system fits in the broader capitalist economic system. The crucial tension lies between the role of the media as profit-maximizing commercial organizations and the need for the media to provide the basis for informed self-government. It is this tension that fuels much of the social concern around media and media policy making.

In this chapter I will present a framework for understanding the problem of the media in the second, broader definition of the word *problem.* Only then can we make sense of problems with content. I will debunk the myths that the U.S. media are inherently the province of the "free market" and that the modern commercial media system is the result of informed debate. In doing so, I will look at the origins of the U.S. press system in the late eighteenth and early nineteenth centuries and the role media policies made in grafting it. I will also explore the public debate surrounding radio broadcasting in the 1930s and that battle's consequences that shape our media policy making to this day. This analysis leads directly to an overview of the corrupt and decrepit state of media policy making as it has evolved over the twentieth century. The United States has not satisfactorily addressed the problem of the media in recent generations. As a result, the media system has been set up to serve the interests of those who make the policies behind closed doors—large profit-driven media corporations—while the broad and vital interests of the population have been largely neglected. This system has contributed ,to a political crisis of the highest magnitude and unless it is confronted directly will severely limit our ability to make progress on any of the other major social and political problems that face the nation. On balance, the media system has become—ironically, in view of the freedom of the press clause in the First Amendment—a significantly antidemocratic force. It is a political problem that requires a political solution.

Media, Markets, and Policies

The operating assumption in most discussions of the U.S. media system is that media are a natural province of the market. From this perspective, when governments regulate these markets, they represent an outside intervening force. To the pro-corporate political right this is dogma. As one *Wall Street Journal* columnist put it, "Man's natural instinct is to choose free enterprise and free markets," so government regulation certainly violates nature and, quite possibly, the intent of God.[1] But even among liberals the same position holds, although the prospect of government regulation can be more readily justified.[2] By this logic, much of media policy making or regulation, to the extent it exists, is merely to protect property rights in the free market systems that have naturally and inexorably emerged.

This framework is ideologically loaded. Looking at the situation from the classical liberal and democratic assumption that society selects the manner in which it wishes to regulate social behavior, the procedure by which a society chooses from a range of options may be democratic, autocratic, plutocratic, or some combination, but it is a decision that a society makes. Thus, enacting laws, setting regulations, and using markets ultimately become policy decisions. Private property and markets are employed to the extent that they are seen as superior regulatory mechanisms to other alternatives. In contemporary society, we can regulate social behavior through four general paths: markets, laws, architecture, and cultural norms.[3] Each has its strengths and weaknesses, and none can lay claim to being the natural or "default" position. It is from this palette that people create the world in which they live. The more democratic a society, the more likely the decisions about how best to regulate social life will be the result of widespread informed debate. The less democratic a society, the more likely those decisions will be made by powerful self-interested parties with a minimum of popular participation.

This dispute, then, is not about whether the market is the *natural* manner to organize media—and all of social life for that matter. It is about whether the market is the *superior* means, or a superior means among others, to regulate media. Just as capitalism is not the "natural" social system for humanity, so commercial media are not Nature's creation either. Our social system and our media system both require aggressive and explicit government activity to exist. Media policy, then, is a far broader and more significant historical phenomenon than that found in the conventional wisdom, which depicts it as something inherently tedious drawn up by bespectacled policy wonks and government bureaucrats addressing obscure technical issues. To the contrary, the U.S. media system—even its most "free market" sectors—is the direct result of explicit government policies and in fact would not exist without those policies. Most dominant media firms exist because of government-granted and government-enforced monopoly broadcasting licenses, telecommunication franchises, and rights to content (a.k.a. copyright). Competitive markets in the classic sense are rare; they were established or strongly shaped by the government.

So the real struggle is over whose interests the regulation will represent. And this is where media policy making, rather than being dull and tedious, oozes with the excitement of politics at its most enthralling. In this context, the term *deregulation* becomes somewhat misleading; it means, more often than not, government regulation that advances the interests of the dominant corporate players. To the dominant firms, when government allocates to them lucrative monopoly licenses or regulates on their behalf, it is not considered regulation. But to society, it is a serious form of control, and one that results from explicit media policies made in the public's name.

For a concrete example of the misuse of the term *deregulation* in media, consider radio broadcasting. In 1996 the Telecommunications Act eliminated the cap on the number of radio stations a single company could own nationally. It had been 40 prior to that, and for decades it had been much lower than that. Radio, it was said, was now "deregulated." The vast majority of U.S. radio stations were sold after 1996 and a few massive firms came to dominate the industry. Clear Channel alone soon owned more than 1,200 stations. So does it make sense, as is regularly proclaimed, to depict radio broadcasting as deregulated— or is it simply regulated differently for different ends serving different interests? For a test of the deregulation hypothesis, one need only go out and commence broadcasting a signal on an AM or FM frequency used by an existing broadcaster. Immediate arrest and possible incarceration would result. That is serious regulation. The government is still granting monopoly licenses to radio and TV channels and still enforcing those monopoly licenses. It is not open season for anyone to begin using the airwaves. The only difference the Telecommunications Act made is that today the largest corporations can possess more of these monopoly licenses than they could before. (It is worth noting that these firms do not pay the government a single penny for the right to have monopoly access to these valuable and scarce channels of the publicly owned spectrum.) There is every bit as much regulation by the government as before, only now it is more explicitly directed to serve large corporate interests.

Although there is no mandatory connection between having a profit-driven economy and having a profit-driven media system, it is understandable why one would make that assumption. In the past hundred years, media have become an important location for profit making. This process has been ongoing in the United States but the decisive era came in the early twentieth century when the modern capitalist film, music, advertising, and broadcasting industries emerged. This growth of the commercial media sector was part and parcel of the rise of modern corporate-based capitalism in the United States. The integration of media into the commanding heights of U.S. capitalism has only increased in recent decades. In terms of sales, the eight or nine largest media firms now rank among the two or three hundred largest corporations in the world. Less than thirty years ago, only two media companies were among the three hundred largest firms in the

United States, not to mention worldwide.[4] In terms of market value, eleven of the world's two hundred largest corporations are media firms, another three do significant media business, and many more on the list are in the related software, Internet, and telecommunications industries.[5] Today the United States has a media system dominated by a small number of very large vertically integrated corporations.

Looking at lists of wealthiest Americans from the nineteenth century to the present time provides some sense of the change. It was well into the second half of the twentieth century before more than one or two media magnates rated among the thirty richest Americans or families. By 1992—before the media explosion of the late 19905—nine of the largest thirty fortunes were made in media, and a couple others on the list had closely related holdings, such as software.[6] Since the early 19905 and through 2001, commercial media have become one of the three fastest-growing industries in the United States. Studies suggest that media may not remain among the top three but will still grow well above the national average deep into the first decade of the twenty-first century.[7] Put another way, media spending per household grew at twice the rate of inflation throughout the iggos.[8] And in 2002, *Forbes* magazine calculated that over *one-third* of the fifty wealthiest Americans generated the preponderance of their fortunes through media and related industries.[9]

Our media, then, far from being on the sidelines of the capitalist system, are among its greatest beneficiaries. Research links media corporations with the largest investment banks and demonstrates how often media corporation board members sit on other Fortune 500 companies' boards.[10] The interconnection of media and capitalism grows that much stronger when one considers the role of advertising, which provides around one-third of all media revenues. The very largest corporations generate the preponderance of advertising.[11] Investment in media and expenditures on media appear to be central to macroeconomic growth in the overall economy.[12]

These connections suggest considerable tension if the media are also supposed to grease the wheels of democratic self-governance. A central issue in democratic theory has been how -to reconcile social and economic inequality with political equality. For most of the nation's founders this was a vexing issue, and, perhaps because they were the beneficiaries of the existing unequal distribution of resources, many favored restricting the franchise to white male property owners to prevent social turmoil. Benjamin Franklin and Thomas Paine were the most radical and argued that democracy must trump inequality. Franklin supported a clause in the Pennsylvania constitution warning that "an enormous Proportion of Property vested in a few Individuals is dangerous to the Rights, and destructive of the Common Happiness, of Mankind; and therefore every free State hath a Right by its Laws to discourage the Possession of such Property."[13] Battles to extend suffrage were central to U.S. politics until well into the twentieth century. Invariably these were fights between the haves and the have-nots.[14] The media system, in democratic theory, was charged with providing information equally so that even poor citizens would have the capacity to be effective citizens, despite their unequal access to resources. As I will discuss shortly, policies put in place in the early republic made it far more likely that the press would not be dominated by the wealthy and powerful but would be accessible and of value to broad segments of the population.

The emergence of modern corporate capitalism alters the initial equation. For a variety of reasons, universal adult suffrage arises alongside it in the United States. But at the same time, without discounting the ways in which capitalism can promote self-government, it also by its very nature tends to generate social and economic inequality. To the extent that the contemporary media system answers to investors first and foremost, it may become a weaker democratic force. Commercial media also may be useful to capitalism in generating a political culture that is more enthusiastic about capitalism and suspicious of capitalism's critics. In short, a cursory analysis of the U.S. media industries suggests troubling implications for the classic notion of a free press—and therefore for democracy—in which everyone has a realistic opportunity to communicate with others. We would expect, instead, a media system that would serve the interests of the wealthy and denigrate the interests of those at the bottom of the social pecking order.

Hence, even if one accepts that the U.S. economy functions more effectively with a highly commercialized media system, it does not mean that democracy is best served by such a system. In liberal and democratic theory, democracy must be in the driver's seat, and the type of media system and economy that develop can be justified only to the extent that they best meet the needs of the people, not vice versa. Ultimately, one must hold to the conviction that the media system that best serves democratic values will contribute to generating an economic system most responsive to the genuine needs of the population. At the same time, if one accepts that it is proper for a society's economy to be capitalistic, commercial control of media might sound more acceptable, especially if there is little awareness of policy alternatives. In a capitalist society, the requirements of political democracy do not compete on an equal basis with the exigencies of the market. Rather, there is a bias toward the market.

But this bias in policy debates toward the existing economic structure does not mandate the turn to market control over media any more than it mandates market control over education systems, electoral systems, or religion. Even more important for our purposes, different shades of market-regulated media systems exist based upon different choices in policies. The very nature of markets is influenced, if not explicitly determined, by government policies. Capitalist economies have coexisted with media systems that have had significant noncommercial and nonprofit elements over the years. In many nations they have cohabited—if not exactly had a successful marriage—through a good portion of the twentieth century. Even in the context of contemporary capitalism, significant changes in the media system would not require a radical change in the economy's structure. While it may be self-evident that a socialist or a critic of capitalism would have severe reservations about media policies that generate a profit-driven media system, one can be a proponent of capitalism and deplore rabidly "pro-capitalist" media policies. The British actor John Cleese observes that "capitalism is the best system" only if its profit-obsessed logic is constrained. Cleese points to contemporary media as a prime example of "inferior" damn-the-torpedoes capitalism: "I would rather live in Czechoslovakia under Dubcek than work for a newspaper run by Rupert Murdoch."[15]

We need to bury the notions that media are "naturally" commercial and that government has been and is an innocent bystander (or nonproductive intruder) in the process of creating media systems. Moreover, if media are necessary institutions for a healthy democracy and if the nature and logic of the media system result from explicit government policies, then debates over the fundamental nature of media policies will determine the caliber of the media system. Therefore, I am as concerned with the caliber and nature of the public debates surrounding media policies as I am with the policies themselves.

In particular, I will devote most of the attention in this chapter to what are termed *critical junctures,* those historical moments when the policy-making options are relatively broad and the policies put in place will set the media system on a track that will be difficult to reroute for decades, even generations.[16] Critical junctures are another way to say that society holds a "constitutional convention" of sorts to deal with the problem of the media. At these points there tends to be much greater public criticism of media systems and policies and much more organized public participation than during less tumultuous periods. Critical junctures can come about when important new media technologies emerge, when the existing media system enters a crisis, or when the political climate changes sufficiently to call accepted policies into question or to demand new ones. When two or all three factors lack in, there is a high probability of a critical juncture; at these historical moments, opportunities to recast the media that would be nearly impossible under normal circumstances can materialize.

U.S. Media System Not “Naturally” Profit Driven

It is one thing to assert that the U.S. media system is not naturally the province of large profit-driven corporations; it is another thing to demonstrate it. History indicates that the idea that this nation was founded on what is erroneously called a "libertarian" theory of the press—that government should let business run media to maximize profit—does not hold up under scrutiny. Media policy making has always been of paramount importance in the United States. The Constitution and the Bill of Rights contain numerous passages that still directly and indirectly create and shape our media system, either on their own or through the legislation, regulations, and court decisions that were later made on their basis. Media-related concerns permeate the political discourse of the revolutionary and constitutional era, and many politicians of those times—most notably, Madison and Jefferson-understood the vital importance of astute media policies for laying the foundation for a viable republic. Three constitutional provisions in particular provide blueprints for the media system's construction.

First, Article 1, Section 8 of the Constitution authorizes Congress to establish copyright "to promote the Progress of Science and the useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to Distribute Writings and Discoveries."[17] Copyright addresses the "public good" nature of media property that distinguishes it from all other industries. When one consumes a public good, it does not diminish the ability of others to consume it as well. If I read a book, someone else can read the same book, or a copy of it and we can both enjoy it. Such is not the same for an automobile or a hamburger. In this context, the problem was that if anyone could publish a book without the author's permission, the price would be low and the public would benefit, but the author would not receive much or any compensation, so there would be no incentive to write books. Copyright was an explicit government intervention—an artificial government-created and government-enforced anti-free market mechanism—to give authors (or publishers) a legal monopoly over their books for a "limited" time period to ensure the incentive to produce books. In its best light, copyright was a policy implemented not just to throw a bone to authors but rather to benefit society by encouraging cultural production. In fact, commercial publishers were eager to see copyright put in place and provided a strong force behind its adoption. It is difficult to imagine how book publishing and many subsequent media industries could have existed as commercial institutions without copyright protection.[18]

Second, whereas copyright was a somewhat obscure topic in the Constitution until recently, the same cannot be said for what is generally understood as the main media policy plank in the Constitution's Bill of Rights, the First Amendment: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances." In the context of the late eighteenth century, this was a revolutionary policy statement concerning liberal freedoms and democratic society; such freedoms were barely given even rhetorical support anywhere in the world at the time. Indeed, it remains a revolutionary statement in the twenty-first century. Numerous great thinkers have been so taken by the powerful ideas embedded in the First Amendment that they have proclaimed themselves First Amendment "absolutists." The question then becomes what is it, exactly, that the First Amendment absolutely protects? This is arguably most difficult when attempting to decipher the meaning of the free press clause, one of the five core freedoms listed in the First Amendment.

A common contemporary "absolutist" notion of the free press argues that the Founders meant that the government should never be involved with media, commercial or otherwise. A core problem that plagues much contemporary thinking about the free press clause is that the terms *free speech and free press* are used interchangeably.[19] And in this union of free speech with free press, the former gets almost all the attention, while the conclusions are often applied without qualification to the latter. In a representative example, a classic text on the First Amendment collapses its discussion of freedom of the press into its chapter on freedom of speech and never even mentions the press.[20] So if one holds that the government should not stop a person from speaking on a street corner, then, ipso facto, the government should not stop commercial media from doing whatever they wish to do. What these positions tend to neglect is that while free speech and free press are similar or even interchangeable on some matters, they are quite distinct on others. Unique problems accompany constitutional protection of a free press, its political economy if you will, and these tend to be shunted aside when the discussion is framed solely in terms of free speech. Both are separate concerns, otherwise *there would have been no need for both to be included in the First Amendment.*

Specifically, engaging in the free press (using the media) is typically an industrial enterprise requiring considerable resources. Unlike speech, it has not been open to everyone. Also unlike speech, how the press system is structured will go a long way toward determining what ideas get heard and what ideas get silenced, even before a government commissar brings down the heavy hand of censorship. The legal scholar Michael Kent Curtis calls these institutional factors "the second constitution" in view of their centrality for a free press.[21] It is difficult to extrapolate from the Constitution a sense of what "free press" means because the press system of the 1790s was so radically different from ours. But it is clear that the Founders understood the importance of industrial structure and subsidy to the formation of a viable free press. This was not an area to be left to the whims of investors or the market or, more broadly, to an unregulated, nongovernmental sector.

To be blunt, the press in the early republic was not seen as an engine of capital accumulation, as merely one of many areas in which investors might put their capital to generate maximum returns in the marketplace. The press was highly partisan and integrally linked to the political process. Government printing contracts were for generations used by federal and state governments explicitly to subsidize the dominant partisan newspapers in Washington, D.C., and across the nation. It was not until the establishment of the U.S. Government Printing Office in 1860 that the practice ended. Likewise, the U.S. State Department was authorized by Congress to issue printing contracts to as many as three newspapers in every state and territory, for the purpose of publishing the federal laws.[22] This program stopped only in the 1870s.

Even this capsule history does not do justice to the way in which the press system was consciously subsidized as a fourth estate in the first several generations of the republic. In many respects "newspaper politics" were the heart and soul of all politics in the first few generations of U.S. history.[23] By the 1790s, and for decades thereafter, editors were seen as politicians and were treated accordingly. The popular political movements of the period depended upon printing contracts to subsidize their presses. When Jefferson assumed office in 1801, he aggressively coordinated both federal and state printing contracts to subsidize a press to counteract the Federalists. He arranged for printing subsidies for Samuel Harrison Smith to establish the *National Intelligencer,* which would become the *New York Times* and *Washington Post* of its day, though expressly committed to support Jeffersonian politics. Entering the White House in 1829, Andrew Jackson "elevated patronage of the press to a new level." He devoted $25,000 per year to the editor of his Washington-based newspaper and assigned fifty-nine editors to "plush political appointments."[24]

This episode in U.S. press history is important for two reasons. First, the freedom of the press clause appears more directly concerned with a functioning democracy. If the party in power could outlaw the opposition press, it would effectively terminate its opposition. This was not an abstract concern. During the Adams administration, the Federalists used the Alien and Sedition Acts to muzzle the Jeffersonian press. Second, ordinary Americans, at least those of the literate white male variety, were unusually interested in politics compared to other eras. Perhaps the nature of the press system had something to do with that. Its success hinged on a variety of well-subsidized viewpoints, not just those of the party in power, and new political groups had a chance to enter the fray. The historian of the *National Intelligencer* concluded that the subsidized system produced a caliber of journalism "that in many ways has not since been equaled on an intellectual level."[25]

Recent research has again and again repudiated the notion that the intent of the free press clause in the First Amendment was to empower individuals in the marketplace to do as they pleased, regardless of the implications for society as a whole. Such a notion violated the tenor of the times *in toto.* "A mountain of historical research," the leading historian of the free press tradition in Colonial and Revolutionary America observes, "finds in early American political discourse a stress on civic virtue and public, rather than private, good." All who argued for press liberty "defended the right to press liberty not for individual expression in our current, increasingly self-indulgent sense but rather so that the community might hear and judge the merit of others' views."[26] Akhil Reed Amar suggests that the First Amendment, especially the free press clause, was motivated by popular opposition to the preponderantly antidemocratic nature of the federal government, as devised in the Constitution.[27]

The writings of Jefferson and Madison attest to the distinct social function of the free press.[28] Jefferson, in particular, saw freedom of the press as the foundation of popular democracy and as protection against elite rule. "If once they [the people] become inattentive to the public affairs," he wrote his friend Edward Carrington, "you and I, and Congress and Assemblies, Judges and Governors, shall all become wolves." Ironically, Jefferson's letter to Carrington is sometimes taken as arguing that the government should let private interests rule the press and let the chips fall where they may. Here is the most cited passage, but I include the follow-up sentence, which is sometimes omitted. "The basis of our governments being the opinion of people," Jefferson wrote, "the very first object should be to keep that right; and were it left to me to decide whether we should have a government without newspapers, or newspapers without government, I should not hesitate a moment to prefer the latter. *But I should mean that every man should receive those papers, and be capable of reading them."* The implication of this final sentence is that it is not enough to negatively protect the press system. Active promotion is necessary to ensure universal distribution of public information to competent citizens. In other words, the public's right to hear a variety of voices and properly digest their messages is the central platform of a democracy.[29] On another occasion, Jefferson remarked, "An enlightened citizenry is indispensable for the proper functioning of a republic."[30] As Madison famously put it, "A popular Government without popular information or the means of acquiring it, is but a Prologue to a Farce or a Tragedy or perhaps both." And such a free press, they argued, came as the result of explicit government policies and subsidies that would create it; to think otherwise was nonsensical.

More broadly, as Richard John, the leading historian of government communication policy in the eighteenth and nineteenth centuries has emphasized, only in the 1840s did discussion of "private enterprise" became widespread in U.S. political discourse. The notions of entrepreneurs and free markets were almost entirely absent in the early republic, as was the idea that the press was or should be a commercial activity set up solely to meet the needs of press owners. It was an unthinkable idea. As John concludes, "A commitment to energetic government in service of the public good has long been recognized as one of the principal legacies of the American Revolution."[31]

My point is not to argue about the "original intent" of the First Amendment and urge the Supreme Court to radically revise its interpretation of the free press clause on that basis. My point is to discredit the position that freedom of the press means strictly the right of private individuals to do as they please in the realm of media—regardless of the social implications—to suit their own (invariably) commercial interests. That notion has almost nothing to do with the Founders' intent or with our press system's evolution. The turn to a more market-based notion of a "free press" came gradually with the emergence of powerful private, profit-driven media. Nothing in the First Amendment mandated this interpretation. Had the United States evolved in a different manner, we would have no doubt had a different interpretation of the First Amendment. Yet while freedom of the press is a malleable policy, it is not Silly Putty. Even today the First Amendment is not widely interpreted in the purely commercial terms that corporate media and its advocates proclaim. In the Supreme Court's seminal 1927 *Whitney v. California* case, Justice Louis Brandeis concluded: "Those who won our independence believed that the final end of the State was to make men free to develop their faculties;...that the greatest menace to freedom is an inert people; that public discussion is a political duty; and that this should be a fundamental principle of American government."[32] Jefferson and Madison live, even if it appears at times that they are on life support.

The commercial interpretation of a free press has been in ascendance for much of the past quarter century, if not longer. Proponents assert that this right is absolute, because the First Amendment says "no law." Therefore capitalists can do as they please in the realm of media and they need answer only to their bottom lines; the market will prove to be a superior regulator of the press. If the journalism is atrocious and the culture hyper-commercialized, if the public is uninformed or misinformed, if self-governance is a sham, the fault is not the press system but the moronic citizens who demand such fare and reward those who provide it. The government can't do a damned thing about it except indirectly, through improving education so that the next generation will not be composed of idiots. (Yet advocates of this commercial version of the First Amendment tend to correlate highly with those who are opposed to expanding and enhancing education, so it is largely a rhetorical point.) From this perspective, the connection between a free press and democracy, which inspired this nation's founders, is dead.

This commercial interpretation of the free press clause does not go unchallenged. A much more progressive interpretation of the First Amendment has held its ground, inspired by the work of people such as Alexander Meiklejohn and Supreme Court Justice Hugo Black. Black was a legendary First Amendment "absolutist," but he was no commercialist when it came to a free press. Government censorship was not the only threat to a free press, and it was not the only legitimate public concern. In his famous opinion in the 1945 *Associated Press v. U.S.* case, Black defended the government's right to regulate media ownership: "The First Amendment, far from providing an argument against application of the Sherman Act, here provides powerful reasons to the contrary. That Amendment rests on the assumption that the widest possible dissemination of information from diverse and antagonistic sources is essential to the welfare of the public, that a free press is a condition of a free society.... Freedom to publish means freedom for all and not for some."[33] According to the progressive perspective, then, the right to a free press is a social right to a diverse and effective press system enjoyed by all Americans, not just media corporations or wealthy owners of commercial media. The First Amendment thus not only permits but indeed *requires* positive government activities to promote a free press, much as it has done with postal and printing subsidies.[34] As constitutional law professor Burt Neuborne puts it, otherwise you are left with a "First Amendment for the rich."[35] Prior restraint by the government should be opposed—and proponents of this perspective take a backseat to no one in their opposition to government censorship—but it is not to be seen as the sole government activity concerning the press.

Two distinct interpretations of the First Amendment for media have emerged over the course of the twentieth century. In the realm of broadcasting, the progressive interpretation holds; in 1969 the Supreme Court ruled in *Red Lion Broadcasting Co. v. FCC* that the First Amendment is a social right of the entire population to have a radio and television system that best serves its democratically determined needs. The First Amendment privileges of the commercial broadcasters are secondary and they must meet publicly determined public interest standards to keep their monopoly broadcasting licenses. With regard to print and most other media, the commercialist position is increasingly influential and treats the First Amendment as a license for the media to do as they please. A concerted campaign by progressives in the Meiklejohnian tradition to extend the social interpretation of the First Amendment from broadcasting to newspapers in the 1970s failed in the 1974 case *Miami Herald v. Tornillo.* Since then, commercial broadcasters have been working the court system to see that they get accorded the same First Amendment privileges as other media. That would, in effect, privatize the broadcast spectrum, remove broadcasting from public control, and constitute a gift of tens, even hundreds, of billions of dollars in public property to a small number of large private firms. Seen that way, the First Amendment becomes a policy with significant economic as well as political implications.

Subsidizing the Press

The third pertinent section of the Constitution regarding media policy gave Congress the power "to establish Post Offices and Post Roads." The resulting Post Office Act of 1792 was arguably one of the most significant pieces of legislation in the nation's history; as Richard R. John observes, the post office was "rapidly transformed into a dynamic institution that would exert a major influence on American commerce, politics, and political thought."[36] Theda Skocpol notes that "the postal system was the biggest enterprise of any kind in the pre-industrial United States."[37] As John puts it, "For the vast majority of Americans, the postal system was the central government." It was the largest single employer in the country.

What makes this crucial for our discussion, and what is striking upon review, is that the post office was primarily a medium of mass communication. In 1794 newspapers made up 70 percent of post office traffic; by 1832 the figure had risen to well over 90 percent. The crucial debate in the 1792 Congress was how much to charge newspapers to be sent through the mails. All parties agreed that Congress should permit newspapers to be mailed at a price well below actual cost—to be subsidized—to encourage their production and distribution. Postal subsidies of newspapers would become perhaps the largest single expenditure of the federal government. In Congress, the range of debate was between those who wished to charge newspapers a nominal fee for postage and those who wanted to permit newspapers the use of the mails absolutely free of charge. The latter faction was supported by Benjamin Franklin's grandson, the editor Benjamin Bache, who argued that any postal charge would open the door to commercial pressures that would be unacceptable because they would "check if not entirely put a stop to the circulation of periodical publications." James Madison led the fight in Congress for completely free mailing privileges, calling even a token fee a "tax" on newspapers that was "an insidious forerunner of something worse."[38]

Although those favoring free delivery did not prevail, pressure from both printers and the citizenry made the only relevant issue for Congress for subsequent generations whether to eliminate the postal charge. It was seen as a public subsidy for democracy. As John C. Calhoun put it, "the mail and the press are the nerves of the body politic."[39] Abolitionists and dissident political groups led the fight to maintain and extend the postal subsidy of newspapers. In 1851, Congress granted free postal privileges to weekly newspapers within its home county. Within a year 20 percent of newspapers being mailed qualified for free postage.[40] A version of this policy continued into the twentieth century, and postal rates on newspapers were never raised during the nineteenth century.

By the middle of the nineteenth century the consequences of the large postal subsidy—the fee was "trifling," even to Bache—had been the "almost illimitable circulation of newspapers through the mails," as one journalist remarked in 1851. As John concludes, the 1792 act "transformed the role of the newspaper press in American public life."[41] In his *Democracy in America,* Alexis de Tocqueville wrote with astonishment of the "incredibly large" number of periodicals in the United States.[42] This had nothing to do with some notion of a laissez-faire, commercially driven newspaper market—presumed by modern-day absolutists as the sine qua non of the Founders' notion of a free press. As Timothy Cook concludes, "Public policy from the outset of the American Republic focused explicitly on getting the news to a wide readership, and chose to support news outlets by taking on costs of delivery and, through printers' exchanges, of production."[43] This was enlightened democratic policy making, and it was successful. As with the First Amendment, the United States was leading the world.

The post office regulatory model was challenged when the telegraph became a competitor of sorts in the 1840s and 1850s. The idea that the postal service should be "privatized" was rejected categorically.[44] At first there was considerable public demand that telegraphy be made a government monopoly like the mails, but those favoring market regulation won the day. It was a measure, to some extent, of the increasing power of capital and notions of private enterprise in the political culture. By the end of the Civil War, however, telegraphy had gone from a competitive industry to a booming private monopoly under the control of Western Union. The private monopoly control over telegraphy was one of the most incendiary issues of the Gilded Age: between 1866 and 1900 some seventy bills were proposed to reform the industry, usually calling for some sort of nationalization.[45] This private control, as opposed to the systems in Europe in which the government operated the monopoly telegraph service, meant that Western Union could use its "natural monopoly" to favor more lucrative accounts from large business customers over smaller businesses and individuals. As such, economic historians regard the growth of Western Union as a major factor in the dominance of big business in American life.[46] For radicals, populists, socialists, and labor, nationalizing the telegraph was right up there with nationalizing the railroads as a core demand. Telegraphy faded in importance with the rise of radio and, especially, telephony in the early twentieth century. A similar public outcry greeted the private monopoly of telephony under the aegis of AT&T in the early twentieth century. After decades of political struggle, a compromise of sorts was reached: the telephone system was a private monopoly but one that was, unlike Western Union, theoretically held to strict government regulation.

The control and regulation of telecommunication systems like telegraphy and telephony are important and underrated components of media policy making. As with the post office, they have significantly affected the press system. Western Union was instrumental in revolutionizing journalism, the media system, and the broader political economy. It used its monopoly power to collaborate in the development of the Associated Press, a monopoly news service run in cooperative fashion by the largest newspaper publishers. This relationship was mostly unknown to the public. With exclusive access to the wires—Western Union refused to let potential competitors use its wires—AP became the only wire news service in the nation. So as not to offend any of its thousands of clients, it encouraged a journalism that was seemingly nonpartisan—hence it contributed heavily to the rise of journalistic "objectivity." Because newspapers without access to the AP were at a decided competitive disadvantage, it also discouraged competition in local markets. Likewise, the AP had extraordinary influence in the way it covered national politics because it served as the main voice for most major newspapers. Needless to say, it invariably presented a voice that took the side of business interests.[47]

Not surprisingly, the news coverage provided by AP and the major newspapers of the late nineteenth century strongly advocated keeping telegraphy a private and unregulated monopoly.[48] Western Union's interests were well taken care of by major U.S. newspapers. It was the first clear example of how concentrated press power could shape public debates over media and communication policy. It also highlights how much the press had moved from being a feisty fourth estate in service to democracy—or, less grandly, a political institution devoted to a variety of partisan causes—to a commercial institution dedicated to the rule of big business. Some members of Congress who opposed Western Union noted the monopoly's effect on newspaper concentration and content and went so far as to characterize the struggle for a publicly owned or regulated telegraph system as a battle to preserve a free press.[49] Dan Schiller's pioneering research reveals the broad-based and radical movement between the 1880s and the 1910s for reconstructing the corporate telecommunications systems; a core organizing principle was to break the "infernal bondage" imposed by Western Union and the AP.[50] One can only imagine how the telegraph might have influenced the media system and journalism differently if it had been a national monopoly like the post office and had people like James Madison been in Congress arguing for a well-subsidized diverse press. Along similar lines in the 1920s, AT&T's telephone network was instrumental in getting the NEC national radio network off the ground. The implication of having a single monopoly control telephony and national radio broadcasting was such that AT&T was required by the government to divest its broadcasting interests.

Although it does not appear in the U.S. Constitution, one other crucial policy was common in state constitutions, and prescribed by Jefferson and John Adams: public education. The Northwest Ordinance of 1787 provided the sentiment, even the wording, for many state constitutions concerning state-funded public education: "Being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged" by the state legislatures.[51] In spirit, one can see the strong link between public education and a free press as democratic institutions. Moreover, public schools formed an important market for books by creating literate citizens. Public libraries, also funded by state government, offered another avenue for individual education. The commercial publishing industries would have been a shadow of themselves—and much of it would not have existed—without these massive public subsidies.[52]

These subsidies point to another crucial manner in which governments shape and influence media systems: as purchasers and as advertisers. During the 1950s and 1960s, aggressive purchasing by the federal government of nonfiction books for its overseas libraries subsidized a veritable golden age of book publishing. Controversial and experimental work that would never have met market criteria otherwise was published. The sharp decline in library purchases of university press books in the past decade—due in part to monopoly control of academic journals that has driven their prices beyond the means of university libraries—threatens to eliminate the publication of significant scholarly work that was routinely published in the past.[53] Furthermore, since its inception the government has developed into a major purchaser of many forms of commercial media content, not just books. During World War II, for example, federal government purchases counted for some 90 percent of the Disney Corporation's sales.[54] The government has also become a major advertiser.

In the twentieth century, government media policies and subsidies provided the basis for much of commercial and corporate media's growth. The value of monopoly licenses to scarce broadcast channels, monopoly cable TV franchises, and copyright protection all granted and enforced by the government and all provided at no charge to commercial interests—runs into the hundreds of billions of dollars. This is no "natural" free market. It is a market created and shaped by the government.

Understood this way, the crucial issue then becomes how these media policies and subsidies are generated. What is the nature of the policy-making process? In the first generations of the republic, these policies were subject to relatively widespread informed public participation and debate. The resulting policies reflected such public involvement. Over the course of the nineteenth century and certainly by the twentieth century, as large commercial interests began to dominate media markets, the public's role began to shrink. Nevertheless, the transition to a corporate-controlled, advertising-supported media system was not seamless; at certain moments core policy fights burst onto the political stage. The most important juncture was the emergence of radio broadcasting….

Chapter 2
Understanding U.S. Journalism I

The Commercialization of Journalism

….Professional journalism, as we have seen, did not initially encounter opposition from most major media owners—indeed, professionalism was encouraged. Owners and progressive journalists struggled to demarcate professional journalism's contours, but by the middle of the twentieth century the discipline had settled into its current form. It made sense for media owners to grant some autonomy to journalists because it gave their product more credibility and worked to enhance their commercial prospects. The autonomy granted journalists was always relative, however, and the manner in which the professional code evolved put significant limitations on the capacity of professional journalism to serve as a democratic force.

Yet the professional journalism "deal" was never formalized, and newsworkers' unions could never garner enough power to wrest control of journalism (and budgets) from media owners. By the 1980s the "deal" made less and less sense for media owners. Relaxation of media ownership regulations, along with general market pressures, led to wave after wave of media deal making and mega-corporations. These gigantic firms, often media conglomerates that paid vast sums to purchase news media, wanted and needed to generate significant returns to pay down debt and satisfy investors. For these firms, autonomy for news divisions became nonsensical. After all, media conglomerates expected their other workers to directly enhance the bottom line.

In this context, journalism has increasingly become explicitly commercial; professionalism can no longer offer as much protection from commercial pressure. Although this is the primary and overarching factor explaining recent developments in journalism, it is not the sole factor. New commercial news media enabled by new technologies—in particular, round-the-clock TV news channels and the Internet—have intensified the need for fresh and attention-getting stories.[59] Libel court rulings and government secrecy laws and regulations have made it much more difficult and cost prohibitive to investigate corporations and governments.[60] One irony of neo-liberalism—as manifested in the Bush-Cheney variant—is that its contempt for government (and its much professed love of citizens' wisdom) requires it to discourage the citizenry from knowing what the government is doing in its name. Similarly, as journalism becomes more explicitly directed by market concerns, the overall depoliticization of society generated by the media will discourage political coverage by journalists. And, as I will discuss in the next chapter, the conservative campaign against the "liberal media" has produced a chilling effect on journalism's willingness to ask tough questions of those in power. In combination, these factors have led to a crisis in professional journalism.

The widely chronicled commercial attack on autonomy assumes many forms.[61] News budgets have been subject to significant cuts. By the 1990s, commercial news media were "forced to embrace the financial discipline required by parent companies that no longer looked at news as a golden child and free-spending spirit even when it refused to be bound by life's practicalities."[62] A 2002 Project for Excellence in Journalism survey of U.S. journalists found them "a grumpy lot," due largely to budget cuts, lower salaries, no raises, and job insecurity.[63] There was a virtual newsroom uprising at the *Wall Street Journal* in December 2002, for example, when parent company Dow Jones announced sweeping cuts in the number of senior journalists while the firm's executive ranks remained untouched.[64] The media firms argue that such cutbacks are necessary to remain competitive, but many journalists claim that giant firms use their market power to cut resources for news in order to make a short-term profit grab. In 2001 the publisher of the *San Jose Mercury-News,* Jay Harris, resigned his position in protest of unnecessary editorial cutbacks mandated by the paper's parent company, Knight-Ridder. As Harris put it, cutbacks were unjustifiable because his newspaper, like most others, was raking in enormous profits.[65]

Lowballing editorial budgets has proven extremely profitable, at least in the short term. The great commercial success story of U.S. journalism has been the Fox News Channel, which has cut costs to the bone by replacing expensive conventional journalism with celebrity pontificators.[66] Using this formula, Fox News was able to generate roughly equivalent profits to CNN by 1999-2000 and spent far less than CNN to do so.[67] The operating profit at News Corporation's U.S. cable channels, which includes the Fox News Channel, more than tripled from the third quarter of 2001 to the third quarter of 2002.[68] The rise of media conglomerates has made it far easier for a firm to spread its editorial budgets across several different media, so that the same journalist can report for a media firm's newspaper, website, broadcast TV station, cable TV channel, and radio station.[69] The Internet only accelerates this process. It provides much of the incentive for firms to become large conglomerates because it offers tremendous cost savings compared to firms with a smaller arsenal of media properties.[70] Indeed, even separate firms are partnering (especially where regulations prohibit them from merging) to spread editorial budgets across several media.[71] When ABC News and CNN were negotiating a merger in 2002, one observer deemed it "an unholy alliance that could only make sense to cost-cutters."[73] One Wall Street analyst thought the merger would lead to cost savings (including labor costs) of $100 million to $200 million.[73] As Av Westin, the Emmy Award-winning ABC journalist and news executive, put it in 2001, "To expect that any corporate manager will reinvest savings in better news programming is, I fear, a delusion."[74]

The effects of this budget-cutting mania in journalism have been almost entirely negative. A relaxation or alteration, sometimes severe, of professional news standards has resulted, although professional standards have not collapsed entirely. Journalists still must not invent sources or consciously lie, and those caught will usually be fired and banned from the profession.[75] The scandal over Jayson Blair, the *New York Times* reporter who doctored stories and was fired in 2003, is instructive. Blair made the cover *of Newsweek* and received enormous media attention week after week and the *Times's* two top editors were forced out.[76] (His lies and deceit were relatively trivial; far more egregious omissions and errors built into the professional code sail by without comment, a point I return to in chapter 3.) But what gets covered and how it gets covered—the meat and potatoes of journalism-have changed for the worse. Factual accuracy and honesty are all well and good, but they are fairly trivial in a story about a celebrity's trial or a donkey getting a shampoo. The broader question is how the decline in resources and the pressure to generate profits pushes factually accurate journalism to concentrate upon some stories over others. To quote Trudy Lieberman, "You can't report what you don't pursue."[77]

It is here that the attack on professional standards is striking. Fewer reporters means that PR operatives can more easily get their clients' unadulterated messages into the news. Two executives for Edelman Public Relations exulted in 2000 that media consolidation and conglomeration had created fewer reporters and resources and, therefore, "an increased likelihood that press releases will be used word-for-word, in part if not in whole."[78] International coverage has been a victim of corporate cost cuts, and it has plummeted over the past two decades. This decline only worsens the quality of news coverage of the U.S. role in the world.[79] The United States is the dominant global military power acting in the name of its people, and the large majority of the population has difficulty answering elementary questions about global geography, history, or politics.

Investigative reporting—that is, original research into public issues, once considered the hallmark of feisty "fourth estate" journalism in a free society—is on the endangered species list. Hard investigations cost more than official source stenography, and they require skilled, experienced journalists. For media companies, it is considerably more lucrative to have inexperienced journalists fill the news hole with easy stories regurgitating proclamations of the powerful. Investigative journalism has also become suspect in this corporate-driven society because media firms have little incentive to produce journalism that might anger powerful business or governmental institutions. A five-year study of investigative journalism on TV news completed in 2002 determined that investigative journalism has all but disappeared from the nation's commercial airwaves. Much of what was passed off as original investigative work—only 1 percent of TV news programming—included stories such as "women illegally injecting silicone at parties."[80] As Charles Lewis points out, much of what masquerades as investigative work on network TV news is actually spoon-fed leaks from government sources.[81] Even in these cases, as investigative reporter Greg Palast observes, little actual journalistic inquiry into the truth occurs.[82]

This combination of an increasing need to rely on PR and a declining commitment to investigative journalism plays directly into the hands of powerful commercial interests, especially on environmental and public health stories when scientific expertise is required to explain the issues. It is in such contexts, as authors Sheldon Rampton and John Stauber have documented, that corporations have been generous in providing the media with self-interested versions of science.[83]

In the current commercially stripped-down climate, professional reliance upon official sources as the basis for news—always a problem-has become debilitating. It is increasingly rare that reporters bother to determine who is telling the truth when official sources disagree on the facts. Investigating factual disputes takes time and could cast the pall of bias over the journalist, depending upon whom the findings favored. When, for example, in 2002 Democrats criticized Halliburton for not paying taxes under Dick Cheney's leadership, the press ran the charges and Halliburton's denial. Few journalists, in the professional mainstream press at least, appeared to determine who was telling the truth.[84] This environment becomes a scoundrel's paradise in which officials can lie with virtual impunity; and officials' opponents, not journalists, must establish the truth, and such opponents can always be dismissed as partisan. "Bound by professional strictures, news reporters can wind up giving a lie the same weight as the truth," David Greenberg warns. In such an environment "raising questions of truthfulness can seem awfully close to taking sides in a partisan debate." Frustrated journalists hungry for the muckraking mantle merely zero in on politicians' lies about personal matters because "here, the press can strut its skepticism without positioning itself ideologically." As Greenburg concludes, the "current rules end up encouraging media hysteria about personal lies of scant importance and deterring inquiry into topics that matter incalculably more."[85] "The nation's media," a *Washington Post* reporter acknowledged in 2003, "have yet to find a clear and effective way to report incorrect impressions and untruthful statements, particularly those that emanate from the White House.... Journalists are notoriously reluctant to use the word 'lie' when describing the statements of public officials."[86]

Today journalists are far more comfortable casting political debate in terms of strategies and spin than locating facts. As a result, much of the press coverage of the political response to the 2002 corporate scandals—to which I return below—dwelled upon how the parties hoped to spin the issue to their advantage.[87] (Of course this obsession with how politicians spin—indeed, journalists sometimes chastise politicians who fail to spin effectively—rather than with getting at the truth breeds a certain contempt for public life.[88]) Av Westin detailed the implications of professional journalism's deterioration in his Freedom Forum handbook for TV journalists: "As a result, the audience has become accustomed to shoddy reporting to the point that the average viewer does not necessarily expect quality journalism and probably could not discern the difference between a well-produced story and a below-average one. The sad truth is that because the mass audience cannot perceive the difference, management is reluctant to spend more money to improve the product."[89]

Corporate cutbacks also have allowed commercialism to penetrate journalism. Pressure to shape stories to suit advertisers and owners is not new, and much of the professional code has attempted to minimize it. But corporate management has been grinding away at news divisions to play commercial ball. Over time journalists have been worn down, and those who have survived have internalized the necessary corporate values. One survey conducted by the trade publication *Electronic Media* in 2001 found that the vast majority of TV station executives found their news departments "cooperative" in shaping the news to assist in "nontraditional revenue development," in which the news department co-promotes events that use advertisers as experts.[90] The Pew Research Center survey of three hundred journalists released in 2000 found that nearly half of them acknowledged sometimes consciously engaging in self-censorship to serve the commercial interests of their employer or advertisers, and only one-quarter of them stated that this never happened to their knowledge.[91]

This commercial penetration of professional journalism, insofar as it is direct, assumes two forms. First, commercial interests produce or directly penetrate the news itself, corrupting integrity. This process has been well chronicled.[92] To some extent it entails savvy corporate marketers who produce slick video features to be played on TV newscasts as news stories but include a plug for the firm's product.[93] When the traditional "news hole" is open for commercial messages, obituaries can be sold, ads might run on the front page, or commercials can overlay editorial content.[94] The practice of permitting advertisers to influence the news and how it is covered has become more common, especially in health care and medicine, where commercial corruption of reporting has become, pun intended, epidemic.[95] In 2002 an editor of the *New York Post* went so far as to inform publicists that buying an ad might buy coverage.[96] By 2003, some local TV stations were "selling" editorial segments to advertisers.[97] The *Des Moines Register* was engaged in "custom publishing," whereby its reporters would produce special editorial sections on behalf of major advertisers. "You could make the argument that we have already crossed the (ethical) line with advertorials," the president of the American Society of Newspaper Editors noted. "Once the barn door is open, people get together and rationalize how it can be done for anything," the president of the Society of Professional Journalists observed.[98]

Commercialism also extends to individual journalists, and the traditional prohibition against accepting compensation for particular content has been weakened. Journalists figure they might as well profit, and some have stooped to hawking products.[99] Charlie Rose, a correspondent for both PBS and CBS, for example, was the master of ceremonies for Coca-Cola's annual shareholders meeting in 2002.[100] Further, marketing newscasters as "celebrities" and "brands" offers a relatively inexpensive way for media firms to increase ratings, sales, and profits from their news assets.[101] In 2002, for instance, a New York TV weatherman agreed to go out on televised dates, which would be critiqued on-air by his colleagues the next day.[102] And the punishment for being explicitly commercial is not as dire as it once was— indeed, some reporters are being rewarded for their behavior. When an ABC medical journalist was suspended for a week for endorsing Tylenol in a radio commercial in 2002, she left ABC to accept a lucrative position at Johnson & Johnson, Tylenol's parent company.[103] In another case, a health reporter who had been fired by a Baltimore TV station because of her "blundering efforts to make money from the medical institutions she had been covering" parlayed her ties into a weekly TV health news program that was described by one Baltimore journalist as "an alarming parade of commercial tie-ins."[104] Accepting direct commercial bribes remains taboo, but the wealth of indirect commercial influences makes the prohibition practically moot.

The second form that commercial penetration of journalism assumes is another traditional problem that professionalism was intended to eliminate: journalists using their privileges to report favorably on their owner's commercial ventures or investments. The major TV networks have used their news programs to promote their other media fare, such as when ABC News promoted Disney's 2001 film *Pearl Harbor* or played up the fictitious town of Push, Nevada, which was the name of a short-lived prime-time series.[105] *NBC Nightly News* featured more than twice the amount of news coverage of the 2002 Winter Olympics than did ABC *World News Tonight,* and nearly seven times more coverage than did CBS *Evening News.* Is it any surprise that NEC was the broadcaster of the Winter Olympics?[106] CBS was not to be outdone. In 2000 it broadcast frequent "reports" on its "reality" program *Survivor* and loaned out a journalist to conduct a weekly interview program on another "reality" show, *Big Brother.*[107] Researcher Matt

McAllister has demonstrated that the CBS morning program *The Early Show* was particularly weighted with "news reports" hyping Survivor.[108] An industry analysis of the content of morning news shows on network TV found them laden with promotional material for the network's programs masquerading as news, concluding, "The morning shows are shameless promotional vehicles."[109] In 2001 AOL Time Warner's *CNN Headline News* acknowledged that it was plugging other AOL Time Warner products and channels in its news headlines; the practice was in fact a logical outcome of the corporate commitment to synergy.[110] "The drive to achieve synergy," journalist Ken Auletta remarked in 2002, "is often journalism's poison."[111]

Corporate and commercial pressures exerted indirectly are less likely to be recognized as such by journalists or the public. The flip side of the reluctance to spend money on investigative or international coverage, and the equal reluctance to antagonize powerful sources, is an increased emphasis on trivial stories that give the appearance of controversy and conflict but rarely have anything to do with significant issues. Study after study reveal a general decline in the amount of hard news relative to fluff.[112] Some critics argued that in the aftermath of the 9/11 terrorist attacks, U.S. news media would return to their "historic mission," but such fantasies were shortlived.[113] A 2003 study published by the Council for Excellence in Government indicated that over the preceding twenty years news coverage of the federal government dropped by 31 percent on TV news shows, 12 percent in national newspapers, and 39 percent in regional newspapers. "Television and newspapers are the modern civics teachers for most of us," the council's president noted glumly."[114]

A central preoccupation of the news has become the activities and personal lives of celebrities.[115] Stories about Winona Ryder's shoplifting trial, Robert Blake's murder arrest, and Gary Condit's sexual affairs dominated 2001 and 2002 news.[116] By 2003-04 Kobe Bryant and Michael Jackson's legal travails were the flavors of the month.[117] Politicians stand a far greater chance of becoming the object of news media scrutiny if they are rumored to have ten outstanding parking tickets or to have skipped out on a bar bill at a topless club than if they quietly use their power to funnel billions of public dollars to powerful special interests. The justification for this caliber of journalism is that these stories are popular and therefore profitable, and commercial news needs to "give the people what they want." Even leaving aside the question of whether journalism should be determined by marketing polls, this is circular logic.[118] The motive behind this journalism is as much supply as demand, pressure from the powerful as much as pressure from the powerless. Fluff is cheaper and easier to cover than hard news and rarely angers those in power, while it provides an illusion of controversy to the public. Over time whatever taste the public has for this type of fare is encouraged through extensive exposure. Had a similar commitment to exposes of government and corporate corruption been made, a public taste might well have developed for those stories as well. But that is not an option that the people are given.

Celebrities and trivial personal indiscretions are not all that commercial journalism favors. Crime and violence meet commercial criteria as well. As with sensationalism, crime stories have existed as long as profit-driven mass circulation newspapers; in the current environment, however, crime and disaster news have become the centerpiece of journalism, especially local TV news. Television news is awash in stories about traffic and airplane accidents, fires and murders."[9] The Washington serial sniper story of October 2002 was a textbook example of this phenomenon. It generated high ratings and took no great skill or expense to cover. It received round-the-clock coverage, yet the news media had little to report, so much of the "new"" was hashing over rumors, bland repetition, and idle speculation that turned out to be mostly incorrect. As Ted Koppel put it, the media were "going nuts" over what he termed a "dreadful but relatively minor threat" in the bigger scheme of things.[120] Outside of the affected region, it was largely a waste of time, but a commercially lucrative waste of time. The implications of all this crime coverage have been demonstrated by scholars: the plethora of crime stories has led heavy TV watchers to think crime is far worse in their communities than it actually is. The coverage has also overemphasized African Americans as criminals and whites as victims, with negative repercussions for racial attitudes and race relations.[121] Moreover, it has had the perverse effect of encouraging popular support for draconian measures to stem the bogus "crime wave," which has proven disastrous for African American communities.[122]

Commercialism also pushes journalists to make content directed at demographics considered desirable by media owners and big ticket advertisers.[123] The notion of journalism as a public service institution aimed at the entire population has vanished, except rhetorically. Today much of journalism is directed at the middle and upper classes while the working class and the poor have been ignored.[124] "I can't say we're going to sell more soap [than the competition]," a CNN executive exulted in 2003, "but we're damn well going to sell more financial services."[125] Coverage of labor issues has plummeted in the past generation.[126] African Americans and Latinos are invisible or misrepresented in the news partly because they are not considered economically attractive to advertisers.[127] This perception fuels the racially biased portrayals of crime, in part because whites are disproportionately the target audience. Ben Bagdikian captured this class bias well in a 2001 essay: "If the Dow Jones Industrial Average dropped steadily for twenty years it would be front page and leading broadcast news day after day until the government took action. That 32 million of our population have their housing, food, and clothing 'index' drop steadily for more than 30 years is worth only an occasional feature story about an individual or statistical fragments in the back pages of our most influential news organizations."[128] A survey released by the Catholic Campaign for Human Development in 2003 confirmed that most Americans had no idea that nearly 33 million citizens lived in poverty in this country; most thought the total was between 1 and 5 million.[129]

The flip side to the marginalization of the poor and working class in the news has been the elevation of business to center stage. If labor reporting went from being a standard position at daily newspapers two or three generations ago to being nearly extinct by 2004, business reporting skyrocketed to the point where business news and general news seemingly converged. Although the majority of Americans have little direct interest in the stock market— and it is far from the most pressing immediate economic issue in their lives— news media seemingly assume most Americans are stock traders with a passionate concern about equity and bond markets. Hence, even local TV broadcasts comment on daily New York Stock Exchange trading, cable news channels feature a constant stock market ticker, and even newspapers with relatively small circulations include a business section. Schools of journalism have responded to this development, and chairs in business journalism have mushroomed across college campuses. "Business journalism is hot," a Columbia University Journalism School official noted. "Journalists see it as a career track."[130]

Regrettably, however, the turn to business journalism has not encouraged critical scrutiny of corporations and their affect on public life. Even close examination of business behavior to protect investors and consumers has not increased.[131] To the contrary, business journalism is, as one observer put it, "teeming with reverence for the accumulation of wealth."[132] To some extent this is due to the rah-rah capitalist ethos that marinates corporate media, and is hardwired into business journalism, with its active promotion of wealth accumulation and barely concealed contempt for obstacles put in front of the pursuit of profit. But it is also due to the reliance upon corporate sources for business news, the marginalization of critical sources, the use of corporate PR as the basis for news, and the fear of antagonizing corporate advertisers.[133]

The corruption of business reporting had become so egregious that in 2002 the New York Stock Exchange was pressing for regulations that would require journalists to disclose the financial interests of the stock market analysts they used in their news stories.[134] By 2002 media critics at mainstream outlets concurred that business journalism, rather than monitoring the excesses of the business expansion of the 19905, actually played a strong part in magnifying them and "inflating the bubble."[135] As columnist Norman Solomon observed, "The bubble was filled with hot air from hyperventilating journalists."[136] Yet few journalists questioned the turn away from labor coverage and toward lavish business reporting because it conforms to the norms of the professional code. It is not seen as "self-censorship" to shape news content in such a manner. That is the genius of professionalism as a form of regulation….

Chapter 3
Understanding U.S. Journalism II:
Right-Wing Criticism and Political Coverage

Along with commercial influences, political pressure from powerful self-interested parties—and to a lesser extent, the general public—has also shaped contemporary journalism. Pressure from elites remains constant, and a main purpose of professionalism, in theory at least, is to acknowledge this reality while preventing it from having undue influence. Broader, non-elite pressure exerts less influence because the professional code regards the general public as not sufficiently knowledgeable to participate in journalism discussions.

A particular form of elite criticism of journalism has become more prevalent over the past quarter century than perhaps at any time in U.S. history. This critique generated by well-funded political conservatives calls journalism excessively sympathetic to causes favored by liberals and the Left and prejudiced against the concerns of business, the military, social conservatives, and religious-minded people. This campaign has become especially effective because it has been linked to the populist strain in conservative politics and aligns the "liberal" media elites against the interests of regular Americans. Between 2001 and 2003 several books purporting to demonstrate the media's leftward tilt rested atop bestseller lists.[1] Such charges have already pushed journalists to be less critical of right-wing politics. The result has been a reinforcement of the corporate and conservative bias built into the media system. Indeed, the critique of the "left-wing media" meshes perfectly with the corporate interests that own the media and with the commercial pressures that are altering U.S. journalism for the worse.

I begin this chapter by reviewing the conservative critique and evaluating its effects on the media culture. Somewhat like the "commercial media give the people what they want" thesis, which I will address in chapter 5, the strength of the "liberal media" argument is that it contains an element of truth. The problem with it is that this truth is distorted, decontextualixed, and used opportunistically to push a distinct political agenda. But it has had considerable effect politically. Among other things, the right-wing campaign has led to a double standard in covering politicians. After reviewing this critique, I will bring together the elements of chapters 2 and 3 and assess the manner in which the news media encourage or discourage a viable electoral system in the United States and, with that, effective self-governance. It is in the caliber of our political culture, as reflected in our electoral system, that the true measure of our journalism may be found.

Conservative Critique of the "Liberal Media"

Mainstream analysis over the past half century has been mostly concerned with documenting commercial and government encroachment on journalistic autonomy and professional training. The conservative critique is a variant of this analysis and contends that establishment journalists, who are seen as primarily left of center, abuse their power by distorting the news to serve their own political agendas—in a violation of the professional code. Such criticism would have been nonsensical prior to the professional era, when journalists explicitly represented the values of newspaper owners, who tended to have the politics of the business class and thus were conservative. Indeed, the idea of journalism, especially that generated by the largest and most prestigious newspapers, having a "left-wing" or anti-business bias in the Gilded Age or Progressive Era would have been about as plausible as the argument that *Pravda* had an anti-Communist bias in the old Soviet Union.

The conservative critique is based on four propositions: i) the decisive power over the news lies with journalists—owners and advertisers are irrelevant or relatively powerless; 2) journalists are political liberals; 3) journalists abuse their power to advance liberal politics—thus breaking the professional code; and 4) objective journalists would almost certainly present the world exactly as seen by contemporary U.S. conservatives. Upon review, the conservative argument goes zero for four, although it does make contact with the ball on occasion.

The first proposition is intellectually indefensible and is enough to call the entire conservative critique into question. No credible scholarly analysis of journalism posits that journalists have the decisive power to determine what is news, what is not news, and how news should be covered. That is the fight that George Seldes and progressives in the Newspaper Guild lost in the 19305. In commercial media, owners hire, fire, set budgets, and determine the overarching aims of the enterprise. Journalists, editors and media professionals who rise to the top of the hierarchy tend to internalize the values, both commercial and political, of media owners.[2] As one critic put it, at leading news outlets like the *Washington Post* and *New York Times,* "the batting average in elevating safe figures is one hundred percent. The chances of an eccentric editor reaching the upper branches of the tree are zero, and near zero for reporters."[3] Editors who toe the party line can be given autonomy because those in power know it will not be abused.

In terms of organizational sociology, the commercial newsroom is not unlike the media setup in the old Soviet Union. The top editors at Toss and *Pravda* did not have armed KGB agents hovering over them to enforce the party line; by the time they hit the big office in Moscow, they had internalized the necessary values and could be trusted to police the system themselves. And, of course, they were rewarded for their compliance. "The notion that largely conservative media owners hire left-wingers to run their news outlets is no more credible," argues media critic Jeff Cohen, "than owners of restaurant chains hiring militant vegetarians to run their steakhouses."[4] In the United States, sophisticated scholarly analysis examines how commercial pressures shape what have become the professional values that guide journalists.[5] Indeed, the genius of professionalism in journalism is that it allows journalists to adopt many of the values of media owners, yet because they are following a professional code, they are largely oblivious to their compromises with the status quo.

Even with these limitations, the rise of professionalism did grant journalists a degree of autonomy from the immediate dictates of owners, and the socially volatile period of the 1960s and early 1970s allowed reporters the freedom to follow risky stories. Journalists do have less autonomy today than they did twenty-five years ago, thanks in part to media owners' efforts. In fact, conservatives tacitly acknowledge the transparently ideological basis of the claim that journalists have all the power over the news. The real problem for conservatives isn't that journalists have all the power or even most of the power; the problem is that they have *any* power to be autonomous from owners and advertisers, whom conservatives seem to regard as having both the proper political worldview and the unique right as owners to determine media content. Conservative critics thus depict individual journalists as covert operators attacking conservative values from within what by all property rights should be conservative corporate media.

Former Speaker of the House Newt Gingrich, with typical candor, has laid bare the logic behind the conservative critique—eliminate journalistic autonomy and return the politics of journalism to the politics of media owners. "The business side of the broadcast industry ought to educate the editorial-writing side of the broadcast industry," Gingrich told a trade magazine. "I went into a major cable company that owns a daily newspaper, and the newspaper's editorial page is attacking the very position of the cable company.... And then they come to lobby me and say, 'Please ignore the editorials [in the paper] that we own because they don't know what they're talking about.' I think, wait a second, that is a totally irresponsible statement."[6] At a private meeting with media CEOs in 1995, when Gingrich was asked by Time Warner's chair how they could make coverage of Gingrich "fair," Gingrich reportedly told the CEOs that they were responsible for keeping journalists in line: "It was like, 'Get your children to behave,'" confided a staffer present at the meeting.[7] This helps explain why U.S. rightists, exemplified by Gingrich, also obsess about pushing public broadcasting to operate by commercial principles; they know that the market will effectively push the content in a more politically palatable direction.[8]

The second proposition of the conservative critique—that journalists are liberals—has the most evidence to support it. Surveys show that journalists tend to vote Democratic at a greater proportion than does the general population. In one famous (though highly criticized as methodologically flawed) survey of how Washington correspondents voted in the 1992 presidential election, something like 90 percent voted for Bill Clinton.[9] To some conservative critics, that settles the matter. But the weakness of the first proposition undermines the importance of how journalists vote and their political beliefs. What if owners and managers have most of the power, both directly and through the internalization of their political and commercial values through professional norms? Surveys show that media owners and editorial executives vote overwhelmingly Republican. An *Editor & Publisher* survey found that in 2000 newspaper publishers favored George W. Bush over Al Gore by a 3-to-1 margin, while newspaper editors and publishers together favored Bush by a 2-to-1 margin.[10] And why should a vote for Al Gore or Bill Clinton be perceived as a reflection of leftist politics? On many policies, especially economic, these are moderate to conservative Democrats—very comfortable with the status quo.

A problem with the argument is already apparent: the terms *liberal* and *left-wing* are used interchangeably. In the conservative argument, the great divide in U.S. politics fall between conservatives and "the Left," a group that runs seamlessly from Al Gore and Bill Clinton to Ralph Nader, Nelson Mandela, Noam Chomsky, Subcommandante Marcos, and Fidel Castro. In the right-wing worldview, there are no centrists—or, if one insists, those on the right are the centrists. According to the shock troops for the current conservative assault on the journalistic profession, support for Gore or Clinton is virtually indistinguishable from anarchy or socialism. Bernard Goldberg, author of the recent bestseller Bias, which purports to demonstrate left-wing media bias, links, albeit flippantly, political strategists for Clinton with Marx in their contempt for the rich.[11]

Blurring distinctions comes naturally to conservatives who see any concession to social welfare needs as evidence of creeping socialism. Clinton Democrats and radical leftists become interchangeable because conservatives categorize leftism so broadly. This lumping process is based almost exclusively upon support for what are called social issues, such as gay and lesbian rights, women's rights, abortion rights, civil liberties, gun control, and affirmative action. And indeed, on these issues a notable percentage of journalists tend to have positions similar to many of those on the Left. For Goldberg, "the real menace, as the Left sees it, is that America has always been too willing to step on its most vulnerable—gays, women, blacks. Because the Left controls America's newsrooms, we get a view of America that reflects that sensibility." These positions are not exclusively left ones; many corporate executives, even some conservative ones, would be comfortable supporting these "liberal" stances.

This framing of liberalism as leftism is misleading and ignores a more fundamental divide in U.S. society between elite opinion-formed by those high atop our leading institutions—and those outside it. On most issues, and certainly on the economy and militarism, there is more common ground between Clinton and the Republicans—between the liberal and conservative branches of elite opinion—than there is between Clinton and the Left. The U.S. news media, including the media most often characterized as liberal by the Right, pays little direct attention to the political Left. The Left—not only genuine radicals but also mild social democrats by international standards—lies outside the spectrum of legitimate debate. What attention the Left actually gets tends to be unsympathetic, if not explicitly negative. Foreign journalists marvel at how U.S. left-wing social critics like Noam Chomsky, who are prominent and respected public figures abroad, are virtually invisible in the U.S. news media.[12] Because the Right has no apparent principled concern about media coverage of diverse political views, that the Left is ignored and marginalized concerns it not a whit. And since the term *leftist* is pejorative in mainstream U.S. political culture, the term offers a useful tool to tar moderate liberals.

But the notion that journalists are more liberal than most Americans on social issues is the strongest card in the right-wing media critic's hand, and it is the card played most often. Journalists supposedly use their power to push their urbane liberal lifestyle on red-blooded Americans who are less tolerant of gays and lesbians, less committed to civil liberties, less supportive of feminism, less supportive of affirmative action, more interested in owning guns, and more religious. In holding these views, journalists are like most educated professionals. Some recent research, however, indicates that far more Americans may be "liberals" on these issues than the Right would have us believe. A 2003 *Chicago Tribune* state-wide poll of Illinois residents found them overwhelmingly supportive of women's rights, gay rights, and gun control.[13] Unquestionably, however, journalists are far less likely to be fundamentalist or evangelical Christians than is the balance of the population.[14] Fundamentalist Christianity, however, cannot necessarily be equated with conservative politics, especially on issues concerning the economy, social spending, and regulation. It also is misleading to think that fewer evangelical journalists creates a hostility in journalism toward organized religion. Christianity and Judaism, if anything, are either sacred cows or third rails—one would have to look for a very long time to find mainstream news reports challenging the existence of God or the sanity of people who put their faith in a metaphysical entity.

This takes us directly to the Achilles' heel of the conservative critique of journalistic liberalism, which is conveniently absent from their pronouncements. Journalists tend to be more pro-business and conservative than the bulk of the population on the economy, militarism, and regulation of business in the public interest.[15] Commercial journalism has generated a stridently pro-capitalist viewpoint to the point where business news arguably exceeds traditional political journalism in prominence. No one claims that this mother lode of business reporting has anything remotely close to a liberal bias or holds any skepticism toward the role of business in the U.S. political economy. Moreover, all the economic pressures in journalism are pushing the news to accommodate the interests of affluent consumers, those targeted by big ticket advertisers. When Bernard Goldberg looks for concrete examples of left-wing bias in the media on economic issues, he trips over his feet. He accuses CBS News and the liberal press of being unfair to millionaire and 1996 long-shot presidential candidate Steve Forbes for his flat tax proposal, even though that scheme was roundly criticized by a large segment of the mainstream economics and business community.[16] Goldberg does not even quibble with the manner in which Ralph Nader's ideas on the economy were ignored or trivialized in campaign coverage in 2000.

Most striking, Goldberg accuses journalists of a liberal-elitist contempt for the poor, which is of course not difficult to prove. Goldberg notes: "Edward R. Murrow's 'Harvest of Shame,' the great CBS News documentary about poor migrant families traveling America, trying to survive by picking fruits and vegetables, would never be done today. Too many poor people. Not our audience. We want the people who buy cars and computers. Poor migrants won't bring our kind of Americans—the ones with money to spend—into the tent. This is how the media's 'Liberals of Convenience' operate."[17] This criticism, although correct, is employed in a sleight-of-hand fashion to conclude that the media are too left-wing. A more perceptive critic might draw the opposite conclusion.

Indeed, any serious look at questions surrounding class and economic matters would quickly free the journalistic profession from any charges of liberal or left-wing bias. Over the past two generations, journalism, especially at the larger and more prominent news media, has evolved from a blue-collar job into a desirable occupation for the well-educated upper middle class. Urban legend has it that when news of the stock market crash came over the ticker to the *Boston Globe* newsroom in 1929, the journalists all arose to give Black Monday a standing ovation. The rich were finally getting their comeuppance. In contrast, when the news of the stock market crash reached the *Globe* newsroom in 1987, journalists frantically phoned their brokers. As recently as 1971 just over one-half of U.S. newspaper journalists had college degrees; by 2002 nearly 90 percent did. The median salary for a journalist at one of the forty largest circulation newspapers in the United States in 2002 was nearly double the median income for all U.S. workers.[18]

To become a top-tier journalist today increasingly requires paying high tuition to attend a journalism school and then working for free or next to nothing at an internship to build experience. This strongly weights the profession toward the children of the affluent.[19] Journalists at the dominant media are unlikely to have any idea what it means to go without health insurance, to be unable to locate affordable housing, to have their children in underfunded and dilapidated schools, to have relatives in prison or on the front lines of the military, to face the threat of severe poverty. For a U.S. journalist, that nearly 100,000 Americans die annually due to inadequate health care is about as relevant as the standings in the Pakistani cricket league; the coverage—or lack thereof—of health care policy and other urgent issues for the working class and the poor cannot help but be influenced by this disconnect.[20] Russell Baker, legendary columnist for the New York Times, put the matter well in December 2003: "Today's top-drawer Washington news people are part of a highly educated, upper-middle class elite; they belong to the culture for which the American system works extremely well. Which is to say, they are, in the pure sense of the word, extremely conservative."[21]

This provides context for Professor David Croteau's fascinating survey of journalists in the Washington press corps, which demonstrates that they are to the right of the U.S.

population on core economic issues.[22] While journalists' private political attitudes do not dictate their journalism, they certainly complement and reinforce the structural pressures when economics are covered. Consider one of the most pressing economic issues currently affecting working-class Americans (and probably all of us): global trade deals. Blue-collar workers, including many evangelical and fundamentalist Christians, are concerned about job losses and lowered living standards because of the increased threat of super-cheap labor; environmentalists worry that U.S. protective standards can't be enforced; many citizens dislike the secretive nature of trade negotiations and the undermining of democratic governance. Polls place a significant percentage of Americans in opposition to these trade treaties, though Croteau reveals that mainstream journalists overwhelmingly support them.

Media coverage has been heavily weighted to present global trade deals as enlightened policy and opposition to trade deals as Cro-Magnon thinking. The coverage has also distorted the issues, most notably referring to "free trade," when that is an often inaccurate description of complex agreements involving corporate-negotiated protectionism and subsidies. The distortion stems from an interconnection between politicians, business leaders, media companies, and journalists. The political elite in both parties has aggressively pushed these deals, and their campaign coffers have been greased accordingly. The corporate community has applied a political full-court press to put NAFTA and the WTO in place.[23] Major media owners strongly support global trade deals that make it easier to buy media abroad, get cheaper labor for their consumer goods, tighten up intellectual property laws, and sell their wares in new markets. The sources used for business journalism, where economic stories are largely covered, applaud global trade deals because they promise increased business and profit. The audience for business news is primarily the upper middle class, who see much to gain from the trade deals and little downside. Journalists fit squarely in this camp: they have little reason to fear they will lose their jobs to cheaper Haitian or Vietnamese laborers. Free trade deals seem A-OK to them, and all the institutional pressures are pushing in one direction. Hence, stories tend to herald "free trade" agreements and ignore the important democratic issues involved.[24]

Even if many mainstream journalists are often characterized as social "liberals," their positions on social issues should not be exaggerated. Right-wing critics regularly lambast journalists for being "soft" on race, meaning that journalists are unwilling to ask tough questions about affirmative action or African American leaders.[25] In view of this nation's history with racism and the considerable inequality between whites and people of color today, this is clearly a sensitive issue, and not just for liberals. Few African Americans think the news media are bending over backward to give them the benefit of the doubt, and for good reason. Research shows that African Americans rarely appear as sources in the news but regularly appear as criminals.[26] Martin Gilens's important book on why Americans hate welfare demonstrated that distorted coverage was to blame. News media erroneously covered welfare as a social service that went preponderantly to African Americans. When welfare was seen as helping people down on their luck, in great need, and white, the program soared in popularity. When Gilens investigated why the press coverage presented an erroneous and racially charged picture of welfare, he determined that the lack of minority journalists in newsrooms played a major factor.[27] Ethnic minorities are woefully underrepresented among journalists, typically around 5 percent of the total.[28] And, as even Bernard Goldberg has noted, ethnic minorities are not a significant part of the audience for news, which is aimed at middle-and upper-middle-class whites.[29]

As for the third proposition—that journalists use their autonomy to advance aggressively liberal politics—the evidence is scant. A core point of the professional code is to prevent journalists from pushing their own politics onto the news, and there is little indication that this is not taken seriously. If anything, the evidence points to a near obsession with reporting from the midpoint in the range of official sources. For a political figure to be dubbed a centrist or moderate is invariably a compliment in mainstream news. Many journalists are proud to note that though they are liberal, their coverage tends to be conservative so that they won't be accused of unprofessionalism. For example, conservative critics charged that Frank Bruni of the New York *Times,* because he was openly gay, could not fairly cover George W. Bush during his 2000 campaign due to Bush's lack of enthusiasm for gay rights. In fact, Bruni was quite sympathetic in his treatment of Bush and failed to pursue many issues a more aggressive reporter might.[30] This right-wing criticism of journalists has paid big dividends by chilling scrutiny of conservatives. As one news producer stated, "The main bias of journalists is the bias not to do anything that could be construed as liberal."[31] "One of the biggest career threats for journalists," a veteran Washington reporter confirmed in 2002, "is to be accused of liberal bias for digging up stories that put conservatives in a bad light."[32]

In fact, research suggests that most journalists are far from political partisans; the profession does not attract people with strong ideological inclinations.[33] Many journalists are cynical and depoliticized, like much of the general public. If they are obsessed with advancing a progressive political agenda, they tend to become freelancers or leave the profession because the professional constraints on their work would be too great. Moreover, as Russell Baker argues, the increasingly comfortable background of elite journalists is unlikely "to produce angry reporters and aggressive editors .. .because the capacity for outrage has been bred out of them."[34] If journalists wish to push a conservative political agenda, however, they find few barriers in the current media environment. Just ask John Stossel. After all, anytime a journalist pushes the conservative agenda they are justified because they are balancing the "liberal bias" of the dominant media.

The unwillingness of traditional professional journalists to commit to a partisan ideology has led to a striking bifurcation of stances. Mainstream journalism is cautious and attempts to do nothing that would suggest it favors Democrats over Republicans, and most research indicates that Republicans fare well in this climate. Conservative critics, and the increasing number of explicitly conservative media, argue that the mainstream is blatantly favoring Democrats. They then feel no obligation to be fair to Democrats since they are "balancing" the bias of the mainstream. A study released by the Shorenstein Center at Harvard University in 2003 concluded that so-called liberal newspapers are more open-minded and willing to criticize a like-minded U.S. president (that is, Bill Clinton) than their "conservative" counterparts would criticize George W. Bush. The study also found a "striking difference in tone between the two sides as well," with the conservative media using far "harsher" language to describe President Clinton and engaging in *ad hominem* attacks.[35] "We've created this cottage industry in which it pays to be un-objective," a senior writer at Rupert Murdoch's right-wing *Weekly Standard* admitted in 2003. "It's a great way to have your cake and eat it too. Criticize other people for not being objective. Be as subjective as you want. It's a great little racket."[36]

The final proposition—that truly objective journalism would invariably see the world exactly the way Rush Limbaugh sees it – points to the ideological nature of the exercise.[37] Indeed, no conservative has ever criticized journalism for being too soft on a right-wing politician or unfair to liberals or the Left. Favorable coverage of the Right is quality unbiased journalism. Unfavorable coverage of Democrats is equally unbiased. Unfavorable coverage of conservatives is, almost by definition, riddled with bias. It is a no-win proposition. For but one example, when Representative Cynthia McKinney, a Democrat, was accused erroneously by the New *York Times* and National Public Radio of claiming President Bush had prior knowledge of the 9/11 attacks and did nothing to stop them—a bogus charge that may have cost her her seat in the House—no conservative media critic rushed to her defense, even though conservatives are supposed to hate both "liberal" media outlets.[38]

In 1992, Rich Bond, then the chair of the Republican Party, acknowledged that bashing the "liberal media" was aimed at intimidation, to "work the refs" like a basketball coach does so that "maybe the ref will cut you a little slack" on the next play.[39] Some players on the Left probably hold a similarly unprincipled attitude toward media criticism, and everyone is prone to putting their thumb on the scale to some extent to weight the evidence in their direction, but that doesn't make such tactics acceptable. Honest scholarship attempts to provide a coherent and intellectually consistent explanation of journalism that can withstand critical interrogation. The conservative critique of "liberal" news media is an intellectual failure, riddled with contradictions and inaccuracy.

The intellectual bankruptcy of the conservative critique of the liberal media is demonstrated by its limited credibility in academic studies of journalism. Before one protests, "Of course not, professors are a bunch of leftists," recall that pro-market and conservative research thrives in business schools, economics departments, and to a lesser extent in law schools and political science departments. There is a lot of money to support media professors who want to wave the conservative banner. The withering of journalistic autonomy over the past two decades has also undercut the basis for this claim. Perhaps that is why Brent Bozell, arguably the best-known conservative media critic of recent times, seems to be switching his emphasis from the alleged left-wing bias of journalism to the prevalence of vulgarity in entertainment fare, especially on television. This is the new evidence of a liberal media, Bozell suggests. The irony is unintended, as the main purveyors of the most vulgar shows, News Corporation (owner of the Fox TV network) and Viacom (owner of MTV), are the same media conglomerates that deliver some of the most rabid right-wing journalism and punditry: the Fox News Channel, the *Weekly Standard,* and the Infinity radio network….

Chapter 5
The Market *Uber Alles*

Even though many Americans agree that our media system fails to promote an informed participating citizenry and instead bombards us with unwanted hyper-commercialism, that is not enough to generate action. One crucial barrier keeps citizens from opposing the current structure: the notion that the U.S. media system is based upon the competitive market, and the competitive market, despite its limitations, is the best possible system because it "gives the people what they want." As one communication professor presented this conventional wisdom in 2003: "In the marketplace of entertainment, the public determines what's successful, not the producer."[1]

In this chapter I address the notion of the market as a democratic institution in the realm of media in the United States. Because the claim is made most strongly for entertainment media, they will receive the brunt of my attention. I will first look closely at just how competitive media markets actually are. To the extent that media markets veer from the competitive ideal, their value as accountable or democratic institutions becomes dubious in conventional market theory. At the same time, the problem with market regulation is not merely a matter of economic concentration—even competitive markets are problematic. Perhaps we should not even expect the market to be the appropriate regulator for the media system, or many components of it, because media present many unique attributes that undermine the suitability of market regulation.

I then turn to a consideration of the strongest and arguably most powerful defense of the market, that it "gives the people what they want." Markets do compel media firms to please the people, though nowhere near as single-mindedly as market proponents would have us believe. It is also true that the market compels firms to give us plenty of what we don't want, whether we like it or not, and gives us no recourse to address these flaws within the market. I conclude the chapter by reviewing what remains of the arguments in praise of the commercial media marketplace, as provided by its leading academic advocates.

Is the Media System a Competitive Market?

The case for markets, at its simplest, is elegant. Markets are voluntarist mechanisms in which people interact freely, and they invariably lead to the most efficient deployment of resources and maximum human happiness. Applied to media, the model works as follows: if people desire a particular media content, competition will force media corporations (or entrepreneurs, for a sexier, swashbuckling designation) to provide such content. Media firms will be forced to give people what they demand or go out of business. If none of the existing firms has a sufficient grasp of public sentiment, new firms will enter the fray, capture the business, and force the existing firms to get with the program or face ruin.

If one regards the content of media as deficient, the problem is not with media firms, who are forced by economic pressure to provide the audience with what it demands, but with the people themselves, who demand such fare. The system works, as long as the government does not try to interfere with its operations. Government regulatory intervention to alter media content, no matter how well intended, will only interfere with the ability of the market to regulate media, and therefore interfere with the people's will. Similarly, some theorists emphasize how labor unions interfere with market mechanisms and thereby distort the ability of the market to represent perfectly the will of the people with the utmost efficiency.

One factor, though, above all others, can undermine this model's theoretical basis immediately. If a market is imperfect, meaning not competitive in an economic sense, a market cannot work its magic— and the system cannot be entirely responsive to the audience or offer the most efficient use of resources. Although this point is often lost in discussions, contemporary media markets are not even remotely comparable to competitive markets in the microeconomic sense of the term. Media markets are in many respects textbook examples of corporate-dominated oligopolistic markets ruled by a small number of firms. And these firms, as we shall see later in this chapter, are typically vast conglomerates that function as oligopolies in not just one media market but in many.

In media, as elsewhere, these monopolistic/oligopolistic markets are predicated upon high barriers to entry that severely limit the ability of small start-up media firms to enter the market successfully. Indeed, one major development in media markets over the past century has been the manner in which they work to the advantage of the largest players, making the possibility of becoming a commercially viable media producer difficult. To the extent that the dominant firms in these oligopolistic markets use their market power to limit the range of offerings, notions of a free press are severely compromised.[2] There are thousands of media firms in United States, but only a minute fraction of that total reach significant audiences.

This type of economic concentration, in which a firm attempts to have as large a percentage of the industry's output as possible, is called horizontal integration. A monopoly like Rockefeller's Standard Oil is the ultimate form of horizontal integration. Media markets stop short of monopoly and settle into oligopoly. The economic incentives for media corporations to be in such a market are obvious. Economic concentration tends to reduce risk because barriers to entry shut out newcomers and therefore raise profits for those inside. It does this by giving the large firms that dominate these oligopolistic markets considerable control over pricing. Unlike competitive markets, oligopolistic markets tend to force prices up.[3] Firms in oligopolistic markets have much greater leverage over their suppliers (and labor) to negotiate better prices. As a result of its acquisition of AT&T's cable systems, for example, Comcast expected to cut its costs for carrying cable channels by $270 million.[4] Media firms also have the leverage to extract high rates from advertisers. The more concentrated the ownership, the higher ad rates tend to be.[5]

Horizontal integration also opens new profit-making opportunities. Wal-Mart, for example, accounts for 30 percent of all U.S. DVD and video sales, as well as 20 percent of all U.S. music sales.[6] In addition to giving Wal-Mart strong influence over what will be produced—because it can choose what to promote and sell—this integration also allows Wal-Mart to leverage its market power to strike deals with entertainment firms and move into entertainment-related merchandising.[7] Similarly, Barnes & Noble used its domination of retail book selling to launch its imprint of books reprinting works in the public domain. "Since they don't pay a 50 percent markup" to a publisher, a Disney executive explained, "they can apply that advantage to price and still make more money than publishers selling the same Charles Dickens title."[8]

Major media markets—television networks, cable TV systems and channels, music, motion pictures, newspapers, book publishing, magazines, and retail sales—are almost all classic oligopolies with only a handful of significant players in each market. In the U.S. music industry, for example, following the 2003 announced merger of Sony's and Bertelsmann's music subsidiaries, four firms sell almost 90 percent of the music.[9] In motion pictures, no more than six firms rule the roost, accounting for over 90 percent of the industry's revenues. Moreover, the number of significant firms is stagnant or shrinking in almost every case. The three largest publishers of college textbooks accounted for 35 percent of the U.S. market in 1990; by 2002 they had almost doubled their share.[10] Magazine and book publishing overall has undergone considerable consolidation over the past decade.[11] In radio broadcasting, the two largest firms, Clear Channel and Viacom's Infinity, do more business than the firms ranked 3-25 combined.[12] Concentrated ownership tends radically to improve the profit picture for successful media firms: newspaper publishing—long based on local market monopolies and chain ownership—has been one of the most lucrative industries in the United States throughout the twentieth century; local television stations— always an oligopoly—routinely generate returns on sales in the 50 to 60 percent range.[13]

The cable TV systems industry (e.g. Comcast, Time Warner, and Cox) has undergone perhaps the most striking consolidation over the past fifteen to twenty years. It has gone from a "ma and pa" industry of the 1970s to an enterprise in which six giant firms control over 80 percent of the market.[14] The power of such consolidation is immense: since 1996 (when the Telecommunications Act was passed) cable TV rates have increased at three times the inflation rate.[15] Comcast claims over 30 percent of the market, and by all accounts further consolidation is inevitable, as smaller firms cannot compete with such a Goliath.[16] "Size has always mattered in this business," a Comcast executive noted in 2003.[17] For one thing, large cable systems have negotiating leverage with the stations that need to be carried on their systems; independent cable TV channels cannot survive, because they have no negotiating power, unless a large media company, more often than not a cable TV systems operator, owns them.[18] Comcast had so much leverage over cable TV channels by the fall of 2003 that even the other media giants were forced to make concessions unthinkable in earlier times to remain on Comcast systems.[19] "There are three companies" that will own cable TV channels, "Viacom, AOL Time Warner, and News Corporation," mogul Haim Saban predicted in 2003. "The rest are going to get gobbled up."[20] As the trade publication *Variety* puts it, "Congloms are stalking the media jungle like Armani-clad velociraptors, ready to swoop down on low-flying cable nets, increasingly vulnerable in the new age of accelerating takeovers."[21]

By 2003, the standing joke was that it was easier for an independent cable entrepreneur to "touch the moon" than to get a new cable TV channel carried by the giant cable TV systems operators.[22] It was left to CNN founder Ted Turner to offer perspective: "The days of starting up a cable-television network or trying to do it from outside the media business are over. It's almost impossible."[23]

This result points to one great feature of media consolidation: it begets further consolidation. Firms need to grow to be able to survive high-stakes competition.[24] As Nicholas Garnham asserts, media "concentration is, in different forms, the essence of survival in the media sector, since it alone ensures the necessary economies of either scale or scope."[25] It is on these grounds that media concentration is defended as necessary and economically justified.[26] If, in fact, concentration is unavoidable to a certain extent in commercial media markets, it places a premium upon media policies that account for and compensate for it. But much of this concentration is not necessitated by markets but results instead from policy making that encourages it. That is transparently the case in radio and television broadcasting and in cable television. There is no evidence that the mega-firms in these industries would become economically unviable if they were banned from owning so many stations or channels.

Media concentration is also promoted through vertical integration, which denotes owning both the content and the conduits to distribute that content. It has manifested itself in U.S. media over the past fifteen years, and the recent merger of General Electric's NEC and Vivendi means that all commercial TV networks are owned by a media corporation that also owns a major Hollywood film studio. Each firm also owns TV show production studios as well as cable TV channels. Vertical integration makes particular sense for media because it helps lessen the risk associated with an industry like motion pictures, in which films can be blockbusters or complete box office duds.[27] Vertical integration is a powerful stimulant to concentration; once a few firms in an industry move in this direction, others must follow suit or they can find themselves at an insurmountable competitive disadvantage—possibly blocked at all turns by opposing gatekeepers. This, too, raises the barrier to entry for prospective newcomers because they must be able to generate vertically integrated operations in order to compete.

This is why regulators have previously prohibited vertical integration in media. The most striking examples historically are the prohibition of the film studios from owning their own movie theaters and the prohibition of TV networks from producing their own prime-time entertainment programs. Large commercial lobbies have done everything in their power to get these ownership restrictions eliminated. Vertical integration lowers costs, lowers risk, and increases profit. It is almost always good for the vertically integrated company; whether benefits are shared with the public is another matter. The effect of lifting the prohibition on TV networks producing and owning their own prime-time programs in the early 1990s has been to throw the independent TV production industry in Hollywood into turmoil. "Consolidation has killed my business as an independent producer," one executive remarked. "I think anytime you have a business where it's in the hands of five companies, then it's bad for everyone."[28] Well, not quite everyone.

Vertical integration also combines with horizontal integration to sound the death knell for major "independent" film studios. "Being a producer that isn't under the same umbrella ownership as major network, cable or satellite channels," a writer in the trade publication *Television Week* observed, "can be a deadly experience."[29] The independent studio DreamWorks, for example, has produced hit after hit, but without a more vertically integrated structure, its hopes for profitability are remote.[30] "Wall Streeters are adamant that both MGM and DreamWorks will have to find a way of sizing up their operations," according to the trade publication *Variety.* "Not having the vertical integration and ownership of cable networks hurts MGM's ability to sell deeply into their film library," an industry analyst maintains. "Pure-play is a difficult environment when every one of their competitors is vertically integrated."[31] In November 2003 DreamWorks sold its music division to the giant Vivendi Universal, and signed a deal to let General Electric's Universal Studios continue to distribute DreamWorks films until 2000.[33]

By 2000 these pressures fomented such frenzied deal making that *Variety* noted, "U.S. media and entertainment companies are pairing off faster than New York yuppies at happy hour."[33] When AOL and Time Warner merged in 2000 the value of the deal at the time was nearly 500 times greater than the value of the largest U.S. media deal just twenty years earlier. The recession of 2001-02 cooled deal making a bit, but the trend toward increased consolidation remains strong.[34] Even in hard times, media firms revealed a desire to merge and acquire. "We need new revenue streams because the name of the game is growth," Time Warner's executive in charge of the magazine division, the world's largest magazine company, announced in 2003." The GE-Vivendi deal was valued at $42 billion in 2003, making it the second-largest media merger in history.[36]

As the dust begins to clear from the mergers of the past decade, the contours of the U.S. media system come into focus. There tend to be three main tiers of media firms. The first tier, composed of Time Warner, Viacom, News Corporation, Sony, General Electric, Bertelsmann, and Disney, are vertically integrated powerhouses—indeed vast conglomerates—with various combinations of film studios, TV networks, cable TV channels, book publishing, newspapers, radio stations, music companies, TV channels, and the like. Their annual revenues tend to run in the $15-40 billion range, placing them squarely among the few hundred largest firms in the world. Cable giant Comcast certainly is large enough to be a first-tier firm, though it is not especially vertically integrated. Expect that to change, if Comcast has its way.[37] To get some sense of the scope of a first-tier firm, consider just some of the holdings of Viacom: Paramount Pictures; Blockbuster video rental chain; Simon and Schuster book publishing; 183 U.S. radio stations; cable channels MTV, Nickelodeon, VH1, and Showtime; billboards; CBS television network; and 39 U.S. TV stations.[38]

Most of these first-tier firms, including Viacom, have been put together in the past fifteen years. A *New York Times* examination of nine major media sectors—encompassing film, radio, TV, cable, music, theme parks, and publishing—revealed that the five largest first-tier firms, on average, were each major players in more than seven of them.[39]

This produces an irony of the contemporary U.S. media system. Americans now receive hundreds of cable and satellite TV channels, such that observers often note that the dominance of the old "Big 3" TV networks-ABC, CBS, and NEC-has been broken. No longer can these three networks command 90 to 95 percent of TV watchers, as they routinely did from the 1950s through the 1970s. But what is lost in the blizzard of channels is that twenty of the twenty-five largest cable TV channels are now owned by the five first-tier media firms, the same firms that own the networks and many of the TV stations in the largest markets.[40] These five companies, between their cable and broadcast properties, still reach around 90 percent of the total television audience.[41] As a Viacom executive states, the same five companies "are controlling music and films."[42] One trade publication assessed the state of commercial television in December 2003: "For the big fish, the water's fine."[43]

The second tier is composed of another twenty firms—such as Cox, New York Times, Gannett, Clear Channel—that tend to be major players in a single area or two related areas. These firms have annual media sales in the $3-$10 billion range and rank among the six or seven hundred largest firms in the United States.[44] The lion's share of the U.S. media system is dominated by the firms in the first two tiers: they provide or control the vast majority of TV and cable programs, .stations, networks, motion pictures, recorded music, magazines, books, newspapers, radio stations, and so on. The third tier is made up of the thousands of much smaller media firms that fill the nooks and crannies of the media system, though they can sometimes have influence in certain markets. They tend to be dependent in some ways on first- and second-tier firms and are often the targets of mergers and acquisitions. Many survive because their markets—and profits—are too small to interest the giants….

Is the Market Appropriate to Regulate Media?

....Conventional thinking assumes that if media markets were more competitive and more responsive to the public, they would provide the best possible way to regulate the media system. This assumption merits examination. Media industries do enjoy certain characteristics that are unique to them or that are shared only by a minority of major markets in the economy. These unique attributes call into question just how appropriate the market is as a tool to regulate media in the public interest. The most glaring .difference between media markets and other markets that we have already examined is the role of advertising as a significant source of revenues. This changes the logic of media markets radically, since the interests of consumers must be filtered through the demands of advertisers. The implications for content can be striking, and are not necessarily positive from the consumer's perspective. But several other important differences separate the media market from conventional markets.

First and foremost, the *nature* of media content is different from that of other commodities. Subjecting ideas, culture, and journalism to the market is problematic. Concerns about commercializing education, or the sheer revulsion at the idea of commodifying religion, point to the problems attendant to commercializing culture. At first glance, using markets to regulate the production and distribution of ideas and culture is troubling. If one follows the logic of the "marketplace of ideas" metaphor closely, it may well be that the rational thing for media firms to do is to produce exactly what the market shows a preference for, what everyone else is producing. Diversity may then be squashed. This may not cause a problem in the production of washing machines or chocolate bars, but in the realm of ideas it poses deep problems for traditional liberal democratic notions. The market can prove to be a quiet, but ruthless, commissar.[95]

In addition, ownership of idea production is a unique power. If there are a small number of soft drink manufacturers, for example, one owner insisting that the bottle labels be green instead of purple would not cause concern for citizens. While society holds general reservations about oligopoly in terms of pricing and product quality, that sort of management prerogative is probably well down the list. Not so with media. Having concentrated control in media is precisely a problem because such ownership power is extremely important and attractive to owners. Control over public information, over the news, over the culture offers tremendous benefits for media owners, and it is a privilege owners have historically enjoyed, sometimes to democracy's detriment.

Media markets are distinctive in other ways. Most media are by nature *non-rivalrous* public goods, and this undermines the traditional justification for market regulation. In typical markets, if one person consumes the product or service, another person, a rival for the product or service, cannot. Imagine a fast-food hamburger or dry cleaning service or a suit or an automobile. Consumers vie for use of the resource, and the market price rations the good or service to those who are willing to cover the marginal cost of production. Everyone willing to pay the marginal cost gets the product or service. Not so for most media products. If I watch a movie, that does not prevent anyone else from watching the same movie. This is also true in the consumption of a television program or an Internet website, and for the most part with a book, newspaper, magazine, or CD. Because the difference in cost between showing a film to one person or to five people or to five hundred people is virtually nothing—compared with what it costs to make one candy bar versus the cost for five hundred— the traditional economic justification for rationing by price seems, well, unjustified. So when a media producer charges a price for a product above marginal costs, that producer limits the number of people who would otherwise enjoy the product in a standard market. It is this inherent incompatibility of media with market regulation that stimulated the rise of copyright, the entire point of which is to *prevent* competition that would drive prices down to marginal costs and make media commercially impractical.[96]

Media markets, too, are shaped by the formation of networks. These include distribution networks for newspapers, books, music, and films; television networks; and computer networks like the Internet. A classic example is the telephone network or the postal system. Networks for production and distribution of media content violate the premises of the competitive market model because as collaborative mechanisms they act in many ways as "natural monopolies." The value of networks for all involved improves dramatically as the network gains more users. Small networks with few users are virtually worthless and cannot survive. To get off the ground, networks require high fixed investment. The implications of network economics are clear: they tend to promote large and noncompetitive industries, far beyond what a traditional market would generate. It is one reason for the long tradition of government ownership and regulation of communication networks.

All these traits influence one striking feature of media economics: the importance of "first copy" costs. Most of the expense of a newspaper, a film, a book, a CD goes into making the first copy. All subsequent versions are quite inexpensive to produce. This means that media industries tend to incur more risk than do many other areas because a relatively large investment must be made before the size of the product's demand becomes clear. What this translates into is the "blockbuster" phenomenon, when media firms look for the super-successful film, CD, book, or TV show that will generate massive profits to more than cover losses on flops. MGM, for example, jacked up its profits by 50 percent and added $100 million to its bottom line in 2002 thanks to the James Bond *film Die Another Day.*[97]

Book publishing for years lived by the "80-20 rule," whereby "80 percent of the revenues are earned by 20 percent of the authors."[98] Jane Friedman heads News Corporation's HarperCollins book publishing unit; her greatest asset is her "instinct for bestsellers."[99] Such a precarious position offers firms a powerful motivation to get large, so they can better handle the risk, otherwise a string of flops could bankrupt them. Syndicated TV producers faced this type of crisis when none of them had had a hit show for years; they were looking to consolidate to survive.[100] This climate also means that media firms rarely if ever compete on the basis of price, since, as media scholar

Nicholas Garnham points out, "there is no calculable relationship between costs of production and revenues received for any one product."[101]

Finally, media markets are different from most other capitalist markets with regard to labor relations. As in all other capitalist enterprises, media firms wish to pay their laborers as little as possible, and there is an important (and understudied) history of labor-management conflict here similar to other major industries.[102] But a crucial difference is in how creative talent produces content. Media corporations must employ people specifically hired for their artistic talents—no one wants to hear Rupert Murdoch's version of a guitar solo or see a movie written and directed by Viacom CEO Sumner Redstone. Because the amount of money generated in media industries by bestselling content can be so enormous, successful creative people can earn astronomical salaries. This occurs because there is a scarcity of people who can generate blockbusters by becoming marketable "brands." The "star system" of Hollywood's golden years—as well as its more recent and less codified incarnation—resulted largely from commercial media markets. Media firms, especially film studios, thought that by creating stars they could attract consumers to otherwise unknown films and thereby reduce their risk in undertaking production. To some extent, then, celebrity obsession is the product of commercial media.[103]

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