

A Democratic Critique of the U.S. Commercial Media System:
Why Capitalism Undermines the Promise of Democratic Media

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ABSTRACT

Contemporary mainstream media in the United States systematically undermine our democratic social order through a distinctly anti-democratic process of media policy-making and a thoroughly internalized practice of ideological exclusion in the news. The tremendous influence that the commercial news media exercise in the American political system and their considerable control over the legislation and regulation of communications technologies is due in large part to the commercial media's wealth of political resources, which serve as a strong incentive for legislators to support the media's political agenda, as well as a shared pro-market ideology between business interests and government officials. These features of our political economy help explain the structural advantage that the commercial news media have over their noncommercial counterparts and how this results in policies that reinforce and legitimate the commercial media system. The anti-democratic qualities of media policy-making are then compounded by the mainstream media's reinforcement of elite hegemony. A combination of several information filters – including the commercial media's emphasis on profit, increased media concentration and conglomeration, professional journalism norms, and biased news formats – create a system of exclusion that produces ideologically bounded discourse that precludes system-critical or myth-challenging perspectives. In the absence of legitimate criticism of our fundamental institutions, the polity is only partially informed on our most pressing social issues and remains easily manipulated by a pervasive elitist ideology. The Internet, however, as an open and free communications medium, may be able to restore democratic discourse, but the issue of network neutrality, which remains unresolved, threatens the Internet's democratic foundation.

INTRODUCTION

An historical analysis of American media in the 20th century presents a curious contradiction: if American society has grown increasingly democratic over time, why has American media grown increasingly undemocratic? The United States, especially since the 1920s, with the addition of women and African Americans as voting citizens, has become an increasingly democratic society, but its media – which, ironically, are considered fundamental in cultivating democracy itself – have moved in reverse, deteriorating into an increasingly undemocratic system of profit-seeking news organizations. Over roughly the same time period – from the late 1920s, with the emergence of the modern commercial news network – and in spite of technological advancements designed to democratize communication, the American market economy has managed to undermine the democratic potential of American media, and to jeopardize democracy at large. Why this degeneration of American media? The root of the problem can be traced to the conflict between capitalism and democracy.

There is a common misconception that the market is a democratic institution. On the contrary, capitalism and democracy are essentially contradictory systems of organization. While the market and government are in many ways complementary, rather than conflicting, social systems – after all, “[M]uch of politics is economics, and most of economics is also politics,” as the influential political economist Charles E. Lindblom aptly writes (Politics and Markets 8) – the two institutions are in fact based on opposing principles (Lappé 8). Political activist and author Frances Moore Lappé explains that many Americans – in fact, most of us – equate the market (or, what she calls “our peculiar variant of a market economy”) with democracy because we misunderstand democracy itself. This is because we maintain a rather

pessimistic view of human nature, which leads to a flawed definition of democracy. She explains that because we assume that human beings are innately selfish, competitive, and materialistic, we are unable to trust a collaborative, democratic government. She writes, “[W]e understandably see ourselves as incapable of making a success of democratic deliberation. ... [W]e’re sure somebody will always muck it up” (8). As in Mancur Olson’s “paradox of collective action” and Garrett Hardin’s “tragedy of the commons,” we assume that our own self-interest will prevent us from achieving a collective good; we cannot expect people to shoulder the costs of democracy when it is more beneficial for individuals to be free riders. So we default to the impersonal – and “infallible” – market, which is itself based on human selfishness, to correct for this failure (7). In capitalism, the concept of democracy, then, “boils down to just two things – elected government and a market economy” (Lappé 8). In the United States, where “there isn’t much for us to do except show up at the polls and shop,” these two systems seem to go hand in hand (Lappé 8). Professor of political science Edward P. Morgan adds that because democratic traditions such as elected government, free speech, and privacy rights developed alongside free enterprise, democracy and capitalism are considered by many to be “two sides of the same coin” (20).

But democracy and capitalism are in fact two incompatible ideologies derived from two opposing views of human nature. While capitalism describes human beings as innately self-interested and competitive, democracy assumes that human beings seek out connections with others and are hard-wired to be cooperative and fair. Morgan emphasizes that democracy “rests on a foundation different from the self-interested individualism of capitalism – not that individuals aren’t entirely capable of being aggressively self-interested, but that human beings are much more than this” – namely, empathic (21). The result is that

capitalism encourages the concentration of wealth and power that, in the absence of countervailing pressures from a democratic polity, produces greater and greater inequality, distorting the representation of political interests and ultimately reinforcing elite hegemony. Capitalism, then, is clearly in conflict with the democratic tenets of equality and majority rule.

This “unavoidable tension” between capitalism and democracy creates an obvious conflict for contemporary news organizations in the United States (McChesney 285). As capitalist enterprises operating within a democratic framework, the mainstream media are effectively torn in two directions. First, capitalism defines news organizations as self-interested, profit-driven enterprises. In this system, the role of the media is to maximize profits by responding to – and simultaneously influencing – consumer demand. A news organization’s top priority is to beat its competition in circulation and ratings by delivering a news product that is attractive to consumers while maintaining production costs at a reasonable level. The commercial media are impersonal economic machines, dedicated to the daily pursuit of creating compelling content, generating revenue, reducing costs, increasing efficiencies, attracting advertisers, and increasing market share. In response to economic imperatives, the mainstream news media often produce entertaining, sensationalist reports, which appeal to readers’ emotions rather than their intellect, in order to win more customers.

Democracy, on the other hand, defines news organizations as necessarily noncommercial entities. In this system, the role of the media is to inform and educate the citizenry. Television scholar Douglas Kellner explains, “Democracy presupposes the existence of a public sphere in which vigorous debate on issues of public importance takes place so that decisions can be made on complex and controversial issues” (94). In a

democratic social order, therefore, the media facilitate and legitimate democracy itself by establishing this “public sphere” in which “vigorous” political debate can take place. The democratic media empower the citizenry by providing readers with the information necessary for participation in government. The media also operate as government watchdogs, holding elected leaders accountable and exposing abuses of power.

Our society, however, is not a “full-fledged” political democracy (Kellner 15); rather, it is a “capitalist democracy” (Kellner 71), or an elite democracy, in which society is predominantly controlled by business (Kellner 6). Kellner explains, “[B]y amassing tremendous concentrations of wealth and power, major corporate institutions in the capitalist system have come to control the state, the media, and other dominant institutions, to the point where the system of democracy in the United States is in peril” (80). In other words, our society is effectively controlled by corporate capitalism, rather than democratic institutions (Kellner 14). While a capitalist society, such as ours, is not incapable of having its “democratic moments” (Kellner 72), the defining quality of this pervasive pro-capitalist orientation is that major corporations and other commercial interests consistently enjoy a privileged position in our political economy.

This helps explain the existence of a commercial, rather than noncommercial, media system. Media scholar Robert McChesney explains, “As a general rule, if certain forces thoroughly dominate a society’s political economy they will thoroughly dominate its communication system” (124-125). Because of their dominant stance in the political economy, the capitalist class is able to control the media landscape, setting up a system of private, for-profit news organizations that protect the interests of their corporate owners and ultimately help maintain their privileged position in society. The media, then, are a tool that

ruling elites use to maintain their hegemony. To justify this system, corporate media owners often invoke the myth of the free market, arguing that the market is “the most rational, fair, and democratic regulatory mechanism ever known to humanity” (McChesney 136). The problem with this reasoning, of course, is that the market is not a democratic institution; nevertheless, it remains an effective political argument. As McChesney explains, “The market has assumed mythological status, becoming a totem to which all must pledge allegiance or face expulsion to the margins” (137). This mythology, a reflection of our country’s pro-business ideology, helps explain the persistence of a commercial media system and near disappearance of noncommercial media.

Our current commercial media system, now internalized and entrenched, has huge implications for democracy. Lindblom argues that media commercialization has produced a “degeneration of political discourse” in this country. He writes, “Both democracy and market are tied – perhaps I can say ‘have given rise to’ – a degeneration of political discourse that greatly weakens popular control over elites” (“Market and Democracy...” 686). Lindblom describes contemporary mainstream media as “unilateral” – the news lacks “the give-and-take and mutual stimulation of contending and supplementing voices.” The media, he argues, are used to “control us – to win our dollars or our votes,” rather than enlighten us. Perhaps the greatest danger, he suggests, is that our system of commercialization “favors communication *from* elites rather than the communication *to* elites that is necessary for popular control of them” (“Market and Democracy...” 686-687). Lindblom claims that the market is responsible for this degeneration of discourse. News organizations are not, as they should be, in the business of edification; they are not interested in addressing the most pressing social, political, and economic issues facing our country today. This is because

market imperatives prevent the most important issues (and most critical viewpoints) from making it into the news. We are in desperate need of public debate – of “contending and supplementing voices” in the media, as Lindblom says; but these voices, if they are found at all, remain outside the mainstream media and are largely absent from the public sphere. The media has the power to shape public discourse, but unfortunately this power is in the hands of wealthy corporate executives who remain committed to business goals, rather than democratic ideals. In this way, the market has undermined the potential for a democratic media system.

This essay is a democratic critique of contemporary mainstream media in the United States. In the first section of this essay, I develop a political process model that attempts to explain why business interests maintain a dominant position in the American political economy, and how political resources, individual ambition, and market ideology all contribute to the commercial media’s continued political success. In the second section, I explain why mainstream media coverage undermines a democratic social order, and cite the industry’s emphasis on profit, increased concentration and conglomeration, professional journalism standards, and biased news formats as specific anti-democratic qualities. In the third section, I analyze the democratic potential of the Internet through a case study on “network neutrality.”

In this essay, I identify the “commercial” media as those news organizations that operate as private, profit-maximizing firms. I often use this term interchangeably with “mainstream” media (referring specifically to news organizations that report within the “mainstream” of political debate, as opposed to “alternative” news sources that focus on opinions and/or criticisms beyond the scope of “mainstream” debate) and with “mass” media

(referring specifically to news organizations that are designed to appeal to a mass audience, as opposed to “niche” publications that appeal to smaller segments of the population). Both mainstream media and mass media are included in the larger commercial media system.

PART I

A Political Process Model: How Commercial Media Interests

Maintain Dominance in American Politics

Commercial interests maintain a dominant position in the media industry, in part, because of their dominant position in the larger political economy. This political and economic preeminence has granted commercial interests a disproportionate influence over the legislation and regulation of communications technologies. Historically, commercial interests have used their political clout to fashion emerging communications technologies – including radio, television, and (potentially, in the near future) the Internet – from initially noncommercial, educational technologies into immensely profitable, anti-democratic commercial media. The tremendous political power that commercial interests wield in Congress and with regulatory agencies is due to a combination of their political resources, legislators’ own interests, and a shared ideology with government officials. Together, these three features of the political process provide commercial interests with a structural advantage over their noncommercial counterparts. The result is a political atmosphere in which many legislators aggressively defend commercial interests’ political agendas and rush to meet their demands. In fact, McChesney has described the process as one in which politicians “effectively whore for powerful media and communication firms” (31). At the very least, legislators are sympathetic to their requests and can usually offer mild support. In either case, this translates into a politically backed and legitimized commercial media system.

The following section will analyze in greater depth the sources of the commercial media’s political clout – in particular, their political resources, politicians’ self-interest, and a

pro-market ideology – and how specifically the commercial media have used this power to exploit the legislative process and capture enormous political wins. The fact that the U.S. commercial media system persists today, in which most news organizations belong to wealthy media conglomerates, rather than operate as nonprofit, public service organizations, is testament to the enormous political influence that the commercial media have in this country. Consumer advocacy groups, the academic community, media reform advocates, and other interests and organizations that recognize the poor journalism that the commercial media produce (not to mention the overall threat that commercialization of the media industry poses to a democratic social order), have protested the commercial media system since the establishment of the modern commercial news network in the 1930s. But in spite of this opposition, the commercial media giants and the entertaining, sensationalist news reports that they produce remain the industry standard because they have the political clout to defeat (and, to an extent, repress) opposition. The commercial media and their corporate owners are formidable political opponents and will maintain dominance in the foreseeable future because of the structure of our elite democracy.

Political resources

The primary source of the commercial media's political power is their wealth of political resources. Political resources are a critical component (and reliable predictor) of any group's political success; the availability of political resources and the effective use of such resources can elevate a group from political obscurity to a dominant position in the political arena. Political resources take many forms and can include, for example, a group's financial resources, political knowledge, size, solidarity, leadership, prestige, and intensity. The commercial media are able to ultimately shape political outcomes, in part, because they have

the resources necessary to exert political pressure on legislators and edge out competing interests. In this section, I will describe in greater detail the various ways in which the commercial media have used their political resources to influence the political process. This discussion will focus specifically on the commercial media's use of financial resources (in the form of campaign contributions and lobbying expenditures), their practical knowledge of the political system (which necessitates group solidarity and cooperation among commercial interests), and their ability to control public debate (through the use of "secret" bargains and political deals in Congress, manipulative public relations campaigns, and the selective reporting of information in the news).

Throughout this discussion I will cite examples from two key historical moments in the development of our present-day commercial media system – first, the broadcast reform movement of the 1930s, which culminated with the Communications Act of 1934; and second, commercial broadcasters' push for digital television in the 1990s, which culminated with the Telecommunications Act of 1996. The events surrounding these developments provide excellent examples of the commercial's media's effective use of political resources in order to win favorable legislation.

To briefly summarize, the Communications Act of 1934 was an important piece of legislation for the commercial media industry because it established, among other things, significant new provisions for the regulation of commercial radio. First, it defined broadcasting as a public good and created the Federal Communications Commission (FCC) to regulate the industry in "the public interest, convenience, and necessity" (Kellner 35). The act declared that the FCC was required to grant licenses to radio frequencies only to "responsible" broadcasters and that the agency was authorized to revoke or suspend those

licenses if broadcasters abused their privileges (for example, by featuring obscene language or content). The Communications Act also required the FCC to “study new uses for radio, provide for experimental uses of frequencies and generally encourage the larger and more effective use of radio in the public interest” (Kellner 35). It seemed to be a step in the right direction for a more democratic system of broadcasting but ultimately “represented an almost total victory for the status quo” (Kellner quot. Barnouw¹ 35-36). In fact, the chief lobbyist for the National Association of Broadcasters (NAB), the trade group for commercial radio and television broadcasters, said after the act’s passage, “When we read it, we found that every point we had asked for was there” (McChesney quot. Bellows² 217). Overall, its definition of broadcasting as a public utility rather than a private enterprise was masked by “democratic rhetoric” that failed to translate into effective policy. Kellner explains, “Although it contained much democratic rhetoric and was eventually used in occasional attempts to reform the commercial system, the regulatory apparatus largely served the interests of the corporations it was supposed to regulate” (36).

Like the Communications Act of 1934, the Telecommunications Act of 1996 seemed to be a promising piece of media legislation designed to serve the public interest. Its goal was to make over the commercial media industry by breaking up emerging media monopolies and fostering a lively, competitive marketplace that offered an ever-increasing selection of diverse programming and perspectives to serve an engaged and informed populace. However, McChesney and other critics contend that the Telecom Act was never intended to increase competition, and it certainly was not crafted with the public interest in mind. Instead, it was always meant to serve the media corporations, and it was written accordingly.

¹ Barnouw, Erik. The Image Empire. New York: Oxford University Press, 1970. p. 26.

² Bellows, Henry A. “Report of the Legislative Committee.” NAB Reports 15 Nov. 1934. p. 618.

A critical component of the 1996 legislation was a clause that granted commercial broadcasters free licenses to unused portions of the broadcast spectrum (valued at millions of dollars) in order to develop their digital television technologies. In the 1930s and again in the 1990s, the commercial media used a combination of campaign contributions, lobbying activities, political knowledge, private meetings, public relations campaigns, and favorable press coverage to shape these two pieces of legislation, both of which were instrumental in establishing and legitimizing a system of commercial broadcasting in the U.S.

Financial resources. One particularly effective political resource that the commercial media have used and continue to use in order to influence the political process is their financial resources. The extensive financial resources available to the commercial media enable the industry to donate hundreds of thousands of dollars annually in campaign contributions to political candidates and finance powerful lobbying groups to represent their interests in Washington, D.C. This gives the commercial media a considerable advantage over noncommercial interests that lack the same financial resources. With the resources to fill the coffers of self-interested politicians and pay the salaries of professional lobbyists, the commercial media can be sure that their interests will have a receptive audience in Congress. The commercial media are one of the strongest groups in Washington because their campaign contributions buy access to the most powerful political players in town (which gives media executives a forum to make their case for business-friendly legislation), while their lobbyists provide politicians with an abundance of (biased, yet valuable) research and expertise in an effort to convince them to side with the commercial media's interests on contentious legislative issues.

Common Cause, a nonprofit, nonpartisan citizen’s lobbying organization, wrote in 1997 in the aftermath of the digital television debacle that, “[for] almost as long as federal regulation of broadcasting has existed, broadcasters have been refining the art of influencing Congress” and noted that “campaign contributions to key legislators have long been a cornerstone of their strategy” (Wexler). When the article was published in 1997, Common Cause reported that major broadcast interests had given more than \$9.5 million in campaign contributions to congressional candidates and their political parties over the past decade through political action committees, soft-money contributions, and individual gifts (Wexler). Federal Election Commission records show that PACs gave more than \$6 million to congressional candidates – the majority of the total \$9.5 million in donations – between January 1987 and November 1996. Those PACs represented Disney, General Electric, Westinghouse, and News Corp. – the corporate parents of the U.S.’s four major networks, ABC, NBC, CBS, and Fox, respectively – as well as the National Association of Broadcasters (NAB). To put this in perspective, as a result of their donations, General Electric, Westinghouse, and the NAB earned spots in the top five percent of all PACs for the most campaign contributions for the decade (Wexler).³ In addition, soft-money contributions from broadcast interests to national party committees totaled more than \$3.1 million from 1988 to 1997. Individual gifts to congressional candidates, presidential candidates, and political parties from 58 network executives from the 10 largest broadcasters came to \$397,000 in the 1995-1996 election cycle alone (Wexler). (See Table 1)

The Common Cause article also noted that broadcast interests were “pragmatic in their giving, targeting Congress members from both parties who could do them the most

³ It is important to note, however, that these companies are very diversified, which means that their money was potentially aimed at many issues, not just the Telecommunications Act and, more specifically, the provision on digital television included in the bill.

good” (Wexler). From 1987-1997, broadcast-related PACs and corporate media executives contributed a total of \$1.26 million to committee members in the House and Senate – more specifically, to the 70 members of the House and Senate Commerce Committees, the two committees that oversee telecommunications issues. That amounts to more than \$18,000 per committee member, three times the average amount donated to non-committee members. Broadcasters even further targeted their donations to the 46 members of the House Subcommittee on Telecommunications and the Senate Subcommittee on Communications. Nearly three-quarters of committee contributions – \$952,000 of the total \$1.26 million – were directed to the 46 House and Senate subcommittee members (Wexler). Because most of the detailed writing and amending of legislation occurs in committee, this is generally considered an effective political strategy. Contributions from broadcast interest were also timed to achieve immediate and maximum impact. Common Cause reported that in 1995, when Congress held several critical votes on communications legislation, congressional candidates received more than \$820,000 in campaign contributions from industry PACs and broadcast CEOs; in addition, national party committees received more than \$625,000 in soft-money contributions from broadcast interests (Wexler).

In another estimate, the Center for Responsive Politics, a nonpartisan research group that keeps a database of industry and interest groups’ federal campaign contributions and lobbying activities, reported that communications and electronic sources together made more than \$53 million in total contributions to federal candidates and parties during the 1995-1996 election cycle.⁴ Of the \$53 million in contributions, the four major networks (ABC, NBC, CBS, and FOX) donated \$4 million. Neither figure, the \$53 million nor the \$4 million,

⁴ This figure was reported by former *Washington Post* writer Arthur Rowse in a 1998 article for *Washington Monthly*.

included a last-minute donation made by Rupert Murdoch to the California Republican party for \$1 million (Rowse). The two largest recipients of the networks' donations were the chairman of the Senate Committee on Commerce, Science & Transportation, Larry Pressler (R.-S.D.), and the chairman of the House Subcommittee on Telecommunications and the Internet, Jack Fields (R-Tex.), who received individual donations of \$515,499 and \$221,228, respectively (Rowse). Because of their positions on these “cash cow” committees (and their personal contacts in the media industry), these two legislators were critical players in the debate over digital television (Rowse).

In addition to making significant campaign contributions to congressional candidates and political parties, the media industry spent nearly \$11 million to lobby Congress, the Clinton administration, and the FCC in the first six months of 1996, in the midst of the DTV debates and passage of the Telecommunications Act (Wexler). Reports show that major broadcast networks – including ABC, NBC, CBS, Fox, and the Tribune Co. – spent \$1.4 million on lobbying during this period, while Disney, Westinghouse, and General Electric – the corporate parents of three of the major networks – spent \$6.7 million. Together, with the NAB's \$2.3 million in lobbying expenditures, the industry spent \$10.7 million in the first half of 1996 to lobby the government (Wexler). (See Table 2) According to these figures, the NAB, a “lobbying behemoth” with members in the thousands and annual revenues in the millions, spent more on lobbying in this six-month period than Bank of America, Chrysler, or the NRA (Wexler). Their efforts supposedly paid off; corporate media lobbyists were allegedly invited to write parts of the telecommunications bill (McChesney 74).

But the NAB's extensive lobbying activities during the DTV debates were hardly unprecedented. Founded in 1922, the NAB was playing a dominant role in American politics

by the 1930s. McChesney writes that the NAB, along with the National Broadcasting Company (NBC), the Columbia Broadcasting System (CBS), and the Radio Corporation of America (RCA), formed a radio lobby that was considered “one of the most powerful here in Washington” more than 70 years ago (McChesney quot. Tyler⁵ 194). In fact, commercial broadcasters were such a powerful force in Washington that “network presidents could have audiences with members of Congress, even the president, almost at a moment’s notice” (McChesney 194). The political status that accompanies campaign contributions and lobbying activities further demonstrates the importance of financial resources as a political tool, and the enormous advantage that moneyed groups have over those without the same resources.

Political knowledge. A second political resource available to the commercial media, in addition to the extensive financial resources at their disposal, is their political knowledge. A group that is knowledgeable about the political process recognizes the necessity of group solidarity in order to achieve its political goals. For example, educational interests advocating a public broadcasting system in the 1930s during the broadcast reform movement were largely unsuccessful because they failed to effectively coordinate their efforts with fellow reform advocates within religious groups, labor unions, and other nonprofit organizations, which all worked largely independently (McChesney 217). In the late 1920s and early 1930s, dissatisfaction with the emerging commercial radio system was widespread; in fact, one journalist at the time wrote, “Out of one hundred persons you will not find more than five who are satisfied; of the other 95%, more than one-half are ready to support any kind of

⁵ Tyler, Tracy to Roger Baldwin, Oct. 26, 1933, vol. 599, American Civil Liberties Union Papers, Princeton University, Princeton, N.J.

movement for drastic change” (McChesney quot. Woehlke⁶ 194). But despite the public’s overwhelmingly negative reaction to commercial radio, advocates for a nonprofit, educational radio system were unable to form a coalition of like-minded reformers. Even if reformers had been able to coordinate their efforts and organize into a single group, it would have been exceedingly difficult to compete with the commercial radio lobby; regardless, a unified group for broadcast reform, pioneered by educators and backed by the majority of the population, never did emerge. In fact, the two primary groups supporting nonprofit, educational programming in radio – the National Committee on Education by Radio (NCER), supported by the Payne Fund, and the National Advisory Council on Radio in Education (NACRE), supported by the Carnegie Corporation and John D. Rockefeller, Jr. – ended up pitted against each other, rather than working together, despite both groups’ support for noncommercial radio.

The NCER and NACRE followed two different political strategies in their efforts to infuse the commercial broadcasting system with nonprofit, educational programming. Unfortunately, neither group recognized the striking similarities between the two, or the political damage they caused by remaining separate. The fundamental difference between the NCER and the NACRE was the groups’ relationship with commercial broadcasters. While the NACRE was willing to cooperate with broadcasters in order to attain its educational goals, the NCER would not, and criticized the NACRE for its own collaborative work with broadcasters. Unlike the NCER, the NACRE had resigned to the fact that radio in the United States had become a commercial enterprise; the group’s director, Levering Tyson, believed that “educators had to work through the auspices of NBC and CBS if they were to have any

⁶ Woehlke, Walter V. to S. Howard Evans, Dec. 22, 1932, folder 1147, container 60, Payne Fund, Inc. Papers, Western Reserve Historical Society, Cleveland, Ohio.

success with broadcasting” (McChesney 208). But the NCER saw the NACRE’s cooperation with commercial broadcasters as a secret, and dangerous, alliance. McChesney explains, “Beneath a cordial public veneer, relations between the NCER and the NACRE were quite bitter” (210). Despite having almost identical political agendas, the NCER and NACRE competed against each other to lead the broadcast reform movement. “[E]ach of these groups saw the prospects for its own success as inversely related to the success of the other,” McChesney notes (210). In fact, Tyson, the NACRE director, accused the NCER of “attempt[ing] in every way to throw sand into our machinery” (McChesney quot. Tyson⁷ 210). The lack of cooperation between the NCER and NACRE baffled many observers, especially educators, as they struggled to find differences between the two groups. The president of Iowa State College wrote to Frederick P. Keppel, the president of Carnegie Corporation, in 1934, “It seems to me the two organizations are supplementary and are striving to attain the same ends” (McChesney quot. Hughes⁸ 211). In all, “there existed among the public and educators a ‘glorious confusion’ about how the groups were different” (McChesney quot. Barnouw⁹ 211).

The rift between the NCER and NACRE was a symptom of reformers’ failure to organize as a cohesive group and execute a unified campaign against commercial radio. Despite their shared disgust for the commercial media system, reformers failed to consolidate their ideas for noncommercial broadcasting into an effective political strategy. In fact, one Payne Fund official noted, “every son-of-a-gun and his brother has a definite idea about the

⁷ Tyson, Levering to F.P. Keppel, Jan. 2, 1934, NACRE 1934, NACRE box 1, Carnegie Corporation of New York Papers, Butler Library, Columbia University, New York, N.Y.

⁸ Hughes, R. M. to Frederick P. Keppel, Feb. 9, 1934, NACRE 1934, NACRE box 1, Carnegie Corporation of New York Papers, Butler Library, Columbia University, New York, N.Y.

⁹ Barnouw, Erik. A Tower in Babel. New York: Oxford University Press, 1966. p. 57.

way [reform] should be handled” (McChesney quot. Evans¹⁰ 204). Because reformers were unable to agree on a suitable alternative to commercial radio, they failed at the most basic level of group organization. This lack of group solidarity became painfully obvious in hearings that the FCC conducted on whether or not to reserve a certain percentage of frequencies for nonprofit and/or educational purposes. While the need for more nonprofit stations and educational programming was an issue that resonated with all reformers, their arguments were inconsistent and unimpressive. “The reform side was poorly organized [at the hearings], presenting numerous contradictory schemes for reorganizing U.S. broadcasting” while “the broadcasters’ case was ‘done to perfection’ and ‘simply overwhelming”” (McChesney quot. Russell¹¹ 218)

In sum, advocates of broadcast reform suffered from a general lack of political competency. Compared to the well-organized and politically savvy radio lobby, the broadcast reform movement, according to one publicist with the Ventura Free Press (a group specifically organized by the Payne Fund to help the NCER with its reform efforts), was a hopeless pursuit. “The whole educational crowd is a bunch of theorists with no idea how to run a publicity campaign,” the publicist said (McChesney quot. Woehlke¹² 213). The educators that comprised the majority of the broadcast movement were out of their element and unable to translate their academic brilliance into practical political action. The Payne Fund secretary, Ella Phillips Crandall, claimed that the NCER “[made] no effort to understand the entire political situation in Congress”; likewise, Joy Elmer Morgan, the

¹⁰ Evans, S. Howard to Walter V. Woehlke, Feb. 15, 1932, folder 1165, container 60, Payne Fund, Inc. Papers, Western Reserve Historical Society, Cleveland, Ohio.

¹¹ Russell, Frank to William Hard, Oct. 23, 1934, folder 28, box 26, National Broadcasting Company Papers, State Historical Society of Wisconsin, Madison, Wis.

¹² Woehlke, Walter to S. Howard Evans, Nov. 25, 1931, folder 1164, container 60, Payne Fund, Inc. Papers, Western Reserve Historical Society, Cleveland, Ohio.

chairman of the NCER “[had] no capacity to grasp’ the political requirements of the NCER, as he was most comfortable ‘in the field of formal education’” (McChesney quot. Crandall¹³ 214).

Access to information. In addition to financial resources and political knowledge, a third resource that the commercial media use to influence the political process (and, ultimately, win favorable legislation) is their ability to control public debate on contentious policy issues. That is, the mainstream media are uniquely positioned to shape the outcome of political debate because of their ability to restrict or expand the public’s access to information. The media can accomplish this in a number of ways – for example, by confining policy debates to private meetings with legislators held behind closed doors, by designing misleading public relations campaigns about prospective legislation that manipulate public opinion, or by controlling how policy debates are covered in mainstream news reports. But these political strategies are not necessarily unique to the commercial media industry. Other well-financed and well-connected interest groups may also attempt to win favorable legislation by conducting private meetings with legislators, developing misleading public relations campaigns, and feeding the mainstream media political propaganda, but only the media have the advantage of complete control over press coverage of policy issues. “The media’s role as information provider to the public puts them in a class apart,” writes former Washington Post reporter Arthur Rowse. In other words, it is their ownership of information, and the ability to privatize or publicize that information, that distinguishes the media from all other interest groups. Together, the media lobby’s efforts to privatize political conflict by confining discussions to “secret” legislative meetings, the industry’s use of manipulative

¹³ Memorandum on discussion between Miss Crandall and Mr. Perry on Radio, Aug. 11, 1932, folder 1075, container 56, Payne Fund, Inc. Papers, Western Reserve Historical Society, Cleveland, Ohio.

advertising and marketing campaigns, and news organizations' unique role as an information gatekeeper allow the commercial media to exercise considerable control over public debate and ultimately shape public discourse in their favor.

For powerful interest groups, the privatization of political conflict is a critical method of winning favorable legislation; conversely, inviting public debate can be absolutely devastating to a group's political agenda. As American political scientist E.E. Schattschneider explains, "[T]he outcome of all conflict is determined by the scope of its contagion" (2); therefore, the ability to control the scope of conflict is a critical political strategy. "[C]onflicts are frequently won or lost by the success that the contestants have in getting the audience involved in the fight or in excluding it, as the case may be," Schattschneider writes (4). For disadvantaged groups, the key to political victory is the socialization of conflict, but for already advantaged groups, the opposite is true: inviting public participation may have "extremely distasteful" consequences for favored groups in a formerly closed political debate (15). Instead, powerful interest groups will attempt to keep conflict "so private that it is almost completely invisible" (7). That is, a dominant strategy for many political groups is to eliminate public awareness of an issue during policy discussions in order to stay in control of the political debate – and, to an extent, its outcome. Political groups can use their lobbying resources, their knowledge of the political system, or their personal contacts to help keep political conflict private (and quiet).

Like other business interests, the commercial media will attempt to privatize as much as possible the political debate over potentially favorable legislation. McChesney explains, "During those rare instances in which Congress is considering legislation for the overall regulation of broadcasting and communication, it is customary that there be congressional

committee hearings on what the public interest is and how it might be served by the proposed legislation” (72). But these congressional hearings pose a significant threat to scheming media corporations because the additional publicity generated by the committee debates has the potential to “provoke formerly uninterested Americans into a newfound interest in media policy” and completely reverse the policy outcome (McChesney 72). Therefore, in order to maintain control of the conflict, the goal is to avoid congressional debate altogether. This is exactly what media lobbyists did during the debate over digital television in the 1990s. In order to keep the issue “out of the ‘glare’ of public attention,” the National Association of Broadcasters and corporate media executives made a private deal with legislators to add a clause to the prospective telecommunications legislation that signified an enormous industry win (McChesney 72). McChesney explains that the media lobby, with the help of its political allies, “quietly” included in the legislation a provision that required the FCC to issue licenses to unused portions of the spectrum to broadcasters at no cost (151); but the spectrum itself, which was considered public property, was valued at billions of dollars. “As the NAB intended, this clause received no debate at the committee level,” McChesney points out. (151-152). The commercial media successfully kept the clause out of committee discussions and therefore out of public consciousness. Furthermore, after the act was signed into law, the remaining details of the telecommunications legislation were delegated to the FCC – a “toothless advisory body,” McChesney says (72) – where the issue was even less visible to the public. Overall, the Telecommunications Act of 1996 represented a remarkable win for the commercial media industry – one that can be attributed, in part, to the media’s efforts to privatize political debate over the communications legislation.

The commercial media are also able to shape public discourse through advertisements and public relations campaigns designed to misconstrue facts and misinform consumers. This can be seen again with the passage of the Telecommunications Act of 1996, which McChesney claims was itself a “public relations ploy” (74). In this case, McChesney argues that politicians used carefully crafted language that misrepresented the true nature of the bill. The purpose of the bill, legislators wrote, was “to promote competition and reduce regulation in order to secure lower prices and higher quality services for American telecommunications consumers and encourage the rapid deployment of new telecommunications technologies” (Telecommunications Act...). Its authors associated deregulation with increased competition, knowing that reduced regulation would not promote competition. McChesney writes, “The notion that the bill had something to do with encouraging actual competition was of course a public relations ploy designed to mask the nature of capitalism and conceal how these markets actually work” (74). While the act did achieve its goal of deregulating the industry, the resulting deregulation failed to increase competition. In actuality, the Telecommunications Act of 1996 ended up significantly reducing market competition by protecting existing media giants and encouraging monopolistic markets. In addition, it increased consumer prices and cost the public billions of dollars that previous regulations had helped them save. The Center for Public Integrity summed up the damage in its 2000 investigation titled “Off the Record: What Media Corporations Don’t Tell You About Their Legislative Agendas”:

The bill, among other things, reversed a 1992 act that regulated cable rates, which had saved consumers some \$3 billion....It raised the cap on the number of stations that one entity can own, allowing a single company to reach up to 35 percent of all national television viewers. It eased restrictions on mergers, leading to \$100 billion worth of deals on Wall Street as one company after another gobbled up smaller competitors. Lewis 26

The Telecommunications Act of 1996 was in effect a public relations campaign designed to convince consumers to support deregulation of the media industry, which would, unbeknownst to the public, directly benefit the already wealthy media corporations at their own expense.

The National Association of Broadcasters also used newspaper and television advertisements to help win public support for the Telecommunications Act. Commercial broadcasters decided to launch a multimillion dollar marketing campaign to help sell the prospective legislation to the public after several politicians began to criticize the “secret” clause on free licensing (the one that corporate media lobbyists quietly slipped into the prospective telecommunications legislation) – railing it as a “corporate welfare project” (Safire, “Stop the Giveaway”). Of course, the advertisements that commercial broadcasters developed to counter this criticism distorted the issue of digital television and intentionally misinformed consumers with false claims about free broadcasting licenses. For example, as part of its PR campaign, the NAB spent \$9.5 million on advertisements that convinced the public that without the free broadcast licenses, consumers would lose their “free” television because of a (fake) “TV tax” imposed by Congress (Wexler). One newspaper advertisement sponsored by the NAB read, “Imagine your favorite shows...gone. Local news, weather, and sports...gone. The Olympics for free...gone. That’s what some in Congress have in mind” (Andrews). These ads played on the public’s fear of losing their television programming altogether. A television commercial that the NAB used showed images of TV sets tuned into popular prime-time programs, like Seinfeld and Jeopardy, all shutting down one at a time. The commercial urged viewers to call a toll-free number, 1 (888) NO-TV-TAX, in order to prevent Congress from eliminating consumers’ “free” television. The TV tax mentioned in

the commercials, which aired during prime-time programming, was of course a complete fabrication, but it was an effective campaign: Nearly 3,500 people called the toll-free number each day that the television ads ran (Wexler).

In addition to privatizing debate in Congress and using public relations and advertising campaigns to shape public opinion, the media have the additional advantage of controlling news coverage of political debates. That is, the media can control what, if any, information is publicized about a specific political issue. In a sense, this is simply an extension of the media's management of popular opinion through public relations campaigns, but a somewhat more subtle, and much more deceptive, tactic. For example, the clause that was added to the prospective Telecom Act that required the FCC to issue licenses to broadcasters at no cost did not receive adequate media attention considering the scale of the giveaway. "The public was completely in the dark," McChesney notes (152). This, of course, was deliberate. Politicians and public officials later made the same observation: Senator John McCain (R-Ariz.) was quoted in the New York Times as saying, "What troubles me is the voters never got a clear picture of this giveaway on television. 'The Fleecing of America,' 'It's Your Money' – where were they?" (Safire, "Broadcast Lobby Triumphs") Senator Larry Pressler (R-S.D.), chairman of the Senate Commerce Committee, made the same observation, noting, "You haven't seen many stories on your local TV news about the spectrum" (Safire, "Broadcast Lobby Triumphs"). Reed Hundt, the FCC Chairman at the time, reiterated, saying, "It's bad enough that broadcasters are being given both digital and analog channels in perpetuity, without paying money or in-kind."¹⁴ Worse is that there have been no major televised discussions of the issue. The number one missing piece in the puzzle is, why wasn't

¹⁴ Payment in kind may have included additional educational programming or more comprehensive election coverage, but as Reed suggests, commercial broadcasters were not required to make any such changes in exchange for the licenses issued by the FCC.

this story about TV covered on TV?” (Safire, “Broadcast Lobby Triumphs”) Indeed, the issue received sparse coverage in the mainstream media, but was not entirely absent; the conservative columnist William Safire lamented in one of several articles he wrote on the subject for the New York Times, “The ripoff is on a scale vaster than dreamed of by yesteryear’s robber barons” (“Stop the Giveaway”). In addition to a general lack of critical news coverage, some reports featured in prominent newspapers were based on biased, “official” sources. An editorial printed in the New York Times in February 1996 titled “I Want My HDTV,” written by former FCC Chairman Richard Wiley, argued that what some legislators were calling a “giveaway” was in actuality “only an exchange of one block for another, with the public getting a greatly enhanced service” (Wiley). It is important to note that Wiley was a Washington lawyer representing major communications companies, including Viacom and AT&T, at the time he wrote the editorial (“Richard E. Wiley”). This was obviously a slanted account of the issue, in defense of major broadcasters. Not surprisingly, critical coverage of a policy that directly benefitted news organizations’ corporate owners was not widely or fairly covered in the mainstream media. The significant lack of information on the issue in mainstream media reports and the subsequent absence of public debate helped ensure a political win for the commercial media.

Politicians’ self-interest

The political resources discussed above – financial resources, political knowledge, and ownership of information – are particularly effective instruments of political power in light of legislators’ own interests. For many politicians, the possibility of financial support or favorable publicity is reason enough to sponsor prospective legislation or back existing policies that benefit the commercial media, sometimes regardless of the public interest or

ethical considerations. This second component of power – the matching of political resources with politicians’ self-interest – can help explain politicians’ susceptibility to the commercial media’s claims and the ease with which the commercial media can recruit political support for their legislative agendas. Because politicians want what the media have – namely, money, information, and publicity – there is a direct incentive for politicians to cooperate with the demands of media giants.

As previously discussed, media companies donate hundreds of thousands of dollars annually to political candidates, and the media lobby is one of the largest in Washington, but what sets the media industry apart from other powerful (and equally wealthy) interest groups is its role as information provider. Because the media have the unique ability to control political debate and public discourse, politicians are strongly encouraged, if not forced, to establish friendly relationships with the media, especially at election time. In the 1930s, for example, the radio lobby was particularly influential because it offered free air time to members of Congress and government officials – an offer that, for many, was too good to refuse. Advocates for broadcast reform at the time noted that politicians’ own self-interest (and the “reward” of free publicity for supporting commercial media) was a primary reason politicians did not support reform – even when the majority of the population did. “The politicians are too eager to use radio to come out for reform,” one reformer explained (McChesney quot. Morgan¹⁵ 195). In addition, politicians recognized the potentially severe consequences of voting against the interests of powerful media corporations. During the broadcast reform movement, “[C]ommercial broadcasters became a force that few politicians wished to antagonize; almost all of the congressional leaders of broadcast reform in 1931-32

¹⁵ Morgan, Joy Elmer to John Henry McCracken, Aug. 2, 1932, folder 801, container 43, Payne Fund, Inc. Papers, Western Reserve Historical Society, Cleveland, Ohio.

were defeated in their reelection attempts, a lesson not lost on those who entered the next Congress” (McChesney125-126). In the 1930s, it was the promise of personal gain and the fear of bad publicity that helped cement a win for commercial broadcasting.

The threat of media backlash continues to be an important factor in politicians’ decisions to support initiatives that favor media corporations. “[Today], the situation has reached the point where broadcasters are becoming downright arrogant. ...According to one [FCC] official, they don’t even try to argue policy, rather they come in with the attitude: ‘If you don’t do what we want, we’ll kill you on the Hill’” (Rowse). As Rowse explains, the media have the power to strongly influence, if not control, politicians’ careers. He writes, “Few successful politicians can afford not to be on cordial, if not close, terms with the media when elections roll around.” Outspoken or argumentative politicians who disagree with the media’s political agenda risk losing media support, both financial and ideological, so many avoid conflict to protect their own careers. “Although examples of gross unfairness by the media are rare, there are enough instances to make legislators and bureaucrats wary” (Rowse). For example, in the midst of digital television debates:

Many [legislators] remember[ed] what happened to Dan Glickman, the [then] current secretary of agriculture and former congressman from Kansas. His troubles started back in Wichita in 1992 when the local arm of Multimedia Cablevision, apparently enraged by Glickman’s vote earlier that year in favor of freezing cable rates, flooded its 53 channels with “editorials” against his reelection. The company aired anti-Glickman jabs more than 2,000 times before agreeing a week before election day to run some pro-Glickman spots. Glickman squeaked by with only 52 percent of the vote, compared to the 71 percent he garnered in 1990. Rowse

As Glickman experienced first-hand, a politician’s support for the commercial media’s legislative endeavors can mean the difference between winning and losing an election.

Because the media play a fundamental role in cultivating a politician’s public image, many

are apt to side with the media in order to protect their political careers. Especially for politicians with a tenuous hold on reelection, a vote in favor of legislation that benefits the commercial media (even at the expense of the public interest) is an effective reelection strategy. Motivated by their own self-interest, politicians may trade their votes for future campaign contributions and positive publicity, which often amount to a better chance at reelection. It is this human tendency to pursue individual interest that makes politicians particularly receptive to the commercial media's legislative "needs."

Pro-market ideology

A third source of the commercial media's political power is the pro-market ideology that corporate media owners share with legislators. Ideology is particularly important because it reinforces politicians' susceptibility to the commercial media's claims, adding to the already significant influence that the commercial media have in the political system due to their extensive political resources and politicians' own self-interest. Politicians are not only inclined to cooperate with commercial media interests in exchange for potential campaign contributions or favorable publicity, they are "sympathetic" to business interests because they share the same pro-market ideology, and are therefore more likely to back the commercial media's legislative agenda.

This pro-market ideology is shared not only by business-friendly politicians and major corporate interests but by a majority of Americans who have come to accept the market as an equitable and efficient system of social organization. In McChesney's view, these people share the belief that the free market is "the most rational, fair, and democratic regulatory mechanism ever known to humanity" (136). However, this is only a half-truth; instead, the notion that the market is an inherently democratic and "infallible" system is

largely a mythological construct, a culture that has become embedded in our psyche, a “totem to which all must pledge allegiance” (McChesney 137). McChesney explains that the myth of the free market is based on the fallacy of market competition. In theory, a perfectly competitive market is in fact an extraordinarily efficient system that ensures an equitable allocation of goods and services. As McChesney notes, a perfectly competitive market provides the highest quality products at the lowest possible prices and prevents an accumulation of wealth and power through the free entry of profit-seeking entrepreneurs (138). “It provides an attractive image of the way our economy works – making it seem downright fair and rational – but it has little to do with reality,” he says (138). In fact, perfectly competitive markets are virtually nonexistent, and many firms have effectively eliminated market competition altogether by establishing monopolies and oligopolies.

Despite this fallacy, the logic of the free market resonates with many influential elites as well as the public. Because many legislators so firmly believe in the “rightness” of the market, they feel compelled to protect business interests against government regulation. “Public meddling would only allow unproductive bureaucrats to interfere with productive market players,” they argue (McChesney 137). This has huge implications for the U.S. media system. Because of this pervasive pro-market ideology, corporate interests are able to guide policy through Congress that legitimates the privatization and commercialization of our media system by invoking the myth of the free market. But as the next section will demonstrate, privatization and commercialization of the media industry are largely responsible for the anti-democratic tendencies of the mainstream media.

In sum, the considerable influence that the commercial media exercise in the American political system can be attributed to a combination of factors: first, the commercial

media's wealth of political resources (including their financial resources, political knowledge, and ownership of information); second, legislators' own interest in securing financial support and favorable publicity, which encourages cooperation with the commercial media's political agenda; and finally, a shared pro-market ideology between the commercial media and government officials that favors the privatization and commercialization of the media industry. For these reasons, other political interest groups – especially noncommercial interests, including media reform advocates – are unable to compete with the commercial media unless backed by an aroused and organized mass public. With an upper-hand in policy-making, the commercial media are able to legitimate corporate media ownership and industry deregulation until the commercial media system becomes entrenched. Today, privatization and commercialization of our media system are “undebated, undebatable, and thoroughly internalized truths,” and the legitimacy of the system is virtually unchallenged by a depoliticized public (McChesney 136). In this political environment, media reform is arguably impossible, and with an increasingly undemocratic commercial media system, democracy continues to deteriorate.

PART II

A Descriptive Analysis of U.S. Mass Media:

How the U.S. Commercial Media Subvert Democracy in Reporting the News

The anti-democratic qualities of media policy-making are compounded by the anti-democratic qualities of mainstream news reports. Mainstream news coverage is anti-democratic in several crucial ways – though not typically through a conscious effort to misconstrue information or intentionally mislead readers. The increasingly partisan, sensational, and biased news reports that mainstream news organizations produce are, instead, often the result of professional journalists’ adherence to institutional norms that they genuinely consider fair and objective. In this section, I identify four factors that severely limit the democratic potential of the mainstream media – namely, the industry’s emphasis on profit, increased media concentration and conglomeration, professional journalism standards, and biased news formats. (See Figure 1) Each of these forces acts as a filter that precludes certain types of information – especially system-critical or myth-challenging viewpoints considered “radical” or “deviant” – from mainstream news reports. Together, these information filters form a complex system of exclusion that favors superficial coverage of the most important political, economic, and social issues and drastically reduces the mainstream media’s capacity to report informative, insightful, provocative news stories. Most importantly, by marginalizing critics of the status quo and virtually eliminating all legitimate criticisms of our fundamental (but considerably flawed) economic and political institutions from the mainstream media, these information filters produce ideologically boundaried

discourse that reinforces elite hegemony and ultimately undermines a democratic social order.

Reporting within ideological boundaries

Several theories help explain how this system of exclusion operates and why the mainstream media report only within ideological boundaries. These theories include Daniel Hallin's "spheres" of discourse, Edward Herman and Noam Chomsky's propaganda model, and Douglas Kellner's theory of hegemony. First, Hallin's theory of discursive "spheres" explains that the media divide information into "legitimate" and "illegitimate" categories and will report only within the boundaries of what is considered "legitimate" discourse. Hallin argues that political discourse, in terms of media coverage, can be divided into three spheres – the "sphere of consensus," the "sphere of legitimate controversy," and the "sphere of deviance." Hallin describes the "sphere of consensus" as:

the region of motherhood and apple pie; in its bounds lie those social objects not regarded by journalists and by most of the society as controversial. Within this region journalists do not feel compelled to present opposing views, and indeed often feel it their responsibility to act as advocates or ceremonial protectors of consensus values.... Within this region the media play an essentially conservative, legitimizing role. 21

The "sphere of legitimate controversy," Hallin describes, is "the region where objective journalism reigns supreme: here neutrality and balance are the prime journalistic virtues" (21). According to Hallin, the "sphere of legitimate controversy" can include "a straight recitation of official statements," two-sided accounts that "balance official statements with reactions from the opposition," or "independent investigations of controversial issues" (21-22). Beyond the "sphere of legitimate controversy" is the "sphere of deviance," which includes "those political actors and views which journalists and the political mainstream of the society reject as unworthy of being heard" (21). More specifically, this type of "deviant"

or “unworthy” discourse may include critiques of our basic institutions, such as democracy or capitalism, or specific challenges to our national myths. Within the “sphere of deviance,” the media “play the role of exposing, condemning, or excluding from the public agenda those who violate or challenge consensus values, and uphold the consensus distinction between legitimate and illegitimate political activity” (21). According to Hallin’s theory, the mainstream media include only those ideas and opinions within the “sphere of consensus” and the “sphere of legitimate controversy”; the media will not venture into the “sphere of deviance” – unless, of course, to label critics as social outcasts and to discount their arguments on the basis of their “otherness.” Hallin uses these “spheres” of discourse to describe changes in news coverage of the Vietnam War in the 1960s as the war became increasingly controversial as it progressed through the decade. Hallin argues that news reports shifted from the “sphere of consensus” in the early 1960s to the “sphere of legitimate controversy” and ultimately the “sphere of deviance” by the late 1960s as mainstream political debate included more and more controversial, and oppositional, points of view.

Herman and Chomsky’s propaganda model offers a second explanation for this logic of exclusion. Their propaganda model explains that the commercial media are subject to their own set of “news filters,” which together produce ideologically boundaried discourse that advances an elite world view. In their words, the media “serve, and propagandize on behalf of, the powerful societal interests that control and finance them” (xi). Herman and Chomsky’s news filters include the profit orientation of the mass media, a reliance on advertisers as a primary revenue source, the (over)use of government officials and business leaders as sources of information, the media’s desire to avoid “flak,” and an anti-communist ideology (2). While some of Herman and Chomsky’s news filters overlap with the

information filters that I outline in the second half of this section, it is important to note that my set of filters is not entirely consistent with Herman and Chomsky's. The media's ideological function, Herman and Chomsky argue, is to "amuse, entertain, and inform, and to inculcate individuals with the values, beliefs, and codes of behavior that will integrate them into the institutional structures of the larger society" (1). The commercial media accomplish this by reporting within ideological boundaries – more specifically, by reporting on (and reinforcing) existing elitist ideologies and institutional structures while excluding viewpoints that challenge, question, or debate those ideologies and institutions – thereby advancing the interests of the elite. This does not mean that the mainstream media do not include political debate or social criticism of any kind. The propaganda model does allow for conflicting viewpoints and debate within the mainstream media, and Herman and Chomsky contend that the mass media will reproduce much of the debate found in society – but, just as Hallin points out in his distinction between the "sphere of legitimate controversy" and the "sphere of deviance," the mainstream media are only critical within boundaries and will not reproduce all political debate. Herman and Chomsky explain:

The mass media are not a solid monolith on all issues. Where the powerful are in disagreement, there will be a certain diversity of tactical judgments on how to attain generally shared aims, reflected in media debate. But views that challenge fundamental premises or suggest that the observed modes of exercise of state power are based on systemic factors will be excluded from the mass media even when elite controversy over tactics rages fiercely. lx

In other words, the mainstream media will not call into question, doubt, or criticize our existing political and economic systems – the institutions of the elite. Within political debate reproduced in the mainstream media, we will only find the "legitimate," elitist viewpoints.

A third explanation for this exclusion comes from Kellner's theory of hegemony, which is based in part on the work of Italian Marxist theorist Antonio Gramsci. It is

important to note that Kellner uses this critical theory to describe commercial television specifically, but the theory is useful in describing other forms of commercial media as well. Like Herman and Chomsky's propaganda model, the theory of hegemony states that the media are owned by the economic and social elite – what he calls the “capitalist class” (6) – and therefore tend to follow the private ambitions and self-interested business goals of their owners. It is the concept of hegemony – that is, the factor of consent – that distinguishes Kellner's understanding of commercial media from Herman and Chomsky's propaganda model. Kellner cites Gramsci¹⁶ to explain the critical role that consent plays in establishing elite hegemony:

Whereas institutions such as the police, military, and prisons use force to maintain social control, ideology wins consent for the social order without force or coercion. Hegemonic ideology attempts to legitimate the existing society, its institutions, and its ways of life. Ideology becomes hegemonic when it is widely accepted as describing “the way things are,” inducing people to consent to the institutions and practices dominant in their society and its way of life. 17

Instead of “instruments of the state” or “adjuncts of government,” as Herman and Chomsky suggest, the commercial media, Kellner contends, serve as an ideological apparatus that the capitalist class uses to establish and legitimate its hegemony. Ultimately, the commercial media are able to maintain their privileged position in the American political economy because their bounded “legitimate” discourse encourages conformity to the established order and convinces the public that the elite world view is simply “the way things are,” so that the working class accepts without question its dominance by the ruling class.

Overall, these three theories all describe a process of exclusion that protects ruling elites and reinforces their hegemony. The media end up serving limited interests – the interests of the elite – rather than the interests of the general public, which should be the top

¹⁶ Gramsci, Antonio. Prison Notebooks. New York: International Publishers, 1971.

priority for a democratic press. The censorship of certain types of information clearly contradicts the basic democratic principle of equality. In the process of furthering an elite world view, the media deny an equal voice to all by prohibiting viewpoints that are outside the bounds of elite ideology. But this is not considered a political problem because the boundaries that the media establish match politicians' own ideology. Politicians ignore, if not encourage, the self-censorship process because it reinforces their own values and beliefs.

Emphasis on profit

The first information filter that contributes to this process of ideological exclusion is the media's emphasis on profit. Herman and Chomsky explain, "The dominant media firms are quite large businesses; they are controlled by very wealthy people or by managers who are subject to sharp constraints by owners and other market-profit-oriented forces; and they are closely interlocked, and have important common interests, with other major corporations, banks, and government" (14). These forces all place significant financial pressure on the commercial media; and the insistence on the corporate bottom line can have a significant effect on news decisions. For example, market imperatives may compromise news organizations' democratic ideals. This is clearly illustrated by the commercial media's attempt to increase revenue and maximize profit through mass appeals. News organizations may use sensationalist news stories, eye-catching photographs, screaming headlines, or juicy celebrity gossip in order to attract a wide audience and increase circulation. But in the process of replacing quality reporting with empty entertainment, the commercial media fail to educate the citizenry on important social, economic, and political issues and ultimately fail to cultivate a democratic society.

The capitalism-as-democracy counterpoint to this argument is that these news organizations are simply responding to consumer demand and “giving the people what they want”; therefore, the mass media are not necessarily anti-democratic. The mainstream media will attempt to justify their appeals to the masses (and the significant decline in the quality of their reporting) by arguing that news consumers are not democratic beings with an insatiable “thirst for knowledge” (Posner). Instead, consumers’ demands are much more simplistic (and less idealistic) – audiences seek entertainment, confirmation, and emotional satisfaction, often in the form of increasingly partisan and sensationalist news, rather than intelligent, critical analyses of pressing political, economic, and social issues. The basic premise of this argument is that consumers have only a limited interest in the truth. Most consumers are not interested in being well-informed about issues of public importance; the costs of information are too high, and the benefit too low. Instead, they look for confirmation of their own beliefs, or what they already know. “People don’t like being in a state of doubt, so they look for information that will support rather than undermine their existing beliefs,” wrote Richard A. Posner, a judge on the United States Court of Appeals for the Seventh Circuit, in an essay for the New York Times. “They’re also uncomfortable seeing their beliefs challenged on issues that are bound up with their economic welfare, physical safety or religious and moral views.” The commercial media argue that their entertaining, sensationalist fare is a product of necessary “negotiation” with market audience tastes.

Corporate media owners argue that because their news organizations are susceptible to market forces, they must meet consumer demand. Simply put, they cannot afford to just inform their readers – they must entertain them too, without challenging their beliefs. Posner notes that this can be an upsetting realization for many news professionals; he writes, “They

want to think they inform the public, rather than just satisfying a consumer demand no more elevated or consequential than the demand for cosmetic surgery in Brazil or bullfights in Spain.” But, because the media are subject to market imperatives, news organizations must “give the consumer what he or she wants, not what they, as proud professionals, think the consumer should want, or more bluntly, what they want.” Despite the substantial disconnect between what news consumers demand (namely, partisan, sensational news) and what news professionals think consumers should demand (objective, intelligent news analysis), news organizations must not be delusional about the needs of their customers. The democratic response to this industry argument is that the entertainment that news consumers supposedly “demand” is in fact the product of the mainstream media’s manipulation of their audience’s emotions and instincts. That is, it is not a “true” demand; instead, it is largely fabricated by the commercial media themselves.

Another consequence of the commercial media’s profit orientation is a reliance on advertisers. Because advertising essentially subsidizes news content, the commercial media often remain loyal to the needs of their advertisers. Herman and Chomsky note that advertisers generally avoid news reports that “engage in serious criticisms of corporate activities” and reports “with serious complexities and disturbing controversies that interfere with the ‘buying mood’” (17). These preferences will often (negatively) impact the quality of news reporting; that is, mainstream news organizations will likely limit their coverage of complex, controversial stories and focus instead on light entertainment that preferably encourages consumer spending. It follows that the commercial media risk losing a significant source of revenue if they fail to take their advertisers into consideration when developing news content.

Concentration and conglomeration

The second information filter is increasing media concentration and conglomeration. McChesney identifies two trends occurring across the media industry – “horizontal integration,” in which a firm increases its market share by acquiring competing firms within the same industry (16), and “vertical integration,” in which a firm diversifies its holdings across different industries (21). Both are strategies that, thanks to the Telecommunications Act of 1996, media corporations are using with increasing frequency to reduce market competition, and both place significant limits on the diversity of perspectives featured in the mainstream media. More specifically, horizontal integration produces an extremely concentrated market in which only a few firms dominate (what is otherwise known as an “oligopoly”). This is a dangerous trend because increased concentration in the media industry “inhibit[s] the flow and range of ideas necessary for a meaningful democracy” (McChesney 17). Vertical integration refers to the relatively recent appearance of media conglomerates – that is, media corporations that own several different “distribution channels,” including film studios, television networks, newspapers, magazines, book publishers, and music companies. A media conglomerate is a self-serving enterprise that is capable of cross-promoting its own products across its distribution channels. For example, a newspaper or magazine may feature a book review for a new book by its corporate parent’s book publisher, or a television network may use its advertising time to promote a new movie by its corporate parent’s film studio. The top three major media conglomerates in the U.S. include Disney, which owns the Walt Disney Motion Pictures Group, Radio Disney, the Disney Channel, Walt Disney Parks and Resorts, ESPN, ABC, ABC Family, Pixar Animation, and Marvel Entertainment; Time Warner, which owns CNN, Time Inc., Warner Bros., HBO, New Line Cinema, Turner

Broadcasting System, the CW, Cartoon Network, DC Comics, and Castle Rock Entertainment; and News Corp., which owns 20th Century Fox, Fox News, Hulu, the New York Post, The Wall Street Journal, and HarperCollins. Concentration and conglomeration will continue to occur as politicians remain supportive of industry deregulation and as the profit motive drives companies to consolidate with other firms.

Professional norms

The third information filter is the media industry's own professional standards. Political science and communications scholar Lance Bennett argues that organizational routines and professional norms lead to a systematic bias in reporting. "[T]he news is biased not in spite of, but precisely because of, the professional journalism standards intended to prevent bias," he says (192). Bennett identifies objectivity and independence as two problematic standards in the journalism profession. He says that objectivity, an obsession with "just the facts," and independence, an emphasis on neutrality and official sourcing, together "create conditions that systematically favor the reporting of narrow, official perspectives. At the same time, the postures of independence and objectivity created by the use of these professional practices give the impression that the resulting news is the best available representation of reality" (192). Objectivity is a problematic standard, Bennett argues, because it eliminates critical analysis and contextual information. A policy of "just the facts" may not be enough to explain the significance of a particular event or what it means in the greater scheme of things; without the meaningful interpretation of events, the audience is only partially informed and left with only a superficial understanding of the issue. This commitment to objectivity and impartiality leads to the practice of "passive" reporting, in which reporters look for facts rather than the full truth, which in turn reinforces the

mainstream media's ideological boundaries. Independence is also a problematic standard, Bennett says, because it calls for "official" sourcing and leads to dependency on information provided by political and economic elites – such as public officials, politicians, corporate executives, and public relations specialists. These people are considered – or, perhaps more accurately, labeled by the media industry as – the most reliable, authoritative sources of information when, in fact, these "official" sources will often promote their own propaganda, rather than trustworthy, factual information. The independence standard forces reporters to use only these "official" and "authoritative" sources, which can be intentionally misleading, dishonest, or altogether misinformed, rather than alternative sources who may be more knowledgeable or forthcoming about an important issue. Standards of objectivity and independence undermine democratic discourse by replacing "fair," "accurate," and "balanced" reporting with inaccurate and incomplete information; and in this situation, a fully-informed and engaged citizenry will not emerge.

Information biases

The fourth and final information filter is the mainstream media's use of biased news formats. In his discussion of commercial television news, Bennett identifies four important "information biases" that are used to structure the news; these are personalization, dramatization, fragmentation, and authority-disorder. As Bennett explains, these four information biases refer to specific news formats and methods of framing information. "Framing," he says, "involves choosing a broad organizing theme for selecting, emphasizing, and linking the elements of a story such as the scenes, the characters, their actions, and supporting documentation" (42). The first information bias, personalization, is characterized by a focus on people – key players, actors, or personalities – in a news story. Bennett writes,

“If there is a single most important flaw in the American news style, it is the overwhelming tendency to downplay the big social, economic, or political picture in favor of the human trials, tragedies, and triumphs that sit at the surface of news” (45). The personalization bias diverts attention from the “big” issues with “small” stories about individual people. This is problematic because it provides only a cursory and stiflingly narrow understanding of important issues, rather than an institutional or structural analysis of significant social, economic, and political problems. Bennett’s second bias, dramatization, is characterized by a focus on storytelling. Bennett writes, “American journalism has settled overwhelmingly on the reporting form of stories or narratives, as contrasted, for example, with analytical essays, political polemics, or more scientific-style problem reports” (46). The narrative format is useful in grabbing and keeping readers’ attention, but these types of “dramatic” news “stories” only scratch the surface of their significant underlying issues. The third bias, fragmentation, is characterized by “the isolation of stories from each other and from their larger contexts so that information in the news becomes fragmented and hard to assemble into a big picture” (48). The fragmentation of news stories is understandably disorienting and overwhelming for audiences that are presented with a multitude of what seems like completely unrelated issues that do not fit neatly into a single mental frame. The final bias, authority-disorder, can be described as an obsession with both issues of authority and disorder. This results in increased coverage of crime and violence, accidents, health threats, freeway chases, and other images of social chaos. This bias also includes more criticism of politicians and the government in general, most often in the form of cynical or negative commentary, rather than reports on government policies or actions themselves. Bennett writes, “Whether the world is returned to a safe, normal place, or whether the very idea of a

normal world is called into question, the news is preoccupied with order, along with related questions of whether authorities are capable of establishing or restoring it” (48). The authority-disorder bias distorts important social issues by concentrating on the “chaotic” stories of individual figures in power or instances of violence rather than considering the larger structural issues of authority or crime.

In all, these four information filters – emphasis on profit, concentration and conglomeration, professional standards, and information biases – place sharp ideological boundaries on political discourse, excluding particularly critical voices from the mainstream media and emphasizing instead those voices that further an elite world view. This leads to a superficial understanding, at best, of important news events; at worst, this produces a completely uninformed polity that is easily manipulated by a pervasive elitist ideology that the mainstream media enforce. In this way, these filters significantly undermine democratic discourse and democratic society.

PART III

A Case Study: The Politics of Net Neutrality and Renewed Optimism for a Democratic Medium

Recent technological advances have produced a media landscape in which communication has become increasingly digital. The advent of the Internet, in particular, has revolutionized the media industry and continues to play an important role in shaping the future of mainstream media. This section will analyze the democratic potential of the Internet through a case study on the concept of “network neutrality.”

As a communications medium, the Internet is different from the mainstream media in two critical ways; unlike the present commercial media system, the Internet is both inclusive and conversational. As media and propaganda scholar Edward P. Morgan explains, these two qualities make it a potential “boon to American democracy” (314). Morgan elaborates:

As an open-ended medium, the Internet provides its users with access to information and interpretation from outside the boundaries of mass media discourse. Indeed, its boundaries are limited only by the human imagination. It also provides an enormously important vehicle for interactive communication that can spread awareness and conversation, and it is a highly significant tool for networking and organizing. Each of these characteristics of Internet technology provides greater potential for democracy. 313

The Internet is a potentially revolutionary technology for American media, and for democracy at large, because it has the technological capacity to foster a non-market conversation. Unlike traditional media, the Internet is a “bottomless online news hole” that has the infinite virtual space necessary to include all points of view, radical and conventional alike (Mann). And with uniquely digital features such as discussion forums, comment boards, e-mail, and chat rooms, the Internet encourages a dialogue among news producers and

consumers, rather than a one-way conversation in which reporters dictate the news to their readers. Because it affords users the unique opportunity to engage in a dynamic dialogue without physical or ideological boundaries, the Internet also serves as an innovative new tool for political organization. For example, the Internet played an integral role in organizing the global Iraq war demonstrations as well as the so-called “anti-globalization” (or global justice) movement. Even if these movements have had only a limited impact on society, the Internet still serves as an important vehicle for social and political change. The Internet, therefore, is a much more democratic communications medium that encourages citizens, rather than corporations, to create and share the news. But the Internet’s democratic potential may be in jeopardy. As previously discussed, the commercialization of communication technologies has historically produced undemocratic media, and the same may happen to the Internet. Morgan explains, “The Internet itself remains vulnerable to the same forces of commercialization and ideological control that currently dominate the mass media, suggesting a future in which these forces, as they did with radio and television, once again distort a medium initially hailed as boon to American democracy” (314).

The concept of “network neutrality” addresses this very issue – the future of the Internet either as a boundless, interactive news forum, or as a commercial vehicle of information. The term “network neutrality” first appeared in 2002 in a research paper by Columbia law professor Tim Wu, who was troubled by his company’s work with technologies designed to block areas of the Internet and felt compelled to raise the issue of what he considered “broadband discrimination” (Bilton, “One on One”). Today, the term “net neutrality” is used by politicians and consumers alike to describe the Internet’s current structure as an open and “neutral” communications medium. More specifically, net neutrality

means that broadband providers do not discriminate against online content by either prioritizing or blocking certain websites. In other words, all information is considered equal by broadband providers. As one net neutrality advocate put it, “[Net neutrality] means everything is treated equally, whether it’s ABC News or your sister’s blog” (“Wonk Wars...”). On the flip side, non-neutrality would mean that broadband providers could potentially charge Internet content companies for faster transmission or decide to block “controversial” content, essentially creating a two-tiered system, or “an Internet for the haves and an Internet for the have-nots” (Miller and Helft). Josh Silver, president and CEO of the media reform group Free Press, explains, “A non-neutral Internet means that ISP’s could carve up the Internet into fast and slow lanes, picking winners and losers online, and deciding which Web sites and applications get preferred treatment” (“Wonk Wars...”). Many groups, including consumer advocates and Web content companies, support government enforcement of net neutrality rules, but broadband providers and other industry groups stand firmly against any government regulation of the Internet.

It is important to note that both supporters and opponents of net neutrality legislation claim to want an open and free Internet. Both groups also want to foster innovation. But while net neutrality advocates think regulation is required to maintain an open, innovative environment, opponents argue that net neutrality rules undermine the Internet’s entrepreneurial spirit. This is because revenue is required for innovation, at least according to non-neutrality proponents. Net neutrality supporters, on the other hand, say an equal playing field that is favorable to neither media start-ups nor conglomerates is required for innovation. It is fair to say that one side of the net neutrality debate is allied with the consumer (and democracy), while the other is on the side of the corporation (and capitalism). Or, in the

ideological language of mainstream discourse, one side is for government, while the other is for the free market. The two groups essentially differ in their views of government regulation of the marketplace.

Opponents of net neutrality – including broadband providers, such as AT&T, Verizon, and Comcast; and industry groups, such as the National Cable and Telecommunications Association – define net neutrality as an example of unnecessary (and inefficient) government regulation of the marketplace. Those in favor of non-neutrality argue that there is no need for government intervention because the free market, as a self-regulating system that maximizes efficiency, already favors an open, “neutral” Internet. Jim Harper, the director of Information Policy Studies at the libertarian (i.e. market-friendly) Cato Institute, writes, “Net neutrality regulation is a solution in search of a problem. In the few instances where Internet Service Providers have deviated from providing wide-open Internet access, public pressure has quickly forced them to relent.” In other words, broadband providers are already following a policy of net neutrality because their consumers demand it. “Consumers’ unprecedented ability to communicate and organize helps them get what they want from ISPs” – in this case, equal access to all Internet content. Harper continues, “Should the Federal Communications Commission replace this technologist-consumer dynamic with lobbyist-bureaucrat decision-making? Absolutely not....The best thing the government can do for net neutrality, and consumer welfare overall, is to get out of the way.” (“Wonk Wars...”).

Government officials have reiterated Harper’s position (the market-as-democracy argument), claiming that government intervention will upset the balance that market efficiencies have established. Representative Joe Barton (R-Tex.), member of the House

Committee on Energy and Commerce, has said, “[Net neutrality legislation] is not a solution for the future of the Internet. America should be about preserving the vibrant and competitive free market that exists for the Internet and other interactive computer services, unfettered by federal or state regulation” (Gross). Gregory L. Rosston, former deputy chief economist at the FCC and deputy director of the Stanford Institute for Economic Policy Research, argues that net neutrality regulations are not necessary because of existing market competition: “The more competition you have for broadband access, the less need you have for net-neutrality-type regulation,” he says (Miller and Helft).

In addition to their objection to net neutrality on grounds of government inefficiency, non-neutrality advocates argue that regulation prevents innovation. The National Cable and Telecommunications Association told the National Journal in October, “[A]doption of [net neutrality] rules at this time would do nothing to promote the commission’s objectives and would instead have only the counterproductive effects of stifling investment, innovation, and consumer value.” (Gruenwald). Their logic is that net neutrality rules would not allow broadband providers to charge content companies for faster transmission, and therefore deprive carriers of the revenue necessary to expand their networks and develop new technologies (Miller and Stelter). These rules would also place strict limits on how providers can manage their systems, even when trying to solve such nuisances as Web congestion and spam (Tessler). Henry Blodget of Business Insider argues that net neutrality rules violate providers’ rights to control their own networks. “I.S.P.’s spend billions of dollars building fiber networks. Why on earth shouldn’t they be able to charge what the market will bear to deliver bits over those networks? If people want their bits delivered quickly and securely,

they can pay more. If they don't, they can pay less. It's as simply (and fair) as that" (Bilton, "More...").

Proponents of net neutrality rules – including media reform groups, such as Free Press, Save the Internet, and the Open Internet Coalition; and Internet companies, such as Amazon, Google, Skype, and Twitter – define net neutrality as a necessary protection for consumers. Unlike non-neutrality advocates, those who support Internet regulation argue that net neutrality is not the default system, and that government intervention, rather than the free market, is required to maintain an open, innovative, and democratic Internet. "Net Neutrality is the opposite of a government takeover of the Internet," says Josh Silver, president and CEO of Free Press. "In fact, protecting Net Neutrality is about preserving the Internet as we know it – as the most amazing resource for economic innovation and democratic participation" ("Wonk Wars..."). By ensuring that all information is treated equally, net neutrality protects free speech and consumer choice and also helps foster innovation, Silver argues ("Wonk Wars..."). Albert Wenger, a partner in Union Square Ventures, the venture capital firm behind Twitter, Foursquare, and Etsy, explains, "Because there are a lot of subtleties once one drills down, it is easy to lose sight of the most basic principle that net neutrality is trying to achieve: the ability for innovative start-ups to deliver their content and services on a level playing field with incumbents" (Bilton, "More..."). Google CEO Eric E. Schmidt reiterates the importance of net neutrality rules for Internet entrepreneurs. "The next two people in a garage really do need an open Internet," he said (Miller and Helft). Net neutrality supporters argue that their opponents do not hope to foster innovation, as they claim, by keeping the Internet regulation-free. Instead, "these companies want your online experience to look a lot more like cable TV – where they pick the channels for you, and you

pay through the nose. They want to eliminate the revolutionary potential for any website to become the next YouTube or eBay or New York Times” (“Wonk Wars...”).

The current chairman of the Federal Communications Commission, Julius Genachowski, has openly expressed his support for net neutrality legislation. In a speech he gave in September 2009 at the Brookings Institution, Genachowski declared that net neutrality is a matter of utmost concern. “This is about preserving and maintaining something profoundly successful and ensuring that it’s not distorted or undermined. If we wait too long to preserve a free and open Internet, it will be too late.” He disagrees with those who argue that net neutrality rules will hamper entrepreneurial activity. Instead, he sees net neutrality as establishing “fair rules of the road for companies that control access to the Internet” and contends that “ensuring a robust and open Internet is the best thing we can do to promote investment and innovation.” Prominent Democrats, including Speaker of the House Nancy Pelosi, House Commerce Committee Chairman Henry Waxman, and House Commerce Committee members Anna Eshoo, Ed Markey and Jay Inslee, as well as President Barack Obama, have also expressed their support for net neutrality rules (Karr). But legislation has yet to be implemented despite this support from influential political leaders.

A recent legal battle between the FCC and ISPs has slowed progress significantly. In April 2010, the FCC hit a major roadblock in its effort to establish net neutrality rules when the United States Court of Appeals for the District of Columbia ruled that the agency did not have the authority to enforce a policy of net neutrality. This means that the FCC is currently unable to create rules that require broadband providers to keep networks open and free by preventing them from speeding up, slowing down, or blocking altogether specific content. The ruling in April reversed an FCC decision in 2008 that required Comcast, the nation’s

largest cable company, to stop blocking certain types of Internet content. In that decision, the FCC found that Comcast had “illegally inhibited users of its high-speed Internet service from using popular file-sharing software” and was required to grant Internet users access to that content (Hansell). In response to the ruling, the FCC initially considered reclassifying the Internet as a “telecommunications service” (as opposed to an “information service”), which would have required broadband providers to treat all traffic equally (Tessler). But Genachowski was forced to abandon that plan after the phone and cable companies and many Republicans swiftly rejected the proposal (Tessler).

Then in June the FCC began holding closed-door meetings with representatives from Internet companies and carriers – including AT&T, Verizon, Google, and Skype – in an effort to reach a compromise on potential net neutrality regulation (Schatz). But, again, this effort did not last long. By August, the FCC had called off negotiations after learning that Google and Verizon had independently developed a joint proposal for net neutrality regulation (Miller and Helft). On August 9, Google and Verizon released their policy proposal, which argued that net neutrality rules should be enforced for all wireline networks but not wireless Internet technologies. Critics argued that this was inadequate regulation because it created a giant loophole that allowed providers to continue their discriminatory practices. Genachowski later said, “I would have preferred if they didn’t do exactly what they did, when they did. It slowed down some of the processes” (Kopytoff).

At the same time, Representative Henry Waxman (D-Calif.), chairman of the House Committee on Energy and Commerce, was working with Internet service providers, Web content companies, and public interest groups to draft net neutrality legislation (Kang, “Waxman says...”). In September, however, Waxman gave up on his efforts to craft a

bipartisan bill after Representative Joe Barton (R-Tex.), the senior Republican member of the Commerce Committee, said he would not support the bill (Gross). Barton cited potentially negative economic implications as his primary concern with Waxman’s bill. He said in a statement, “[T]here is not sufficient time to ensure that Chairman Waxman’s proposal will keep the Internet open without chilling innovation and job creation” (Gross). In response, Waxman told the Wall Street Journal, “This development is a loss for consumers and a gain only for the extremes. We need to break the deadlock on net neutrality so that we can focus on building the most open and robust Internet possible” (Kang, “Waxman says...”)

Just last week, Genachowski introduced a new proposal for net neutrality rules that, unlike the Google-Verizon proposal, would prohibit broadband providers from discriminating against content over both wireline and wireless networks. However, Genachowski’s proposal does include an important exception that gives providers some flexibility in managing their networks (for issues such as congestion or spam) – as long as providers disclose their management practices (Tessler). The FCC will vote on the proposal Dec. 21. The two Republican FCC commissioners on the five-person panel have already voiced their disappointment with the proposal, echoing concerns from phone and cable companies that the net neutrality policy is “burdensome” and discourages investment (Tessler). At the same time, net neutrality advocates such as Free Press are arguing that the language used in Genachowski’s proposal is not strong enough and does not equate with “real” neutrality protections (McLaughlin). Silver explains that the challenge ahead is for government officials to withstand pressure from powerful commercial interests hoping to transform the Internet into a hugely profitable technology. He argues that “the Federal Communications Commission has the power to establish clear rules of the road to ensure that

the Internet remains free from discrimination and open for all Americans. The question is whether the commissioners have the political will to stand up to powerful corporate lobbyists and take a stand for the public interest” (“Wonk Wars...”).

If Genachowski’s proposal fails later this month (as it likely will), and legislators fail to pass a bipartisan net neutrality bill in a Republican-dominated Congress (a difficult feat, analysts agree), and the April decision is upheld and the FCC does not have the authority to enforce net neutrality rules, then we could potentially end up with a tiered Internet system. In the current moment, it seems as though the Internet is likely to follow the old model, based on the historical development of radio and television, and end up commercialized. When asked about the future of the Internet, Tim Wu (the Columbia law professor who first came up with the term “network neutrality”) told the New York Times, “I think the natural tendency would be for the system to move toward a monopoly control, but everything that’s natural isn’t necessarily inevitable. For years everyone thought that every republic would eventually turn into a dictatorship. So I think if people want to, we can maintain a greater openness, but it’s unclear if Americans really want that” (Bilton, “One on One...”) If the public does mobilize against broadband providers in support of non-neutrality, it is possible that the people could win net neutrality regulation. Fortunately, net neutrality has become part of mainstream political debate and has made it into mainstream news reports. The issue has been covered in several major daily newspapers, including the New York Times, the Boston Globe, the Los Angeles Times, the San Francisco Chronicle, the Seattle Times, the San Jose Mercury News, and USA Today – and editorials in these papers have all have called for FCC action to enforce net neutrality (Karr). “Net neutrality” has even become a trending topic on Twitter, demonstrating that the issue has clearly worked its way into mainstream

culture; now it is simply a matter of organizing political support in order to secure net neutrality regulation.

If net neutrality rules are enforced, either through the FCC or federal legislation, then the Internet will remain free and open as it is today. One of the greatest benefits of the Internet, as previously discussed, is its inclusivity – the Web is not restricted to reporting within ideological boundaries. But even if we do maintain its “neutral” structure, the Internet does not have the same effect on common discourse that the mainstream media does. This is, admittedly, one of the greatest advantages of the mass media – its ability to cultivate a “commons.” The question is whether or not an open Internet (preserved as “neutral”) can shape our public conversation in the same way the mainstream media does; will the wider, unboundaried Internet discourse be absorbed by the mainstream news media, changing the very nature of our commercial media system and fostering a more democratic society? Or will the democratic conversation taking place online remain in a remote corner of the Web, confined by its isolation, with no impact on public discourse whatsoever and no challenge to elite hegemony? This remains an uncertainty.

CONCLUSION

“To allow private interests to monopolize the most powerful means of reaching the human mind is to destroy democracy.” This argument, originally used in the 1930s during the broadcast reform movement to support the establishment of a public broadcasting system, remains relevant today as the U.S. commercial media system has since grown increasingly anti-democratic, despite technological developments designed to democratize communication. As media reform groups initially suggested in the 1930s, corporate media ownership and market imperatives have undermined, and continue to undermine, the prospect of a truly democratic society (McChesney quot. “Public Interest...”¹⁷ 202).

This essay has explored the development, maintenance, and persistence of the U.S. commercial media system and its impact on democracy in our country. In the first section, I used a political process model to explain why the commercial media occupy a privileged position within the American political system, and how this position has granted them a disproportionate influence over the legislation and regulation of communications technologies. The model identifies three sources of political power – first, the commercial media’s wealth of political resources, including campaign contributions, lobbying activities, knowledge of the political system, and ownership of information; second, legislators’ personal interests, which coincide with the commercial media’s political resources (especially money, information, and publicity), therefore encouraging politicians’ to cooperate with wealthy media owners; and third, a shared pro-market ideology between politicians and media owners, which reinforces legislators’ tendency to cooperate with commercial media interests because they are “sympathetic” to their pro-business legislative

¹⁷ “Public Interest, Convenience, and Necessity in a Nutshell,” Education by Radio, Apr. 28, 1932, pg. 61.

agendas. Together, these three factors – resources, self-interest, and ideology – produce a system in which the commercial media are consistently favored in the political process.

The considerable influence that the commercial media wield in Congress and with regulatory agencies is especially disconcerting considering the media’s anti-democratic news practices – namely, their reinforcement of elite hegemony through the censorship of legitimate oppositional viewpoints. In the second section of this essay, I identified four information filters – specifically, the industry’s emphasis on profit, increased media concentration and conglomeration, professional journalism standards, and biased news formats – that combine to create a complex system of filtration that largely excludes intelligent, critical dialogue and instead favors sensational, superficial news stories. This system is particularly dangerous because it prevents robust political debate; it does not provide citizens with a full range of informed opinions or include important criticisms of our political and economic institutions and therefore undermines our democratic social order.

Together, the political process model and system of censorship discussed in the first and second sections demonstrate the complexity of the commercial media problem. The persistent lack of a democratic dialogue in the commercial media can be attributed to several interrelated factors; this problem is a structural one, which makes the solution particularly challenging (and necessarily radical). Should we blame the corporate media owners who cut corners in the pursuit of profit? Should we blame the politicians who defend media corporations in Congress? Should we blame advertisers for dictating content and compromising quality journalism? Should we blame regulators for poor industry oversight? Or should we blame ourselves for indulging in the mainstream media’s dumbed-down news coverage rather than demanding “smarter” reporting? (After all, how can the media serve a

public that is disinterested in being well-informed?) The truth is that all of these elements contribute to the overall problem, and without a single straightforward explanation, it becomes particularly difficult – perhaps even impossible – to develop effective plans for media reform.

The systematic lack of intelligent and critical dialogue in the mainstream media hits at the core of democracy by undermining the ideal of an informed and involved public. Because of the largely anti-democratic nature of the mainstream media today (and the daunting – arguably infeasible – task of media reform), it is especially important to keep the critical perspective and controversial discussions alive in the digital realm. The Internet, then, is an essential tool (among many) to help educate the public in an environment in which the mainstream media are severely lacking in their commitment to complete and “objective” reporting. In section three, I analyzed the democratic potential of the Internet through a case study on network neutrality. As of April 2010, the FCC is unable to enforce net neutrality regulations, which leaves room for broadband providers to slow access to or block completely those news sources that offer critical coverage of controversial issues. A decision on Genachowski’s new proposal will be made on Dec. 21, but without establishing net neutrality regulations, the Internet’s democratic potential is in serious jeopardy.

Although the issue of net neutrality is not yet resolved, we can still speculate how a “neutral” Internet could potentially foster democratic dialogue. A truly democratic public conversation would include critical perspectives of our fundamental institutions, especially those viewpoints that are now treated as “illegitimate” or “unworthy” by the mainstream media, as well as the “give-and-take and mutual stimulation of contending and supplementing voices” (Lindblom). This boundless, interactive dialogue may provide the

impetus for political organizing and demonstrations. Of course, this type of democratic conversation should not be confined to the Internet, and can only take place if the industry itself undergoes significant change. It arguably requires a system in which the mainstream media abandon their corporate owners, disregard market imperatives, and reorganize as public service organizations – a system that could only be established by extensive media reform; or, perhaps more realistically, we may fall back on a market solution and enforce a system in which the mainstream media are much more transparent about their innate, structural biases. This alternative to a complete overhaul of the media industry would require, among other things, reporters to reveal their own personal biases and disclose potential conflicts of interest; it would require them to provide access to their source materials, including original notes, primary documents, transcripts of interviews, and raw data used for their stories. It would require editors to explain controversial newsroom decisions and provide justification for their actions. Perhaps most importantly, a more “democratic” conversation would require media corporations to reveal details about their business operations, including statistics on revenue and profit, their corporate owners and affiliates, professional standards, ethical codes, advertising policies, political activities, and the like. All of this additional information would provide a framework with which news consumers could evaluate news coverage and judge for themselves its validity. An open and free Internet could help mainstream media professionals achieve this sort of transparency in reporting, which could help address their institutional biases, but the cultivation of a democratic public conversation includes much more than transparency in reporting, and much more than the issue of net neutrality.

John Gaventa, in his groundbreaking study on acquiescence to power “in a situation of glaring inequality” (3), theorizes that in the case of “rank and file support of an undemocratic and corrupt regime” that “the power of the regime might have been used to shape the apparent consensus to it of the non-elite” (166). In such a situation, he argues, “the apparent consensus against democracy might, in fact, represent proof of the need for greater democracy within the organization – i.e. a democracy that would limit the power of the elite to preclude opposition and to shape beliefs in its own legitimacy at the expense of the interests of the membership” (166). While our own political “regime” is considerably different from the one Gaventa is analyzing, it shares some important qualities. For example, in our system of elite democracy, the ruling class does have the power to “preclude opposition” and “shape beliefs in its own legitimacy.” This power can be seen very clearly in our system of commercial media, which places limits on political discourse and leaves out the most “extreme” or “radical” views (those that are often critical of our systems of democracy and capitalism). In doing so, the media reinforce elite hegemony by convincing the working class that our system of democracy is simply “the way things are,” or the way things are supposed to be, when in reality our form of political democracy could really use an injection of even more democracy. This could realistically be achieved by establishing a more democratic media system. Of course, without such a system, as McChesney warns, “the promise of democracy becomes very hollow very quickly” (xxviii).

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APPENDIX

Table 1

Campaign Contributions from Broadcast-Related Interests, 1987-1997	
PACs¹ to congressional candidates, 1987-1996	\$6 million
PACs to congressional candidates, 1995-1996	\$1.36 million
PACs and network CEOs to commerce committees², 1987-1997	\$1.26 million (app. \$18,000 per committee member, v. app. \$6,000 per non-committee member)
PACs and network CEOs to communications subcommittees³, 1987-1997	\$952,000 (app. \$21,000 per subcommittee member)
Soft-money contributions to political parties, 1988-1997	\$3.1 million
Individual gifts from network CEOs⁴, 1995-1996	\$397,000

Figures according to Federal Election Commission records, reported by Common Cause, published in WIRED magazine, August 2007.

¹ PACs include Disney, General Electric, Westinghouse, News Corp., and the National Association of Broadcasters

² Commerce committees include the 70 members of the 104th Congress's House and Senate commerce committees

³ Communications subcommittees include the 46 members of the 104th Congress's House Subcommittee on Telecommunications and Senate Subcommittee on Communications

⁴ Network CEOs include 58 broadcast executives from the 10 largest broadcasters; contributions to congressional candidates, presidential candidates, and political parties

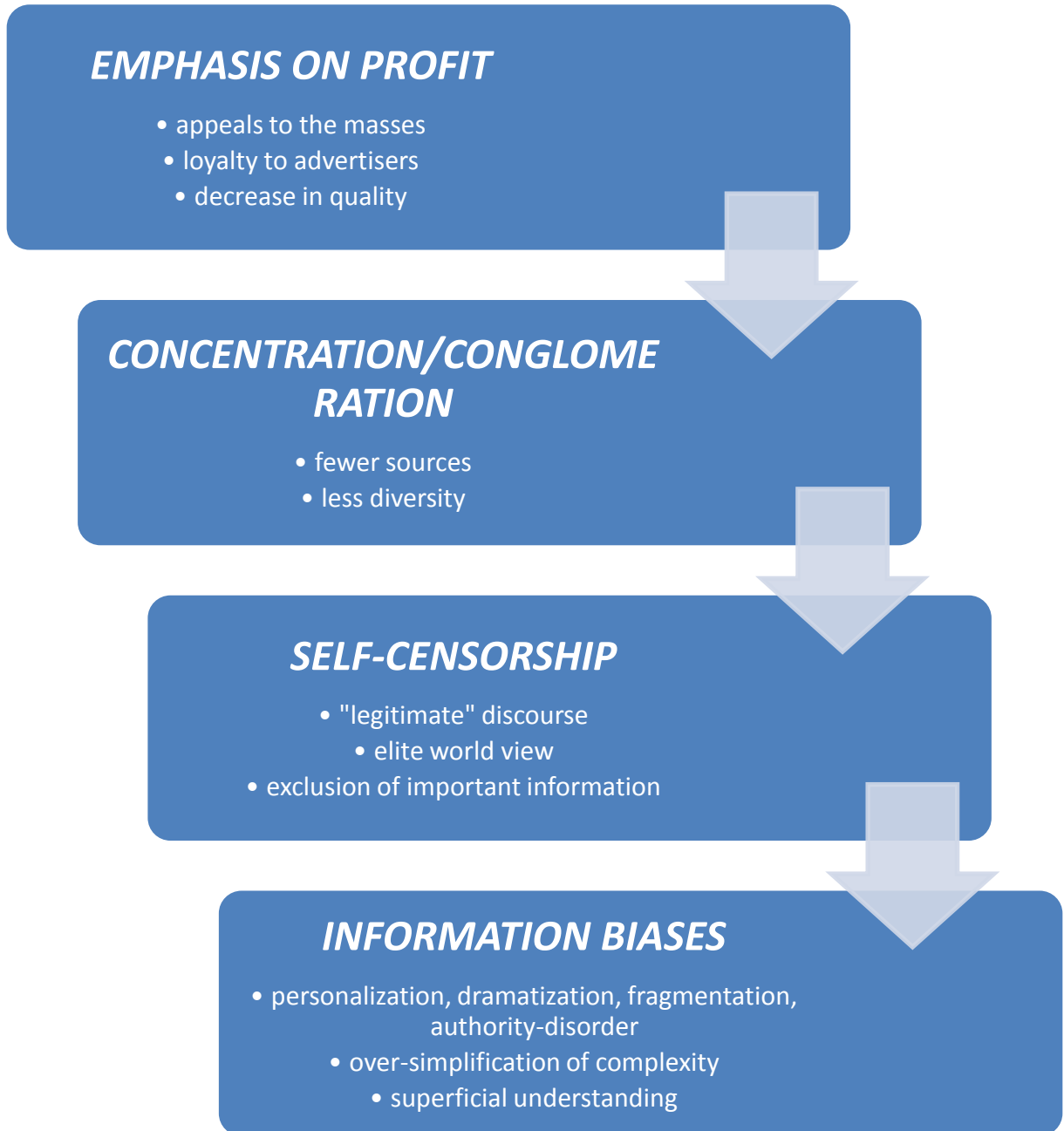
Table 2

Broadcast Interests' Lobbying Expenditures¹, January – June 1996	
National Association of Broadcasters	\$2.3 million
Major broadcast networks (ABC, NBC, CBS, Fox, Tribune Co.)	\$1.7 million
Network corporate parents (Disney, Westinghouse, General Electric)	\$6.7 million
TOTAL	10.7 million

Figures reported by Common Cause in WIRED Magazine, August 2007.

¹ Expenditures include efforts to lobby Congress, the Clinton administration, and the FCC.

Figure 1



VITA

Katie Ginda graduated from Lehigh University in May 2009 with a Bachelor of Arts in Journalism and a minor in Economics. As an undergraduate, Katie worked with Lehigh's student newspaper, The Brown and White, for three and a half years as a writer, editor, and adviser. During her senior year, she traveled to New Zealand as a member of the Martindale Student Associates Program and published an article for the Martindale Center's undergraduate academic journal, Perspectives on Business and Economics, on New Zealand's international efforts to eradicate poverty in the Pacific. Katie also served as a peer writing tutor with the Technology, Research, and Communication (TRAC) Writing Fellows Program. Katie was a Rodale Scholar through the Rodale Program in Online Communication, as well as a member of Phi Eta Sigma honor society. In January 2011, she will earn a Master of Arts from Lehigh in American Studies, with a concentration in contemporary media. She plans to pursue a career in book publishing.