

Creation of the Media Democracy Reform Movement



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I think it is absolutely essential in a democracy to have competition in the media, a lot of competition, and we seem to be moving away from that. . . . Preventive war. . . . could lead to eternal war around the world.

—Walter Cronkite

The quote above, by the most trusted name in American news, reflects a growing concern about the need to create more competition in American media in the wake of post–September 11 policies. Media are key to a democracy, to our society. And it is becoming more and more clear to a lot of people that our media system is not natural. Moses didn’t hand a tablet to Thomas Jefferson, who handed it to Rupert Murdoch, who read that “Ten companies shall own most of our media and make piles of money selling advertising to middle class and affluent consumers.” The American media system is completely the result of government laws, policies, subsidies, and regulations. It is a created system.

If you look at our largest media companies today, each of them without exception is built on a government–granted monopoly right or subsidy—usually both. The companies have television stations and networks. Those networks are government–granted monopoly franchises given by the government to companies, for which they are not charged, to use scarce public resources. Or they have cable monopolies in their communities. Or, most important of all, they have copyrights, in which the government protects their monopoly rights over any period of time longer than one year. This vast government system of monopoly policies, subsidies, laws, and regulations has a value that runs into hundreds of billions if not trillions of dollars.

The debate on media in the United States is not about regulation versus deregulation, government bureaucrats versus free markets and entrepreneurs. Regulation is unavoidable, even in a purely competitive market. The debate is about whether we

are going to have regulation in the public interest serving informed, debated public values or whether we are going to have regulation purely in the service of private corporate interests, transacted behind closed doors.

THE MEDIA DEBATES OF THE FOUNDING FATHERS

The regulation of media has always been part of U.S. law. That is why copyright is in the Constitution of the United States. We have had profound and important debates in policies over how to set up the media system from the very beginning of the republic. Jefferson and Madison were not perfect people by any means, but they were two of our most visionary founders. And they were the two founders who put the most thought into what sort of policies would create a free press for a viable democracy. They understood, as did everyone in the founding generations of the republic, that you cannot just let commercial interests do whatever they want. That does not create a free press. The founders understood that you needed to put in place core policies to foster a diverse, free press, or else you wouldn't get one and you couldn't have a democracy. It was a source of government and public policymaking that was crucial to the survival of the republic.

A good example is how the Constitution called for Congress to establish a national post office, an institution of fundamental importance in the era before the telegraph and railroad. It was to be the institution that united the country. One of the great debates of the founders was over how much the post office would charge magazines and newspapers to be mailed. In the eighteenth century, almost all publications were distributed by mail. The distribution cost was almost as high as that of printing. The vast majority of items mailed in this period consisted of magazines and newspapers.

In 1792, one extreme position in the debate over how much to charge newspapers and magazines was taken by Benjamin Bates, the grandson of Ben Franklin. Bates was publisher of the great Republican Jeffersonian newspaper *The Aurora* in Philadelphia. He argued that all publications should be charged for mailing. The other extreme position was taken by James Madison, who argued that all publications should always be sent for free by the government, that there should be a total subsidy of every publication. Any form of charge for mailing, Madison argued, would be a form of censorship, which would cut into the diversity of a free press that was so necessary for the republic to survive. Madison lost the debate, but to this day we still heavily subsidize the mailing of commercial publications.

MEDIA POLICYMAKING TODAY: CUTTING THE CAKE IN HAVANA

If our media system is based on structure (who owns and operates the media, and what motives explain their actions), and if this structure is, to no small extent, based

on policies set by the government, then one must look at the nature of the debate that creates those policies. That debate really is the nucleus of the atom. What sort of debate creates the policies that set up the structure that produces the content and quality of the media? What is included in the debate? What is not included?

Since the founding of the United States, the nature of the debate has changed dramatically. If, in the first generation or two, the debate was actually a fairly open public process, by the twentieth century it became a debate largely off limits to public participation, done behind closed doors by powerful special interests. Today, the public is fed the line that the system we have is “natural,” while private commercial interests use their power to divvy up the goods among themselves. As a result, we have a media system that reflects the needs and interests of those who made the deal behind closed doors.

The way to understand media policymaking in the United States today is to watch the great film *The Godfather, Part II* from 1974. There is a wonderful scene in the middle of the film when the American gangsters are in a Havana hotel room in 1958, when Batista and the mob were running Cuba. Hyman Roth and Michael Corleone are celebrating Hyman Roth’s birthday party. A cake is brought in with the outline of Cuba on it. Hyman Roth slices up the cake gives a slice to each American gangster. And as he does, he is saying, “Okay, Louie, you run this casino; Frankie, you run that casino.” He divided up the island among the gangsters. While he’s doing this, Hyman Roth is saying, “Isn’t it great to be in a country where the government respects private enterprise?”

That is exactly how media and communication policies have been created in the United States for the last fifty years. Today the media corporations and trade associations have enormous lobbying powers, not because they’re concerned about us but because, like Michael Corleone and Hyman Roth, they’re fighting each other for the biggest slice of the American and global cake—they’re at war with each other.

But the one thing they all agree on is that it’s their cake, and nobody else should get a slice. It’s their private system. And that’s really what the whole struggle is about today. The public needs to sit at the table on that hotel roof and engage in debate. The public needs to throw these guys off the roof.

The more grassroots Americans know about these issues, the more they weigh in and the more likely we are to get policies that will be dramatically different from what we now have. We *can* make our commercial media markets more competitive and less concentrated. And we *can* open up significant space for nonprofit and non-commercial voices, not only to survive, but to prosper.

THE FEDERAL COMMUNICATIONS COMMISSION AND THE INVASION OF IRAQ

Until quite recently, the conventional wisdom has been that, while the media are important in our democracy, the public can’t be engaged in reform because the

issues are too abstract. It also has been assumed that, if we win all the other foreign, economic, and domestic policy-reform fights, media reform will follow. The analogy here is to the New Deal, where conservative media were hostile to President Roosevelt but warmed up to his policies once it became clear that there was popular support for them.

Over the last several years, there has in fact been dramatic change. The key has been the Federal Communications Commission rule-making on media ownership. In 2003 Michael Powell, chairman of the FCC, sought several rule changes. One would allow a single network to control television stations reaching 45 percent of all American households. Another would allow a media company to buy up a local daily newspaper, as many as three television stations, eight radio stations, and the cable system in a single market. The White House supported these changes—presumably because the beneficiaries would be big campaign contributors, like Clear Channel, General Electric, and Rupert Murdoch's News Corporation.

But, in a very public debate, the FCC did not vote unanimously for these and other rules. The vote was in favor, but the vote was split three to two among the five commissioners.

Michael Copps, one of the dissident commissioners, is a historian of the Progressive and New Deal eras and a former Senate staffer. Copps immediately recognized what was wrong with the proposed rule changes and fought to publicize the problems. We cannot emphasize enough how important it is to have a reform player on these regulatory commissions, someone who is willing to challenge the slow-motion coups that often occur on them.

Through the publicity created by Michael Copps, and the efforts of a host of media-reform advocates, as many as three million Americans contacted the FCC and Congress to demand that controls against media monopoly be kept in place. Knowledgeable observers on Capitol Hill say that, in 2003, media ownership was the most-discussed issue among constituents, trailing only the war in Iraq, the biased American coverage of which illustrated media monopoly.

Some of the most intense opposition to the rule changes was triggered by the failure of American media to cover the invasion of Iraq and its impact on terrorism with any kind of critical objectivity. As Copley News Service Washington correspondent George Condon concluded, "Look at this White House press corps. It's just abdicated all responsibility."

Millions of Americans questioned media coverage of the Iraq invasion, but their questions were unfocused. Americans didn't know where to turn their energies. Congress and the White House wouldn't listen. So the public looked around, and a few very visionary groups like MoveOn.org and Code Pink (the women-for-peace group) were there to help channel popular energy and concern over media war coverage. As suggested by Walter Cronkite in our opening quote, here was a key link between September 11 and corporate media reform. In turn, this focus on media and

the war helped to build energy to oppose the FCC rules, because the rules were another media issue already in play.

Soon an extraordinary coalition of strange bedfellows had turned against the Federal Communications Commission changes, ranging from MoveOn.org and Noam Chomsky to the National Rifle Association and William Safire.

As a result, the Senate voted overwhelmingly to block the implementation of the changes. More than two hundred Republican and Democratic members of the House signed a letter to overturn the FCC rules.

Though a federal court blocked the FCC's attempt to let the rich get richer, the ultimate outcome of the rules battle is still uncertain. But even if the public does not, for now, stop the FCC's relaxation of the media-ownership rules, the gauntlet has been thrown down. The old days are over. The rooftop of Hyman Roth and Michael Corleone will never be again.

The media-reform movement is here to stay. We are at a period of time comparable to 1886, when the eight-hour day came into place; to 1896, when William Jennings Bryan began to put the power and corruption of corporations on the agenda; or to 1970, with Earth Day, when the environment became established as a permanent issue.

We have created a new, nonprofit organization, Free Press, and a new website, MediaReform.net, to help that movement and they attracted more than two thousand participants to the first National Conference on Media Reform in 2003.

THE NEW MEDIA-REFORM AGENDA

What long-term, permanent media-reform agenda now is being developed that helps us move beyond what otherwise are gloomy, post-September 11 times?

Reforms in foreign, economic, and domestic policy need to be pursued, but we should learn from the far right that a great deal of energy must be invested in media. Starting with the defeat of Barry Goldwater in 1964, conservatives have understood that, if you don't win the media, you can't win anything else, as Eric Alterman describes in chapter 34.

Strategically, conservatives took two basic routes—media control and media policy. The conservatives funded foundations and think tanks, radio and television talk shows, training camps for student journalists, and internship programs. At the same time, they funded nonprofit institutes that targeted the FCC, Congress, and the courts to guarantee they had policies very sympathetic to the conservative view of how media should be operated.

The same mix is necessary for media reform today. We need to push for new radio shows, new television shows, and new journalism that provide democratic

alternatives to the horrendous content of Rush Limbaugh, Gordon Liddy, the Fox News Channel, and mainstream journalism generally. We need new watchdogs, like “Fox Watch” at the American Politics Journal (AmericanPolitics.com).

We also need broader-based media-policy reform. Some of the most important components of that reform are as follows:

- Antitrust policy must be reassessed. Competition and diversity have been under assault for more than two decades. The impact of media mergers on democracy needs to be closely examined. Caps on media ownership appropriate for a democracy should be debated and agreed upon.
- Congress should roll back the number of radio stations a single firm can own. Advocacy is needed for Congress to pass legislation prohibiting media cross-ownership and vertical integration. There are tremendous economic benefits to media conglomeration, but they accrue almost entirely to the media owners. The public loses out.
- Citizen advocates need to reinvigorate the regulatory process. As FCC commissioner Copps has observed, “Most people do not even know that they can challenge the renewal of a local radio or television station if they believe that the station is not living up to its obligation due to a lack of local coverage, a lack of diversity, excessive indecency and violence, or for other concerns important to the community.”
- Nonprofit groups must be given access to low-power FM radio station licenses. Expansion of access was promised several years ago. But a backroom deal in Congress reneged on that promise. Tax incentives should be created to aid in the development of new, community-based, noncommercial broadcasting outlets.
- Foundations must provide much greater support to schools on the cutting edge of media reform, like the Columbia School of Journalism, to produce better trained, more informed journalists and to support more widespread dissemination of leading journals, such as the *Columbia Journalism Review*.
- A new wave of grassroots advocacy is needed to fight for dramatic expansion of public broadcasting funding. Only about 15 percent of funding for public radio and television comes from federal subsidies. What funding does come from Congress is subject to great political pressures. Public broadcasting at the federal and state levels has the potential to provide a model of quality journalism and diversified cultural programming. But that won’t happen if cash-starved PBS and NPR outlets are required, as some propose, to rely on the same sort of offensive thirty-second spot advertising that dominates commercial broadcasting.
- Broadcasters must be forced to give candidates free air time. Senators John McCain and Russell Feingold, the authors of the only meaningful

campaign-finance-reform legislation of the past decade, are now proposing such a requirement. The link between campaign finance reform and media reform must be communicated to the public and acted upon. Media conglomerates now are among the most powerful lobbyists against both campaign finance reform and media reform. The system works for them but fails the rest of us.

- Campaigns must be organized to block international trade deals that allow media conglomerates to impose their will on the citizens of the United States and other countries. Media firms now are lobbying the World Trade Organization and other multilateral organizations to accept a system of trade sanctions against countries that subsidize public broadcasting, that limit foreign ownership of media systems, or that establish local content standards designed to protect national and regional cultures. They want similar assaults on regulation inserted into the proposed Free Trade Area of the Americas. Congress should not pass trade agreements that undermine its ability to aid public broadcasting; it should protect media diversity and competition.
- Policies that affect the Internet, such as copyright and access, must carefully be scrutinized. Reforms must be enacted that prevent corporate monopoly control. It is important to recognize that, already, three corporations control about half of the web's traffic patterns.
- More broadly, the media-reform movement must address what ails existing media. Top-heavy with white middle-class men, television news departments and major newspapers remain beholden to official sources. Their obsessive focus on "if it bleeds, it leads" crime coverage and celebrity trials leaves no room for covering the real issues that affect families, neighborhoods, communities, and whole classes of people. Coverage of minority communities, women, working people, rural folks, youth, seniors, and just about everyone else who doesn't live in a handful of ZIP codes in New York and Los Angeles is badly warped, and it creates badly warped attitudes in society. Those attitudes shape public discourse and public policy. Media reformers must support the struggle to expand access to the airwaves and to assure that independent and innovative journalists, writers, and filmmakers have the resources to create media that reflect all of America.

A core group in Congress now has signed on to media-reform policy development. The group includes people like Tammy Baldwin of Wisconsin, Sherrod Brown of Ohio, John Conyers of Michigan, Russ Feingold of Wisconsin, Dennis Kucinich of Ohio, Jim McDermott of Washington, and Bernie Sanders of Vermont.

For example, during the 2004 presidential primary campaign Dennis Kucinich criticized ABC's Ted Koppel on the air for failing to focus on serious

issues important to the American people. The criticism was during a debate in New Hampshire. The audience erupted into sustained applause when Kucinich criticized the networks, and later responses from around the nation were equally intense. Kucinich then turned the controversy into what the late Senator Paul Wellstone used to refer to as a “teaching moment” by issuing this statement:

The response of the American people to the exchange between Ted Koppel and me demonstrates that there is great concern about the proper role of the media in a democratic society. The American people clearly do not want the media to be in a position where they're determining which candidates ought to be considered for the presidency and which ought not to be considered for the presidency. Such practice by the media represents a tampering with the political process itself. The role of the media in this process has now become a national issue central to the question of who's running our country, and I intend to keep this issue before the American people, and I look forward to engaging America's news organizations as to what they might be able to do to be more responsive to the public concerns that are reflected in the powerful response to the issues I raised in the exchange with Ted Koppel.

REFORM: BALANCING CONTENT AND POLICY

In terms of media-reform content and media-reform policy, it is important to understand a couple of things. If you want to produce, on your own, high-quality television news or print journalism and do really good work, it costs quite a bit of money. Compared with such investment in media-reform content, media-reform policy is much less expensive. And policy work ultimately has a much bigger payoff. The problem, though, is that policy work is fairly abstract, and there is not an immediate payoff. If you are someone who has \$100 million to spend, and you put it into policy work, you can fund the entire media-reform movement for a decade easily, and then some. But you might not win anything. If you take the same money, you can produce a pretty amazing output of journalism for a year or two or three, and you will be able to see something tangible. But, at the end of three years, you are out \$100 million, and you might be back to square one.

Given these pros and cons, a balanced reform strategy is needed—embracing both content and policy. As we press for reform on both fronts, we need to remember the words of Bill Moyers in his keynote address at the 2003 National Conference on Media Reform: “We have to get our fellow citizens to understand that what they see, hear, and read is not only the taste of programmers and producers, but also a set of policy decisions made by the people we vote for.”

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