12 The Media

LEARNING OBJECTIVES

WHAT YOU NEED TO KNOW

- ☑ What role do the media play in American politics?
- ☑ Why are there so few restrictions on media coverage of politics and politicians in the United States?
- ☑ How has technology changed interactions between public officials and the media?

WHO GOVERNS?

1. How much power do the media have?
2. Can we trust the media to be fair?

TO WHAT ENDS?

1. What public policies will the media support?

Suppose you want to influence how other people think about health, politics, sports, or celebrities. What would you do? At one time, you might write a book or publish an essay in a newspaper or magazine. But unless you were very lucky, the book or article would only reach a few people. Today, you will have a much bigger impact if you can get on television or invent a controversial Web log (or blog). Vastly more people watch *American Idol* than read newspaper editorials; many more get opinions from blogs—such as the Daily Kos on the left or Power Line on the right—than read essays in magazines.

Television and the Internet are key parts of the New Media; newspapers and magazines are part of the Old Media. And when it comes to politics, the New Media are getting stronger and the Old Media weaker.

THEN In 1972–1974, the Nixon administration's efforts to cover up the burglary of Democratic National Committee headquarters at the Watergate hotel in Washington, D.C., were revealed through a series of articles published in *the Washington Post*, which gained national fame for its riveting news coverage by journalists Bob Woodward and Carl Bernstein.[1] In the summer of 1987, Congress held live, televised hearings about the Iran-Contra scandal, which viewers watched at home as well as in stores and other public venues that broadcast the hearings on their televisions.[2]

NOW In 2004, "60 Minutes," a CBS television news program, ran a story claiming that President Bush had performed poorly during his time in the Air National Guard. Within a few hours, bloggers produced evidence that the documents underlying this charge were forgeries, something CBS later conceded was true. Not long afterward, the producer and newscaster responsible for the charges left CBS. In 2008, then-presidential candidate Barack Obama stated at a private fundraiser that voters in economic distress "cling to guns or religion," and a freelance writer for *The Huffington Post* who attended the event decided to publish Obama's remarks, creating an uproar in his campaign.[3] In 2011, reports that the United States had captured and killed Osama bin Laden first appeared on the online site Twitter.

In 2011, more than 40 percent of Americans said they received most national and international news through the Internet. While two-thirds of Americans

WpN/UPPA/Photoshot

said television remained their main news source, that number had dropped from almost three-quarters of Americans citing television as their primary source for news in 2008. The Internet is particularly important for young people: In 2010, for the first time, more people under 30 identified the Internet over television as their main news source.[4]

But not all of the users are convinced that the Internet is entirely trustworthy. One-third think it lets the loudest and most extreme voices prevail and feel that it is full of misinformation. And though newspapers are rapidly losing their audience, they remain vitally important: much of what is on the Internet comes from newspaper reporters, and politicians devote at least as much time to getting good newspaper coverage as they devote to expanding their Internet coverage.

The Media and Politics

The Internet is an important new way for politics to be carried on, but it is only the latest episode in the love-hate relationship between politicians and the nations' changing ways of communicating with one another. From the beginning of the Republic, public officials have tried to get the media on their side while knowing that, since the media love controversy, they are as likely to attack as to praise. The Internet may strike some politicians as the solution to this problem: they think that if they put their own Web pages out there, they can reach the voters directly. They can, but so can rival politicians with their own Web pages and with their allies attacking their competitors.

All of this takes place in a country so committed to a free press that there is little the government can do to control the process. As we shall see, there have been efforts to control radio and television as a result of the government's right to license broadcasters, but most of these attempts have evaporated.

Even strongly democratic nations restrict the press more than the United States. For example, the laws governing libel are much stricter in Great Britain than in the United States. As a result, it is easier in Great Britain for politicians to sue newspapers for publishing articles that defame or ridicule them. In this country, the libel laws make it almost impossible to prevent

press criticisms of public figures. Moreover, England has an Official Secrets Act that can be used to punish any past or present public officials who leak information to the press.[5] In this country, leaking information occurs all the time, and our Freedom of Information Act makes it relatively easy for the press to extract documents from the government.

European governments can be much tougher on what people say than the American one. In 2006, an Austrian court sentenced a man to three years in prison for having denied that the Nazi death camp at Auschwitz killed its inmates. A French court convicted a distinguished American historian for telling a French newspaper that the slaughter of Armenians may not have been the result of planned effort. An Italian journalist stood trial for having written things "offensive to Islam." In this country, such statements would be protected by the Constitution even if, as with the man who denied the existence of the Holocaust, they were profoundly wrong.[6]

America has a long tradition of privately owned media. By contrast, private ownership of television has come only recently to France. And the Internet is not owned by anybody: here and in many nations, people can say or read whatever they want on their computers. Newspapers in this country require no government permission to operate, but radio and television stations need licenses granted by the Federal Communications Commission (FCC). These licenses must be renewed periodically. On occasion, the White House has made efforts to use license renewals as a way of influencing station owners who were out of political favor, but of late the level of FCC control over what is broadcast has lessened.

There are two potential limits to the freedom of privately owned newspapers and broadcast stations. First, they must make a profit. Some critics believe the need for profit will lead media outlets to distort the news in order to satisfy advertisers or to build an audience. Though there is some truth to this argument, it is too simple. Every media outlet must satisfy a variety of people—advertisers, subscribers, listeners, reporters, and editors—and balancing those demands is complicated and will be done differently by different owners.

The second problem is media bias. If most of the reporters and editors have similar views about politics and if they act on those views, then the media will give us only one side of many stories. Later in this chapter, we shall take a close look at this possibility.

Journalism in American Political History

Important changes in the nature of American politics have gone hand in hand with major changes in the organization and technology of the press. It is the nature of politics, essentially a form of communication, to respond to changes in how communications are carried on. This can be seen by considering five important periods in journalistic history.

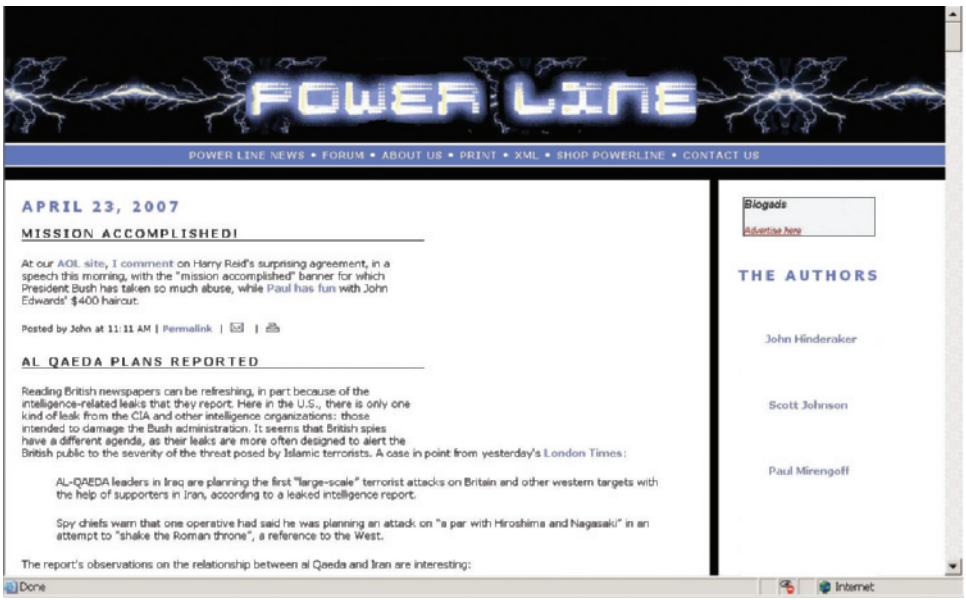
THE PARTY PRESS

In the early years of the Republic, politicians of various factions and parties created, sponsored, and controlled newspapers to further their interests. This was possible because circulation was of necessity small (newspapers could not easily be distributed to large audiences, owing to poor transportation) and newspapers were expensive (the type was set by hand and the presses printed copies slowly). Furthermore, there were few large advertisers to pay the bills. These newspapers circulated chiefly among the political and commercial elites who could afford the high subscription prices. Even with high prices, the newspapers often required subsidies that frequently came from the government or a political party.

During the Washington administration, the Federalists, led by Alexander Hamilton, created the *Gazette of the United States.* The Republicans, led by Thomas Jefferson, retaliated by creating the *National Gazette* and made its editor, Philip Freneau, "clerk for foreign languages" in the State Department at $250 a year to help support him. After Jefferson became president, he induced another publisher, Samuel Harrison Smith, to start the *National Intelligencer,* subsidizing him by giving him a contract to print government documents. Andrew Jackson, when he became president, aided in the creation of the *Washington Globe.* By some estimates, there were more than 50 journalists on the government payroll during this era. Naturally, these newspapers were relentlessly partisan in their views. Citizens could choose among different party papers, but only rarely could they find a paper that presented both sides of an issue.

THE POPULAR PRESS

Changes in society and technology made possible the rise of a self-supporting, mass-readership daily



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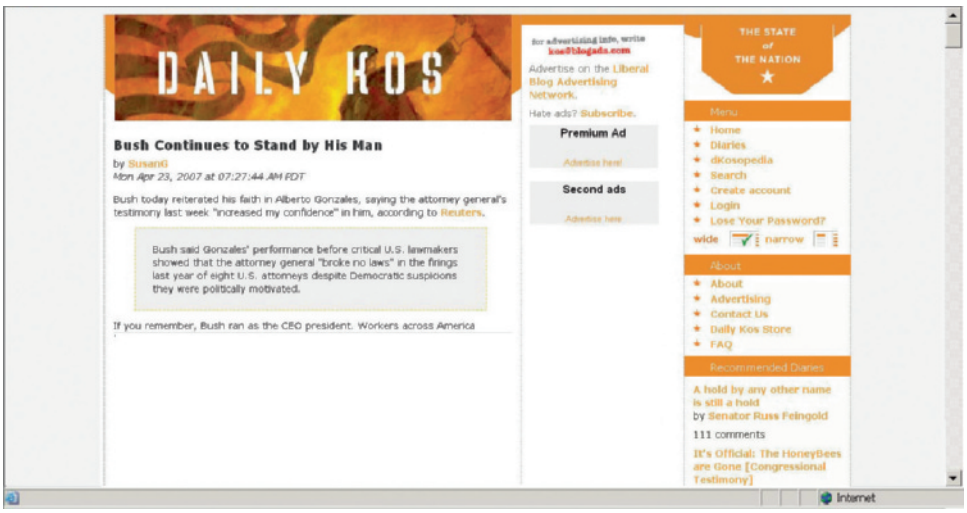

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Blogs, both conservative and liberal, have become an important form of political advertising.

newspaper. The development of the high-speed rotary press enabled publishers to print thousands of copies of a newspaper cheaply and quickly. The invention of the telegraph in the 1840s meant that news from Washington could be flashed almost immediately to New York, Boston, Philadelphia, and Charleston, thus providing local papers with access to information that once only the Washington papers enjoyed. The creation in 1848 of the Associated Press allowed telegraphic dissemination of information to newspaper editors on a systematic basis. Since the AP provided stories that had to be brief and that went to newspapers of every political hue, it could not afford to be partisan or biased; to attract as many subscribers as possible, it had to present the facts objectively.

Meanwhile, the nation was becoming more urbanized, with large numbers of people brought together in densely settled areas. These people could support a daily newspaper by paying only a penny per copy and by patronizing merchants who advertised in its pages. Newspapers no longer needed political patronage to prosper, and soon such subsidies began to dry up. In 1860, the Government Printing Office was established, thereby putting an end to most of the printing contracts that Washington newspapers had once enjoyed.

The mass-readership newspaper was scarcely nonpartisan, but the partisanship it displayed arose from the convictions of its publishers and editors rather than from the influence of its party sponsors. And these convictions blended political beliefs with economic interest. The way to attract a large readership was with sensationalism: violence, romance, and patriotism, coupled with exposés of government, politics, business, and society. As practiced by Joseph Pulitzer and William Randolph Hearst, founders of large newspaper empires, this editorial policy had great appeal for the average citizen and especially for the immigrants flooding into the large cities.

Strong-willed publishers could often become powerful political forces. Hearst used his papers to agitate for war with Spain when the Cubans rebelled against Spanish rule. Conservative Republican political leaders were opposed to the war, but a steady diet of newspaper stories about real and imagined Spanish brutalities whipped up public opinion in favor of intervention. At one point, Hearst sent the noted artist Frederic Remington to Cuba to supply paintings of the conflict. Remington cabled back: "Everything is quiet.... There will be no war." Hearst supposedly replied: "Please remain. You furnish the pictures and I'll furnish the war."[7] When the battleship USS *Maine* blew up in Havana harbor, President William McKinley felt helpless to resist popular pressure, and war was declared in 1898.

For all their excesses, the mass-readership newspapers began to create a common national culture, to establish the feasibility of a press free of government control or subsidy, and to demonstrate how exciting (and profitable) could be the criticism of public policy and the revelation of public scandal.

MAGAZINES OF OPINION

The growing middle class often was repelled by what it called "yellow journalism" and was developing around the turn of the century a taste for political reform and a belief in the doctrines of the progressive movement. To satisfy this market, a variety of national magazines appeared that—unlike those devoted to manners and literature—discussed issues of public policy. Among the first of these were the *Nation,* the *Atlantic Monthly,* and *Harper's,* founded in the 1850s and 1860s; later came the more broadly based mass-circulation magazines such as *McClure's, Scribner's,* and *Cosmopolitan*. They provided the means for developing a national constituency for certain issues such as regulating business (or in the language of the times, "trustbusting"), purifying municipal politics, and reforming the civil service system. Lincoln Steffens and other so-called muckrakers were frequent contributors to the magazines, setting a pattern for what we now call "investigative reporting."

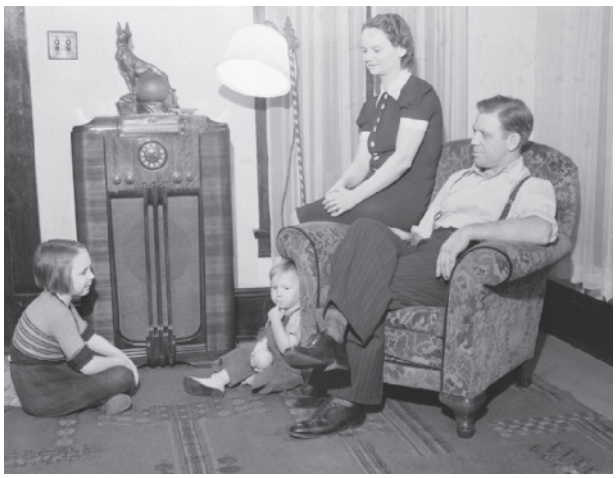
The national magazines of opinion provided an opportunity for individual writers to gain a nationwide following. The popular press, though initially under the heavy influence of founder-publishers, made the names of certain reporters and columnists household words. In time, the great circulation wars between the big-city daily newspapers started to wane, as the more successful papers bought up or otherwise eliminated their competition. This reduced the need for the more extreme forms of sensationalism, a change reinforced by the growing sophistication and education of America's readers. And the founding publishers gradually were replaced by less flamboyant managers. All of these changes—in circulation needs, audience interests, managerial style, the emergence of nationally known writers—helped increase the power of editors and reporters and make them a force to be reckoned with.

Although politics dominated the pages of most national magazines in the late 19th century, today national magazines that focus mainly on politics and government affairs account for only a small and declining portion of the national magazine market. Among all magazines in circulation today, only a fraction focus on politics—the majority of today's magazines focus on popular entertainment and leisure activities.

ELECTRONIC JOURNALISM

Radio came on the national scene in the 1920s, television in the late 1940s. They represented a major change in the way news was gathered and disseminated, though few politicians at first understood the importance of this change. A broadcast permits public officials to speak directly to audiences without their remarks being filtered through editors and reporters. This was obviously an advantage to politicians, provided they were skilled enough to use it: they could in theory reach the voters directly on a national scale without the services of political parties, interest groups, or friendly editors.

But there was an offsetting disadvantage—people could easily ignore a speech broadcast on a radio or television station, either by not listening at all or by tuning to a different station. By contrast,



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News used to come by radio, but today many people read newspapers on iPads and other electronic devices.

the views of at least some public figures would receive prominent and often unavoidable display in newspapers, and in a growing number of cities there was only one daily paper. Moreover, space in a newspaper is cheap compared to time on a television broadcast.

Adding one more story, or one more name to an existing story, costs the newspaper little. By contrast, less news can be carried on radio or television, and each news segment must be quite brief to avoid boring the audience. As a result, the number of political personalities that can be covered by radio and television news is much smaller than is the case with newspapers, and the cost (to the station) of making a news item or broadcast longer often is prohibitively large.

Thus, to obtain the advantages of electronic media coverage, public officials must do something sufficiently bold or colorful to gain free access to radio and television news—or they must find the money to purchase radio and television time. The president of the United States, of course, is routinely covered by radio and television and can ordinarily get free time to speak to the nation on matters of importance. All other officials must struggle for access to the electronic media by making controversial statements, acquiring a national reputation, or purchasing expensive time.

The rise of the talk show as a political forum has increased politicians' access to the electronic media, as has the televised "town meeting." But such developments need to be understood as part of a larger story.

Until the 1990s, the "big three" television networks (ABC, CBS, and NBC) together claimed 80 percent or more of all viewers. Their evening newscasts dominated electronic media coverage of politics and government affairs. When it came to presidential campaigns, for example, the three networks were the only television games in town—they reported on the primaries, broadcast the party conventions, and covered the general election campaigns, including any presidential debates. But over the last few decades, the networks' evening newscasts have changed in ways that have made it harder for candidates to use them to get their messages across. For instance, the average **sound bite**—a video clip of a presidential contender speaking—dropped from about 42 seconds in 1968 to 7.3 seconds in 2000.[8] Furthermore, as Figure 12.1 shows, the audience for the evening news has been in decline since the 1980s.

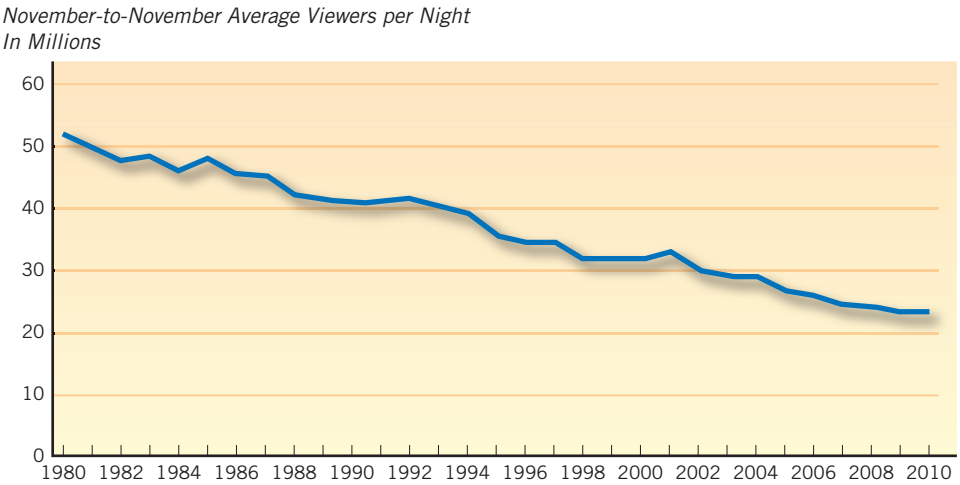
sound bite A radio or video clip of someone speaking.

Today, politicians have sources other than the network news for sustained and personalized television exposure. Cable television, early-morning news and entertainment programs, and prime-time "newsmagazine" shows have greatly increased and diversified politicians' access to the electronic media.

Naturally, many politicians favor the call-in format, town-meeting setups, lengthy human interest interviews, and casual appearances on entertainment shows to televised confrontations on policy issues with seasoned network journalists who push, probe, and criticize. And naturally, they favor being a part of visually interesting programs rather than traditional "talking heads" news shows. But what is

Figure 12.1

Evening News Audience Continues a 30-Year Decline



Source: Nielsen Media Research, used under license. Pew Research Center's Project for Excellence in Journalism, 2011 State of the News Media.

preferable to candidates is not necessarily helpful to the selection process that voters must go through in choosing a candidate.

One thing is clear: most politicians crave the media spotlight, both on the campaign trail and in office. The efforts made by political candidates to get "visuals"—filmed stories—on television continue after they are elected. Since the president is always news, a politician wishing to make news is well advised to attack the president.

THE INTERNET

More than half of all Americans used the Internet to get political news about the 2010 midterm elections.[9] The political news found there ranges from summaries of stories from newspapers and magazines to political rumors and hot gossip. Many **blogs** exist on which viewers can scan political ideas posted there; many blogs specialize in offering liberal, conservative, or libertarian perspectives. The Internet is the ultimate free market in political news: no one can ban, control, or regulate it, and no one can keep facts, opinions, or nonsense off of it.

blog A series, or log, of discussion items on a page of the World Wide Web.

The Internet is beginning to play a big role in politics. When Howard Dean ran for the Democratic presidential nomination in 2004, he raised most of his money from Internet appeals. When John Kerry, who won the nomination, was campaigning, the Internet and the blogs on it were a major source of discussion of the criticisms made of him by former Vietnam War veterans. Now every candidate for important offices has a Web site.

The rise of the Internet has completed a remarkable transformation in American journalism. In the days of the party press, only a few people read newspapers. When mass-circulation newspapers arose, mass politics also arose. When magazines of opinion developed, interest groups also developed. When radio and television became dominant, politicians could build their own bridges to voters without party or interest group influence. And now, with the Internet, voters and political activists can talk to each other. This is true in many dictatorships. When popular revolutions broke out against the autocratic leaders of Egypt and Libya, the activists used the Internet and Twitter to inform their colleagues. It is becoming much harder for a powerful leader to control what other people can learn.

Most users think the Internet is a wonderful device, but some worry that using e-mail, YouTube, Facebook, text messaging, blogs, and Twitter to communicate will isolate people from one another and make public opinion more extreme. There have been several studies of this possibility, but they have not produced a clear answer. A Stanford study argued that the Internet isolates people from ordinary human contact and makes them become anonymous. A study at Carnegie Mellon University came to much the same conclusion. By contrast, a

study done at UCLA found that Internet users are more likely to consult newspapers and magazines and that they spend just as much time on the telephone as people not on the Internet. And a Pew survey suggested that e-mail makes people feel more, not less, connected to others.[10]

But one thing is clear: the Internet has profoundly affected politics by making it easier to (1) raise money in small donations, (2) organize people to attend meetings, (3) take instant (though probably unreliable) opinion polls, (4) disseminate instant criticism of your opponent, (5) mobilize local followers, and (6) target campaigners with the names of people they should contact.

The Structure of the Media

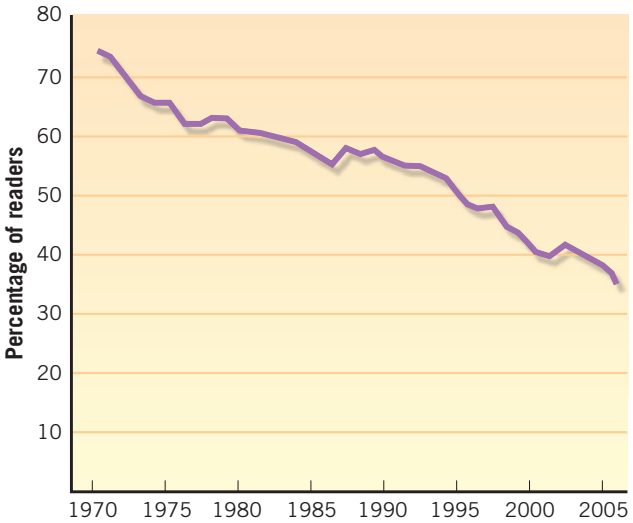
The relationship between journalism and politics is a two-way street: though politicians take advantage as best they can of the communications media available to them, these media in turn attempt to use politics and politicians as a way of both entertaining and informing their audiences. The mass media, whatever their disclaimers, are not simply a mirror held up to reality or a messenger that carries the news. There is inevitably a process of selection, of editing, and of emphasis, and this process reflects, to some degree, the way in which the media are organized, the kinds of audiences they seek to serve, and the preferences and opinions of the members of the media.

DEGREE OF COMPETITION

There has been a large decline in the number of daily newspapers that serve large communities. There were competing papers in 60 percent of American cities in 1900 but in only 4 percent in 1972. Several large cities—Boston, Chicago, Detroit, Los Angeles, New York, Philadelphia, and Washington, D.C.—have more than one paper, but in some of these the same business owns both papers. And newspaper circulation has fallen in recent years, with more and more people getting their news from radio and television. Young people especially have turned away from political news. In the 1940s and 1950s, age did not make much difference; people under the age of 30 read about the same amount of news as people over the age of 50. But by the 1970s, that had changed dramatically; from then until now, young people read less political news than older

Figure 12.2

Percentage of Newspaper Readers Ages 18–34



Note: 18–34 readership represents the average of 18–24 readership and 25–34 readership. 2006 data is through September

Source: *The Wall Street Journal* (February 15, 2007). The Wall Street Journal by News Corporation. Copyright 2007 Reproduced with permission of DOW JONES & COMPANY, INC. in the format Textbook and Other book via Copyright Clearance Center.

people. In Figure 12.2, we can see that today only half as many people between the ages of 18 and 34 read newspapers as was true in 1970.

To a degree that would astonish most foreigners, the American press—radio, television, and newspapers—is made up of locally owned and managed enterprises. In Britain, France, Germany, Japan, Sweden, and elsewhere, the media are owned and operated with a national audience in mind. The *Times* of London may be published in that city, but it is read throughout Great Britain, as are the *Guardian,* the *Daily Telegraph,* and the *Daily Mirror.* Radio and television broadcasts are centrally planned and nationally aired.

The American newspaper, however, is primarily oriented to its local market and local audience, and there is typically more local than national news in it. Radio and television stations accept network programming, but the early- and late-evening news programs provide a heavy diet of local political, social, and sports news. Government regulations developed by the Federal Communications Commission (FCC) are in part responsible for this. Until the mid-1990s, no one could own and operate more than one newspaper, one AM radio station, one FM radio station, or one television station in a given

market. The networks still today may not compel a local affiliate to accept any particular broadcast. (In fact, almost all network news programs are carried by the affiliates.) The result has been the development of a decentralized broadcast industry.

THE NATIONAL MEDIA

The local orientation of much of the American communications media is partially offset, however, by the emergence of certain publications and broadcast services that constitute a kind of national press. The wire services—the Associated Press and United Press International—supply most of the national news that local papers publish. Certain newsmagazines, such as *Time* and *Newsweek*, have a national readership. The network evening news broadcasts produced by ABC, CBS, and NBC are carried by most television stations with a network affiliation. Both CNN (Cable News Network) and Fox News broadcast news around the clock and have large audiences, as does MSNBC. Though most newspapers have only local audiences, several have acquired national influence. The *New York Times* and the *Wall Street Journal* are printed in several locations and can be delivered to many homes early in the morning. *USA Today* was created as a national newspaper and is distributed everywhere, aimed especially at people who travel a lot.

These newspapers have national standing for several reasons. First, they distribute a lot of copies: more than 1 million each day for the *Times* and the *Journal,* and more than 2 million a day for *USA Today.* Second, these papers, as well as the *Washington Post,* are carefully followed by political elites. Unlike most people, the elites even read the editorials. By contrast, local newspapers and radio stations may be invisible to Washington politicians. Third, radio and television stations often decide what to broadcast by looking at the front pages of the *Times* and the *Post.* The front page of the *Times* is a model for each network's evening news broadcast.[11] Finally, the editors and reporters for the national press tend to be better educated and more generously paid than their counterparts in local outlets. And as we shall see, the writers for the national press tend to have distinctly liberal political views. Above all they seek—and frequently obtain—the opportunity to write stories that are not accounts of a particular news event but "background," investigative, or interpretive stories about issues and policies.

The national press plays the role of gatekeeper, scorekeeper, and watchdog for the federal government.

Gatekeeper

As gatekeeper, the national media can influence what subjects become national political issues and for how long. Automobile safety, water pollution, and the quality of prescription drugs were not major political issues before the national press began giving substantial attention to these matters and thus helped place them on the political agenda. When crime rates rose in the early 1960s, the subject was given little political attention in Washington, in part because the media did not cover it extensively. Media attention to crime increased in the late 1960s and early 1970s, slackened in the late 1970s, and rose again in the 1980s and early 1990s. Throughout most of these years, crime went up. In short, *reality* did not change during this time; only the focus of media and political attention shifted. Elite opinion about the war in Vietnam also changed significantly as the attitude toward the war expressed by the national media changed.

Scorekeeper

As scorekeepers, the national media keep track of and help make political reputations, note who is "mentioned" as a presidential candidate, and help decide who is winning and losing in Washington politics. When Jimmy Carter, a virtually unknown former governor of Georgia, was planning his campaign to get the Democratic nomination for president, he understood clearly the importance of being "mentioned." So successful was he in cultivating members of the national press that, before the first primary election was held, he was the subject of more stories in the *New York Times,* the *Washington Post,* and the *Columbus Dispatch* than any other potential Democratic presiden-tial candidate.

The scorekeeper role of the media often leads the press to cover presidential elections as if they were horse races rather than choices among policies. Consider the enormous attention the media give to the Iowa caucus and the New Hampshire primary election, despite the fact that these states produce only a tiny fraction of the delegates to either party's nominating convention and that neither state is representative of the nation as a whole. The results of the Iowa caucus, the first in the nation, are given great importance by the press. Consequently, the coverage received by a candidate who does well in Iowa constitutes a tremendous amount of free publicity that can help him or her in the New Hampshire primary election. Doing well in that primary results in even more media attention, thus boosting the candidate for the next primaries, and so on.

Watchdog

Once the scorekeepers decide you are the person to watch, they adopt their watchdog role. When Gary Hart was the front-runner for the 1988 Democratic presidential nomination, the press played its watchdog role right from the start. When rumors circulated that he was unfaithful to his wife, the *Miami Herald* staked out his apartment in Washington, D.C., and discovered he had spent several evening hours there with an attractive young woman, Donna Rice. Soon other stories appeared about his having taken Rice on a boat trip to Bimini. Not long thereafter, Hart dropped out of the presidential race, accusing the press of unfair treatment.

This close scrutiny is natural. The media have an instinctive—and profitable—desire to investigate personalities and expose scandals. To some degree, all reporters probably share the belief that the role of the press is to "comfort the afflicted and afflict the comfortable." They tend to be tolerant of underdogs, tough on front-runners. Though some reporters develop close relations with powerful personages, many—especially younger ones—find the discovery of wrongdoing both more absorbing and more lucrative. Bob Woodward and Carl Bernstein, who wrote most of the Watergate stories for the *Washington Post,* simultaneously performed an important public service, received the accolades of their colleagues, and earned a lot of money.

Newspapers and television stations play these three roles in somewhat different ways. A newspaper can cover more stories in greater depth than a TV station and faces less competition from other papers than TV stations face from other broadcasters. A TV station faces brutal competition, must select its programs in part for their visual impact, and must keep its stories short and punchy. As a result, newspaper reporters have more freedom to develop their own stories, but they earn less money than television news broadcasters. The latter have little freedom (the fear of losing their audience is keen), but they can make a lot of money (if they are attractive personalities who photograph well).

Rules Governing the Media

Ironically, the least competitive media outlets—the big-city newspapers—are almost entirely free from government regulation, while the most competitive ones—radio and television stations—must have a government license to operate and must adhere to a variety of government regulations.

Newspapers and magazines need no license to publish, their freedom to publish may not be restrained in advance, and they are liable for punishment for what they do publish only under certain highly restricted circumstances. The First Amendment has been interpreted as meaning that no government, federal or state, can place "prior restraints" (that is, censorship) on the press except under very narrowly defined circumstances.[12] When the federal government sought to prevent the *New York Times* from publishing the Pentagon Papers, a set of secret government documents stolen by an antiwar activist, the Court held that the paper was free to publish them.[13]

Once something is published, a newspaper or magazine may be sued or prosecuted if the material is libelous or obscene or if it incites someone to commit an illegal act. But these usually are not very serious restrictions, because the courts have defined *libelous, obscene,* and *incitement* so narrowly as to make it more difficult here than in any other nation to find the press guilty of such conduct. For example, for a paper to be found guilty of libeling a public official or other prominent person, the person must not only show that what was printed was wrong and damaging but must also show, with "clear and convincing evidence," that it was printed maliciously—that is, with "reckless disregard" for its truth or falsity.[14] When in 1984 Israeli General Ariel Sharon sued *Time* magazine for libel, the jury decided the story *Time* printed was false and defamatory but that *Time* had not published it as the result of malice, and so Sharon did not collect any damages.

There are also laws intended to protect the privacy of citizens, but they do not really inhibit newspapers. In general, your name and picture can be printed without your consent if they are part of a news story of some conceivable public interest. And if a paper attacks you in print, the paper has no legal obligation to give you space for a reply.[15]

It is illegal to use printed words to advocate the violent overthrow of the government if by your advocacy you incite others to action, but this rule has only rarely been applied to newspapers.[16]

CONFIDENTIALITY OF SOURCES

Reporters believe they should have the right to keep confidential the sources of their stories. Some states agree and have passed laws to that effect. Most states and the federal government do not agree, so

the courts must decide in each case whether the need of a journalist to protect confidential sources does or does not outweigh the interest of the government in gathering evidence in a criminal investigation. In general, the Supreme Court has upheld the right of the government to compel reporters to divulge information as part of a properly conducted criminal investigation, if it bears on the commission of a crime.[17]

This conflict arises not only between reporters and law enforcement agencies but also between reporters and persons accused of committing a crime. Myron Farber, a reporter for the *New York Times,* wrote a series of stories that led to the indictment and trial of a physician on charges he had murdered five patients. The judge ordered Farber to show him his notes to determine whether they should be given to the defense lawyers. Farber refused, arguing that revealing his notes would infringe upon the confidentiality he had promised to his sources. Farber was sent to jail for contempt of court. On appeal, the New Jersey Supreme Court and the U.S. Supreme Court decided against Farber, holding that the accused person's right to a fair trial includes the right to compel the production of evidence, even from reporters.

In 2005, two reporters were sentenced to jail when they refused to give prosecutors information about who in the Bush administration had told them that a woman was in fact a CIA officer. A federal court decided they were not entitled to any protection for their sources in a criminal trial. The *New York Times* reporter, Judith Miller, spent 85 days in jail; she was released after a government official authorized her to talk about their conversation. There is no federal shield law that will protect journalists, though such laws exist in 34 states.

AP Images

Activists urge Congress to pass a law shielding reporters from being required to testify about their sources.

In another case, the Supreme Court upheld the right of the police to search newspaper offices, so long as they have a warrant. But Congress then passed a law forbidding such searches (except in special cases), requiring instead that the police subpoena the desired documents.[18]

REGULATING BROADCASTING

Although newspapers and magazines by and large are not regulated, broadcasting is regulated by the government. No one may operate a radio or television station without a license from the Federal Communications Commission, renewable every seven years for radio and every five for television stations. An application for renewal is rarely refused, but until recently the FCC required the broadcaster to submit detailed information about its programming and how it planned to serve "community needs" in order to get a renewal. Based on this information or on the complaints of some group, the FCC could use its powers of renewal to influence what the station put on the air. For example, it could induce stations to reduce the amount of violence shown, increase the proportion of "public service" programs on the air, or alter the way it portrayed various ethnic groups.

Of late a movement has arisen to deregulate broadcasting, on the grounds that so many stations are now on the air that competition should be allowed to determine how each station defines and serves community needs. In this view, citizens can choose what they want to hear or see without the government's shaping the content of each station's programming. For example, since the early 1980s, a station can simply submit a postcard requesting that its license be renewed, a request automatically granted unless some group formally opposes the renewal. In that case, the FCC holds a hearing. As a result, some of the old rules—for instance, that each hour on TV could contain only 16 minutes of commercials—are no longer rigidly enforced.

Radio broadcasting has been deregulated the most. Before 1992, one company could own one AM and one FM station in each market. In 1992, this number was doubled. And in 1996, the Telecommunications Act allowed one company to own as many as eight stations in large markets (five in smaller ones) and as many as it wished nationally. This trend has had two results. First, a few large companies now own most of the big-market radio stations. Second,

Landmark Cases

The Rights of the Media

- ***Near v. Minnesota* (1931):** Freedom of the press applies to state governments, so that they cannot impose prior restraint on newspapers.
- ***New York Times v. Sullivan* (1964):** Public officials may not win a libel suit unless they can prove that the statement was made knowing it to be false or with reckless disregard of its truth.
- ***Miami Herald v. Tornillo* (1974):** A newspaper cannot be required to give someone a right to reply to one of its stories.

the looser editorial restrictions that accompanied deregulation mean that a greater variety of opinions and shows can be found on radio. There are many more radio talk shows than would have been heard when content was more tightly controlled.

Deregulation has also lessened the extent to which the federal government shapes the content of broadcasting. At one time, for example, a "fairness doctrine" required broadcasters that air one side of a story to give time to opposing points of view. But there are now so many radio and television stations that the FCC relies on competition to manage differences of opinion. The abandonment of the fairness doctrine permitted the rise of controversial talk radio shows. If the doctrine had stayed in place, there would be no Rush Limbaugh or Al Franken. The FCC decided that competition among news outlets protected people by giving them many different sources of news.

equal time rule An FCC rule that if a broadcaster sells time to one candidate, it must sell equal time to other candidates.

There still exists an **equal time rule** that obliges stations that sell advertising time to one political candidate to sell equal time to that person's opponents. When candidates wish to campaign on radio or television, the equal time rule applies.

CAMPAIGNING

During campaigns, a broadcaster must provide equal access to candidates for office and charge them rates no higher than the cheapest rate applicable to commercial advertisers for comparable time. At one time, this rule meant that a station or network could not broadcast a debate between the Democratic and Republican candidates for an office without inviting all other candidates as well—Libertarian, Prohibitionist, or whatever. Thus, a presidential debate in 1980 could be limited to the major candidates, Reagan and Carter (or Reagan and Anderson), only by having the League of Women Voters sponsor it and then allowing radio and TV to cover it as a "news event." Now stations and networks can themselves sponsor debates limited to major candidates.

Though laws guarantee that candidates can buy time at favorable rates on television, not all candidates take advantage of this. The reason is that television is not always an efficient way to reach voters. A television message is literally "broad cast"—spread out to a mass audience without regard to the boundaries of the district in which a candidate is running. Presidential candidates, of course, always use television because their constituency is the whole nation. Candidates for senator or representative, however, may or may not use television, depending on whether the boundaries of their state or district conform well to the boundaries of a television market.

A *market* is an area easily reached by a television signal; there are about 200 such markets in the country. If you are a member of Congress from South Bend, Indiana, you come from a television market based there. You can buy ads on the TV stations in South Bend at a reasonable fee. But if you are a member of Congress from northern New Jersey, the only television stations are in nearby New York City. In that market, the costs of a TV ad are very high because they reach a lot of people, most of whom are not in your district and so cannot vote for you. Buying a TV ad is a waste of money. As a result, a much higher percentage of Senate than House candidates use television ads.

One aspect of campaigning that worries scholars is the media's reliance on **horse-race journalism**, that is, covering a campaign based on guesses about who is ahead rather than on candidates' positions on the issues. For example, in 2008 the journalists talked about how Barack Obama would win the New Hampshire primary because that is what the polls and political insiders told them. But then Hillary Clinton won. Nowhere in the press coverage was any attention given to the

horse-race journalism News coverage that focuses on who is ahead rather than on the issues.

positions Clinton and Obama had on the issues. The public says they want more such coverage, though one suspects that they actually like horse-race journalism.

Are the National Media Biased?

Everyone believes the media have a profound effect, for better or for worse, on politics. Many think the political opinions of writers and editors influence that effect. To decide whether these statements are true, we must answer three questions:

1. Do members of the media have a distinctive political attitude?
2. Does that attitude affect what they write or say?
3. Does what they write or say affect what citizens believe?

The answers to these questions, to be discussed below, are yes, yes, and probably.

A LIBERAL MAJORITY

Many studies, dating back to the early 1980s, have concluded that members of the national press are more liberal than the average citizen.[19] In 1992, 91 percent of the media members interviewed said they had voted for the Democratic candidate for president. By contrast, only 43 percent of the public voted that way.[20]

Not only are the media more liberal, they also tend to be secular. About 70 percent say they never or only a few times a year attend a religious service. And in recent years, the surveys suggest they have become more liberal. For example, between 1980 and 1995, the proportion of media members who believe the government should guarantee jobs to people rose, and the proportion who think government should reduce the regulation of business fell. A 2004 study found that a majority of journalists identified themselves as liberal.[21]

The public certainly believes that members of the media are liberals. A Gallup Poll done in 2003 found that 45 percent of Americans believe the media are "too liberal" (15 percent thought they were "too conservative"). In another study, even Democrats agreed with this view. A survey taken just a few weeks before the 2008 presidential election found that more than two-thirds of voters believed that the media favored Barack Obama over John McCain.[22]

Conservative media outlets have become more visible in recent years. Radio talk shows, such as those hosted by Rush Limbaugh and Sean Hannity, are conservative, as is some of the TV reporting broadcast on Fox News, such as on the *O'Reilly Factor*. Limbaugh and Hannity have large audiences, and Fox News has grown in popularity.

REUTERS/Jason Reed

Senator Barack Obama campaigning for president in Los Angeles.

One-fifth of all Americans listen to radio talk shows every day and another tenth listen several times a week. A puzzling fact is that talk radio, which has grown rapidly in importance, is predominately conservative. Almost half of the 28 largest talk shows have been hosted by outspoken conservatives.

None of this dominance is the result of radio station owners plotting to put conservatives on the air. Media owners are interested in ratings—that is, in measures of how big their audiences are. Liberal talk-show hosts have had big corporate sponsors that dropped away when the shows did not get good ratings. If Fidel Castro got high ratings by playing the harmonica, Castro would be on the air.

William G. Mayer, a political scientist, has speculated as to why conservative talk shows are so common. First, there are more self-described conservatives than liberals in this country. Second, conservative listeners do not think their views are reflected in what big-city newspapers, the major television networks, and the leading newsmagazines display. Liberals, by contrast, think their views are encouraged by newspapers and television stations. Third, much of the liberal audience is broken up into distinctive racial and ethnic groups that have their own radio outlets. Many Hispanics listen to stations that broadcast in Spanish; many African Americans prefer stations that have black hosts and focus on black community issues.[23]

NEUTRAL AND OBJECTIVE?

In the United States, the journalistic philosophy in many media documents is that the press, when it reports the news (though not in editorial pages), should be neutral and objective. That view, of course, does not cover radio talk shows, but it is supposed to cover newspapers. A different view can be found in France or Great Britain where newspapers often clearly identify with one party or another.

But it is hard to measure whether the American commitment to objectivity is actually achieved. One would have to take into account not only how much space a politician or policy receives, but also the tone in which it is handled and the adjectives used to describe people who are part of those stories.

routine stories Media stories about events regularly covered by reporters.

New stories differ significantly in the opportunity for bias. **Routine stories** cover major political events that will be covered by many reporters and that involve relatively simple matters. For example: the president takes a trip, Congress passes a major bill, or the Supreme Court issues a ruling. **Feature stories** cover events that, though public, a reporter has to seek out because they are not routinely covered by the press. The reporter has to find the story and persuade an editor to publish it. For example: an interest group works hard to get a bill passed, a government agency adopts a new ruling, or a member of Congress conducts an unusual investigation. **Insider stories** cover things that are often secret. Investigative reporters are often credited with uncovering these stories, though it is often the case that some government insider has leaked the story to the press. Which leak a reporter picks up on may be influenced by the reporter's view of what is important, that is, by what is important to the reporter.

feature stories Media stories about events that, though public, are not regularly covered by reporters.

insider stories Media stories about events that are not usually made public.

Routine stories often are covered in much the same way by reporters. The space given to the story and the headline attached to it may reflect the political views of the editor, but the story itself often is written about the same way by every reporter. Feature and insider stories, by contrast, may more easily reflect the political views of reporters and editors. On these stories, journalists have to make choices.

Early in American history, newspapers had virtually no routine stories; almost everything they printed was an expression of opinion. By the 20th century, with the advent of telephone and telegraph lines that made it easy for news organizations such as the Associated Press to send the same story to almost every newspaper, routine stories became commonplace. But with the advent of radio and television and the rise of around-the-clock news broadcasting, feature and insider stories became much more important to newspapers. If people got their routine news from radio and television, newspapers had to sell something different; feature and insider stories were different.

A conservative newspaper might print feature or insider stories about crime, drug abuse, or welfare cheats, while a liberal newspaper might run ones on feminism, the environment, or civil rights. There are, however, very few conservative newspapers with a national audience.

A key question is whether there are facts to back up these generalizations. There are no definitive answers; here we can take a look at a few of the better studies.

How to Read a Newspaper

Newspapers don't simply report the news; they report somebody's idea of what is news, written in language intended to persuade as well as inform. To read a newspaper intelligently, look for three things: what is covered, who are the sources, and how language is used.

Coverage

Every newspaper will cover a big story, such as a flood, fire, or presidential trip, but newspapers can pick and choose among lesser stories. One paper will select stories about the environment, business fraud, and civil rights; another will prefer stories about crime, drug dealers, and "welfare cheats." What do these choices tell you about the beliefs of the editors and reporters working for these two papers? What do these people want you to believe are the important issues?

Sources

For some stories, the source is obvious: "The Supreme Court decided …," "Congress voted …," or "The president said…." For others, the source is not so obvious. There are two kinds of sources you should beware of. The first is an anonymous source. When you read phrases such as "a high official said today …" or "White House sources revealed that …," always ask yourself this question: Why does the source want me to know this? The answer usually will be this: because if I believe what he or she said, it will advance his or her interests. This can happen in one of three ways. First, the source may support a policy or appointment and want to test public reaction to it. This is called floating a **trial balloon**. Second, the source may oppose a policy or appointment and hope that by leaking word of it, the idea will be killed. Third, the source may want to take credit for something good that happened or shift blame onto somebody else for something bad that happened. When you read a story based on anonymous sources, ask yourself these questions: Judging from the tone of the story, is this leak designed to support or kill an idea? Is it designed to take credit or shift blame? In whose interest is it to accomplish these things? By asking these questions, you often can make a pretty good guess as to the identity of the anonymous source.

Some stories depend on the reader's believing a key fact, previously unknown. For example: "The world's climate is getting hotter because of manmade pollution," "drug abuse is soaring," "the death penalty will prevent murder," "husbands are more likely to beat up on their wives on Super Bowl Sunday." Each of these "facts" is wrong, grossly exaggerated, or stated with excessive confidence. But each comes from an advocate organization that wants you to believe it, because if you do, you will take that organization's solution more seriously. Be skeptical of key facts if they come from an advocacy source. Don't be misled by the tendency of many advocacy organizations to take neutral or scholarly names like "Center for the Public Interest" or "Institute for Policy Research." Some of these really are neutral or scholarly, but many aren't.

Language

Everybody uses words to persuade without actually making a clear argument. This is called using **loaded language**. For example: if you like a politician, call him "Senator Smith"; if you don't like him, refer to him as "right-wing (or left-wing) senators such as Smith." If you like an idea proposed by a professor, call her "respected"; if you don't like the idea, call her "controversial." If you favor abortion, call somebody who agrees with you "pro-choice" ("choice" is valued by most people); if you oppose abortion, call those who agree with you "pro-life" ("life," like "choice," is a good thing). Recognizing loaded language in a newspaper article can give you important clues to the writer's own point of view.

One study looked at 12 years' worth of political stories published in the *New York Times* and the *Washington Post*. It asked how these papers described the 10 most liberal and the 10 most conservative senators. The authors found that conservative senators were about three times more likely to be called conservative than liberal senators were to be called liberal.[24] The difference in the use of adjectives may influence how readers feel about the story. Politically independent readers might (no one knows) take more seriously the views of senators who are given no ideological labels than they will of those to whom such labels have been attached.

There have been efforts to see how newspapers and magazines cover specific issues. When *Time* and *Newsweek* ran stories about nuclear power, scholars found they tended to avoid quoting scientists

and engineers working in this field because these specialists were in favor of nuclear power at a time when the magazines were opposed to it.[25]

Another study looked at how the top 10 newspapers and the Associated Press cover economic news when there is either a Democratic or Republican president in office. The news was based on government reports about sales, unemployment, and economic growth over a 13-year period. The authors decided whether a newspaper's headline covering that news (on the day it was released) was either positive, negative, or neutral. In general, these headlines gave a more positive spin when there was a Democrat in the White House and a more negative one when there was a Republican there.[26]

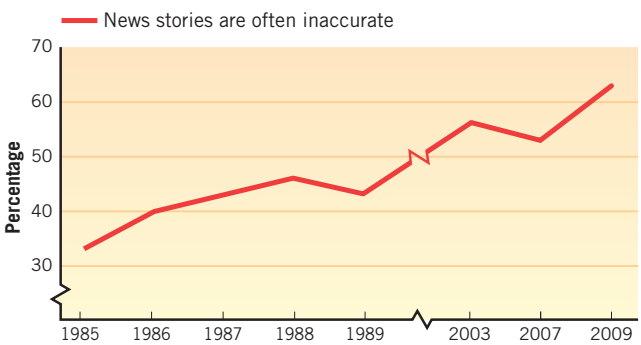
Newspapers are privately owned, so perhaps some of their bias comes from decisions made by the publishers. When scholars looked at 400 daily newspapers, they found that the "ideology of the owners doesn't correlate in any significant way with the political slant of their newspapers' coverage." Instead, a newspaper's bias tends to reflect the political views of its readers. If the same person owns several newspapers, each paper's style is tailored to its own market more than to the owner's beliefs.[27]

But perhaps the easiest evidence to understand comes from reporters themselves. The *New York Times* has a "public editor," that is, a person charged with receiving complaints from the public. When asked, "Is the *New York Times* a liberal newspaper?" he answered, in print, very simply: "Of course it is."

Public distrust of the media has grown. As shown in Figure 12.3, the proportion of people saying that news stories are often inaccurate has grown significantly since 1985.

Figure 12.3

Public Perception of Accuracy in the Media



Source: Pew Research Center for the People & the Press, "Press Accuracy Rating Hits Two-Decade Low: Public Evaluations of the News Media: 1985–2009," September 2009.

MEDIA'S INFLUENCE

Some people will be influenced by what they read or hear, but others will not be. There is a well-known psychological process called **selective attention.** It means that people remember or believe only what they want to. If they see or hear statements inconsistent with their existing beliefs, they will tune out these messages.[28]

trial balloon
Information leaked to the media to test public reaction to a possible policy.

loaded language
Words that imply a value judgment, used to persuade a reader without having made a serious argument.

selective attention
Paying attention only to those news stories with which one already agrees.

But after the 1964 presidential election, one study suggested that in the northern part of the United States a newspaper endorsement favoring Democratic candidate Lyndon Johnson added about five percentage points to the vote he received.[29]

Another study examined the vote in more than 60 contests for the U.S. Senate held over a five-year period. Newspaper stories about the rival candidates were scored as positive, negative, or neutral. Voters' feelings about the candidates were learned from public opinion polls. Obviously, many things other than newspaper stories will affect how voters feel, and so the authors of this study tried to control for these factors. They held constant the seniority of incumbent candidates, the level of political experience of challengers, the amount of campaign spending, how close each race was, and the political ideology and party identification of voters. After doing all of this, they discovered two things. First, newspapers that endorsed incumbents on their editorial pages gave more positive news coverage to them than newspapers that did not endorse them. Second, the voters had more positive feelings about endorsed incumbents than they did about nonendorsed ones. In short, editorial views affect news coverage, and news coverage affects public attitudes.[30]

A fascinating natural experiment occurred when Fox News, a network that generally favors Republicans, went on the air at different times in different cities. When two scholars compared the effects on voting patterns in cities where Fox News was on the air with similar cities in which it was not, they found that there was a 3 to 8 percent increase in the vote for Republican candidates and about a half a percent increase in the Republican vote for president in the Fox towns.[31] Another study even manufactured an experiment: the authors gave, at no charge, the *Washington Post* (a liberal newspaper) or the

Washington Times (a conservative newspaper) to people who subscribed to neither in a northern Virginia county. In the next election, those people receiving the *Post* were more likely to vote for the Democratic candidate for governor.[32]

What the press covers affects the policy issues that people think are important. Experiments conducted in New Haven, Connecticut, and a study done in North Carolina show that what citizens believe about some policy questions reflects what newspapers and television stations say about them.[33]

But there are limits to media influence. If people are unemployed, the victims of crime, or worried about high gasoline prices, they do not have to be told these things by the media.[34] But most people have no personal knowledge of highway fatalities, the condition of the environment, or American foreign policy in Europe. On these matters, the media are likely to have much more influence.

The best evidence of how important the media are comes from the behavior of people trying to get elected. In 1950, Estes Kefauver was a little-known senator from Tennessee. Then he chaired a Senate committee investigating organized crime. When these dramatic hearings were televised, Kefauver became a household name. In 1952, he ran for the Democratic nomination for president and won a lot of primary votes before losing to Adlai Stevenson.

From that time on, developing a strong media presence became a top priority for political candidates. Sometimes it backfires. In 2004, Howard Dean, then a candidate for the Democratic presidential nomination, saw his campaign start to sputter after television carried a speech he gave to his supporters that seemed to end in a kind of anguished scream. And every White House staffer spends a lot of time worrying about how to get the press, especially television, to cover the president. Studies show that television commentary about presidents affects their popularity.[35] President Lyndon Johnson reportedly concluded that the war he was supporting in Vietnam was a hopeless cause after Walter Cronkite, then the star of the popular CBS News program, turned against the war.

Government and the News

Every government agency, every public official, spends a great deal of time trying to shape public opinion. From time to time, somebody publishes an exposé of the efforts of the Pentagon, the White House, or some bureau to "sell" itself to the people, but in a government of separated powers, weak parties, and a decentralized legislature, any government agency that fails to cultivate public opinion will sooner or later find itself weak, without allies, and in trouble.

PROMINENCE OF THE PRESIDENT

Theodore Roosevelt was the first president to raise the systematic cultivation of the press to an art form. From the day he took office, he made it clear that he would give inside stories to friendly reporters and withhold them from hostile ones. He made sure that scarcely a day passed without his doing something newsworthy. In 1902, he built the West Wing of the White House and included in it, for the first time, a special room for reporters near his office, and he invited the press to become fascinated by the antics of his children. In return, the reporters adored him. Teddy's nephew Franklin Roosevelt institutionalized this system by making his press secretary (a job created by Herbert Hoover) a major instrument for cultivating and managing, as well as informing, the press.

Today, the press secretary heads a large staff that meets with reporters, briefs the president on questions he is likely to be asked, attempts to control the flow of news from cabinet departments to the press, and arranges briefings for out-of-town editors (to bypass what many presidents think are the biases of the White House press corps).

All this effort is directed primarily at the White House press corps, a group of men and women who have a lounge in the White House where they wait for a story to break, attend the daily press briefing, or take advantage of a "photo op"—an opportunity to photograph the president with some newsworthy person.

No other nation in the world has brought the press into such close physical proximity to the head of its government. The result is that the actions of our government are personalized to a degree not found in most other democracies. Whether the president rides a horse, comes down with a cold, greets a Boy Scout, or takes a trip, the press is there. The prime minister of Great Britain does not share his home with the press or expect to have his every sneeze recorded for posterity.

COVERAGE OF CONGRESS

Congress has watched all this with irritation and envy. It resents the attention given the president, but it is not certain how it can compete. The 435 members of the House are so numerous and play such specialized roles that they do not get much individualized press attention. In the past, the House was quite restrictive about television or radio coverage of its

The Maxims of Media Relations

The importance of the national media to politicians has given rise to some shared understandings among officeholders about how one deals with the media. Some of these are caught in the following maxims:

- All secrets become public knowledge. The more important the secret, the sooner it becomes known.
- All stories written about me are inaccurate; all stories written about you are entirely accurate.
- The rosier the news, the higher ranking the official who announces it.
- Always release bad news on Saturday night. Fewer people notice it.
- Never argue with a person who buys ink by the barrel.

proceedings. Until 1978, it prohibited television cameras on the floor except on purely ceremonial occasions (such as the annual State of the Union message delivered by the president). From 1952 to 1970, the House would not even allow electronic coverage of its committee hearings (except for a few occasions during those periods when the Republicans were in the majority). Significant live coverage of committee hearings began in 1974 when the House Judiciary Committee was discussing the possible impeachment of President Nixon. Since 1979, cable TV (C-SPAN) has provided gavel-to-gavel coverage of speeches on the House floor.

The Senate has used television much more fully, heightening the already substantial advantage that senators have over representatives in getting the public eye. Although radio and television coverage of the Senate floor was not allowed until 1978 (when the debates on the Panama Canal treaties were broadcast live), Senate committee hearings have frequently been televised for either news films or live broadcasts ever since Estes Kefauver demonstrated the power of this medium in 1950. Since 1986, the Senate has allowed live C-SPAN coverage of its sessions.

Senatorial use of televised committee hearings has helped turn the Senate into the incubator for presidential candidates. At least in most states, if you are a governor, you are located far from network television news cameras; the best you can hope for is that some disaster—a flood or a blizzard—will bring the cameras to you and focus them on your leadership. But senators all work in Washington, a city filled with cameras. No disaster is necessary to get on the air; only an investigation, a scandal, a major political conflict, or an articulate and telegenic personality is needed.

How We Compare

Freedom of the Press

The Anti-Federalists insisted on adding a Bill of Rights to the Constitution because they feared government intrusion into citizens' lives. Their first concern, as reflected in the First Amendment, was to protect speech and expression, which includes freedom of the press. Although the protection is not absolute—the Supreme Court has ruled that there are times when that freedom may be restricted by the government for national security, for example—the burden of proof is on the government to demonstrate when imposing a restriction is constitutionally necessary.

Not all advanced industrialized democracies provide such broad protection for the media. In the United Kingdom, for example, libel laws are stricter than in the United States, which is why celebrities and business sometimes seek restitution in the former over the latter. Some European democracies have prohibitions on hate speech, which the United States does not (though the United States does impose restrictions on other types of speech that can appear in media outlets, such as obscenity or threats of violence). According to a recent report by Freedom House, an organization that tracks various measurements of freedom cross-nationally, access to free and independent media has declined worldwide to its lowest level in more than ten years. Of 196 countries and territories for which Freedom House evaluated media coverage, 68 were rated Free, 65 were rated Partly Free, and 63 were rated Not Free.

(*continued*)

How We Compare (*continued*)

Countries at Top of Global Press Freedom Rankings, Freedom House, 2011

1. Finland
2. Norway
3. Sweden
4. Belgium
5. Iceland
6. Luxembourg

(The United States ranks 17.)

Countries at Bottom of Global Press Freedom Rankings, Freedom House, 2011

1. Burma
2. Eritrea
3. Libya
4. Uzbekistan
5. Turkmenistan
6. North Korea

Sources: Robert Barr, Associated Press, "U.K. Government Prepares to Offer Changes to Libel Law," *Deseret News,* March 15, 2011; Freedom House, "Freedom of the Press 2011: A Global Survey of Media Independence."

WHY DO WE HAVE SO MANY NEWS LEAKS?

American government is the leakiest in the world. The bureaucracy, members of Congress, and the White House staff regularly leak stories favorable to their interests. Of late, the leaks have become geysers, gushing forth torrents of insider stories. Many people in and out of government find it depressing that our government seems unable to keep anything secret for long. Others think the public has a right to know even more and that there are still too many secrets.

However you view leaks, you should understand why we have so many. The answer is found in the Constitution. Because we have separate institutions that must share power, each branch of government competes with the others to get power. One way to compete is to try to use the press to advance your pet projects and to make the other side look bad. There are far fewer leaks in other democratic nations in part because power is centralized in the hands of a prime minister, who does not need to leak in order to get the upper hand over the legislature, and because the legislature has too little information to be a good source of leaks. In addition, we have no Official Secrets Act of the kind that exists in England; except for a few matters, it is not against the law for the press to receive and print government secrets.

Even if the press and the politicians loved each other, the competition between the various branches of government would guarantee plenty of news leaks. But since the Vietnam War, the Watergate scandal, and the Iran-Contra affair, the press and the politicians have come to distrust one another. As a result, journalists today are far less willing to accept at face value the statements of elected officials and are far more likely to try to find somebody who will leak "the real story." We have come, in short, to have an **adversarial press**—that is, one that (at least at the national level) is suspicious of officialdom and eager to break an embarrassing story that will win for its author honor, prestige, and (in some cases) a lot of money.

adversarial press The tendency of the national media to be suspicious of officials and eager to reveal unflattering stories about them.

This cynicism and distrust of government and elected officials have led to an era of attack journalism—seizing upon any bit of information or rumor that might call into question the qualifications or character of a public official. Media coverage of gaffes—misspoken words, misstated ideas, clumsy moves—has become a staple of political journalism. At one time, such "events" as President Ford slipping down some stairs, Governor Dukakis dropping the ball while playing catch with a Boston Red Sox player, or Vice President Quayle misspelling the word *potato* would have been ignored, but now they are hot news items. Attacking public figures has become a professional norm, where once it was a professional taboo.

Brown Brothers

When President Theodore Roosevelt cultivated the media, reporters usually were unknown and poorly paid.

During the 1992 election, most of the national press clearly supported Bill Clinton. The love affair between Clinton and reporters lasted for several months after his inauguration. But when stories began to appear about Whitewater (an Arkansas real estate deal in which the Clintons were once involved), Clinton's alleged sexual escapades, and Hillary Rodham Clinton's profits in commodities trading, the press went into a feeding frenzy. The Clintons learned the hard way the truth of an old adage: if you want a friend in Washington, buy a dog.

Many people do not like this type of journalism, and the media's rising cynicism about the government is mirrored by the public's increasing cynicism about the media. In a national survey of registered voters conducted shortly before the 2000 presidential election, 89 percent of respondents agreed that the media's "political views influence coverage" often (57 percent) or sometimes (32 percent); 47 percent believed that "most journalists" were "pulling for" Gore to win; and 23 percent believed that most journalists were partial to Bush.[36] Most Americans really dislike biased journalism (or journalism they perceive as biased): 53 percent say they would require a license to practice journalism, and 70 percent favor court-imposed fines for inaccurate or biased reporting.[37]

Given their experiences with Watergate and Irangate, given the highly competitive nature of national newsgathering, and given their political ideology (which tends to put them to the left of the administration in power), American editors and reporters, at least at the national level, are likely to have an adversarial relationship with government for a long time to come. Given our constitutional system, there will always be plenty of people in government eager to help them with leaks hostile to one faction or another.

SENSATIONALISM IN THE MEDIA

Back in the 1930s, newspaper reporters knew President Franklin Roosevelt had a romantic affair with a woman other than his wife. They did not report it. In the early 1960s, many reporters knew President John Kennedy had many sexual affairs outside his marriage. They did not report this. In 1964, the director of the Federal Bureau of Investigation played for reporters secret tape recordings of the Reverend Martin Luther King, Jr., having sex with women other than his wife. They did not report it.

By the 1980s, sex and politics were extensively covered. When presidential candidate Gary Hart was caught in adultery and when President Bill Clinton was accused of adultery by Gennifer Flowers, of asking for sexual favors by Paula Jones, and of having sex with Monica Lewinsky in the Oval Office, these were headline news stories.

What had changed? Not politics: all of the people whom the press protected or reported on were Democrats. The big change was in the economics of journalism and the ideas of reporters. Until the 1970s, Americans gathered their political news from one of three networks—ABC, CBS, or NBC. For a long time, these networks had only one half-hour news show a day. Today, however, viewers have the same three networks plus three cable news networks, two sports networks, 10 weekly newsmagazine shows, countless radio talk shows, and the Internet. Many of the cable networks, such as CNN, carry news 24 hours a day. The result of this intense competition is that each radio or television network has a small share of the audience. Today, less than half the public watches the evening network news shows. Dozens of news programs are trying to reach a shrinking audience, with the result that the audience share of each program is small. To attract any audience at all, each program has a big incentive to rely on sensational news stories—sex, violence, and intrigue. Reinforcing this desire to go with sensationalism is the fact that covering such stories is cheaper than investigating foreign policy or analyzing the tax code. During its first month, the Lewinsky story consumed more than one-third of the on-air time of the news networks—more than the U.S. showdown with Iran, the Winter Olympics, the pope's visit to Cuba, and the El Niño weather pattern combined.

Since the days of Vietnam and Watergate, journalists have become adversaries of the government. They instinctively distrust people in government. But to that attitude change can be added an economic one: in their desperate effort to reclaim market share, journalists are much more likely to rely on unnamed sources than once was the case. When the *Washington Post* broke the Watergate story in the 1970s, it required the reporters to have at least two sources for their stories. Now many reporters break stories that have only one unnamed source, and often not a source at all but a rumor posted on the Internet.

Before the terrorist attack on the United States on September 11, 2001, the big stories were the sexual conduct of President Clinton and the connection between California representative Gary Condit and a missing young woman. After September 11, the press focused on a more important matter—defeating terrorism at home and abroad. By early 2002, surveys indicated that the number of people who said they followed national news closely had increased slightly from 48 percent to 53 percent, and the number who said the media usually get the facts straight rose from 35 percent to 46 percent (the best public grade for accuracy in a decade). But within a year after the terrorist attack, public confidence in the media had collapsed, with more people than before saying the press was often inaccurate.[38] The television networks did not seem to gain any viewers back as a result of the crisis: fully 53 percent cited cable as their primary source for news on terrorism, versus 18 percent for local television and 17 percent for national networks.[39]

GOVERNMENT CONSTRAINTS ON JOURNALISTS

An important factor works against the influence of ideology and antiofficial attitudes on reporters—the need every reporter has for access to key officials. A reporter is only as good as his or her sources, and it is difficult to cultivate good sources if you regularly antagonize them. Thus, Washington reporters must constantly strike a balance between expressing their own views (and risk losing a valuable source) and keeping a source (and risk becoming its mouthpiece).

The great increase in the number of congressional staff members has made striking this balance easier than it once was. Since it is almost impossible to keep anything secret from Congress, the existence of 15,000 to 20,000 congressional staffers means there is a potential source for every conceivable issue and cause. Congress has become a gold mine for reporters. If a story annoys one congressional source, another source can easily be found.

The government is not without means to fight back. The number of press officers on the payroll of the

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Jason Reed/Reuters/Landov

In 1993, White House press conferences were informal affairs, as when reporters gathered around Franklin Roosevelt's desk in the Oval Office. Today, they are huge gatherings held in a special conference room, as shown on the right.

White House, Congress, and the executive agencies has grown sharply in recent decades. Obviously, these people have a stake in putting out news stories that reflect favorably on their elected superiors. They can try to do this with press releases, but adversarial journalists are suspicious of "canned news" (although they use it nonetheless). Or the press officers can try to win journalistic friends by offering leaks and supplying background stories to favored reporters.

There are four ways in which reporters and public officials, or their press officers, can communicate:

- On the record: The reporter can quote the official by name.
- Off the record: What the official says cannot be used.
- On **background:** What the official says can be used but may not be attributed to him or her by name. Reporters often call such an anonymous source "a high-ranking official" or "a knowledgeable member of Congress."
- On deep background: What the official says can be used but not attributed to anybody, even an anonymous source.

background
A public official's statement to a reporter given on condition that the official not be named.

To get around the national press, public officials and their press officers can try to reach the local media directly by giving interviews or appearing on radio talk shows. The local media are a bit less likely than the national media to have an adversarial attitude toward the national government, and one can select talk-show hosts on the basis of their known ideology.

The ultimate weapon in the government's effort to shape the press to its liking is the president's rewarding of reporters and editors who treat him well and his punishing of those who treat him badly. President Kennedy regularly called in offending reporters for brutal tongue-lashings and favored friendly reporters with tips and inside stories. Johnson did the same, with special attention to television reporters. Nixon made the mistake of attacking the press publicly, thereby allowing it to defend itself with appeals to the First Amendment. (Kennedy's and Johnson's manipulative skills were used privately.) Probably every president tries to use the press with whatever means are at his disposal, but in the long run it is the press, not the president, who wins. Johnson decided not to run again in 1968 in part because of press hostility to him; Nixon was exposed by the press; Carter and Bush came to be disliked by national reporters. The press and the president need but do not trust one another; it is inevitably a stormy relationship.

RESEARCH FRONTIERS

Are "Tweeting" Politicians and "Digital Democracy" to Be Desired?

At 12:01 P.M. Tuesday, January 20, 2009, just one minute after the constitutional transfer of power from George W. Bush to Barack Obama, the White House Web site posted a message from President Obama's director of new media, announcing a White House blog. The public can follow the Obama administration's activities through Facebook, Twitter, YouTube, and numerous other online Web sites. Obama is the first president to use e-mail—his two predecessors did not do so while in office (Bush wrote to close friends shortly before his inauguration explaining that he would no longer use e-mail as president because messages would be considered part of the public record)—and he continues to have his BlackBerry for personal use, despite initial concerns about security.

The new media bring many opportunities for public officials to disseminate information and build political support. But they can result in political disasters as well. Two members of the U.S. House of Representatives in the 112th Congress were publicly humiliated when news reports revealed that they had sent inappropriate pictures of themselves to people online. The permanent public record that electronic technology creates

(*continued*)

allows repeated viewings of images, one-time mistakes, and patterns of conduct that become impossible to erase because they are distributed so quickly and so widely.

Given the growing popularity of tweeting and related high-technology communications, as well as the complications that can arise from these new technologies, you might suppose that researchers have identified their effect on campaigns, elections, and policymaking You might, but you would be wrong. Believe it or not, as late as the early 1980s, many reputable scholars still actually argued that television's influence on politics was minimal or ambiguous. It wasn't that they claimed that most voters did not watch television or were totally unaffected by what they watched. Rather, the claim was essentially that, all things considered, most citizens' opinions, partisan attachments, and voting behavior was pretty much what it would have been had they not been "exposed" to television or been regular consumers of televised political news reports or the like.

Today, nobody doubts that television, other electronic communications, and the Internet in all its manifestations matter to campaign politics, legislative agenda-setting, and more. In the 2008 presidential election, for example, the Obama campaign's savvy use of electronic media was instrumental in building the candidate's name recognition and drawing in young voters.

Still, the nature, scope, and direction of these "media effects," and how they vary under different conditions, are points on which the experts don't all agree. Many unresolved research questions divide scholars who study the media and politics. For example, some argue that the Internet revolution has improved political coverage, while others argue that the Internet (and instant communications more generally) has created a shallow "digital democracy."

How do the new media present opportunities and challenges for American democracy? We can't say definitively until we amass more evidence to identify long-term patterns of causes and effects for public officials as well as the general public.

Sources: Jennings Bryant and Susan Thompson, *Fundamentals of Media Effects* (New York: McGraw Hill, 2008); Megan Boler, ed., *Digital Media and Democracy: Tactics in Hard Times* (Cambridge, Mass.: MIT University Press, 2008); Diane J. Heith, "The Virtual Primary Campaign: Connecting with Constituents in a Multimedia Age," in *From Votes to Victory: Winning and Governing the White House in the Twenty-First Century*, ed. Meena Bose (College Station, Tex.: Texas A&M University Press, 2011); Richard L. Berke, "The Last (E-mail) Goodbye, from 'gwb' to His 42 Buddies," *New York Times*, March 17, 2001; "Suzanne Choney, "President Obama Gets to Keep His BlackBerry," msnbc.com, January 22, 2009.

WHAT WOULD YOU DO?

MEMORANDUM

To: *Matthew Wilson, senator*

From: *Margaret Drinker, legislative assistant*

Subject: *Protecting journalists*

The Supreme Court has held that forcing a reporter to testify does not violate the First Amendment to the Constitution. But Congress could pass a law, similar to that in many states, banning such testimony if it reveals a confidential source.

Arguments for:

1. Thirty-four states now have shield laws similar to the one proposed by Congress.
2. Effective journalism requires protecting sources from being identified; without protection, a lot of important stories would not be written.
3. The government should be able to collect sufficient information to prosecute cases without relying on journalists to do this work for them.

Arguments against:

1. Every person accused in a criminal trial has a right to know all of the evidence against him or her and to confront witnesses. A shield law would deprive people of this right.
2. A shield law would allow any government official to leak secret information with no fear of being detected.
3. The Supreme Court already has imposed a high barrier to forcing reporters to reveal confidential information, but that barrier should not be absolute, as situations can and do arise where a reporter is the only person who has the information necessary to investigate alleged criminal activity that threatens national security.

Your decision:

Support bill _____ Oppose bill _____

News »

Should a Shield Law Be Passed to Protect Journalists?

Efforts by the White House to find out who is the "high-ranking official" cited in recent news stories about possible ethics violations by some Cabinet secretaries have renewed calls by media groups for a "shield law" for journalists. Congress may hold hearings later this week.

LEARNING OBJECTIVES

WHAT YOU NEED TO KNOW

☑ What role do the media play in American politics?

The media serve three major roles in American politics: gatekeeper, scorekeeper, and watchdog. They identify priorities for policymaking, keep track of which candidates are doing well and which are doing poorly in political campaigns, and oversee the workings of government to ensure that public officials are meeting their responsibilities.

☑ Why are there so few restrictions on media coverage of politics and politicians in the United States?

The First Amendment to the Constitution explicitly guarantees that Congress may not pass a law abridging freedom of speech or of the press. While this protection is not absolute—journalists may be required by courts, for example, to divulge information about confidential sources in the interest of national security—the burden of proof is on the government to explain why violating this constitutional guarantee is necessary. Government officials have fewer protections from media coverage of their actions than private citizens because of their public responsibilities.

☑ How has technology changed interactions between public officials and the media?

Changes in technology, particularly the advent of the World Wide Web, have fundamentally changed how politicians and the media interact. Elected officials now can reach constituents directly via e-mail, Web sites, instant messages, and so forth, whereas previously they were primarily dependent on the media for conveying their messages. Electronic media, in turn, are able to cover elected officials 24 hours a day, further narrowing the zone of privacy that politicians may realistically expect.

RECONSIDERING WHO GOVERNS?

1. How much power do the media have?

A lot, but it is limited by selective attention and personal knowledge. Selective attention means that people tend to believe only those arguments consistent with their own beliefs. Personal knowledge means people know a lot based on their own experiences regardless of what the press says. Politicians in and out of office spend a great deal of time cultivating the media, but in many campaigns it is clear that the press is more likely to favor some people over others.

2. Can we trust the media to be fair?

The public does not believe we can trust the press, and that hostility has increased in recent years. Members of the national media are disproportionately liberal and secular, and there is evidence that these liberal views affect what they say or write. The extent of that political influence will differ, however, depending on whether a story is a routine feature or an insider account.

RECONSIDERING TO WHAT ENDS?

1. What public policies will the media support?

The media will lead the public to think about issues remote from their personal experiences, such as foreign policy. But the press can take up or drop issues, not because the issue has changed, but because the issue has become, to journalists, stale. Crime and drug abuse may be big topics some years and minor ones in other years. Liberal newspapers, such as the *New York Times,* will be much more interested in gay rights, gun control, and the environment than will conservative newspapers or even the general public.

QUESTIONS TO CONSIDER

1. **In an era of 24/7 news and a blurry division, at best, between public and private life, what qualifies as a "news" media outlet, and why?**
2. **Is the decline in news readership in the United States, as well as the decline in overseas news bureaus for U.S. media, a source of concern? Why or why not?**
3. **Would the United States benefit from a national public news service, as other industrialized democracies have? Why or why not?**
4. **How often do the White House and members of Congress update their Web sites, and with what types of information?**
5. **How do media outlets differ in their coverage of major political events, and what may help to explain those differences?**
6. **How do the media in other countries cover American politics?**

TO LEARN MORE

To search many newspapers: **www.ipl.org**

To get analyses of the press

Nonpartisan view: **www.cmpa.org**

Liberal view: **www.fair.org**

Conservative view: **www.mrc.org**

Public opinion about the press

Pew Research Center: **people-press.org**

National media:

New York Times: **www.nytimes.com**

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