CHAPTER

12

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. 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 that CBS later conceded was true. Not long afterward, the producer and newscaster responsible for the charges had left CBS.

By 2004, about one-fifth of all people between the ages of eighteen and twenty-nine got their campaign news from the Internet, about as many as learned such news from daily newspapers or network evening news shows.[1]

All public officials have a love-hate relationship with newspapers, television, and the other media of mass communication. They depend on the media for the advancement of their careers and policies but fear the media's power to criticize, expose, and destroy. As political parties have declined—especially, strong local party organizations—politicians have become increasingly dependent on the media. Their efforts to woo the press have become ever greater, and their expressions of rage and dismay when that courtship is spurned, ever stronger. At the same time, the media have been changing, especially in regard to the kinds of people who have been attracted to leading positions in journalism and the attitudes they have brought with them. There has always been an adversarial relationship between those who govern and those who write, but events of recent decades have, as we shall see, made that conflict especially keen.

The relationships between government and the media in this country are shaped by laws and understandings that accord the media a degree of freedom greater than that found in almost any other nation. Though many public officials secretly might like to control the media, and though no medium of communication in the United States or elsewhere is totally free of government influence, the press in this country is among the freest in the world. A study of 193 countries found that in about one-third the press enjoyed a high degree of freedom: the United States and most nations in Europe are among these places.[2] But even in some democratic nations with a free press there are restrictions that would be unfamiliar to Americans. For example, the laws governing libel are much stricter in Great Britain than in the United States. As a result, it is easier in

the former country 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.[3] In this country, leaking information occurs all of the time and our Freedom of Information Act makes it relatively easy for the press to extract documents from the government.

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

European governments can be much tougher on what people say than is 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 having said to a French newspaper that the slaughter of Armenians may not have been the result of planned effort. An Italian journalist stood trail 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.[4]

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 by means of their computers.

Newspapers in this country require no government permission to operate, but radio and television stations do need licenses that are 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. The first is the fact that they must make a profit. Some critics believe that 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, being essentially a form of communication, to respond to changes in how communications are carried on. This can be seen by considering four 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, to exist, often required subsidies. That money frequently came from the government or from 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

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

in the creation of the *Washington Globe*. By some estimates there were over fifty 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 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


Gazette of the United States.

[No. 95 of Vol. IV.] SATURDAY, APRIL 27, 1795. [Whole No. 417.]

Foreign Intelligence.

National Gazette.

[Numb. 19 of Vol. II.] WEDNESDAY, January 2, 1793. [Total No. 123.]

The *National Gazette,* edited by Philip Freneau, supported the Thomas Jefferson faction in national politics. Jefferson, as secretary of state, helped Freneau by giving him a job in the State Department. The *Gazette of the United States,* published by John Fenno, supported Jefferson's rival, Alexander Hamilton.

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 news-

paper 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."[5] 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 was often 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 there 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."

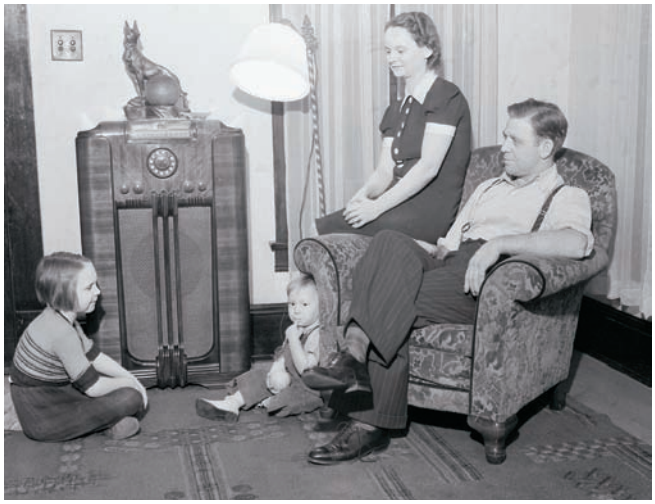
The national magazines of opinion provided an opportunity for individual writers to gain a nationwide following. The popular press, though initially under the heavy influence of founder-publishers, made the names of certain reporters and columnists household words. In time the great circulation wars 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 that was reinforced by the growing sophistication and education of America's readers. And the founding publishers were gradually replaced by less flamboyant managers. All of these changes—in circulation needs, in audience interests, in managerial style, in 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 nineteenth 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, 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



Before television and the Internet, news came by radio, as here in 1939.

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 is often 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.

sound bite *A radio or video clip of someone speaking.*

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 (see Table 12.1). 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 forty-two seconds in 1968 to 7.3 seconds in 2000.[6]

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. One of the most memorable moments of the 1992 presidential campaign—Ross Perot's declaring his willingness to run for president on CNN's "Larry King Live"—occurred on cable television. In 2003 Arnold Schwarzenegger announced that he would run for governor of California on "The Tonight Show with Jay Leno." And while the networks' evening news programs feature only small sound bites, their early-morning programs and newsmagazine shows feature lengthy interviews with candidates.

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 preferable to candidates is not necessarily helpful to the selection process that voters must go through in choosing a candidate. No one has yet systematically analyzed what, if any, positive or negative consequences these recent changes in politicians' access to the electronic media hold for campaigns, elections, or governance. Nor, for that matter, is there yet any significant research on the broader societal consequences of so-called narrowcasting—the proliferation of television and radio stations that target highly segmented listening and viewing audiences, and the relative decline of electronic and print media that reach large and heterogeneous populations.

One thing is clear: most politicians crave the media spotlight, both on the campaign trail and in of-

Table 12.1 Decline in Viewership of the Television Networks

"Big Three" Networks: Average Shares of Prime-Time Viewing Audience

Year	Share
1961	94%
1971	91
1981	83
1991	41
1997	33
2002	29
2005	28

Source: Updated from 2005 Cabletelevision Advertising Bureau analysis of Nielsen data.

fice. 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. Even better, attack him with the aid of a photogenic prop: when the late Senator John Heinz III of Pennsylvania wanted to criticize a president's bridge-repair program, Heinz had himself filmed making the attack not in his office but standing on a bridge.

The Internet

The newest electronic source of news is the Internet. In 2000 over half of all American households had at least one computer, and in four out of every ten households someone used the Internet.[7] The political news that is found there ranges from summaries of stories from newspapers and magazines to political rumors and hot gossip. Many web logs, or 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.

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, there also arose mass politics. When magazines of opinion developed, there also developed interest groups. 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.

★ 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 numbers 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. This ownership pattern is called a *joint operating agreement,* or JOA. Supposedly a JOA allows the business side to merge while preserving editorial independence, but sometimes that independence is not very large. JOAs control the papers in Denver, Detroit, Cincinnati, Seattle, and a few other cities. 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 thirty read about the same amount of news as people over the age of fifty. But by the 1970s, that had changed dramatically; from then until now, young people read less political news than do older people. In Figure 12.1 we can see that today only half as many people between the ages of eighteen and thirty-four read newspapers as was true in 1970.[8]

Unlike newspapers, radio and television are intensely competitive. Almost every American home has a radio and a television set. Though there are only five major television networks, there are over one thousand television stations, each of which has its own news programs. Local stations affiliated with a network are free to accept or reject network programs. There are more than eleven thousand cable TV systems, serving over 50 million people (and a typical cable can carry dozens of channels). In addition there are nearly ten thousand radio stations; some broadcast nothing but news, and others develop a specialized following among blacks, Hispanics, or other minorities. Magazines exist for every conceivable interest. The number of news sources available to an American is vast—more than even dedicated readers and viewers can keep up with.

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.

Figure 12.1 Percentage of Newspaper Readers Ages 18–34

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—*Time, Newsweek, U.S. News & World Report*—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: over 1 million each day for the *Times* and the *Journal,* and

over 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.[9] 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 it 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 being "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

Fred Thompson on the TV show, *Meet the Press*.

in the *New York Times,* the *Washington Post,* and the *Columbus Dispatch* than any other potential Democratic presidential 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 that 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 that he had spent several evening hours there with an attractive young woman, Donna Rice. Soon there appeared other stories about his having taken Ms. 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 to the Constitution 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.[10] 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.[11]

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 are usually 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.[12] When in 1984 Israeli General Ariel Sharon sued *Time* magazine for libel, the jury decided that the story that *Time* had 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.[13]

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.[14]

Confidentiality of Sources

Reporters believe that 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.[15]

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 that 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 that 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 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.[16]

From right to left, Curt Schilling, Rafael Palmeiro, Mark McGwire, and Sammy Sosa testify at a congressional hearing about drug use in baseball.

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 sixteen 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, 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, there was a Fairness Doctrine that 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. The FCC decided that

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.

To explore these landmark cases further, visit the *American Government* web site at college.hmco.com/pic/wilsonAGlle.

competition among news outlets protected people by giving them many different sources of news.

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.

Campaigning

When candidates wish to campaign on radio or television, the equal time rule applies. 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.

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

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 two hundred 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 of House candidates use television ads.

★ Are the National Media Biased?

Everyone believes that the media have a profound effect, for better or for worse, on politics. Many think that 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.

1. What are the views of members of the national media? The great majority is liberal. There have been many studies of this that date back to the early 1980s, and they all come to the same conclusion: members of the national press are more liberal

than the average citizen.[17] In 1992, 91 percent of the media members who were interviewed said that they had voted for the Democratic candidate for president. By contrast, only 43 percent of the public voted that way.[18]

Not only are they more liberal, they tend to be more 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 that they have become more liberal. For example, between 1980 and 1995 the proportion of media members who believe that the government should guarantee jobs to people rose, and the proportion who think that government should reduce the regulation of business fell.[19]

The public certainly believes that members of the media are liberals. A Gallup Poll done in 2003 found that 45 percent of Americans believe that the media are "too liberal" (15 percent thought they were "too conservative"). In another study, even Democrats agreed with this view.[20]

There are conservative media outlets, and they have become more visible in recent years. Radio talk shows, such as those managed 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.

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 twenty-eight largest talk shows were 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, but they dropped away when the show 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

Spanish-speaking voters have become so important that candidates, such as Hillary Clinton here, run Spanish web sites.

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 that is 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 man-made 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 people of something without actually making a clear argument for it. 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.

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.[21]

2. Do the beliefs of the national media affect how they report the news? That is a harder question to answer. 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 the tone in which it is handled and the adjectives used to describe people who are part of those stories.

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, the 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 leaked the story to the press. Which leak a reporter picks up on may be influenced by the reporter's view as to what is important to him or her.

Routine stories are often 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 is often 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 twentieth 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; what was different were feature and insider stories.

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.

One looked at twelve years worth of political stories published in the *New York Times* and the *Washington Post.* It asked how these papers described the ten most liberal and the ten 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.[22] 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 that are given no ideological labels than they will of those to which 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.[23]

Another study looked at how the top ten 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 thirteen-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,

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.*

routine stories *Media stories about events that are regularly covered by reporters.*

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.*

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.[24]

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." On "gay rights, gun control, abortion, and environmental regulation, among others" the *Times* does not play it "down the middle."[25]

Public distrust of the media has grown. As can be see in Figure 12.2, the proportion of people saying that news stories are often inaccurate has grown significantly since 1985.

3. Does what the media write or say influence how their readers and viewers think? This is the hardest question to answer. 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 that are inconsistent with their existing beliefs, they will tune out these messages.[26]

To identify who, if anyone, is influenced by what the press says or broadcasts, one would have to study how people think about political candidates and public policy issues in ways that take into account what they read or hear. That is very hard to do. There have been some efforts along these lines, however.

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.[27]

Another study examined the vote in more than sixty 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. How voters felt 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 did 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.[28]

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

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 New 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.[29] 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.[30]

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.[31]

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.[32] They learn them by themselves. 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.

But 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.[33] 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

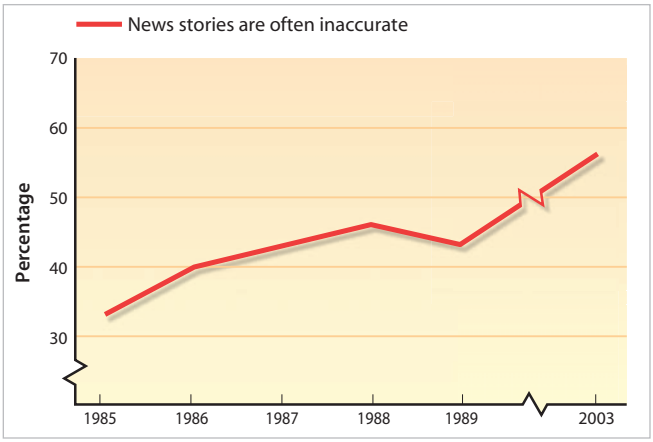
Theodore Roosevelt was the first president to raise the systematic cultivation of the press to an art form. From the day he took office, he made it clear that he would give inside stories to friendly reporters and withhold them from hostile ones. He made sure that scarcely a day passed without his doing 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 itself 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 in his airplane, 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.

Figure 12.2 Public Perception of Accuracy in the Media



Source: Pew Research Center, "The People and the Press" (July 2003).

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 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

The "Rules" of Politics

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.

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.

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

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.

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 that 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.

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.

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.[34] 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.[35]

Furthermore, the public's confidence in big business has eroded along with its confidence in government, and the media are increasingly big business. As noted earlier in this chapter, network television has become a highly competitive industry. Under these circumstances, every contribution to "market share" is vitally important, and the newsroom is no exception. In a highly competitive environment that is rich in information, those who aspire to reach a mass market must find a mass theme into which they can tap with visually dramatic, quick-tempo messages. In politics

Removed due to copyright permissions restrictions.

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

the theme is obvious: politics is a corrupt, self-serving enterprise. Many people include the profit-driven press in their antipolitical sentiments.

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.

One side effect of the increasingly adversarial nature of the press is the increased prevalence of negative campaign advertising—that is, of ads that lambaste opponents and attack them on a personal level. Adversarial media coverage has helped make these types of ads more socially acceptable. The reason candidates use attack ads is simple: they work. A good negative ad will change the preferences of some voters. But this change is purchased at a price. Research shows that a negative ad not only changes voter preferences, it reduces voter turnout. Negative advertising may help a candidate win, but only by turning other people against elections.

Sensationalism in the Media

Back in the 1930s newspaper reporters knew that President Franklin Roosevelt had a romantic affair with a woman other than his wife. They did not report

In 1933 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 on the right.

it. In the early 1960s many reporters knew that 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, ten 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.

As a result, reporters are more easily manipulated by sources than once was the case. Spokesmen for President Clinton tried to "spin" the news about his affairs, usually by attacking his critics. Gennifer Flowers, Paula Jones, and Monica Lewinsky were portrayed as bimbos, liars, or stalkers. Much of the press used the spin. To see how successful spin can be, compare independent counsel Lawrence Walsh's investigation of aides to President Ronald Reagan over the sale of arms to Iran with independent counsel Kenneth Starr's investigation of the Clinton administration. Walsh's inquiry got full press support, while Starr was regularly attacked by the press.

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.[36] 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.[37]

"Those are the headlines, and we'll be back in a moment to blow them out of proportion."

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 fifteen thousand to twenty thousand congressional staffers means that 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 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 these 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.

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.

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

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.

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.

Journalist Immunity Debated

October 5 WASHINGTON, D.C.

Congress today began deliberating over whether it should pass a law that would ban federal prosecutors from asking a reporter to reveal his or her confidential sources in a criminal trial. It has been a hot issue since reporter Judith Miller went to jail because she refused to reveal who had told her that Valerie Plame was a CIA officer . . .

Arguments for:

1. Twenty-nine 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.

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.

Your decision:

Support bill _____ Oppose bill _____

★ SUMMARY ★

Changes in the nature of American politics have been accompanied by—and influenced by—changes in the nature of the mass media. The rise of strong national political party organizations was facilitated by the emergence of mass-circulation daily newspapers. Political reform movements depended in part on the development of national magazines catering to middle-class opinion. The weakening of political parties was accelerated by the ability of candidates to speak directly to constituents by radio and television.

The role of journalists in a democratic society poses an inevitable dilemma: if they are to serve well their functions as information gatherer, gatekeeper, scorekeeper, and watchdog, they must be free of government controls. But to the extent that they are free of such controls, they are also free to act in their own interests, whether political or economic. In the United States a competitive press largely free of government controls (except in the area of broadcast licenses) has produced both a substantial diversity of opinion and a general (though not unanimous) commitment to the goal of fairness in news reporting. The national media are in general more liberal than the local media, but the extent to which a reporter's beliefs affect reporting varies greatly with the kind of story—routine, feature, or insider.

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 that are consistent with their own beliefs. Personal knowledge means that 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 than others.

2. ***Can we trust the media to be fair?***
   The public does not believe that 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 insider account.

RECONSIDERING TO WHAT ENDS?

1. ***What public policies will the media support?***
   The media will lead the public to think about issues that are 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 than the public generally.

WORLD WIDE WEB RESOURCES

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**
  Wall Street Journal: **www. wsj.com**
  Washington Post: **www.washingtonpost.com**
Good source of op-eds: **www.realclearpolitics.com**

SUGGESTED READINGS

Crouse, Timothy. *The Boys on the Bus.* New York: Random House, 1973. A lively, irreverent account by a participant of how reporters cover a presidential campaign.

Epstein, Edward J. *Between Fact and Fiction: The Problem of Journalism.* New York: Random House, 1975. Essays by a perceptive student of the press on media coverage of Watergate, the Pentagon Papers, the deaths of Black Panthers, and other major stories.

———. *News from Nowhere.* New York: Random House, 1973. Analysis of how television network news programs are produced and shaped.

Garment, Suzanne. *Scandal.* New York: Random House, 1991. A careful look at the role of the media (and others) in fostering the "culture of mistrust."

Graber, Doris A. *Mass Media and American Politics.* 6th ed. Washington, D.C.: Congressional Quarterly Press, 2002. A good summary of what we know about the press and politics.

Iyengar, Shanto, and Donald R. Kinder. *News That Matters.* Chicago: University of Chicago Press, 1987. The report of experiments testing the effect of television news on public perceptions of politics.

Kurtz, Howard. *Spin Cycle: Inside the Clinton Propaganda Machine.* New York: Free Press, 1998. A journalistic account of how one president's staff tried to influence the media.

Lichter, S. Robert, Stanley Rothman, and Linda S. Lichter. *The Media Elite.* Bethesda, Md.: Adler and Adler, 1986. A study of the political beliefs of "elite" journalists and how those beliefs influence what we read and hear.

McGowan, William. *Coloring the News.* San Francisco: Encounter Books, 2001. An argument about the harmful effects of affirmative action and "identity politics" on news coverage.

Robinson, Michael J., and Margaret A. Sheehan. *Over the Wire and on TV*. New York: Russell Sage Foundation, 1983. Analyzes how CBS News and United Press International covered the 1980 election.

Sabato, Larry J. *Feeding Frenzy.* New York: Free Press, 1991. Explains the press focus on political misconduct.