Media Reform, Democratic Capacity, and Human Flourishing

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In February 2007, CNN, Fox, and MSNBC aired non-stop live coverage of the judicial hearings concerning the burial place of reality show star/model Anna Nicole Smith. On CNN’s media watchdog program Reliable Sources, host and Washington Post media critic Howard Kurtz commented that the cable news coverage demonstrated the “power of TV [to] turn the Anna Nicole hearings into a farce,” and guest journalist Diane Dimond stressed that the coverage reflected the “dirty little secret” that television news is a “business dedicated to getting ratings, and . . . not good journalism.” At the same time, while images of Britney Spears’ newly shaved head flashed across the media landscape, the Washington Post published a special investigative report that exposed dilapidated living conditions at Walter Reed Army Medical Center. This apparent contrast between infotainment and serious news blurs, however, when we consider that both the Washington Post and the New York Times ran front-page web stories on the sudden death of Anna Nicole Smith. This editorial choice was the subject of comments on the Washington Post’s “Celebritology” blog, with writer Liz Kelly including excerpts from other media sources, such as the Los Angeles Times, Salon, and the Washington Post’s Style page. Writers theorized that the prominence of the Anna Nicole Smith story was “a reflection of either our collective good-heartedness or our common sappiness”; “a cultural anxiety over women who traffic in sex”; and a sign that we cared about Smith as the most famous gold digger, who challenged our cultural ideals.

That the American media landscape—particularly television—has become an echo chamber of seemingly farcical, yet also tragic, news about celebrities, crime, and reality programs is, in fact, old news. The causes, consequences, and possible reforms to this mediated environment are less agreed upon, however. Media consolidation, September 11, and the Iraq War motivated scholars and activists to take a more urgent look at the health of our democracy, and the relation of our media to that health. The ideal of participatory democracy, in which citizens come together in
the public sphere to engage in deliberation and decision-making about the common good, has been the focus of research, across the disciplines, for at least several decades now. Yet, two recent authors—Mark Lloyd and Nick Couldry—identify a disconnect between the focus of the academy and contemporary sociopolitical conditions. For both authors, the current crisis in democratic engagement is also the result of unaccountable media power, buttressed by First Amendment protection. Lloyd and Couldry both stress that in the United States, media corporations have become the primary beneficiaries of the First Amendment’s free press and speech protection. Media companies appeal to the altar of the First Amendment—to the freedoms of press and speech—when they seek to challenge governmental regulations that restrict their autonomy or bottom line. In response, both Lloyd and Couldry argue for a revitalized democracy, with an active and engaged citizenry at the center of scholarly research and policymaking.

Mark Lloyd—communications attorney, ex-broadcaster, and affiliated professor at the Georgetown Public Policy Institute—argues that a scholarly preoccupation with theorists Habermas and Foucault has deflected attention away from analyses of actual governance structures and the pattern of communication policy in the United States. The phrase of Lloyd’s title, Prologue to a Farce, comes from the comments of founding father James Madison and is likely one of the most quoted passages in the contemporary media reform movement. (“A popular Government, without popular information, or the means of acquiring it, is but a Prologue to a farce or Tragedy; or perhaps both . . . ”). Lloyd goes a step further than most, by explaining, via a footnote, that Madison wrote these words in a letter concerning appropriations of the state legislature for education. Even though Madison’s notion of “popular information” was likely, in this context, focused on primary education, the words might also describe Madison’s much broader concern about the spread of information to citizens in the early republic.

In Lloyd’s account, citizens depend on a neutral communication infrastructure that facilitates the robust flow of all types of information—not just what sells products, stirs controversy, fills time with cheap content, or distracts and titillates. This was, as Lloyd stresses, the dream of the founders, particularly James Madison. Building heavily on the
work of Richard R. John, Lloyd stresses that James Madison was a strong supporter of the Postal Act of 1792, in which Congress expanded the federal postal network. It is this vision that Lloyd advocates we restore, which would facilitate the "equal communications capacity" of all citizens (282). Lloyd’s narrative of the pattern of communications policy in the United States draws on the core insights of the political economic, legal realist, and democratic theory traditions, by way of Richard John, Walter Lippmann, Robert McChesney, Michael Sandel, and Cass Sunstein, among others. This pattern begins with tax-supported investment in research and development of a new communications technology (such as the telegraph, radio, computers, and satellite). In the second stage, the federal government, which first subsidized the technology, now abandons control to private industry, except for military purposes. In the third stage, private communications industries continue to be publicly subsidized, through patent and regulation subsidies. Finally, after various industries consolidate (such as Western Union, AT&T and broadcasting), the government tolerates private monopoly or oligopoly control—despite public interest and anti-trust regulations. Lloyd stresses that counter to common assumptions, private U.S. (advertising-based) broadcasting benefits from hidden federal subsidies, "including a tax structure that encourages advertising, free licenses, regulatory protections, research and development, and direct support through federal advertising."

It is these hidden public expenditures that need to be compared to the open tax on British TV licenses, which subsidizes the BBC (and amounts to approximately $69.08 per person a year), and the U.S. federal and state contributions to public broadcasting (approximately $7.00 per person) (232).

What makes Lloyd’s analysis different from the sources he draws on is his consideration of the impact of racism on the Madisonian postal vision, both before and after the Civil War. For example, access to the postal infrastructure benefited abolitionists, even as the Jackson administration pressured Congress to ban abolitionist materials from the mail (128). After the Civil War, the Post Office opened mail and denied service to an organization that advocated reparations for slavery. At the same time, the telegraph—and later radio broadcasting—contributed to racist stereotypes.
Lloyd also offers that racism—by undermining class consciousness—can also partly explain why and how the United States abandoned the Madisonian vision and did not join Europe in moving toward a social democratic system that favors public ownership of communication infrastructure. In line with the communications policy pattern, the federal government (through the Secretary of Commerce and the then Federal Radio Commission) brought order to radio broadcasting in the 1920s by issuing licenses that essentially granted monopoly control of a frequency, with minimal public interest obligations. Thus, the broadcasting infrastructure, like the telegraph, was essentially turned over to commercial interests, with public subsidies and privileges, which included a tax break on advertising. One break with the pattern came in the early 1950s, after a three-year freeze on television licensing. Commissioner Frieda Hennock backed the reservation of public airwaves for educational, noncommercial purposes.

Another break came in 1945. After the Supreme Court’s anti-trust decision against the Associated Press, the Federal Communications Commission established the Fairness Doctrine, which required broadcasters to cover controversial issues of public issues in a fair and balanced way. In 1965, the United Church of Christ’s (UCC) Office of Communication challenged the license renewal of Jackson, Mississippi, television station WLBT for violation of the Fairness Doctrine. The station, which served a largely black population, ignored the black community in newscasts and refused to sell airtime to blacks. The FCC ruled that the UCC had no standing to challenge a license renewal; however, the decision was overturned by the U.S. Court of Appeals, which held that some audience participation must be allowed in renewal proceedings.

Despite these breakthroughs, Lloyd reminds readers that “the Fairness Doctrine, like earlier attempts at regulation, would not correct the fundamental error of leaving the responsibility of informing a democratic citizenry in the hands of commerce” (138). The pattern would repeat through subsequent decades, especially with passage of the Telecommunications Act of 1996, and subsequent FCC rulemaking.

Lloyd also describes his experience with the MIT Community Lab in Cambridge, Massachusetts. Through interviews with a diverse range of seventy community leaders, the project found that “the current commu-
communications environment in Cambridge reflects neither the needs of the city nor the values of the city’s leaders, but like fish swimming in polluted water these leaders cannot imagine a better environment” (241). The local media in Cambridge, like that of cities across the country, both “overwhelms Cambridge with sensational commercial fare and obscures important local information” (243). Even though Lloyd notes that Cambridge does not appear to be ready for change, other communities across the country are seeing the connection between democracy and the communications environment, opting for municipal ownership of telecommunications facilities, electronic villages, and better funded public access cable.

Drawing on his experience with the People for Better TV, Lloyd ends with a six-point proposal that begins with eliminating federal subsidies for commercial media by requiring broadcasters to pay for the privilege of licenses, just as cattle grazers, for example, have to pay to use public land. He advocates that the current deduction for advertising be limited and calls for democratic reform and increased funding for both PBS and the FCC, which could be paid for through regulatory fees from cable, satellite, broadcast, and telecommunications companies. Lloyd also recommends commercial telecommunications providers be required to provide universal service, and for municipal ownership of telecommunications. With regard to the Post Office, he proposes that postal subsidies be restored to small independent nonprofit presses and that commercial presses receive reduced subsidies. Finally, civics and media literacy should be required of all public secondary schools, with national standards that ensure students understand governance.

Like Prologue to a Farce, Nick Couldry’s Listening Beyond the Echoes also asks readers to consider the assumptions and systems of power that shape the purpose, content, and democratic potential of media. Couldry—reader in Media, Communications, and Culture at the London School of Economics and Political Science—synthesizes much of his previous work on media power, reviews recent research trends, and offers suggestions for future research priorities. As his title Listening Beyond the Echoes suggests, Couldry calls for scholars to listen differently to the din of the media-saturated world and to set new research priorities. He advocates a change in metaphors—from visual to aural—for thinking
about the social world and the consequences of media on our democratic processes. Noting John Dewey’s observation that “vision is a spectator, hearing is a participator” and drawing on the work of David Levin, Couldry stresses the “reciprocal, embodied nature of listening” (6). It troubles Couldry that media research tends to focus on popular culture “as a site of meaning, creativity, agency and identity” during a time when attention needs to be focused on understanding the problems “of democratic disengagement, state and corporate lies on a huge scale, increasing poverty in even the most developed countries, and the impoverishment of political discourse by spectacle” (2). He finds a functionalist emphasis on how audiences interpret the media text, especially in terms of pleasure and resistance, and not enough focus on the workings of power, material and symbolic. Couldry points to critical media analysis in Latin America that recognizes forms of pleasure and resistance; however, it “makes no easy assumptions that the product of a highly centralized, usually commercialized system of cultural transmission is necessarily popular or progressive” (7). The media process is never separate from issues of power—not just military, economic, or political, but the power to control the means of communication and, as Hanno Hardt puts it, “the ability to influence the construction of fact or fiction” (qtd. in Couldry 8).

Citing Clifford Christians, Couldry explains that in the United States, the libertarian perspective has enabled press freedom to be placed over other considerations. This press freedom, supported by two centuries of First Amendment protection, has resulted in a “quarantine” on discussion of the ethics of media (106). Couldry points out that while ethical codes exist within institutions, the ethics of media institutions needs to be a public question. He offers the assessment of philosopher Onora O’Neill: “The press has no licence to deceive us and we have no reason to think that a free press needs such licence” (qtd. in Couldry 136).

For Couldry, the “myth of the mediated center” and standard media ethics, as defined by academic literature and media organizations, enable the problem to persist. He cautions against the assumption that a media world saturated by celebrities and infotainment simply reflects the values, beliefs, and social realities of audiences. Couldry reminds us that while states use “resources to orchestrate media spectacles and ritualized
events that further legitimate their power and strategies,” populations might have “grave reservations” about those uses of power (19). Couldry stresses that media corporations benefit from the assumption that contemporary societies are held together by the media, and that the media offer order and coherence and reflect shared values. The media are “consistently telling us . . . that they speak for us, express our values; sometimes this is in opposition to what the state appears to want (when governments are challenged), other times not (when we are summoned to war)” (17).

According to Couldry, however, “we give too much credence to media’s often inflated discourse about itself and its significance for society or the nation . . .” (18).

Couldry’s critique of the mediated center resonates with the range of responses posted at the Washington Post’s celebritology blog (see Kelly). For example, one person wrote:

I find it interesting that the media attributes the over reporting regarding Anna Nicole to the public’s interest. I was watching MSNBC on the premise that they were going to cover the Vets who are opposed to the Iraq war at 4 p.m. Instead they went on for hours covering ANS. I regret Ms. Smith met such an untimely death but quite frankly I did not need to know much more than the fact that she had passed. The media decided I wanted this saturation coverage—WRONG!

In contrast to the idea that Smith’s death was not in the public’s interest, another writer suggested that coverage was consistent with Smith’s connection with people: “Even though she frequently had over-the-top behavior, she was usually upfront & real about her feelings. I think that emotional authenticity connected with many people after her son died, particularly those who watched her reality show & with other women . . .”. Between these two types of responses—some critical of saturation, others attempting to understand Smith’s appeal to others—also came skepticism about questions and opinions, given the spin machine: “why ask why? It is what it is. Judging her and her life is useless. Opinions are expressed about someone based on what is read or heard about them. This is not fact, it’s the way it’s spun to sell the story. None of us know the truth about Ms. Smith’s situation.” These responses
suggest that the public, at least as represented by *Washington Post* readers, does not simply accept media output as reflective of values or reality.

Couldry also cautions against "media-centric" scholarship that tends to focus on how audiences produce meaning through their experiences with texts, as sites of personal expression and identity formation. Couldry's critique seems to suggest that we need less consideration of how audiences might feel connected to and empowered by the Anna Nicole Smith "text" (life story and reality show) and more of the "media's possible contribution to the distribution of knowledge of the world in which we act" (26). Couldry points out that while the Glasgow Media Group has conducted some of that research, Nicholas Garnham and Lawrence Grossberg stress that more work needs to be done on audience agency, or "how people exercise their agency in relation to media flows" (27). While scholarship in the 1990s focused on how people think about their own media consumption, future research should also consider how media diminish people's perceptions of agency.

To explore agency, Couldry advocates that the starting point for research be a vision of democracy in which citizens contribute to decisions about the conditions under which they live. With an underlying orientation toward democratic agency and knowledge, Couldry argues that research should examine how media affect the possibilities of engagement in decision-making by posing two central questions:

1. On the theoretical level, how do media contribute to how social order is constructed, approaching this with a degree of scepticism toward powerful narratives of centralized order and a respect for complexity and multiplicity?

2. On the empirical level, do media contribute to people's knowledge and sense of agency, and what are the resulting implications of media for ethics? (52)

This approach brings together theories of media practice with the cultural studies tradition of Raymond Williams. Drawing on his earlier book, *Inside Culture*, Couldry explains that Williams centered on the preconditions of a genuine democracy and the possibility of contributing
through knowledge and debate: "There should be a fit between the way we think about the type of society we want . . . and the types of 'knowledge' about society we produce" (54). All voices need to be heard and listened to, as Williams writes: "Wherever we have started from, we need to listen to others who have started from a different position" (qtd. in Couldry 51). We also need "public time," as Henry Giroux has stressed. Citizens need time to pay attention, to reflect, and to deliberate (76). For Couldry, cultural studies should bridge the gap between the personal and the political, contributing to a revival of democratic politics and to the construction of shared, public time.

Couldry argues that conventional media ethics—professional and academic—privilege an obligation-based notion of ethics (deontological, Kantian tradition) rather than an ethics of the good (teleological, Aristotelian). Synthesizing the analyses of Onora O'Neill, Bernard Williams, and Sabina Lovibond, he advocates an ethics that centers on "the contribution of media production/consumption, under prevailing conditions, to the good life of each person" (29) and to how well we live together:

> Media should be accountable for their compliance with ethical standards not because, in failing to do so, they breach a universal moral rule (about what is right or just) but because, if they regularly act unethically, there is good reason to think that a basic feature of our collective and individual life will be damaged. (122)

The contemporary global media—with a proliferation of inaccuracies, insincerity, and falsehoods—are unaccountable to that good life standard.

In the U.K. and U.S., Couldry finds a virtual quarantine on any substantial debate about what the media should do, due to the almost sacred status of the press. After World War II, he explains, both countries did establish high-level commissions to study the role and responsibility of press freedom in democratic life. The U.K. followed recommendations by forming a press council, analogous to a medical board, to regulate professional standards. Yet, the resulting Council, today known as the Press Complaints Commission, is regarded as largely ineffective, functioning more as a consumer complaints service and industry lobbyist.
Couldry points out that while no national regulatory body resulted in the U.S., the public journalism movement has most recently directed attention to how media can contribute to public engagement. Still, this is largely without a larger structural focus on media ethics.

As a process for redeeming institutional trust, Couldry advocates "that the media's ethical standards should be open to regular public scrutiny and challenge by citizens themselves in direct interaction with the representatives of media institutions" (138). Couldry proposes that "each media outlet should allow, as a significant part of its output (through program sections, special pages, and so on), for space where open debate on the ethics of that media outlet can occur" (139). In the context of Couldry's recommendation, it seems clear that occasional programs such as CNN's Reliable Sources, weblogs, or even the reports of Project for Excellence in Journalism do not sufficiently engage the public directly, routinely, and substantially.

Couldry also envisions a network of fora, at local and regional levels, in which citizens could, in face-to-face encounters, directly challenge media professionals on the implicit and explicit rhetorical claims of media institutions (139). Couldry notes that other countries, such as Zambia, South Africa, and South America, have established Media Councils. Although not mentioned by Couldry, it is important to point out that the Minnesota News Council was formed as an independent, nonprofit organization in 1970 by the Minnesota Newspaper Association. This 24-member council has served as a model for others: in Hawaii (established in 1972), Washington (1998), Southern California (2006), and New England (2006). The Washington News Council, for instance, emphasizes that it is an independent, nonprofit citizens' organization that functions like an outside ombudsman for the Washington State news media. As an alternative to litigation, the council operates as an open discussion, not as a judicial proceeding with legal authority: its "votes on complaints carry no sanctions other than publicity."

Couldry's vision presupposes a feedback system that pressures the media to be accountable to citizens. Ideally, this system would hold institutions accountable for damage to the social process—"the social connections between agents, and so the conventions, trust, traditions and relationships by which pluralities of agents maintain a social fabric and
complex capabilities" (O’Neill qtd. in Couldry 121). Yet, as suggested by the Washington News Council described above, this system of accountability for damage to the social process does not have enforcement powers, such as those that back up health and safety regulations. Although Couldry references the problems of a highly centralized, commercialized system, he does not explicitly connect media inaccuracy, insincerity, and falsehood to multinational corporate ownership, which values profits for shareholders over public service, benefits from constitutional protection, and serves more as a platform for advertising products than for informing or engaging audiences. In that context of media power, the extent to which fora could significantly challenge and remedy the abuses of our current media system seems worthy of consideration but difficult to imagine.

Taken together, Lloyd’s and Couldry’s respective recommendations appear interdependent. It would seem that deep policy change depends on just the type of scholarly research that Couldry recommends, with audience reception studies that document and detail the impacts of media consumption on beliefs, habits, and behavior. Without this understanding, we can either assume media to be all-powerful in commanding the attention of people, or assume that users—with unprecedented access to information—are now in charge, as media companies, pundits, and others would have us believe. On the other hand, Lloyd’s analysis of the pattern of communications policy denaturalizes our current system and offers readers an alternative narrative, a perspective on their own status as consumers and citizens, and perhaps a sense of possibility. It is also important to note that both authors seem to presuppose that infrastructural and institutional reorientation would facilitate democratic engagement. Yet, as organizations such as the National Coalition of Dialogue and Deliberation and work in conflict transformation and peacebuilding remind us, democracy also depends on developing the skills and awareness that our current media systems devalue: listening, empathy, and sustained dialogue.

In the end, what seems to most unite these two proposals is the grounding in Amartya Sen’s capabilities approach to ethics. In the closing paragraphs, Lloyd stresses Sen’s point that the freedom to develop necessitates “the liberty of acting as citizens who matter and
whose voices count, rather than living as well-fed, well-clothed, and well-entertained vassals” (282). Our communications technologies need to be used for the purpose of revitalizing our democracy and in “restor[ing] the founders’ commitment to the equal communications capacity of all our citizens” (282). Couldry’s media ethics likewise draws on Sen’s Aristotelian notion of human flourishing: “What other aim could there be than to provide accurate information about the shared circumstances of that group, on the basis of which that group can flourish as human beings, both individually and collectively?” (124). Each author provides a different, yet overlapping, set of structural reforms that he hopes might bring us closer to that vision.

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Notes

1. For a discussion of how Washington Post reporters Dana Priest and Anne Hull uncovered this story, see Robertson.

2. The Project for Excellence in Journalism (PEJ) News Coverage Index reported that on February 8-9, Anna Nicole Smith’s sudden death constituted 10% of newspaper coverage (Jurkovitz). In contrast, 50% of cable airtime was consumed by stories on Smith’s death. For the week of February 4–9, 21% of cable news focused on Smith’s death, and approximately 8% of network television, with minimal newspaper coverage (events in Iraq [10%], 2008 campaign [8%], Iraq policy [7%], Bush budget [7%], Super Bowl [4%]). For the week of February 18–23, the “Iraq Homefront,” mostly focusing on the Walter Reed expose, accounted for 5% of the overall newshole (based on a study of 48 different outlets), as the fifth biggest story of the week. The Walter Reed story occupied approximately 9% of the newspaper newshole and 10% of network news airtime. In stark contrast, over 25% of cable news was still dedicated to Anna Nicole Smith, with less than 5% on the Iraq Homefront (Walter Reed). This significant difference between outlets is also discussed in the Project of Excellence in Journalism’s State of the News Media study. See the report at www.stateofthenewsmedia.org.


4. For a history and analysis of how corporations developed from being considered creatures of the state (granted charters for limited public purposes) to entities with constitutional rights, see Horwitz; Mayer.

5. See, for example, Lederach; Rosenberg.
Works Cited


