



The 14<sup>th</sup> Congressional District's  
Student Advisory Board

# Media

2005 Annual Report

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## **Introduction**

Daniel Wenger

In the midst of one of the most contentious election seasons in recent American history, we, the members of Congresswoman Anna G. Eshoo's 2004-2005 Student Advisory Board, chose a highly topical subject on which to focus our research efforts: the media. In initial discussions, it quickly became clear that in this so-called Information Age, discussion about the media is both relevant and essential to the health and longevity of our democracy. As we are part of a generation that has been exposed to and shaped by the media more than any age group that predates ours, we feel uniquely positioned to comment and reflect upon many of the explosive issues under the general heading, *The Media*.

Generally speaking, the importance of the media cannot be understated. Information disseminated through the media is one of the key determinants of public opinion. And as technology advances, the media is reaching American citizens through new avenues and channels, like "blogs" on the Internet or 24-hour news stations on satellite television.

The subtopics the Board has explored this year include: Censorship; Bias in the News; Media Consolidation; Independent Media; News Source Confidentiality; Race in the Media; Coverage of the Judicial System; Electoral Media; Media in War and Terrorism; and Global Comparative Media. In addition, one of our committees polled a local high school on a number of the issues raised in this report.

We are pleased to present this report, which represents many months' labor and contemplation, to Congresswoman Eshoo and the community at large.

A handwritten signature in cursive script that reads "Daniel Wenger". The signature is written in black ink and is positioned above the printed name and title.

Daniel Wenger  
Chair

Charles Zaffaroni,  
Christie Richards  
Yasameen Sharifi  
Bryce Hoffman

## **CENSORSHIP IN THE MEDIA**

### **INTRODUCTION TO TOPIC**

Ray Bradbury sounded a warning in Fahrenheit 451 about the dangers of relinquishing control of the media to the government. In the book, the fire chief (whose job is to burn books and informative material) explains the government's philosophy on the expression of diverse perspectives in the media: "If you don't want a man unhappy politically, don't give him two sides to a question to worry him; give him one. Better yet, give him none." It is worth noting that in Fahrenheit 451 censorship was not imposed suddenly and ruthlessly by the government, but gradually and insidiously by making the news so dumbed down and irrelevant, that censorship was accepted by an indifferent public.

Prominent commentators have sounded the alarm about disturbing trends toward media censorship in America today. Journalist Bill Moyers warns that, "we are witnessing new barriers imposed on public access to information and a rapid mutation of America's political culture in favor of secret rule of government." He cites a special report of the American Society of Newspaper Editors, "Keeping Secrets," which concludes that we are in the "greatest rollback of the Freedom of Information Act in history."

### **WHY THIS IS AN IMPORTANT TOPIC FOR CONGRESSIONAL FOCUS AND ACTION**

In a democracy, the media is the tool people use to get the information they need to make informed decisions. This is why a free press is so critical and why government policies that discourage diverse viewpoints and encourage self-censorship are so dangerous. In the aftermath of 9/11, there has been a growing tendency toward government secrecy, a tendency to deny media access to government information and to discourage investigative reporting in areas that may be sensitive. The Bush administration and a variety of political and religious groups argue for the need to suppress and censor information and to label criticisms of administration policies as unpatriotic, offensive, or a risk to national security. Although suppression of information may be warranted in rare circumstances, government secrecy and barriers to media access lead to news that is uniform, one-dimensional and uninformative. It is the disturbing, the unpopular and the controversial that engage and inform the public, challenge and test accepted views, and provide a catalyst for beneficial reform in a democracy. Thus a democratic society must assure the media and the public access to an unrestricted flow of information and tolerate an absolute minimum of censorship.

The kind of media coverage that needs the greatest protection from censorship is that which involves political issues. Ted Koppel's roll call of the American dead on Nightline, NBC's report on a marine who shot an unarmed Iraqi prisoner, and media coverage of the prisoner abuse scandal are examples of media programs reflecting viewpoints that are controversial, and demonstrate the importance of challenging and

thought-provoking material in a democracy which relies on the unrestricted exchange of ideas to inform the public and encourage reform.

The kind of media material that does not warrant as much protection and will not be the focus of our presentation is described by the Supreme Court as “low value speech.” The Supreme Court has held certain categories of expression to have “low” First Amendment value. These categories of “low value expression” include obscenity, pornography, false statements of fact, commercial advertising, and threats. The Court has allowed censorship and regulation in these areas. Geoffrey Stone in his new book Perilous Times/Free Speech in Wartime quotes the court: “There are certain well defined and narrowly limited classes of speech...that are of such slight social value...that any benefit that may be derived from them is clearly outweighed by the social interest in order and morality.”

### **BRIEF OVERVIEW OF CENSORSHIP IN A DEMOCRACY AND THE HISTORICAL CONTEXT.**

Ideas that challenge the status quo require people to reconsider accepted beliefs and comfortable assumptions, and are likely to cause discomfort. It is a normal human reaction to resist such ideas and the unpleasantness they stir up. The Dean of Loyola University Chicago Libraries states on their website, “Most [censors and] would-be book banners act with what they consider to be the highest motives— protecting...communities from perceived injustices and evil and preserving the values and ideals they would have the entire society embrace.” But it is the constant give and take between “preserving values and ideals” and challenging them that encourages societal change and progress.

The history of our society demonstrates a slow but continuous process of testing perspectives and positions and subsequent self-correction through the democratic process. This self-correction would not occur without the ongoing reform stimulated by new ideas and perspectives. Justice William Douglas states, “It is not because we want to destroy existing institutions...that we make room for revolutionary ideas [but because] the market place tests them—accepting a few, rejecting many. It is the interchange of ideas, the challenge to prejudice that give any people the resiliency to meet changing conditions.” Similarly, John Stuart Mill observes, “The peculiar evil of silencing the expression of an opinion is...If the opinion is right, [mankind is] deprived of the opportunity of exchanging error for truth: if wrong, [mankind loses], what is almost as great a benefit, the clearer perception and livelier impression of truth, produced by its collision with error.”

Communism, Nazism, McCarthyism, and repressive foreign governments provide cautionary models for zealous government censorship and suppression of free speech and freedom of the press. Communist Josef Stalin destroyed all enemies, including books and ideas from the non-communist West. Soviet censorship continued for the duration of the Soviet Union. Communist China under Mao Zedong also provided a frightening example of extreme government censorship. During the 60’s and 70’s, the Red Guard swept society of any material that disagreed with the official party position and staged massive book burnings. The Nazis and Hitler were able to rally German society to their side by encouraging book burnings and ruthless censorship of views that varied from fascist positions. During the early 1950’s, Senator McCarthy incited an anti-communist hysteria in America that, ironically, advocated the same tactics of government censorship communistic countries employed. The House Un-American Activities Committee snooped for communist sympathizers and attempted to censor news and blacklist writers, performers and newspapers. Today, ruthless censorship continues abroad. Repressive foreign governments

control public opinion and maintain power through censorship and intimidation of the media. For example, twenty-one journalists have been killed in the Philippines since President Arroyo took power in 2001 and the government has shut down radio stations, raided newsrooms and destroyed broadcast facilities.

## **PROTECTIONS AGAINST CENSORSHIP**

The main laws that curb censorship are the First Amendment protection of freedom of speech and the press, and the Freedom of Information Act (FIA). The First Amendment provides broad protection of speech. The Supreme Court uses a sliding scale to determine the level of protection warranted. As discussed earlier, certain “low value speech” is accorded the least protection, allowing greater government regulation and control, whereas political expression is accorded the greatest level of protection from government control and censorship. According to the book Perilous Times, the Court follows a strict policy against government regulation of speech in the realm of political discourse: “The government may not suppress dissent merely because it thinks that a speaker’s opinions or values are wrong, misguided, or improper. Similarly, it may not censor dissent because it fears it might persuade citizens to vote for [particular] candidates. The explanation is simple: under the First Amendment, it is for citizens to make such decisions, after hearing all the arguments. It is not for government to prevent citizens from contemplating their legal and political options by keeping them in the dark and shutting down public debate.”

The Supreme Court has recognized that there are limits to First Amendment protection of speech. In addition to obscenity, pornography and defamation, the American Library Association states on their website that the government may censor “fighting words” or speech that “incites immediate and imminent lawless action. The government can also enforce secrecy of information when it is considered essential to national security, like troop movements or classified information about defense.”

First Amendment protection only applies when the government or agent of the government suppresses speech. This includes federal, state, and local governments, all their agencies and branches (including public schools and libraries) and individuals representing government such as the President, congressmen, governors, public school principals, etc.

The Freedom of Information Act was enacted to promote full disclosure of political events to the public. The Act details the extent to which information should be disclosed to the public. It explains the rights of journalists and reporters and provides guidance in terms of how much information they should reveal about various aspects of politics, ranging from candidate biographies to bills going through Congress. The Freedom of Information Act was originally adopted on July 4, 1966. However, on February 16, 2005, the Openness Promotes Effectiveness Government Act (OPEN Government Act) updated the Freedom of Information Act in order to further promote full disclosure of political information to the public. This Act was created to ensure that the Freedom of Information Act continues to pursue the ideals of full disclosure even in this new era where heightened security concerns co-exist with sophisticated communication technologies that allow widespread dissemination of information. Together these two acts are very important to the effectiveness of our democratic system. The core aspect of a democracy is that the citizens make informed decisions about government processes and policies that impact how our country handles certain issues. However, if the

government is hiding or “censoring” information, then the public cannot vote in an informed manner. The *Freedom of Information* and *OPEN Government* Acts provide assurance that citizens can access all the information they need to exercise their democratic rights to impact American policy. These acts are essential to eliminating government secrecy and censorship and making our democracy effective.

#### **CURRENT THREATS TO FREEDOM OF PRESS RELATED TO CENSORSHIP**

Because there is clear constitutional protection of freedom of press, government threats to the media are more likely to be indirect, such as suppressing the release of information, creating barriers to access, and intimidation. However, even indirect action can have a tremendous impact eroding the media’s critical role in democracy.

When government operates in secrecy, suppresses information, and removes information from public sites, this is a form of censorship. The current administration has strengthened a policy begun under the first Bush administration that bans photos of military caskets returning from Iraq. Additionally, the president’s Chief of Staff has ordered 6,000 documents pulled from public government websites and there have been delays and deletions in government studies on the environment, terrorism and other topics. Speakers at the February meeting of the American Association for Advancement of Science expressed concern that scientists in federal agencies are being pressured to keep silent or alter study conclusions that do not support government policy positions. The EPA suppressed a study by its own scientists and Harvard University that concluded there is a need to have stricter limits on mercury emissions from power plants. The EPA also kept secret for three months the fact that an unapproved genetically modified corn seed was sold accidentally to farmers and probably made its way into the food supply. In April, a study was released by Rep. Henry Waxman of the House Governmental Affairs Committee indicating that attacks by terrorists are rising rather than declining under the Bush administration. The administration had withheld the information from the public even though such a report had been published every year for nineteen years. Also in April, the *New York Times* reported that the American Civil Liberties Union filed a lawsuit on behalf of the president of the federal Air Marshals’ Association claiming that the government is violating his free speech rights and jeopardizing public safety. According to the suit, the government does not allow air marshals to criticize the agency “by speech, writing, or other expression.” They are prohibited from addressing the public, appearing on radio or TV, providing information for publication or releasing “any information” without prior government approval.

Intimidation of the press can result in the “chilling” of First Amendment rights when the government criticizes coverage for being “unpatriotic,” a “threat to national security,” or “too liberal.” This discourages a free and vigorous press and can result in self-censorship. Such criticism can come directly from government representatives or from affiliated organizations or groups. (If a non-governmental group is involved, it may be difficult to prove affiliation with the government. Non-governmental groups are not restrained by the First Amendment.) A recent example is the Secretary of Education’s attempt to discourage PBS from showing a children’s program called “Postcards from Buster” that featured a gay couple because it would show PBS’ “liberal bias.” In May, the *New York Times* ran an article on the Republican Chairman of the Corporation for Public Broadcasting and his attempts to pressure public TV to correct what he and other

conservatives consider “liberal bias.” The chief executive of PBS stated that she considers the Chairman’s actions a threat to editorial independence and an attorney for PBS has warned that some pressure tactics could infringe on PBS’ First Amendment rights. The media has also been intimidated by the government’s attempts to use a statute modified by the *Patriot Act* to access journalists’ notes, records and other information that would normally be protected from disclosure (in some states) by a “newsman’s shield.” Section 215 of the *Patriot Act* discourages investigative reporting on subjects related to terrorism. The Act overrides state shield laws that protect journalists’ source material from being accessed by the government through a subpoena.

Other policies that discourage balanced news reporting include one-sided government produced political videos and the practice of paying commentators and journalists to promote government policies. Recent examples in the Bush administration include paying media commentators to support administration programs on education (*No Child Left Behind*) and marriage, and using pre-packaged news reports that are distributed to TV stations, often without acknowledgment of the government’s role in their production. The Government Accounting Office (GAO), an investigative arm of Congress, has held that these videos may constitute “covert propaganda.” The effect of these practices is to suppress criticism of government policies and deter airing of diverse perspectives through media channels.

#### **RECOMMENDATIONS FOR CONGRESSIONAL ACTION TO ENCOURAGE AN UNCENSORED AND FREE PRESS.**

Congress should continue its efforts to strengthen the *FIA* to protect media access to newsworthy information. Congress should also fight to prevent extension of provisions of the *Patriot Act* that infringe on First Amendment rights and support the coalition formed by former Republican Congressman Bob Barr to curtail the Act (Patriots to Restore Checks and Balances). Particular attention should be paid to provisions of the Act that allow government access to journalists’ notes and records.

In more general terms, Congress should strengthen laws that monitor government ability to censor or manipulate the media and vigorously enforce existing laws. The Bush administration should be encouraged to comply with rulings of the GAO that discourage the use of one-sided government produced prepackaged news segments masquerading as real news.

Finally, the most enduring way to safeguard free speech in the media is to ensure that future generations understand the value and role of free speech in our democratic system of government. A recent report by the Knight Foundation reveals that high school students are weak in their appreciation of First Amendment rights. Only half supported newspapers’ right to publish freely without government approval of articles. To remedy this, Congress should encourage formation of a patriotic education program for youth (PEPY) to educate teenagers about the role and importance of our First Amendment rights.

Freedom of the press is a cornerstone of our democratic system of government and a constitutional right that defines our nation. Failure to defend this freedom vigorously is the greatest threat to our democracy.

## TELEVISION CENSORSHIP

Television has always been the place for families to gather around and enjoy each other's company for a couple of hours. Though before turning on that television set and selecting the show that everyone agrees on, is it safe to watch just any television show? To some extent the answer is yes. Ultimately, almost every show on television is family safe. But every parent has his or her own definition of what is appropriate. Some parents don't mind if their children hear swear words or if they watch two people kissing. Though shouldn't the network have censored those types of things already?

The Federal Communications Commission, or the FCC, has required networks to caution their viewers of the ratings of the show. There are about 7 different ratings that range from pre-school all the way down to mature adults. For younger children, there are both the Y and G rating. Most parents would find programs with these ratings suitable for children of all ages. Although this rating does not signify a program designed specifically for children, "Most parents may let younger children watch these programs unattended. It contains little or no violence, little or no strong language and little or no sexual dialogue or situations" ([www.understandingthetvratings.com](http://www.understandingthetvratings.com)). Then there comes the PG or PG13 rating. Parents may decide to watch programs with these ratings with their children because they may contain violence, sexual content, strong language, or drugs. And lastly, there is the MA rating, also known as Mature Audience. "This program is specifically designed to be viewed by adults and therefore may be unsuitable for children under 17. This program contains one or more of the following: graphic violence (V), explicit sexual activity (S), or crude indecent language (L)" ([www.understandingthetvratings.com](http://www.understandingthetvratings.com)).

With all of these warnings to the viewers beforehand, is there really a need for censorship in television? Yes. Children cannot be going around watching television shows that are not appropriate from them without their parents around. The FCC doesn't regulate much of the programming that is being broadcast, but they do place "restrictions on indecent programming, limits on the number of commercials aired during children's programming, and rules involving candidate for public office." ([www.uweb.ucsb.edu](http://www.uweb.ucsb.edu)). They also have the final say on what shows can be aired, though declared in the 1992 Cable Act "a plan for state and local agencies to regulate cable systems in any area that the FCC did not have prior jurisdiction over" ([www.uweb.ucsb.edu](http://www.uweb.ucsb.edu)). They have made it so that they are in charge once again.

In conclusion, I am proposing that the U.S. Congress pass a law regarding television censorship. From all the information that has been gathered, it is safe to say that the FCC has been keeping good track of making people aware of the ratings and have created regulations to address these issues. But is that censorship fair to everyone? My proposal is that during the hours of 7am – 10am and 3pm – 9pm, television shows should be censored. The reason is that during these hours, when children are likely to be home while their parents are likely to be at work, parents wouldn't need to worry about what their children were watching. Then from 10am - 2pm and 9pm - 7am, the television shows do not need to be censored. These are the hours that generally parents are watching. Soap operas and late night shows already fall under this system. Overall, just like back in the 1950s when couples would not be seen sleeping in the same bed, television would be one of the safest places for families to enjoy each others company.

## **RADIO CENSORSHIP**

Censorship of the radio occurs at many different levels, from local talk shows to widely released pop singles. The Federal Communications Commission (FCC) is responsible for monitoring the content of all radio broadcasts and enacting penalties for any transgressions. Radio programs broadcasting content that is either obscene or indecent can be cited and punished with a warning, a fine of up to \$27,500, or removal of the station's license.

There is an important distinction between obscene and indecent content, and different limitations are imposed on each. Obscene material is that which applies to the prurient interest, depicts sexual conduct in an offensive way and lacks serious value of any nature. It is not protected by the First Amendment and is disallowed at all times. The FCC defines indecency as "language or material that, in context, depicts or describes, in terms patently offensive as measured by contemporary community broadcast standards for the broadcast medium, sexual or excretory organs or activities." Indecent material cannot be aired between 6 a.m. and 10 p.m.

The basis of radio censorship is the 1978 Supreme Court decision in *Pacific Foundation v. FCC*, notoriously known as "the seven dirty words case." In this decision, the court voted to give the FCC the ability to regulate indecent radio broadcasts because radio can pervade private homes and may be heard by children. This "pervasion" doctrine has been cited in other Supreme Court cases to uphold restrictions on broadcast and cable television, but it was not applied to the Internet because of the Internet's more technical nature.

While the idea behind regulating obscene and indecent content on the radio is admirable, there are many instances in which FCC enforcement is ineffective or sends the wrong message. For instance, some local Spanish channels play a recent popular hip-hop song with an indecent word censored, while English channels don't censor the word. In order for censorship to work, it needs to be administered uniformly no matter what the language.

Another important factor that is not always carefully examined is the context of seemingly indecent material. One example is the fining of Portland, Oregon's KBOO after it played Sarah Jones' "Your Revolution," a song that challenges the objectification of women in rap music. By censoring thoughtful dissertation because of its subject matter, the FCC is taking away the best product of freedom of speech.

For radio censorship to truly work, the FCC must be more careful about picking what to censor and uniformly taking action. Mixed messages only serve to confuse the youth of today, and censoring the wrong content can hurt democracy in our country.

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## **BIAS IN THE MEDIA**

Bias in the media is a negative thing, because it leads to the misconstruing of information presented to the masses, and therefore any future policies that Congresswoman Eshoo legislates need to work to eliminate that bias. In order to diminish media bias, both the media stations and the news recipients must first acknowledge it. The average person must also learn to distinguish what is news from the discussion of news. Mainly, it is not enough to point a finger at just one side of the issue, there must be cooperation between the media and the viewer in order to eliminate bias.

### **The Inevitability of Bias**

As long as there has been a media, there has been discussion of bias in the media. There have been countless studies and organizations, such as the Media Research center, devoted to chronicling this bias. Journalism by nature is biased, in order to sift through countless facts and determine which ones are important enough to make the news a reporter must discriminate. Despite its natural occurrence, consistent and excessive bias in the news has definite negative consequences. The media has tremendous power over popular opinion, and abuse of that power has in the past had great implications. This is evident in the activity of the “Yellow Press” during the Spanish American Conflict at the end of the 19<sup>th</sup> century. In the infamous quote attributed to William Randolph Hearst, “You furnish the pictures and I’ll furnish the war,” the corruption in the media is evident. Bias is not confined to muckrakers of the Roosevelt era; there are many recent examples of skewed reporting in the news.

In order to work towards unprejudiced news representation, it’s important to learn to recognize biased reporting. This means regularly referring to multiple news sources in order to obtain information and comparing the differences between varying accounts of events. One recent striking example of discrepancies in reporting is evident in the coverage of the Iraqi Election. On Sunday, January 31, 2005, ABC, CBS, and NBC, three major broadcast networks, presented drastically different views on the Iraqi election. ABC’s Peter Jennings commented, “...it looks as if the election process has been rejected. This is a huge problem for Iraq as a whole. Without Sunni participation, somehow, the future here is still pretty bleak.” NBC’s Brian Williams expressed “a kind of general unease,” while CBS’s Dan Rather remarked, “So the story here today is not one of violence. The story is one of bravery by the Iraqi people by going to the polls...It took guts to do what these Iraqis did today.” These three instances clearly demonstrate the wide gap in media reporting due to individual biases. Depending on which network a person watched during the Iraqi election, he/she may have gotten a completely different view of the situation. People are always taught to make educated decisions, but how is it possible to make an educated decision based on conflicting information? The problem is that the reporters mentioned above were discussing the news rather than presenting facts. As long as this trend continues bias will continue to permeate media sources.

Media bias extends beyond the political realm. In a study done by researchers at the University of Pennsylvania Health System (1995) it was reported that “two-thirds of

analyzed newspaper coverage of managed care organizations negatively represented” health maintenance organizations. There were 85 articles independently reviewed and scored from the following US dailies: the *New York Times*, the *Los Angeles Times*, the *Chicago Tribune*, the *Philadelphia Inquirer*, the *Washington Post*, and the *Boston Globe*. The results of the study found that 8% of the articles influenced the reader to join HMOs, 67% were likely to lead a reader to be less likely to join, and 25% of the articles were thought to have little effect on a reader’s decision. The majority of the newspaper articles related patients’ hostile encounters with HMOs. According to David B. Bernard, M.D., director of the Health and Disease Management Programs at Penn, and a coauthor of the study, “We believe that if the current negative representation of managed care continues in the press, we will see a widespread backlash of public opinion.” The results of the study demonstrate the scope of bias in the media. When over half of the articles published on HMO paint in a negative light, the media’s agenda is undeniable.

One of the most obvious areas that comes up in discussion of media bias is election coverage. In the 2000 election major networks, like Fox news, were scorned after announcing election results prior to their confirmation, which did not come for more than a month. In the 2004 election, news networks announced that they were going to make a conscious effort to exercise caution in announcing any results. Yet, quotes from CBS Anchor Dan Rather paint a different picture. Rather was quoted as saying, ““No question now that Kerry's rapidly reaching the point where he's got his back to the wall, his shirttails on fire and the bill collector's at the door.” Quotes like these, on a night when the whole country has their eyes glued to the screen, are inexcusable. A news anchor should not have the ability to sway so many millions of people, or make predictions about things outside of his authority to predict. Bias like that of Rather underscores the authority of news networks, depicting them as one-sided commentators rather than objective journalists.

### **News Source and Consumer Responsibilities**

News is biased. There is no two ways about it: bias is never completely ignored. That is because the source, as we all do, has personal opinions, feelings, and experiences that shape what is said and how it is said. Once we realize that bias in the news is inevitable, it must be understood that the responsibility of reducing, not eliminating, bias falls on both the source and the consumer.

News sources achieve bias through word choice, omissions, limiting debate, frame story, and sources. Words are the way in which news is given; they are a means of expression. Whether they be truth or lies, words communicate information. Bias, in many forms, is not necessarily explicit in the words that have been used but can be recognized when seen in the fuller context that the words represent. For example, the *New York Times* had the following headline and opening paragraph: “Iraq forces suspension of U.S. surveillance flights. UNITED NATIONS (Reuters) -Iraqi fighter jets threatened two American U-2 surveillance planes, forcing them to return to abort their mission and return to base, senior U.S. officials said Tuesday.” Compare that with the same headline and opening paragraph from *USA Today*, “U.N. Withdraws U-2 Planes. WASHINGTON (AP)-U.N. arms inspectors said Tuesday they had withdrawn two U-2 reconnaissance planes over Iraq for safety reasons after Baghdad complained both aircraft were in the air simultaneously.” Both these stories depict that “Surveillance flights in Iraqi air space

were ended”, yet they tell two radically different stories of the exact same event. The diction, syntax, and word choice used by the different authors impact the way we see this event, especially with the differences such as “forces” vs. “withdraws” and the phrase “Iraqi fighter jets threatened” vs. “Baghdad complained.” This is just one way bias is achieved.

News sources achieve bias through omission. Omission occurs when important information is not reported or is reported incompletely. When important news is omitted, we get a skewed or biased perspective. News organizations and their reporters have an obligation to seek the truth and be reasonably comprehensive in their reporting. The information citizens need to make informed decisions comes, to a significant extent, from news organizations. If important stories are ignored, are reported incompletely, or present facts that are not adequately verified, then the obligation to seek the truth is undermined.

People in positions of power often try to limit or eliminate debate. Especially when it comes to issues such as national security and war, when those in power’s responses don’t satisfy they often hope that there is little debate or questioning. Sometimes the news sources fall for this trap and don’t adequately question what needs to be. Sometimes they overdo it, when some responses are true and valid and should be accepted.

“In order to quickly and efficiently process large amounts of information and make sense of complex stories journalists use frames. News frames guide journalists in deciding which details of a story to select and emphasize and which to leave out or deemphasize,” writes News Bias Explored website creator. “Frames are usually implicit rather than explicit.” Bias is achieved by allowing which frame to be chosen as more important. The different frame one uses can be used to depict a story a different way. For example, take any case in trial. The prosecution might point out, emphasize, and attack any of the defendant’s poor traits or questionable actions. The defense, on the other hand, will frame the opposite side of the story and focus on the defendant’s good qualities and actions. Ultimately, it falls on the source to see through these.

The sources that are used are often used to achieve bias. A reporter that has bias and intends to express his views can be seen in the sources that are used. He could knowingly use faulty or suspect sources in order to prove his point or sensationalize the story. The use of sources this way can ultimately achieve bias. Clearly, bias is achieved in many ways. It is up to the reader to sift through the news he receives to get the best facts.

Sifting through the news has become more and more integral today as we find that less and less news is trustworthy. This can be seen in cases such as the Dan Rather incident, Stephen Glass’ career, among other incidences of poor journalism or journalistic integrity. Our suspicion of the news has increased over the years. In 1976, seven out of ten Americans trusted the American press (according to a Gallup survey). Today, that number has diminished to just 53%. A contributing factor to this decline in trust is the fact that many Americans see the media as self-serving and self-promoting. This can be seen in tabloids or even respectable news sources such as the *New York Times* where fabricated articles have been printed, albeit through the fault of the author, in order to sensationalize news and sell more copies. As news becomes more and more suspect, the consumer must see through the spin and determine the line between coverage versus commentary, which is increasingly hard to see.

This gives the consumer of the news the responsibility of sifting through the news that they receive. Yet, this can be problematic because it assumes that everyone in America has the time, energy, and ability to critically look at the news they receive and determine what they believe to be the truth. People don't do this because of an intellectual laziness because people want biased news; people often seek reinforcement and validation rather than information. This is shown by a Pew research poll which claims that 43% of those who pay close attention to the news they receive prefer news that suits their own point of view. People want news that evokes feelings, that entertains, and this often comes at the expense of journalistic integrity. News with edge and opinion is more interesting than just straight facts, so this leads us to be open to receiving biased news.

Today, those who do critically look at their news sources say of the media that 9% have a great deal of trust, 35% say its fair, 48% say its too liberal, and 15% say its too conservative.

With today's news sources being suspect, it falls upon us, the consumer, to be the final bias detectors. In order to do this, we must act like journalists: remain independent, verify facts, question assumptions, challenge authority, avoid easy answer, question those in power, be a watchdog. As we must receive the news in order to get information, we must understand our own bias and blindspots as well as the sources. A large part of this is detecting bias which is often achieved subtly. For example, to describe Republican president Eisenhower, *Time* magazine wrote "said with a happy grin, cautiously pointed out, said warmly, devastatingly effective, serene state of mind, frankness was the rule, brisling aside misunderstanding." *Time* Magazine said of Democratic president Truman, "said curtly, said coldly, flushed with anger, the petulant, irascible president, publicly put his foot in his mouth." Clearly, even in the most well reputed sources bias can be found.

Ultimately, it falls on both the source and consumer of news to eliminate bias. The news source must do the most that it can to eliminate the bias that the author holds and prevent it from showing itself in the piece. At the same time, the consumer must be aware of the source, if they are aware of any bias that the source holds and look at it under a microscope and sift through commentary and information. We know that bias can never be fully eliminated, but with the cooperation and effort of both parties of news, the source and consumer, the bias can be sifted out until just the news remains.

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## MEDIA CONSOLIDATION

The Federal Communications Commission, otherwise known as the FCC, regulates the laws that pertain to the media in America. Currently, there is a battle being fought over regulations concerning Media Consolidation. In June 2003 the FCC passed an initiative that allowed larger media corporations to merge, thus promoting competition between publicly traded media firms, and privately owned enterprises. Yet, opposition to this plan has risen and the U.S. Court of Appeals for the Third Circuit will not allow the law to go into effect until the FCC's motives for instating such rules are explained further. There were six main rules that were changed, including the Dual Ownership Prohibition which now prohibits NBC, CBS, Fox and ABC from merging. If any two of these networks were to merge, a mass media corporation would be formed. The initiative also included a ban on the number of local radio and television stations that one corporation can acquire. Lastly, it includes restrictions for the national television ownership limit and Cross Media Limits.

The FCC has defined media consolidation as an effective economic principal citing "localism, diversity and competition"<sup>[1]</sup> as its main proponents.

Faced with the rise of the mass media, the United States federal government enacted a series of policies to ensure the enhancement of the political discourse through these outlets. The *Radio Act* of 1927 established the Federal Radio Commission to license broadcasters, limit radio interference, and serve as monitors for the benefit of both the public and broadcasters. The legislation was, however, ill-equipped to deal with the communications boom that was occurring. It was vague in many aspects, only mentioning networks once. Moreover, its limits to radio led to the passing of the *Communications Act* of 1934, which charged the new Federal Communications Commission with regulating the radio spectrum, including radio and television broadcasting, interstate telecommunications, wire (in an effort of productivity, regulation of wire communication was transferred from the Interstate Commerce Commission to the FCC), satellite, and cable, as well as all international communications that originate or terminate in the United States. The Act included definitions of the new media forms, as well as terms involved in each medium. Amended numerous times, most notably through the *Telecommunications Act* of 1996, the Communications Act has laid the groundwork for following media regulations. For example, in 1941, both the Local Radio Ownership Rule and the National TV Ownership Rule came into existence, establishing tools to combat media monopolies. Then, in 1946, the Dual Television Network Rule was enacted, prohibiting inter-major network purchases. 1964 saw the passing of the Local TV Multiple Ownership Rule which required a broadcaster to own no more than one station in a market with seven or fewer stations. Cross-ownership rules restricting television broadcasters from owning a radio station or newspaper in addition to their television channel in the same market arose in 1970 and 1975 respectively. The thesis for regulatory laws was explained in the 1945 Supreme Court case *Associated Press v. U.S.*,

where Justice Hugo Black delivered the court opinion that “the widest possible dissemination of information from diverse and antagonistic sources is essential to the welfare of the public.” Media consolidation, however, limits the range of sources and, therefore, conflicts with societal welfare.

Nevertheless, these foundations of regulation began to steadily disappear. Spurred principally by the acts of the Reagan administration, through the leadership of FCC Chairman Mark Fowler and congressional support, a series of deregulatory rules followed, increasing ownership caps. The number of television stations any single entity could own grew from seven in 1981 to twelve in 1985 as a result of these operations. Furthermore, Chairman Fowler, having sworn in public to eliminate the Fairness Doctrine, began steps to see to its ultimate removal. Created after the FCC allowed violations of the Mayflower Doctrine of the early 1940’s, which prohibited editorializing by stations, the Fairness Doctrine required broadcast licensees to present controversial issues of public importance in a balanced manner and required broadcasters to let an identified person or group, whose honesty, character, integrity or like personal qualities had been attacked, respond to the claims. In 1985, the FCC issued its Fairness Report, asserting that the doctrine was no longer effective and, instead, had a "chilling effect." The report also claimed that a violation of the First Amendment of the United States Constitution was present in the Doctrine.

However, in *Red Lion Broadcasting Co. v. FCC*, the Supreme Court upheld the constitutionality of the Doctrine. Justice Byron White, in the court opinion, wrote,

“Although broadcasting is clearly a medium affected by a First Amendment interest... differences in the characteristics of new media justify differences in the First Amendment standards applied to them...The reach of radio signals is incomparably greater than the range of the human voice and the problem of interference is a massive reality. The lack of know-how and equipment may keep many from the air, but only a tiny fraction of those with resources and intelligence can hope to communicate by radio at the same time if intelligible communication is to be had, even if the entire radio spectrum is utilized in the present state of commercially acceptable technology...Where there are substantially more individuals who want to broadcast than there are frequencies to allocate, it is idle to posit an unabridgeable First Amendment right to broadcast comparable to the right of every individual to speak, write, or publish. If 100 persons want broadcast licenses but there are only 10 frequencies to allocate, all of them may have the same "right" to a license; but if there is to be any effective communication by radio, only a few can be licensed and the rest must be barred from the airwaves. It would be strange if the First Amendment, aimed at protecting and furthering communications, prevented the Government from making radio communication possible by requiring licenses to broadcast and by limiting the number of licenses so as not to overcrowd the spectrum... Because of the scarcity of radio frequencies, the Government is permitted to put restraints on licensees in favor of others whose views should be expressed on this unique medium. But the people as a whole retain their interest in free speech by radio and their collective right to have the medium function consistently with the

ends and purposes of the First Amendment. It is the right of the viewers and listeners, not the right of the broadcasters, which is paramount...It is the purpose of the First Amendment to preserve an uninhibited marketplace of ideas in which truth will ultimately prevail, rather than to countenance monopolization of that market, whether it be by the Government itself or a private licensee.”

Although the decision spoke primarily of radio communications, the premise is applicable to most forms of media, in that because it is nearly impossible to allow anyone to attain a media outlet due to levels of convenience, monetary issues, and restrictions placed by availability, showing a clear inequality in opportunities to speak, thus violating the text of the First Amendment, we must look to preserve at least the purpose of the Amendment, which was to promote a wider range of viewpoints in the public discourse.

Nevertheless, in 1987’s *Meredith Corp. v. FCC*, the courts relieved the FCC of its duty to regulate based on the doctrine due to a lack of a congressional mandate, which led to the doctrine’s dissolution. Later, an effort to revive the Fairness Doctrine in law was vetoed by President Reagan. Further efforts surfaced under the Bush Sr. administration, but were once again vetoed.

It was the *Telecommunications Act* of 1996 which had the most substantial effects on media ownership rules. For example, the act allowed a 35% cap, increased from 25% previously, on national television ownership. Previously, radio ownership was limited to 24 stations nationally. Furthermore, the 40 station ownership limit for radio broadcasters was removed, prompting increased consolidating activity. The Consumer Federation of America reports that over 9,000 of the total 10,000 stations were bought and sold five years after the Act was passed. The Federation further informs,

“In the past 25 years, the number of TV station owners has declined from 540 to 360...The number of TV newsrooms has been reduced by almost 15 percent...The overwhelming majority of local TV markets are tight oligopolies (fewer than six equal sized firms) or duopolies (two, relatively equal-sized, firms that dominate the market). There has been an increase in the number of cable channels, but almost three-quarters are now owned by only six corporate entities, four of which are major TV networks. While there is more variety in programming, there is not necessarily more diversity. Cable operators produce national programming and a few have moved into regional programming, but there is little local programming or news. Cable operators continue to have a virtual monopoly at the point-of-sale in the multichannel video market (a market share of over 80 percent). Mergers have created regional monopolies as well... The decrease in the number of owners of daily newspapers is even more dramatic, from over 860 in 1975 to fewer than 300 today. The majority of local newspaper markets are monopolies; all markets are at least tight oligopolies. Combining newspaper and television ownership, the number of independent voices has been cut by more than half since the mid-1970s, from about 1500 to just over 600.”

Though these consolidating efforts cannot be statistically linked to any loss of knowledge or understanding of the audience, they do represent a theoretical threat. A false interpretation of the First Amendment, which benefits corporations rather than the general public, has been institutionalized to promote the fundamentals of competition for economic stability. However, if this freedom to compete results in less competition due to monopolies stifling the market, should the means truly be valued over the ends as they are now, or should we look to the welfare of the public as Justice Black advised? It is necessary to preserve and enhance the public discourse, as this is the key tenet of democracy, which was founded upon the principle notion that the majority of people would be wiser in decision-making than a select few. Skeptics of the ability of large numbers of people to govern themselves well, such as Thomas Hobbes, claimed that the masses must trust the powers of governance with a sovereign authority. Plato, in The Republic, also distrusted the public, and instead expressed a theory by which only enlightened philosophers could rule a state of citizens who would never have the capacity to understand the enlightened truths. In the United States, although a higher level of trust was placed in the community, a system of accountability was enacted, through various checks and balances between branches and most importantly a representative system where qualified elected officials would carry out the will of the people as long as it is in their best interests; yet, this is still not enough. In a country increasingly reliant upon the media for information, there lies an outlet through which different perspectives as well as general information may be disseminated in order to educate citizens to become more able and deserving to exercise their right to participate in the democratic process, by voting and debating. Media consolidation harms this notion as the number of viewpoints and the quality of debate is limited through the possibility of conformity of opinion and diminished journalistic levels of objectivity, as a result of a few conglomerates having the power to control the content of the media.

Furthermore, a loss of localism results. Many local stations now broadcast programs from large networks that only report on national and world news. The national news is much more widespread and, therefore, easier to produce. In addition, there is a loss of local value. There becomes a demand for excellence, and less of an appreciation for what the local community has to offer. In the entertainment business especially, local artists cannot produce goods with the same quality as objects that are mass-produced so people are more drawn to the 'better' quality products. Also, it is hard for local artists to get publicity unless they go through the big networks. However, that entails making a contract with the network, which tends to benefit the corporation, putting the artist at a disadvantage. It also gives the network control over what the artist can do, reducing their possibilities.

Media consolidation additionally influences local communities. The majority of news programming on television and radio broadcasts only national and worldwide news, which causes the individual citizen to feel insignificant in the context of the whole system. It makes them feel as if they have no influence and, thus, are less likely to be active and take part in the democratic process. The networks' selectivity is also a problem. Networks are not likely to run stories that put a bad face on their corporate sponsors, and as a result, information gets sacrificed.

Safety is also at risk due to media consolidation. On January 18, 2002, a train carrying hazardous materials derailed in Minot, North Dakota, spilling 210,000 gallons of

anhydrous ammonia. Clear Channel Communications, which owns six out the seven commercial stations in Minot, had no one available to make the warning announcement when authorities contacted the broadcaster. This was a result of Clear Channel Communications' lack of commitment to the Minot area's local news.

A recent attempt by the FCC to further deregulate and loosen media ownership rules in June 2003 was struck down by the Federal Court, which questioned the Commission's methodology in how they arrived at their new conclusions. The Bush administration on January 27, 2005 announced plans to drop an appeal to the Supreme Court. Given this change in the climate concerning media consolidation, it is necessary to take steps to ensure a solution is reached. In concurrence with Justice Hugo Black, a wide range of voices present in the media is crucial for the welfare of the public. Hence, efforts to reestablish regulatory laws, which have been removed since the Reagan administration, should be instated. Ownership rules should be returned to their stature as existent before deregulatory changes made in the Reagan administration. This will create a new Fairness Doctrine, under which broadcasters will not have to worry about alienating their audience through giving substantial airtime to opposing viewpoints, but which will allow, through restructuring, different ideologies to have outlets of their own in the media. To compensate for legitimate monetary concerns of corporations as a result of restructuring, tax certificates may be issued. Moreover, a subcommittee must be created to continually monitor the actions of conglomerates and their commitment to the political discourse. Finally, the importance of the internet and weblogs could be stressed through ad campaigns directed at those who lack a voice or a means to acquire media outlets in television, radio, or newspapers. With all these measures, we may insure the safety and prosperity of the United States of America.

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## News Source Confidentiality

### History of Laws

Currently, journalists are not protected by the First Amendment when responding to grand jury subpoenas regarding the confidentiality of a source's identity. The 1972 Supreme Court case, *Brazenburg v. Hayes*, ruled against journalists in a five to four vote. In 1991, the Supreme Court ruled that a reporter's word of confidentiality is a contract between the source and the news company representing the reporter. News organizations that breach that confidentiality are held legally responsible. Since *Brazenburg v. Hayes*, thirty-one states have adopted statutory shield laws that provide protection for journalists. The shield laws were intended to provide guidelines for prosecutors to follow before requiring a reporter to reveal a source. However, the federal government has not yet adopted these shield laws.

Several news companies have adopted their own policies. The *New York Times* Company requires reporters to clearly explain why they feel a source's identity should remain confidential. If the reporter does not reveal the source's name the word "source" must be given a meaningful modifier to give the reader more information about the nature of the source. In addition, reporters must reveal the means by which they received the information. Like many other news companies, the *New York Times* Company does not place sole responsibility on the reporter. The editor is also responsible for maintaining source confidentiality.

Matthew Cooper, of *Time* Magazine, and Judith Miller, of the *New York Times*, are facing jail time for refusing to testify and reveal their sources to a grand jury. A 1982 law made it illegal for government officials to reveal the identities of covert agents. Because of this, the two reporters are being prosecuted for refusing to reveal the source that revealed the agents' identities. This case will be heard by the United States Court of Appeals and could go on to the United States Supreme Court.

### Recent Cases

In 2004, baseball players Barry Bonds and Jason Giambi testified before a grand jury on performance-enhancing drugs in major league baseball, both of them revealing they had taken steroids or human growth hormones. Although grand jury testimony is meant to be completely secret, the *San Francisco Chronicle* got wind of the story and ran with it. As this was a violation of federal law, an investigation was begun, and the *Chronicle* reporters involved were ordered to reveal their sources, and journalists from other publications who ran with the story were charged with contempt for protecting their sources. Ironically, the players themselves have thus far escaped punishment from the league.

Since 1998, then-13-year old Nicholas Ciarelli has been running the website ThinkSecret.com, which prides itself on having advanced information on upcoming Apple products, was recently sued by the Apple company for revealing trade secrets. Apple claims that Ciarelli induced its employees to divulge information that broke the nondisclosure agreements within their contracts with the company. Refusing to reveal

who he gets his information from, Ciarelli denies the charge, and is fighting the case in court.

Finally, there is the case of former CIA agent Valerie Plame. In 2003, the war in Iraq had been waging for months, and the calls for proof that Iraq had weapons of mass destruction (the impetus for going to war in the first place) intensified. Former ambassador Joseph Wilson, Plame's husband, had criticized the Bush administration, saying that, "some of the intelligence related to Iraq's nuclear program was twisted to exaggerate the Iraqi threat." A week later, journalist Robert Novak wrote a column that exposed Plame's identity as a CIA agent, effectively ending her career. He quoted anonymous senior members of the Bush administration as the source of this information, leading some to believe that this was done in retaliation for Wilson's criticism, but the investigation is still ongoing, with Novak refusing to offer up his sources. Although Novak would seem to not be facing any charges, numerous publications and reporters who used the same information are facing jail time.

### **Actions now**

Different organizations and politicians are attempting to find their own answers to the many cases of late that prosecute reporters for refusing to reveal their sources. One such case is the *Free Speech Protection Act of 2004*, sponsored by Senator Christopher Dodd. This act would provide "absolute protection" for confidential sources. The reporter would never be criminally accountable for not disclosing the source, whether or not the source was promised confidentiality. While shield laws such as this one exist in 31 states and in the District of Columbia, there is no federal law in action. Many of the recent cases involving jail sentences for journalists have been prosecuted through the federal system.

Also, this legislation would extend source protection to "electronic means of disseminating news or information to the public," according to ZDNet Australia. Online journalists would be provided with this "absolute protection" as well.

"This legislation is fundamentally about good government and the free and unfettered flow of information to the public," Dodd said in a published statement about the act, according to *Editor & Publisher*[online]. "The American people deserve access to a wide array of views so that they can make informed decisions and effectively participate in matters of public concern."

While this bill was introduced in Congress in November 2004, Dodd reintroduced the bill in the current session of Congress with Congressmen Mike Pence and Rick Boucher. The new bill is similar, entitled the *Free Flow of Information Act*, and was introduced in Congress on April 28, 2005. The federal courts would have to meet nation standards before issuing subpoenas to reporters. This bipartisan effort also shields journalists from revealing their confidential sources. The parts to this act are not novel, as the act merely writes into law the adopted 1973 Justice Department guidelines, which were instated as a result of the Supreme Court Decision. These guidelines include three different conditions that must be met: The court must try all alternative sources before making a reporter testify, all information must be essential to the case and of substantial importance, and the Federal authorities cannot make a reporter disclose the identity of a confidential source.

The *Paul Revere Freedom to Warn Act* is another piece of legislation currently in Congress that goes along with the protection for the journalists. This legislation is supported by the Government Accountability Project, a 26-year-old organization that helps whistle-blowers in corporations and in the government. Whistleblowers are defined as people who point out lapses and misdeeds of federal agencies or corporations. This act offers increased protection for law enforcement agents who “blow the whistle” on misdeeds in the federal agencies. The Act states that many tragedies like September 11 could have been avoided or its effects could have been mitigated had the federal agencies responded to warnings, such as those regarding security in airports. The older *Whistleblower Protection Act* has many loopholes, and only 1% of the cases brought by whistleblowers to court were successful, as they were usually treated like treason, according to attorney Stephen M. Kohn, author of *Concepts and Procedures in Whistleblower Law*.

This new act states that its purpose is to “protect people in either the public or private sector who defend the United States by exercising their duty as patriots to warn against the existence of threats to weaknesses created by institutional failures that should be identified and corrected in a timely manner.”

We believe that these three bills are very important to both the right to free speech as well as the development of a journalist’s rights. The *Whistleblower Protection Act* would help to encourage people to speak up against corruption and other problems in larger corporations without fear of too many negative repercussions. The public must have the right to know the facts on news issues that affect them, and maintaining the confidentiality of reporter’s sources is important to attain this goal. The press must be allowed to report on problems within the government system, and its reporters must have the freedom to do so.

“It is in the public’s best interests that reporter’s privileges are preserved, and Sen. Dodd’s bill is the first step toward providing stronger protection for journalists,” John F. Sturm, president of the Newspaper Association of America, stated on *Editor & Publisher* [online].

Reporters and the challenging stories that they report are crucial to a functioning democracy, and these bills help to protect all citizens from government and corporate corruption.

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## INDEPENDENT MEDIA

Independent Media holds great value in today's society as an alternative outlet, meant to be free of the pollution resulting from corporate and government influences. It is also seen as a necessary voice, shedding light on the need to reform current media and its effect on the public perception of events.

So far there has been no legislation directly impacting Independent Media. The only thing we can do as a community is advocate for its case, hoping that some provision may be made to strengthen independent media sources while maintaining a laissez-faire relationship with corporate and government sponsors. This provision could be specified and strengthened through further monopoly laws regulating the media industry. Save for the few non-profit independent media stations, papers and programs, five media giants currently dominate the industry. These particular corporations essentially hold the reins of power to broadcast any news of their choosing for Americans to hear, watch, and believe.

Seeking truth in daily conflicts holds great importance for numerous individuals. Despite the addition of many modernized sources of spreading uncorrupted media, as the 21<sup>st</sup> century progresses, a trust of corporate interests now has control over the quality, quantity, and distribution of media. According to the *Media Reform Information Center*, the media industry has been compromised by a monopoly imposed by five major billion dollar corporations: Time Warner, Disney, Murdoch's News Corporation, Bertelsmann of Germany and Viacom (formerly CBS). Such an inflexible situation calls for the minority to take action against the corruptible majority. *Independent Media Center* and *Independent Media TV* are just two organizations that have risen to the challenge. They are dedicated to the continuation of independent media for the sake of untainted coverage of media issues.

One of Independent Media's most equalizing factors is public participation. Many independent organizations would not exist without the support of committed reporters, volunteers and other members of the community. Lack of participation and an uphill battle to co-exist alongside corporate outlets are the main reasons that fledgling independent media sources are unable to become successful in this environment of information and interests. To counteract the biased opposition, continued and increased public participation in alternative media is essential and may contribute to significant changes to the current industry in the future.

One of the most popular features of alternative media sources, like *Independent Media Center*, is open publishing. This allows for all readers to contribute their individual opinions and ideas about current events through a given media outlet. Such an unrestricted expanse of information is not always suitable in several forms of media for plausible reasons, such as news channels that do not have the means or airtime to broadcast the beliefs of every willing interviewee. Then there are reasons not based on maintaining appropriate standards, which thinly cloak agendas with biased objectives.

Supporting open publishing is another form of supporting the continuation of Independent Media as well as freethinking.

In recommendation, Independent Media should be free of all possible hindrances upon its survival. The community also needs to address the growing media monopoly that does not allow for competition by various news organizations, which can be corrected with diversified ownership. Government funding provides for member supported broadcast stations, among them KALW and KQED. However, once the provided grant is spent these stations must raise money themselves to continue their broadcasts. KQED has been fairly self sufficient since the 1960s but sadly other outlets have not achieved the same longevity. The government holds no jurisdiction over the mouths of KQED's reporters, and while some corporations donate to them, the radio station is free of corporate influence.

As a function of enlarging this grant, the successful government-supported, but not government-controlled, media industry could be expanded into newspapers and perfected in the television industry. Any state could be left to its own devices for its definition of independent media and the allocation of the grant to organizations meeting such a description. Such an alternative media source could be reported with respect to local news as well as that on a national level. Open publishing could be used for reliable eye-witness accounts on local news, thus ensuring public representation. Reporting could retain a non-corporate, non-government perspective and provide the most unbiased coverage possible, finally allowing the public to formulate its own educated opinions about the world.

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## RACE IN THE MEDIA

### **Introduction:**

In the 1960s the United States officially abolished racial discrimination in our nation. However, disparities still exist. Nowhere is this more evident than in the media—news reports, sitcoms, movies, and even sports promote inequality based on race. But to what extent is this true, and what can our federal government do to rectify the situation? As non-voting constituents we took it upon ourselves to research four distinct areas, which highlight this inequality in one of the most influential and important aspects of our society—media coverage, advertising, media personnel, and pop culture.

### **Media Coverage:**

Although many efforts have been made to stop inequities in this area of the media, national news and advertising still differentiate on the basis of race. There are often outcries about the missing persons cases that receive airtime—more often than not they are white, middle class females. But the issues are even more widespread—guest speakers on newscasts are disproportionately white. In more “intellectual” stories, a relatively small number of minorities are brought in to comment, as opposed to public interest in sports stories where their presence is much more prevalent. Furthermore, when blacks were reported on, they are “more likely than whites to be portrayed without distinct identities and to be grouped with negative associations.” (*NC State News*).

### **Advertising:**

Advertising exhibits racial disparities as well. In national and local advertising, the overwhelming number of actors pictured are white or at least in relationships with others of the same race. When blacks and other minorities do play major roles in advertisements, they are usually seen “pitching necessity products—groceries, drugs, and household items,” whereas “ads promoting luxury items and fantasy lifestyles,” (*NC State News*), generally are portrayed by all-white casts. It is important to realize that advertisements are designed to appeal to the largest and most relevant audience possible, and therefore will obviously reflect popular views of economic and political differences between various ethnic groups. Therefore, the responsibility for reversing these trends cannot lie with advertisers primarily but rather with the programming they are have airtime on. When these shows are designed to cater to the entire nation, not specific groups determined by racial classifications, advertising can follow suit without economic setbacks.

### **Media Personnel:**

On the management level, studies have found that a more diverse ownership group does not necessarily translate to more balanced reporting. This initially seems counterintuitive, but it simply denotes a universal social impulse to uphold common perceptions. However, this impulse does not translate equally to underrepresented groups; while women’s entries into the media industry both onscreen and off have continued to

rise, minorities' gains seem more stagnant. In one survey conducted among three major ethnic groups, both blacks and Hispanics participated far less in such high profile and widely viewed positions.

### **Race and Pop-Culture:**

While media coverage and personnel are important, what really shapes the attitudes of our society is pop-culture. According to Dr. Robert Entman and Dr. Andrew Rojecki, "Though black actors have gained a larger presence in Hollywood productions and major news outlets, the media still reflects components of modern racism." (Salim Muwakkil) Instead of pandering to blatant racism, television shows and movies of today instead employ more subtle techniques. For example, in the recent film "Hitch," the cast deliberately choose a Cuban actress as Will Smith's love interest, fearing that a movie featuring a black romance would be perceived seriously, while an interracial relationship between a black man and white woman would also keep some viewers away. Furthermore, in older movies such as "Jerry Maguire", Cuba Gooding Jr., although a talented football player, is portrayed as being intellectually slower and with "little financial knowledge." (Salim Muwakkil). As for television shows and programs, the relative number of black people in shows catering to the general public is very small. Of these, most are incidental characters, providing comic relief or always getting into scrapes. The few that have truly leading roles are either seriously flawed or have "prototypically white traits." (Salim Muwakkil). For example, in "Crime Scene Investigation," the only black character also happens to be the one with a serious gambling addiction.

### **Federal Government's Role:**

Although media stereotypes do not expressly impact the government, their effect is undeniable. In our democracy, the views of the people determine their representatives and their actions once they are in office. One well-documented example of this is our nation's attitude toward the justice system found in a study by Lori Dorman, member of the Berkeley Media Studies Group, and Vincent Schiraldi, member of the Justice Policy Institute, published in 2001. They found that news coverage of juvenile crime was so disproportional to reality that 62% of those surveyed felt that it was increasing when crime rates were actually at a two-decade low. This spurred lawmakers to push for harsher penalties for juvenile criminals to address people's concerns. More to the point, the study found that minorities were also a disproportionately large portion of crime stories, and referred to another study of *Time* and *Newsweek* stories. In this study, the phrase "young black males" was found to be synonymous with "criminal." Human Rights Watch has traced this type of equation to larger social trends in a report. They found that "there are five times more white drug users than black ones, but African Americans are imprisoned at several times the rate of whites." In a study by Devah Pager, a sociologist at Northwestern University, "white applicants with prison records were more likely to be hired than black men without records." It is not hard to see these concerns or attitudes involving race impact our political system in the same way that those involving juvenile crime did. (Salim Muwakkil).

### **Recommendations:**

Racial equality in something as important as the media should be one of the government's primary concerns. Media outlets only "reflect political, economic, and market pressures from the real world," (NC State News), so any meaningful change must come from a larger presence, such as the federal government. While first amendment issues limit the ability of the government to legislate media content, there are still several alternatives that should be explored. For example, the FCC, which has regulatory abilities, could easily extend those abilities to restricting racism along with pornography and crude language. This is not to say that programs supporting marginal views should be banned, but that it is the responsibility of the media is balanced, be it within specific or general programming.

We believe that the *Fairness and Accountability in Broadcasting Act* passed this February accomplishes all this, and we endorse it. In this act Congress acknowledges that regulation is necessary to ensure that all types of media serve the "public interest." While the document focuses specifically on fairness and balance of political coverage, it can and should be further applied to matters of racial representation. We hope that it receives proper attention and is fully implemented and well patrolled.

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## Media in the Judicial Process

Media has a wide range of areas which it affects, one being the judicial process. Although the judicial process is always and ideally supposed to be objective, the media does influence it, sometimes in excess. For numerous cases, various results of trials, hearings, or sentences were changed either in outcome or in process because of media influence. Although media tries to report the truth about recent or current events, sometimes it has an undesired (or desired, depending on the circumstances) effect on the judicial process. It is wrong to allow the media such strong power in a sacred process that has been with the United States for centuries. In terms of the public, unfortunately, it seems as though trials have become another sort of reality TV show instead part of the judicial process. This must not happen, because it causes people not to take these forms of demonstrating the law seriously, and this could in fact endanger our very system. Something that also needs to be considered is that justice is a value that we as a nation are currently trying to impart upon other countries; in itself, it is hard to try and nurture this concept at all, and the media's influence essentially contradicts all of the principles of the law.

California jury instructions address the media's possible effects on the jurors in the pre-trial admonition included in the general instructions for all cases in several ways. Jurors are told they must determine the facts from the evidence received in the trial and not from any other source. They must not "independently investigate the alleged facts or the law or consider or discuss facts as to which there is no evidence... Must not converse among [themselves], or with anyone else, on any subject connected with the trial... Must not read or listen to any accounts or discussions of the case" reported by the newspapers or other news media, including the radio, television, the Internet or any other source. These instructions provide strict guidelines upon which the jury should act, although they do not set any physical restrictions on the lives of the jury members. The only repercussions the members might face if they do not comply with these regulations are expulsion from the jury – that is, assuming they are caught. There is no way to actually ensure that the jury will adhere to all of the rules.

Another "hot topic," so to speak, is the influence that the media has on the war in Iraq, and how it should treat the terrorists that it catches. Perhaps the fact that there is so much racial prejudice against many Middle-Easterners lately contributes to their treatment and punishment. However, one of the reasons that this discrimination has happened is because of the influence of media: it is not the fault of the US government, contrary to many people's beliefs. The media may be in support of the notion that all people from a certain region of the world are either a threat or absolutely wonderful for the United States. However, this is not true: there are many good people from countries that are "bad," there are an equally large number of bad people from "good" countries. This is extremely unfair to anyone involved, firstly for the various parties being

discriminated against, but also for the views of the people making a decision. It is not up to the media to decide these issues: it is a violation of free thinking to people everywhere.

One other area of discussion is the intimidation of judges that becomes apparent with the influence of the media. If one news source reports an unfavorable view that could possibly make a judge look bad, that judge may change his or her own views in order to contradict the image that has been associated with that person. However, if the judge's decision was correct or more ethical to begin with than the one which the media was forcing him or her to conform to, that is by all standards wrong and unfair to the judicial sense if that party was a judge, or another law enforcement representative. The impartiality that has become synonymous with the word "judge" must remain that way in order to ensure that the trial or hearing or case results in a fair outcome. If the media tells a judge that he or she will be offending someone of a higher political power, or otherwise, that judge may unethically change his or her opinion. This is not to say that all judges will conform to what society tells them, but this is just to mention some of the few who unfortunately may. It is up to a higher authority to help assure that this does not occur.

Many times, the issue has been argued that not allowing the media to express itself would be violating the First Amendment: this is absolutely correct. In order to fix one issue, it is not a good idea to go against the current standing laws; that would defeat the whole purpose. The idea, however, of *delaying* what the media has to say is in no way a violation of the law. That would simply allow the federal and state courts to have fair trials. The most important thing that must be upheld is the inviolability of the United States judicial system. After all, without this vital aspect of the nation's government, things would be extremely different today, and most likely the whole Constitution would no longer be enforced as strongly. If there were no longer a fair judicial system left, there would be no reason to be concerned with upholding the Constitution. To prevent this from happening, the media must be censored to a point that it does not violate any current standing policies. This can be achieved by allowing the media to give basic facts of a case during the trial. However, once the trial is over, the media may release videotapes of the case itself, and give whatever opinion they deem suitable. The only purpose of this precaution is to ensure the judicial process will remain fair. In this way, both parties will be content with the solution presented.

As the judicial process and review are difficult to regulate in terms of media, I propose that Congress not allow the federal and state courts to have televised broadcasts from the courtroom shown until after the case has closed. Facts about the case will still be available to the public, but no opinions of the media will be expressed until after the case is finished. In this way, the principles of the First Amendment will be protected, and the media still will maintain the right of free speech. The judge will also have the right upheld that his or her ruling will not be influenced by another source; only the facts of the case will determine the outcome. It would also benefit the system to have juries, if necessary, be selected by a more extensive interview and not just based on observance of being a good citizen and asking superficial questions because this may not accurately portray a person as to his or her own views or various prejudices. Jurors must be selected

carefully in order to ensure that there will be limited factors influencing a person's ability to make a fair decision. As it has been well observed, the media does have a great deal of influence on the judicial process. Not only does it influence the outcome of a case, but it also could possibly cause the case to become unethical, immoral, or simply unjust. One thing that deserves praise is the upholding of the law in a fair, just, and moral way. If this is not done, the entire concept and point of it will be lost. It is hard to accomplish this difficult task even without the media interfering; therefore, we must try to ensure that the media will no longer have an opinion-changing effect on the judicial process.

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## ELECTION COVERAGE

A major issue with the media occurs once every four years – election coverage. Many of the issues that require revision are the questions of advertisement, candidate privacy, exit polling, debate coverage, and equal time.

### Advertisement

Campaign advertisement is often used in misleading and untruthful manners. A definition of bipartisan advertising is called for. The *Bipartisan Campaign Reform Act*, signed by the president in March 2002, and championed by Senator John McCain of Arizona and Senator Russell Feingold of Wisconsin, presents the most significant Amendments to the *Federal Election Campaign Act* in more than a quarter century. The two main issues the *BCRA* focuses on are the use of “soft money” in campaigns, and the redefinition of a campaign advertisement and restrictions. The *BCRA* prohibits the spending and raising of “soft money” by federal officeholders, candidates, national parties, and state and local parties in relation to election. “Soft money” is defined as funds that are otherwise prohibited by law for use in campaign activity (funds that come from individuals in excess of the contribution limits or funds that come from corporate or union treasuries.) It is notable that a Milwaukee group has argued that the “soft money” regulation is in violation of the First Amendment right for grass-roots organizations. The *BCRA* also presents a new definition of a campaign advertisement versus an issue ad. For instance, an advertisement sponsored by a candidate is obviously a campaign ad, but the new amendments imposed by *BCRA* also state a “bright-light standard” that declares that any advertisement that depicts a candidate within 30 days of a primary election or 60 days of a general election also is eligible for federal campaign restrictions. On the other hand, “issue ads” are any ads that do not include the words “vote for”, “elect”, or “vote against”, or clearly advocate a candidate. These ads are not subject to campaign regulation. Often non-partisan groups run partisan ads on radio or television and are not subject to regulation, as well as being exempt from other campaign activity. The *BCRA* is trying to prevent this regulation oversight.

### Candidate Privacy

Candidate privacy is an issue that debates the level of confidentiality that should surround a candidate for public office. Specifically, medical record confidentiality is an issue that stands out in this field. As of now, physicians may not disclose private medical information to anyone not involved in the patient’s care without the patient’s authorization. Many feel that the only medical information to which the public should feel entitled is the information that indicates, to a reasonable medical probability, that a presidential candidate will not survive a four-year term. Disclosure of medical records

may prevent the official from seeking help when he or she needs it, to the detriment of both the candidate and the country. Most doctors and politicians alike agree that the majority of a president's medical information will not tell the public whether a candidate will be a good president.

### **Exit Polling**

Another region we researched under the media's effects on the election process was exit polling. Currently, the Edison/ Mitofsky group conducts the exit polling for the National Election pool that includes NBC news, ABC news, the Associated Press, CNN, CBS news, and Fox news leaving little or no discrepancy amongst news sources. The questions asked by exit pollers are prepared by Edison/Mitofsky, which allows no input from the public. The sample size varies from state to state with 1,480 precincts around the country thus there is no experimental sample set.

Exit polling has both negative and positive aspects, for example, it can help debunk fraudulent vote counts, but it can create unsound predictions that can waver a voter's vote. Although exit pollers argue that exit polls simply explain voting patterns, many West Coast Americans rely on exit polls to vote for the expected "winner" of the election, which can greatly change the results of an election. The *New York Times'* Jim Rutenberg reported that exit-polling companies have had many early errors when predicting the winner in the 2004 election. Kerry supporters were much more willing to spend time and take the surveys than Bush supporters, which made it look like Kerry was in the lead. Also surveyors can be untruthful if the person taking the survey decides to act fraudulently. The discrepancies between predicted percentages and actual percentages between the 2004 candidates are small, but they can change the outcome of an election. For example, in Ohio, Kerry was predicted to win by 4.2 percent, but lost by 2.5 percent to the incumbent President Bush.

Exit polling has never been academically studied thus no one knows if it is an accurate practice and if it follows a formal procedure. A few exit polling companies give their results to the media which in turn creates less disagreement over results thus more chance of fraud. We suggest that there should be more exit polling companies so there will be more accurate predictions because the companies will compete for the most precise results. We also recommend a formal review and study of exit polling by an upstanding university to test if exit polling practices are accurate and beneficial to the election process.

### **Debate Coverage**

Election Coverage and the Current Debate System are critical components of the media's impact on the general public. The media's coverage currently influences millions of Americans as they cast their ballots, particularly undecided voters. Additionally, unreliable information and biased media can confuse and upset undecided voters.

Currently, the Commission on Presidential Debates handles almost all of the debates, their format, and coverage. This commission was "established in 1987 to ensure that debates, as a permanent part of every general election, provide the best possible information to viewers and listeners. [The CPD's] primary purpose is to sponsor and produce debates for the United States presidential and vice presidential candidates and to undertake research and educational activities relating to the debates". The CPD, a

nonpartisan, nonprofit organization, has sponsored all the debates since 1988. The general average number of election viewers has been on a steady rise, with approximately a 40 million viewer average in the 2000 debates and a 50 million average in the 2004 debates. During past debates, a variety of rules have been enacted ranging from candidates not being able to ask each other direct questions to not being allowed to use notes.

From our perspective as youth, these rules appear reasonable and adequate. Furthermore, the process of candidate selection and the debates themselves are clear, concise, and fair. We believe that the Commission on Presidential Debates is effective and that largely due to actions enacted by the CPD, the media has an accurate portrayal of the debates. The few restrictions that the youth support are the possible presence of a third-party candidate to offer more diverse opinions during the debates and better post-debate analysis (which is mainly covered in the other parts of election coverage). However, in general, we have concluded that the media should continue to be allowed to freely cover the elections and the actual debates (not the post-analysis) with as few new legislation and restrictions as possible because the current rules for the actual debates themselves are sufficient. It seems logical that the general public have access to fair, reliable, and news-worthy media. At this point in time, the media's election coverage pertaining to the debates has been impartial and effective.

### **Equal Time**

The equal time, or more accurately, the equal opportunity provision of the Communications Act requires radio and television stations and cable systems which originate their own programming to treat legally qualified political candidates equally when it comes to selling or giving away air time. Simply put, a station which sells or gives one minute to Candidate A must sell or give the same amount of time with the same audience potential to all other candidates for the particular office. However, a candidate who can not afford time does not receive free time unless his or her opponent is also given free time. Thus, even with the equal time law, a well-funded campaign has a significant advantage in terms of broadcast exposure for the candidate. In recent elections, equal time has posed an issue on two major grounds. Documentaries favoring one candidate and finding fault with the other, like *Fahrenheit 9-11*, have been made during an election year without a similar documentary of equal time being released at the same time. Furthermore, through the use of blogs, candidates are not receiving equal time, and thus breaking the law set by the *Communications Act*. Political films, documentaries, or movies favoring one candidate over the other should not be released during an election year, unless the same company is releasing a similar movie of equal time for the other candidate. Legislation should reinforce the equal time provision and punish those organizations that do not abide by the *Communications Act*.

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## **THE MEDIA: IN TERRORISM AND WAR**

### ***Introduction***

The media's methods of reporting terrorist acts have recently come into question, especially since 11 September, 2001. Criticism has particularly focused on widespread reporting of broadcasts of beheadings, kidnappings, and demands conducted by terrorist groups. In order to address such criticism, and also determine its validity, one must first understand the history and nature of terrorism. One must also determine whether such reporting helps, hinders, or has no effect on the causes of terrorists. In short, one must determine the overall strategic implications of the media's current methods of reporting with respect to both terrorism and war. But with all of this in mind, the delicacy of the issue demands that we also consider the long-term consequences of undermining the First Amendment to the U.S. Constitution.

### ***The Roots of Terrorism and Present Policy***

The question as to whether the media causes terrorism is a very important one to ask. The roots of terrorism have always lay in the fact that terrorists want to inspire terror in people, and to achieve this means terrorists have always had the help of the media, even before the modern mass media. Evidence does suggest then that media is the channel through which terrorists strike fear, but the idea that the modern mass media *created* terrorism is false.

Firstly, one can look at terrorists from the Middle Ages, such as the Assassin Sect of Shia Islam. To instill terror in the Muslim the world, they relied on hearsay that spread in the market places and mosques—that is the form of media they used to spread the terror. Even more recently, but before the mass media, terrorists used such methods of spreading fear, such as the Balkan terrorists of the nineteenth century.  
(WILKINSON)

Today, with the mass media, it is simply easier for terrorists to instill fear in people. The beheadings in Iraq are the most prominent examples, and so are the suicide bombings in Israel, though it would be somewhat of an understatement to say that the Israelis have become somewhat inured to them. There is a solid argument for the media to stop airing beheadings in Iraq; as Mark Bowden said in *The Atlantic Monthly*, “terrorists use sensationalism to vastly amplify their message. They know that horror and drama capture the media's attention, so they manufacture them.” Thus, “when [the beheadings] get old, they will come up with something even more awful.” As seen by the Munich Olympic massacre in 1972, terrorists will do anything to capture the widest possible audience. (THE ATLANTIC MONTHLY DECEMBER 2004)

Another benefit the terrorists receive due to media coverage is legitimization. Terrorist groups will jump to claim terrorist attacks, which can be seen particularly by those groups perpetrating attacks against Israel. They feel that when the media acknowledges their actions, people will take them seriously, and thus they will continue to perpetrate terrorist acts.

Another question that we must ask, then, is whether banning certain coverage of terrorism/terrorists is effective. Margaret Thatcher banned the “broadcasting of statements by members of terrorist organizations,” because Thatcher wanted to sever “the oxygen of publicity.” Acts of terrorism probably will not stop happening if we stop covering them, but they will certainly be downgraded to their proper level of importance—terrorist acts should be the last things to be covered in any newscasts. Sure three more people were beheaded today in Iraq, but so many more than that die in car accidents every hour. (CFR) In the Republic of Ireland, the *Broadcasting Authority Act* was passed in 1960. This ban made it illegal to interview “PIRA, Sinn Fein, and other terrorist spokespersons” in Ireland. “Students of Irish politics have argued that their media ban did actually damage Sinn Fein’s efforts to build electoral support and sympathy in the Republic by denying it the aura of legitimacy accorded by TV appearances.” (WILKINSON) So a ban could potentially be effective, as it was in the case of Ireland.

### ***Public Policy Options***

The most detrimental weapon that terrorists can possess, short of weapons, is the ability to capture audiences through the media. When terrorist activities are broadcasted over networks and newspapers, people pay attention. However, more often than not news agencies in the Middle East have their own agendas and biases, and this can cause viewers to become easily swayed to their bias. Such large and influential media outlets such as Al Jazeera have been known to have a particular bias, sometimes even having knowledge about terror attacks before they happen. Secretary of Defense Rumsfeld has gone so far as to accuse reporters and media outlets, including Al Jazeera, of knowing ahead of time where these attacks are going to occur. Referring to suicide attacks and roadside bombings, Mr. Rumsfeld said, "it is striking that from time to time at least there is a journalist, quote-unquote, standing around taking pictures of it." He went on to say that, "we know for a fact that other times the terrorists have told journalists and I use the word unadvisedly, quote-unquote journalists, they've told journalists where they are going to be and what they are going to do. And the journalists have been there. And over and over and over again we've see that Middle Eastern television station Al-Jazeera that seems to have a wonderful way of being Johnny-on-the-spot a little too often for my taste," he said.

The accusation made by the Secretary is hardly off the mark; the CIA has confirmed that journalists and Al-Jazeera have received warnings of terrorist activity in order for extensive media coverage. What should be done about this? Does the media have a responsibility to hand this information over to the US military? Since Al Jazeera is an independent entity of the United States government, they have no technical responsibility to report on planned terrorist activities, however, if these media agencies

are knowledgeable of forthcoming terrorist attacks, and seem to report these attacks in a biased manner, then these agencies are similar to a terrorist's public relations agency. However, if the United States terminates Al Jazeera, we will only further agitate and incite an already hostile Iraqi public that view Al Jazeera as a legitimate news source. This problem, however, is not a result of our immediate situation in Iraq, this problem stems from our haphazard reconstruction plans in the beginning of the Iraqi reconstruction.

### ***Domestic Terrorism***

There are many ways that terrorists infiltrate our lives without flying airplanes into buildings. Subtler means are used- and the media often helps along the cause.

Television and newspapers cater to terrorists in that they provide the coverage and publicity the terrorists crave. For example, in the Oklahoma City bombing of 1995, Timothy McVeigh stated that he chose to bomb the Murrah Federal Building because there was a lot of space around it for news cameras and photographers. The main goal of terrorists is to scare the public, but if they have no audience, they cannot accomplish what they set out to do.

Sometimes the media doesn't even report the whole story because they're afraid of how the public will react, such as when American casualties are grossly underestimated. If they are trying not to scare the public, they should probably start smaller. People become paranoid and feel vulnerable for other reasons, like when military recruiters come to high school career fairs. That kind of thing is not reassuring; it's scary. It shows that war is right in our own backyard.

By cutting off the oxygen of publicity, as Margaret Thatcher so succinctly put it, terrorists would have no medium to express their intentions or wishes.

### ***On the Strategic Consequences of War and Terrorism***

We must also consider terrorism as a strategy. As has been noted by the war historian Bevin Alexander, terrorism is an innately self-defeating method of waging war. This is due to terrorism's proven record in uniting the victims' countrymen against the terrorists and their cause, thus actually *strengthening* the resolve of the terrorists' enemies. However, terrorism is so powerful because it follows the ancient rule of war of striking at enemy weakness (SEW). America, although possessing an incredibly powerful technological army, has many weaknesses exploitable by terrorists, as became infinitely clear on 11 September, 2001. Even worse, the American military has historically had great difficulty in fighting *against* guerrillas. (It had great success fighting *as* guerrillas during the Revolutionary War.) The strategy of striking at enemy weakness while avoiding engaging the enemy's strength is powerful, and has the potential to make the terrorist forces formidable foes.

Alexander notes that in essence, terrorism is guerrilla war—a defensive strategy—transformed into an offensive method of attack. It thus has the power of SEW,

but sacrifices the strength of operating out of a country where the terrorists can rely upon a base of support. This consideration of terrorism, however, falls apart when we consider what has occurred of late in Iraq. The terrorist elements of the insurgency are different from the 11 September hijackers in that they do have a population base and a country in which to operate and maneuver. We thus must consider not just the nature of terrorism, but the nature of the Iraq War itself and the media's role in the conflict.

The Iraq war has degenerated into a largely internal guerrilla rebellion punctuated by occasional terrorist acts, among them kidnappings and beheadings. The American media has seized upon such stories because they are sensationalist and help draw viewers, which aids the private news agencies in selling advertisements and thus gaining revenue. What is not integral to this profit-motivated scheme is a consideration of the strategic consequences of the media's emphasis on terrorist acts such as beheadings. Terrorist groups such as Abu Musab al-Zarqawi's Tawhid and Jihad—previously only a small gang of thugs, one of many in the overall insurgency—can catapult themselves onto the world stage if their deeds and names are broadcast to millions across the planet through the mass media. Terrorists aim to achieve their political objectives by frightening mass audiences to such a degree that they acquiesce to concessions solely out of petrifying fear. By broadcasting the horrors of beheadings—even if the actual decapitations are not themselves shown—the media is potentially aiding the terrorists in spreading their message.

This is not an accusation against the media of terrorist collaboration; instead, this assessment is merely noting that the media has been ensnared by cunning militants who have exploited the American media's obsession with story-selling and sensationalism. This is a problem, and a dialogue between the American media, the U.S. military, and Islamic scholars could do much to end this confusion and eliminate a potential weakness. As William Katovsky and Timothy Carlson demonstrated in their book *Embedded*, the U.S. military and the American media establishment can work side-by-side in accomplishing mutual strategic aims. The same equilibrium should be sought in the case of terrorist broadcasts. And as the current executive administration has noted again and again, the war on terrorism is fundamentally a strategic war of ideas, rather than a tactical war of individual battles.

Thus, the essential tension is clear: terrorists rarely control worldwide communications—with the closest approximation being the Internet, which does not necessarily guarantee a mass audience. However, the mass media, always eager to sell a story, often inadvertently provides this absolutely necessary strategic instrument to the terrorists. The ancient Chinese military strategist Sun Tzu advised wise generals to use the enemy's mindset against him. We must determine whether the mindset of the American media is being used against us. But we must always remember that the founders of the United States had good reason for listing freedom of the press in the First Amendment.

But what is so terrible about showing beheadings? The problem lies in the theory of common knowledge. The United States is strongest country in the world. When Americans are made to look weak, it humiliates—and also angers—the American citizenry, the American government, and the United States as a country. Worse, the terrorist message that is broadcast is often worded in terms of justice and freedom for terrorists' people. Such broadcasts amount to propaganda designed to rally people across

the world to the terrorist cause. Michael Suk-Young Chwe's book *Rational Ritual* notes the importance of common knowledge to the attitudes of a culture, and it is thus worth noting that when the terrorists show themselves armed and strong compared to a captive American prisoner who has been made to look weak, the terrorists are essentially creating a field of common knowledge with themselves as the heroes of their own mythology.

The terrorists work to generate a message of strength, engineered specifically to arouse emotion, anger, and pride in their people and in those who might support them worldwide. They also aim to terrify those who oppose them. The executioners use religious rhetoric to consolidate their successes in this war of words, consistently labeling their cause as favored by a higher power and portraying their enemies as infidels, invaders, occupiers, and imperialists. The leaders of the religious terrorists use martyrdom and mystic promises pertaining to afterlife to recruit a highly-motivated soldiery, which enables them to produce even more broadcasts. On the battlefield, they aim to achieve the tactical victory of possessing an army with no fear of death. On the world stage, they aim to achieve the strategic victory of communicating this victory to the enemy to demoralize and defeat him psychologically. Thus, broadcasts of beheadings serve to communicate such victories, achieve world attention—and thus political strength—and thus serve ultimately to further the terrorist cause.

The most amazing consequence of beheading broadcasts is that—as Mr. Zarqawi has shown—global politics can be affected significantly by otherwise minor power players with the unwitting aid of the mass media. Cunning terrorists can leverage potential political embarrassment of their enemies to their advantage, and work towards gaining concessions. The United States has always maintained its policy of never negotiating with terrorists, but the new media question poses new problems.

The world may take pity on the plight of the people the terrorists claim to be fighting for, and turn to support those they see as “freedom fighters.” Such misplaced conclusions are another danger facing anti-terrorist aims; many fundamentalist terrorist cells in the Middle East aim to establish the next Caliphate, which would lead to Taliban-style governance of the people in the region and control of the vast majority of the world's oil wealth in the hands of America's enemies.

However, the media, should it recognize the unwitting role it has played up until now, has the potential also of being a great force of good in stopping such a situation from arising.

## ***CONCLUSION: POWER OF THE MEDIA, AND RESPONSIBILITY***

The American media has the power to spread terrorist messages and evidence of their actions across the world instantaneously. Equally significant, however, is that the media also has the power *not* to spread terrorist messages, and to limit their impact significantly. Better communication and strategizing between the American media and other mass world media and anti-terrorist militaries are needed. The embedded reporting experiment during the conventional stage of the Iraq War showed how the military and the media could cooperate to achieve great strategic and political victories. Finally, militaries must also understand the necessity for a free press, but it is incumbent upon journalists also to recognize the strategic implications of their reporting.

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## GLOBAL COMPARATIVE MEDIA

This year's Student Advisory Board determined that its report would be myopic without a committee to report on the "state of the media" in other regions of the world. We arbitrarily divided the globe into five regions, each of which was tackled by a different committee member: Western Europe, Eastern Europe, South America, East Asia, and the Middle East. By internationalizing our perspective, we were able to gain insight on the importance of the media in securing and maintaining a responsive, responsible, and dependable government as well as on the correlation between repressive governments and closed media systems.

### *Western Europe*

Traditionally, European media companies focused their activities on their national markets. Yet, in the last fifteen years, a number of media have grown significantly business outside their primary markets. At the same time, a concentration of ownership has taken place. It has given a rise to concerns that it will damage the freedom of expression and information in Europe that are vital both from a democratic and a cultural perspective.

Economic, regulatory and technological developments regarding transnational media concentrations are examined, as well as developments affecting European audiences and media content. Since maintaining foreign correspondents is expensive, only very few countries and media organizations can support strong independent news workers abroad. The US and its major media outlets maintain the most extensive network in the world. Despite this position, the media networks are relatively modest in comparison to that of some others. Therefore, does geographical news make a difference in what reaches politicians and the public elsewhere?

Four major conclusions have been reached: selection criteria in international news reporting have become almost universal; all national media systems emphasize regional events; the US and Western Europe are consistently news-makers in all regions; Third World countries, together with socialist countries, remain the least covered areas or the own correspondent is the most important source for international news, followed by international news agencies. The role of mass media is often analyzed alongside that of parliaments, executives, political parties and elections. These opportunities for the media to influence the political climate have appeared as a result of the diminishing role of political parties as mediators between state elites and citizens and increasing influence on international factors. Although it is hard to quantify the direct impact on the media on political behavior, it is clear that media fills important gaps in social and political communication which serves as a factor to consolidation of democracy.

In many Western European nations, many editorials and television programming are controlled by law or other major organizations. Europe often has more pluralistic laws than the English-speaking world. In France, there are laws prohibiting any single organization from controlling newspapers with more than thirty percent of the combined national and regional readership. In addition, all publications have a legal right of distribution. In Germany, minority shareholders can veto editorial decisions. In Sweden small independent newspapers are supported and financed by law. Many other nations are limited to the independence of their news reports to create less competition. In Italy, the independence of the printed press legitimizes concentrations between radio and TV channels and dominant positions in the collections of advertising resource. This system allows the reduction of significant market power. In the UK, foreign ownership has been abolished, allowing media outlets, like in the United States, to control. This allows the same information reached to American citizens, the same in Britain.

Media comparison typically depends on ownership of the media companies, and the restrictions allowed broadcasting or printing certain information.

### *Eastern Europe*

When the Soviet Union broke apart, its state-controlled media machine had no choice but to follow suit, giving rise to a wide variety of independent media outlets in most Eastern European countries. Gone are the days of reporting by the state for the state, and some countries have even legally forsworn media manipulation. But the free press has its perils: lower readership, due to an end to state subsidies; the proliferation of trashy publications; lingering censorship issues in some countries, significant ones in others; and consolidation in the hands of barons – and even worse – high-ranking government officials. However, this is not to say the media’s relatively newfound independence in Eastern Europe is without success. In fact, some former Soviet republics enjoy the same freedom of the press that Americans so proudly covet, and others are well on their way to escaping state intervention in the media for good.

### Russia

*Perestroika* brought with it a short-lived golden era of Russian media: The press was at the same time free from state control and sheltered from financial pressure. However, the elimination of subsidies, hastening commercialization of the media, and growing debts ushered in oligarch control of the industry in the mid-1990s. In fact, in the latter half of the decade, according to the European Journalism Centre, “the majority of print media had new owners.” These new owners, by and large ambitious and powerful ones, brought about a multi-year “Russian Media War,” which culminated (but did in no way end) in 1999. These “wars” were marked by thinly veiled attacks against political opponents and a general neglect for journalistic canons.

The “wars” have since subsided due in part to increased state influence over the media. Vladimir Putin, more so than his predecessor, Boris Yelstin, has either overtly taken media organizations under his control or warned them against “disloyal” reporting, as he did in the wake of the Moscow theater and Beslan school hostage crises. The

protection of state secrets has increasingly come to supersede media autonomy, so much so that Reporters without Borders listed Putin as a “predator of press freedom.” Journalist Grigory Pasko is a symbol of what many see as abuse of media freedoms in Russia. Pasko has been detained – apparently indefinitely – for his reports on the environmentally harmful discharge of radioactive waste, according to Reporters without Borders.

Still, Putin has proven time and time again that it does not take a crisis to give him an excuse for trampling press freedoms. Yelstin-era media moguls Vladimir Gusinsky and Boris Berezovsky had to give up their holdings and flee in fear when Putin came to power. Afterwards, the very independent NTV television channel was taken over by the state-run company Gazprom. Though financial motives were cited for the acquisition, most suspect it was politically-driven. Editors and reporters from NTV made an ill-fated attempt to relocate to the TV-6 channel, but many suspect the government thwarted these independent journalists yet again. The internet emerged as a rival to the still-dominant television media after the sinking of the Kursk in 2000, after which Russians felt the only credible bits of news about the disaster could be found on the internet.

### Estonia

Estonia has a remarkably free press, characterized by variety and pluralism. Even so, only two decades ago, the state controlled the media and had a formal censorship agency called Glavlit. Today, however, the state only has a hand in small “cultural and educational publications,” according to the European Journalism Centre. The transformation was gradual, with the daily *Today* pioneering a style of inquisitive journalism and many other publications following suit. As a result, the government became increasingly inclined to approve privatization proposals for media agencies in the early 1990s. Mounting consolidation, however, will be an issue Estonians might have to contend with in the future.

### Latvia

Like Estonia, Latvia has a thriving, free press. Free of government financial support, most media organizations report however and whatever they see fit, though such leeway has led many to bow to commercial pressures, thereby diluting serious content with eye-catching entertainment. In any case, both officials and the public, according to polls, agree that the media must not be tethered to the state.

### Lithuania

Lithuanian media had the same Soviet origins as the rest of the former satellite countries but has since gone farther than most of its neighbors by ensuring press freedom in its constitution. In fact, publishing houses must, by law, be independent of the state, and not a single state subsidy exists for the mainstream press. The European Journalism Centre sees Lithuania’s progression from state-centered to state-free media in four distinct stages: expansion and stabilization of the press market, emergence of private radio and television companies, privatization, and, finally, consolidation.

## Ukraine

The outcome of media reform in the Ukraine parallels that of its neighbors, but the process was a little more tumultuous – and appears to have fallen well short of pure media freedom. Until and even after 1991, all Ukrainian media outlets were based in Moscow, where, at least before the fall of the Soviet Union, they were puppets of the state. In an effort to create a much-needed press of its own, the struggling Ukrainian media tried to nurture home-grown media outlets, only to see them all fail within several years. In 1995, however, such Ukrainian newspapers as “Den” and “Zerkalo Nedeli” appeared, and these actually came to prosper. Lower-quality but better-selling tabloids emerged at the end of the decade.

But in a blow to press freedom, some high-ranking government officials have purchased significant shares in the largest newspapers. And although censorship is illegal, some perhaps uncooperative media outlets are subject to constant tax inspections. For these reasons and others, Ukrainians opt for local publications, which they find more tailored to their interests. Often under the guise of banning immoral content, the government has been known to manipulate the media; such manipulation is the industry’s most pressing issue. In fact, the Institute of Mass Information documents up to five journalist assassinations and 30 assaults on journalists each year in the Ukraine. Additionally, the Ukrainian government was found to censor the press 40 times in 2001.

## *East Asia*

Media systems in East Asia are as diverse as the political systems these countries espouse. Data indicates that a country’s level of press freedom depends largely on the country’s form of government.

In North Korea, there exists a harsh policy of media manipulation. The media functions on two seemingly contradictory principles. First, government leaders know they must give their people a fictional account of true happenings to shield the weaknesses of the regime. The government concocts stories about its successes as a leader in world affairs to convince its people of the government’s effectiveness. In order to perpetuate its myths, the administration ensures all outside news is quarantined. However, at the same time, the leaders realize the importance in knowing the real scoop so that they are able to keep the country competitive in foreign affairs. It is reported that the leaders themselves subscribe to foreign media though denying their people access to it.

The media situation in Myanmar is very similar to that of North Korea. Many analysts consider Myanmar to have the most intricate censorship campaign in East Asia. The government both bureaucratically controls the influx of information and discourages competing messages. Censorship laws require people to register fax machines and modems with the government. Many people attempt to gain access to outside radio signals to get news. However, the majority of people have chosen to withdraw from public life altogether. This is encouraged by the government as well as reinforced by religious beliefs held by people.

In China, the country’s leadership regulates media outlets. Generally, journalists refrain from criticizing Communist Party leaders. TV serves as the dominant media outlet. It is estimated that there will be 128 million pay-TV subscribers by 2010.

Available channels are generally either state run or provided by local networks. The availability of foreign channels is limited as only foreign broadcasts that do not threaten “national security” or “political stability” are permitted. The Internet is growing in popularity (94 million users in 2004) but its use is strictly regulated. The government has banned access to sites run by select rights groups and news organizations as well as pornographic sites.

Media in Malaysia and Singapore is freer than that of East Asian authoritarian regimes such as Myanmar and North Korea but is still far from completely open. In these states, classic methods of censorship are still being utilized in recent times. For example, the Malaysian government requires newspapers to be licensed and controls the importation of foreign publications in the country. Newspapers are often owned by political parties or managed by the government directly. Nonconforming journalists are forced into bankruptcy or locked up. Government coercion in these countries is not always necessary. In Singapore, media outlets have developed a culture of self-censorship. Due to stringent defamation laws, journalists are careful in criticizing government leaders. Furthermore, fears of assassination have led journalists to control their publications.

In Japan, a series of press clubs has a monopoly on the media that most people access. Because the press clubs work together, the news they report is often the same. In this way, while legal freedom of press exists, it is often not utilized to its fullest extent. Similar situations exist in Indonesia, Taiwan, Thailand, and Cambodia. In many of these countries, commentary and news are not always distinguished. As a result, people do not always get multiple viewpoints regarding government decisions and thus often fail to understand the big picture. Media openness is further harmed by the fact that many media publications are controlled by political parties. In Cambodia, political parties or the government own virtually all media outlets. Media partisanship excludes certain views from being expressed. Opposition parties are often silenced and thus the media’s ability to be an effective watchdog on the government is hindered.

Broadcasting in India has leapt bounds in the last couple of years. Ever since the state’s monopoly on television was broken in 1992, subscription based Dish TV and channels dedicated to 24-hour news have grown popular. Private radio, sanctioned in 2000, has expanded in recent years. While the *Official Secrets Act* has led to occasional censorship (particularly regarding the Kashmir issue), India has a relatively free press. A *Freedom of Information Act* in 2002 gave citizens the ability to access some state information. Internet services are booming with 5.5 million users at the beginning of 2001 with an expected 25 million by 2005.

Recommendations: Because a free press is essential to a freethinking society, the U.S. government ought to support (and possibly monetarily aid) the efforts of journalists and reformers in opening doors to greater media freedom in East Asia. The government should encourage countries with strict censorship laws (particularly North Korea, Myanmar, and China) to advance the cause of media liberalization. North Korea and Myanmar still have a long way to travel. While China has made some progress, it still has considerable obstacles in its path towards a completely free press. The same policy of encouragement should be taken towards other East Asian countries including Malaysia, Singapore, Japan, Indonesia, Taiwan, Thailand, Cambodia, and India. It must be stressed

that action on censorship in East Asia must be taken gradually as to avoid damaging diplomatic relationships. Rather, the hope is that, through encouragement, these countries will eventually adopt press freedoms via their own choice realizing that media liberation is the only real way to go in contemporary times.

### *The Middle East*

The Middle East is home to a variety of governments: monarchies, theocracies, constitutional monarchies, republics, parliamentary democracies, etc. Each type of government, in turn, sponsors and encourages a particular type of media system, be it open or closed, or somewhere in between. As has been posited elsewhere in this paper, it is clear that the more participatory the governmental structure, the more liberal, unchecked, and open the media is.

Nearly every Middle Eastern state has a set of state-owned television and radio stations. In many cases, these state-owned enterprises act as bulwarks of the regime, unquestioning pillars of the state. This is especially true in theocratic countries like Iran and Syria and true to some extent in monarchical countries like Saudi Arabia. In Syria, for instance, the government of which is based almost exclusively upon Islamic law, the “Syria Satellite TV is operated by the Syrian Ministry of Information.”<sup>1</sup> This satellite channel in June 2000 began “airing a 15-minute daily news bulletin in Hebrew which it said is aimed at “revealing the truth to the Israelis.”<sup>2</sup>

In many Middle Eastern countries, private ownership of television stations and newspapers is strictly prohibited. For instance, in Algeria, “the government maintains strict control over all news broadcasts to limit coverage of violence in the country,”<sup>3</sup> despite the fact that Algeria is a republic. Nonetheless, the Algerian government has recently “taken steps to reform ENTV,”<sup>4</sup> Algeria’s state-owned television network. In December 2002, the Algerian government “signed an agreement with Khalifa TV, a privately-owned Algerian station broadcasting out of Paris, to encourage collaboration between the two stations and “open to ENTV other horizons of communications.”<sup>5</sup> This is a trend that is noticeable in many Middle Eastern countries, which are increasingly modernizing and opening up to veritable civil society.

A smattering of Middle Eastern countries contrast with the norm in that they exhibit thriving, competitive, and open media marketplaces. This is exemplified in part by the state of Israel, a parliamentary democracy. However, Israel, like the United States, is now grappling with issues of media consolidation. Indeed, “during the eighties and nineties, the Israeli press underwent a process of significant change, not unlike that which occurred in Europe and North America...The media gradually came to be controlled by a

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<sup>1</sup> “Mosaic: World News from the Middle East.” [LinkTV](http://www.linktv.org/mosaic/countries/mossyria.php3). 4 Apr. 2005. <<http://www.linktv.org/mosaic/countries/mossyria.php3>>.

<sup>2</sup> Ibid.

<sup>3</sup> “Mosaic: World News from the Middle East.” [LinkTV](http://www.linktv.org/mosaic/countries/mosalgeria.php3). 4 Apr. 2005. <<http://www.linktv.org/mosaic/countries/mosalgeria.php3>>.

<sup>4</sup> Ibid.

<sup>5</sup> Ibid.

limited number of organizations.”<sup>6</sup> The result is that “today, three large, privately-owned conglomerates based in Tel Aviv dominate the mass media in Israel.”<sup>7</sup> This is a problem that urgently needs to be addressed, for although none of these conglomerates is state-owned, three viewpoints cannot be considered a fair representation of the variegated opinions that exist in Israel.

One final trend that is increasingly evident in the Middle East is the rise of satellite television and the internet. Although in many states both of these technologies are severely censored and monitored or outright prohibited, in most countries, a large portion of the population has access to either or both. For example, despite the fact that Saudi Arabia has not legalized either technology, “according to a June 2003 Zogby International poll, 91% of Saudis watch satellite television, and nearly two-thirds (63%) have Internet access.”<sup>8</sup> Indeed, Dubai is known as a pocket of modernism and no-holds-barred capitalism within Saudi Arabia.

One final point: the proliferation of regional news stations that broadcast in Arabic, such as Al Jazeera and Al Arabiya, is a particularly important phenomenon. New lines are being drawn in Middle Eastern mass media; new viewerships are being formed and more people are becoming informed. Al Jazeera is oftentimes perceived by Americans as sensationalistic and anti-West. Al Iraqiyah, the United States’ own satellite station (founded in 2003), broadcasts diametrically the opposite message. Al Arabiya represents a compromise between the two.

### ***Latin America: The Plight of the Journalist***

In the United States of America, the larger news corporations enjoy one of the greatest legal protections on earth for any media/news organization: freedom of speech. In essence, ever since the Alien and Sedition Acts were ended by Congress, the US press companies have enjoyed almost free reign on any subject, within honest reason, that is. However, in looking at this system of journalism, one cannot expect that this is an internationally uniform standard; in fact, after looking at some of the other treatment of media groups by other governments and nations, one can soon see that the US media, even with all of its flaws, definitely has one of the more developed structures of journalism around. One of the greatest contrasts that exists in the treatment of media is between the US system and that of its southern neighbors of Latin America (being both Central and South America, as well as parts of the Caribbean). In vast region, the media has been abused in some of the worst ways; from corruption, absurd biases, and manipulation of the press, to repression of information and restriction of speech, the media has been a vastly underdeveloped aspect in all of these nations. Yet, despite these many flaws, there are some positive parts to the media, from which the US can still learn some vital information, especially in terms of the respectability of journalists.

Over the last 200 years, Latin America has had one of the most violent and chaotic political experiences of all of history. Ranging from the time the nations first

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<sup>6</sup> Limor, Yehiel. “The Printed Media: Israel’s Newspapers.” Israel Ministry of Foreign Affairs. 16 Oct. 2000. 4 April 2005. <<http://www.mfa.gov.il/mfa/facts%20about%20israel/culture/the%20printed%20media-%20israel-s%20newspapers>>

<sup>7</sup> Ibid.

<sup>8</sup> “Mosaic: World News from the Middle East.” LinkTV. 4 Apr. 2005. <<http://www.linktv.org/mosaic/countries/mossaudi Arabia.php3>>.

rebelled and became independent, to this contemporary age of rebellions and coup d'états, the countries of South and Central America have had to endure difficult and brutal governments. And, throughout this time, one of the most affected areas of their society was the media. In contrast to the free press of the USA, the news companies of Latin America have long been used as tools of propaganda, as well as simply being restricted and repressed into becoming non-effective entities. Take, for example, the country of Cuba; here, as recently as 2003, Fidel Castro has been imprisoning independent journalists who write any material that is in any way anti-government in its diction of purpose.<sup>9</sup> And this is not restricted to oppressive communist regimes either; in Columbia, democratically elected parliamentary leader Carlos Castaño, has been implementing an aggressive campaign against all independent media groups, and has been labeled as one of the top 10 worst news oppressors in the entire world by the Committee to Protect Journalists (CPJ) in New York.<sup>10</sup> In truth, the media in Latin America truly is one of the worst examples of effective media in all the Earth. However, there do exist some redeeming qualities, most notably that of their immense approval rating for journalists. In a recent article by news analyst John Virtue<sup>11</sup>, the approval rating of journalists in Latin America's news media was found to be astoundingly higher than their US equivalents, in some cases being as much as twice as high. Unlike in the USA, journalists are admired and respected for the investigative reporting that is done, and the genuine truth, which is exposed about their governments. In the USA, it is simply the news channel which garners popularity; individual journalists of great notoriety are few and far between, and truly only exist on the national level, not on the local level like in Latin America.

So, despite the horrid state of the news companies as a whole, the US can still learn much from looking at the approval rating and work done by individual journalists, and how those qualities can/should be emulated by US reporters. Thus, the policy statement in regards to this comparison is simple; improve the aggressive and integrity-based nature of journalists, and work to encourage investigative reporting, and not simple pandering to the agendas of national news conglomerates. When free and forceful press is finally balanced and perfected, so too will a better society be created, thus the media, and the quality of its journalists, is an issue that garners much interest from the US government, even if it must use, as an example, the much repressed media system of Latin America.

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<sup>9</sup> Fernández, Lafitte. "Fidel stole my students." Pulsa del Periodismo 2 May 2003. 4 Apr. 2005 <<http://www.pulso.org/English/Current/Lafitte030502.htm>>.

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<sup>11</sup> Virtue. "The popularity of Latin America's News Media." Pulso del Periodismo 2000. 4 Apr. 2005 <<http://www.pulso.org/English/Archives/Popularity%20of%20Latin%20Am%20News.htm>>.

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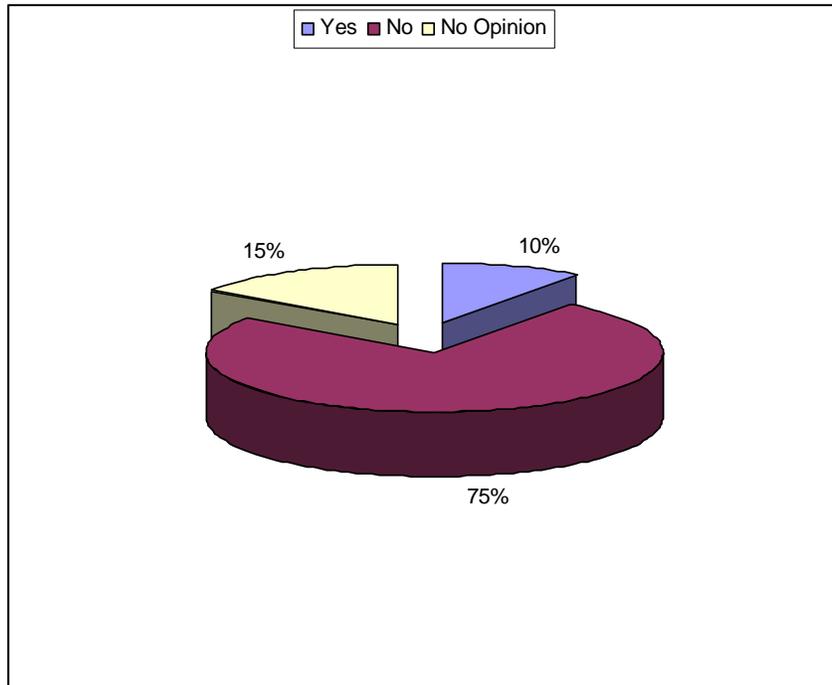
Aaron Wyse  
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## SURVEY GROUP

### Introduction:

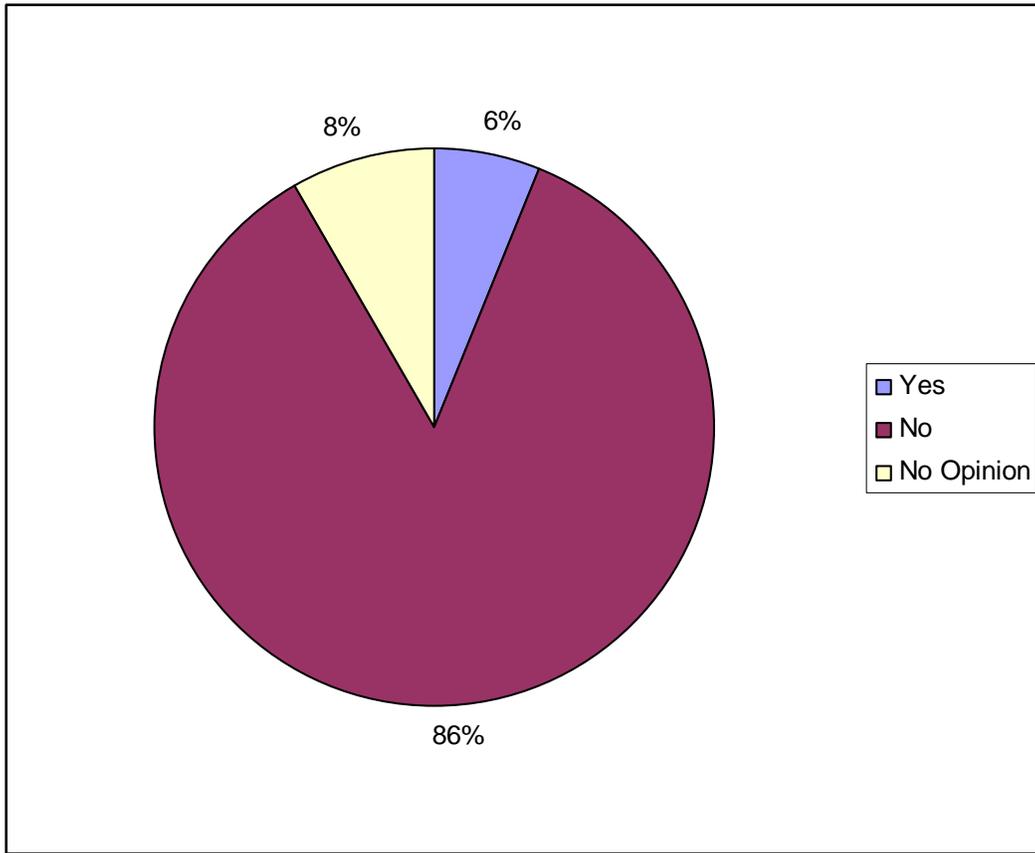
Our group was in charge of organizing a survey and handing it out to high schools within the 14<sup>th</sup> Congressional District. This report consists of the survey results of 108 collected surveys at Los Altos High School, in Los Altos. We received questions from the other sub groups and narrowed down the best questions and formed this survey. Even numbers of upperclassmen, and underclassmen were polled. The upperclassmen results were done in accelerated honors classes, while the underclassmen polls were conducted in core classes required for underclassmen. We feel that a diverse body of students was polled in the process. We now will provide the questions, results, and detailed conclusions based on the survey that was made for the 2005 report for the Anna Eshoo Student Advisory Board.

### 1. Do you think the government should be able to control what is shown on general network channels (NBC, CBS, ABC, FOX)?



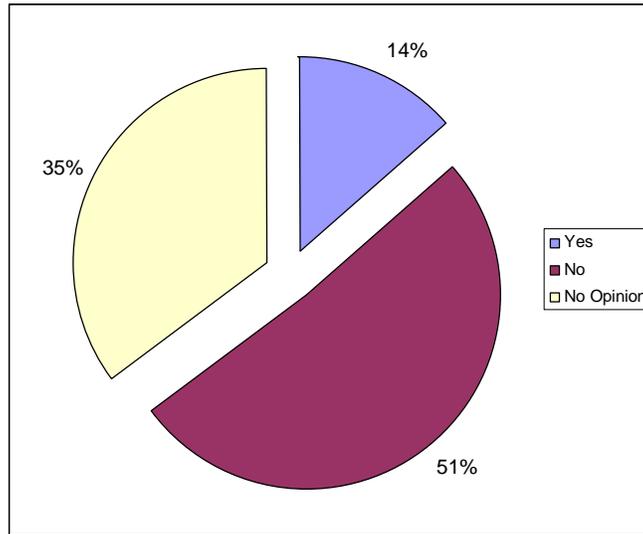
Clearly the youth expresses its opinions in a large majority that the government should have no right to regulate what is shown on general network television. Only a small minority of students believed that the government has the ability, and even a smaller minority retains no stance on the issue. The huge three-fourths majority clearly expresses the youth's opinion towards this matter.

**2. Do you think the government should be able to control what is shown on subscription based premium channels (HBO, Showtime, etc) ?**



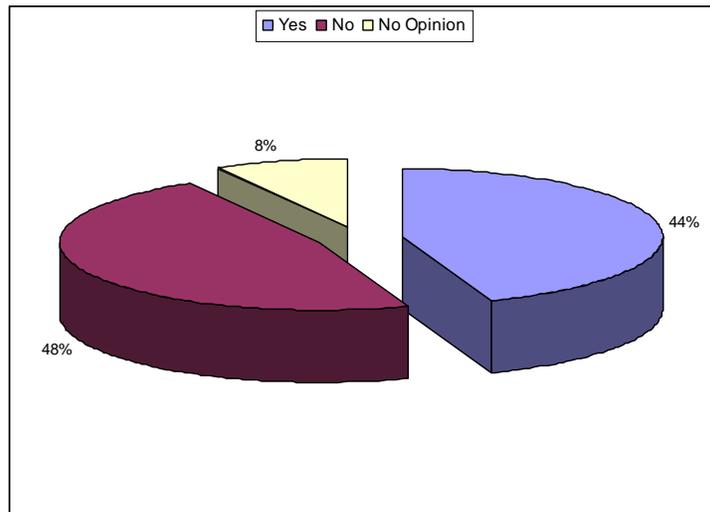
Once again the poll indicates students' opinion that government censorship has no place in the media. A larger margin of votes feel that the government has no business in regulating what goes through paid programming in comparison with the previous poll. Only a very small minority feels that the government should have the ability to do so. Only one of the upperclassmen polled voted in favor of the government regulation of subscription based networks.

**3. Do you agree with recent government actions to regulate broadcasts considered objectionable?**



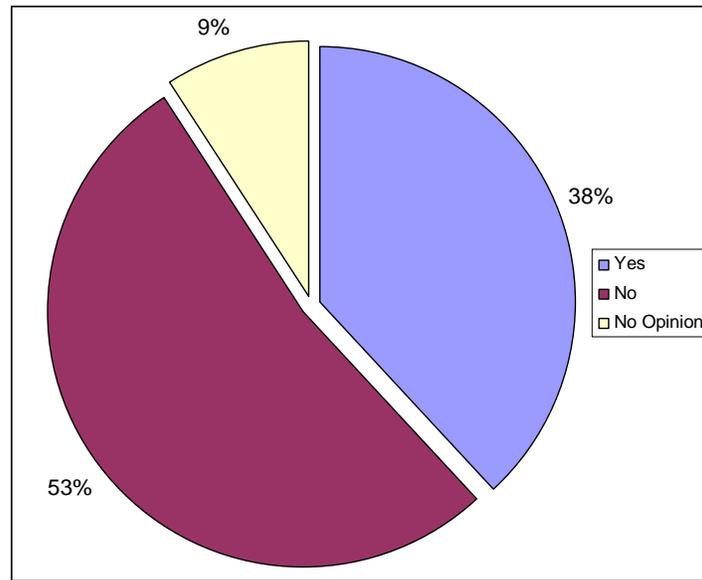
A little more than half of the students polled feels that the government should not have the ability to regulate broadcasts it considers objectionable. Interestingly enough there is also a large minority of students that have no stance on the issue. This is interesting because in the last two polls there was a large amount of students saying that the government had no ability to regulate the TV, however in this case if the material is objectionable then the students agree less and remained neutral on the issue.

**4. Do you believe the media is helping fuel anti-American sentiment by broadcasting footage unfavorable to America's image?**



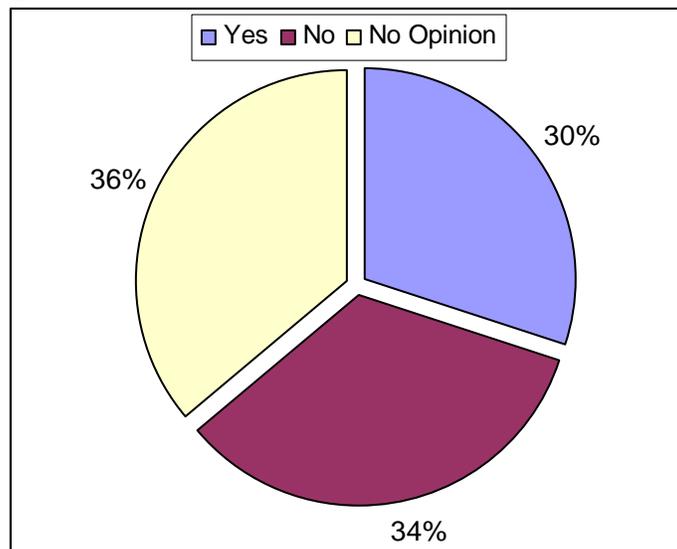
Students remain sharply divided on this particular issue. Forty-eight percent of students polled said no, but forty-four says it does. There is a very small percent that retains no opinion on the issue. Due to possible errors in the polling, or further explanation to the students about the issue it could result in a dead heat between the issues.

**5. Do you think the broadcasting of beheadings helps the terrorists' cause?**



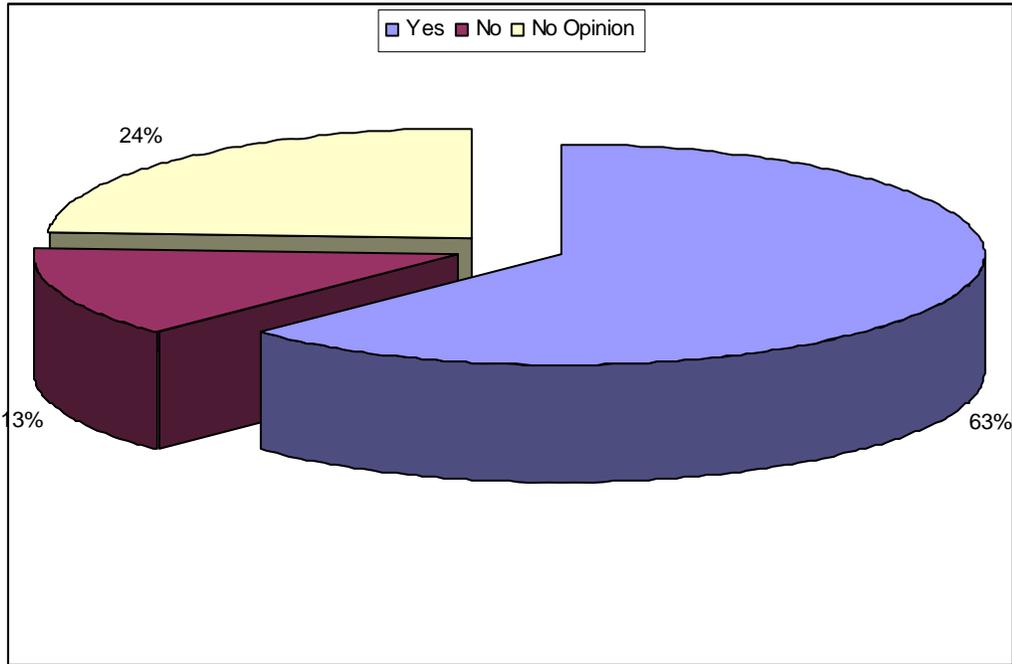
In contrast to the previous poll, most students believed that the broadcasting of gruesome beheadings does not help the terrorists' cause, while thirty-eight percent believes that it does. We believe the reason is that the "shock factor" of the beheadings has worn off.

**6. Did you feel Fahrenheit 9/11 or Swift Boats: Veterans for Truth affected your perception of the presidential candidates?**



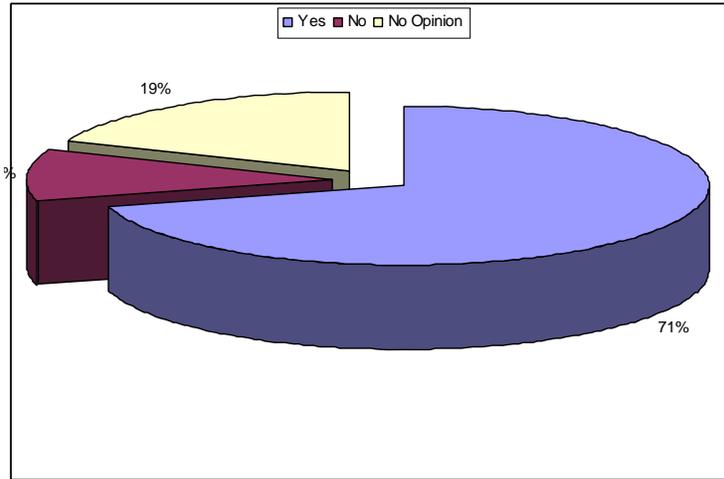
Students are dividedly almost equally on this issue. Each response has close to a third of the student population's voice. Those students who have no opinion on the issue could come from any angle. We believe that people's opinions may have depended on how their side fared in the election. Overall, the students have a split opinion on the matter, and more students had no real opinion on the issue than felt strongly one way or the other.

**7. Do you feel that all candidates of major political parties deserve equal time to advertise even if they can't afford it?**



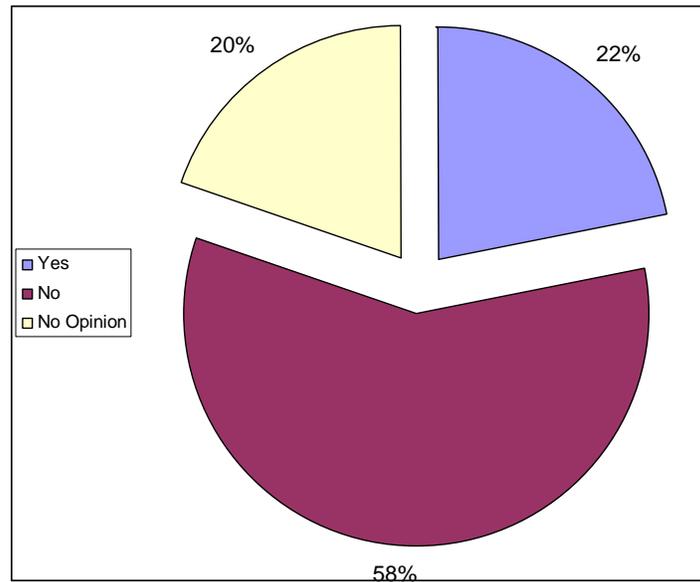
Students overwhelmingly feel that all candidates deserve an equal amount of advertising time even if they can't afford it. We feel that the students voted this way because they felt its best to make candidates equal and not give advantages due to monetary gains from private donations. Close to one-fourth has no stance on the issue, and this could come from the fact that they didn't observe the election close enough to develop an opinion on the time coverage.

**8. Should accused persons still retain their standard rights to privacy in court, or is it acceptable for their secrets and stories to be published by the media while they are in court?**



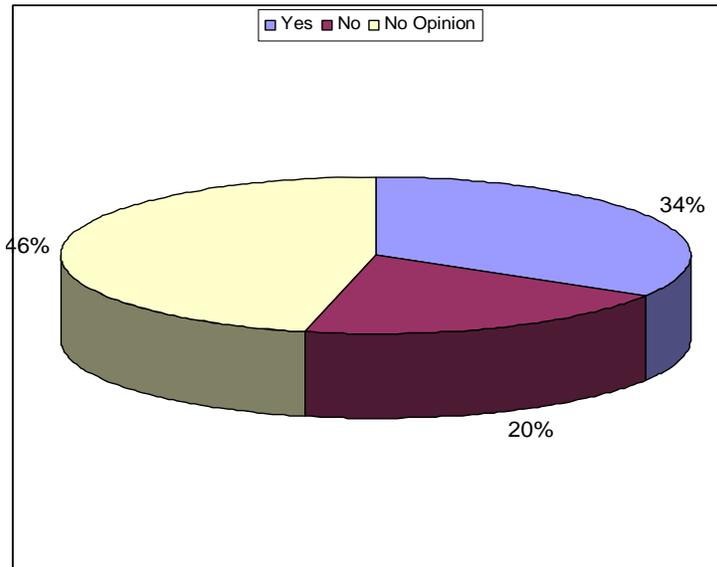
As predicted the students felt that accused persons should retain their privacy rights. We feel that this comes from traditionally American ideals, as only 10% felt that the accused should not retain their rights to privacy as American citizens. This also most likely comes from the fact that students relate to this issue, as they demand privacy from their parents.

**9. Is it right for a judge to have sole power to decide whether a case should be open to the public?**



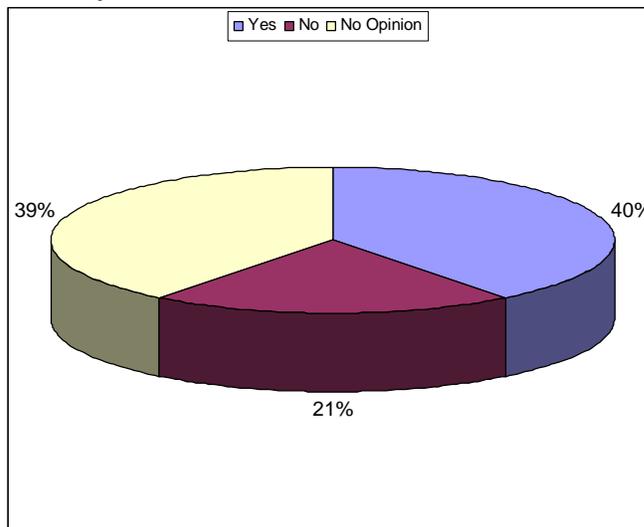
A little less than sixty percent of students felt that the judges have no right to be open to the public. While close to one fifth believe that the judges do have the judicial ability to close cases from the public. We believe the majority of students feel that the court cases should be open as high profile court cases are lightning rods for media attention and entertainment as seen in the Michael Jackson and Scott Peterson cases.

**10. Should limits be placed on corporate media ownership to restrict their market share?**



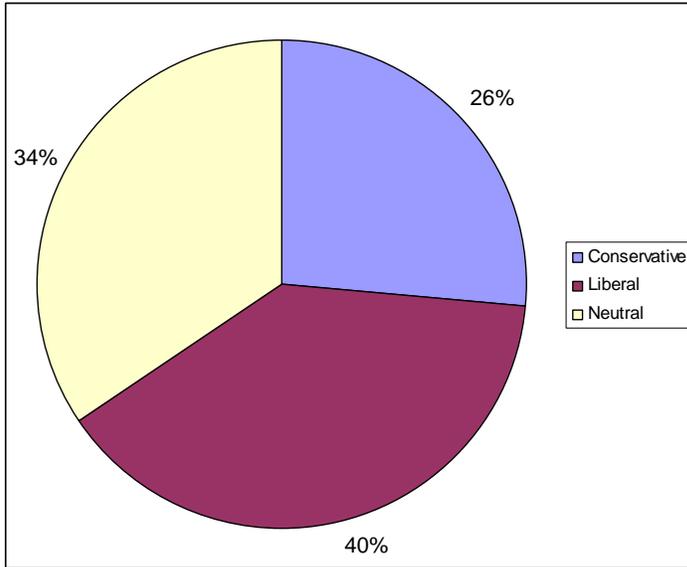
Nearly a majority of students had no opinion on the issue. We feel this may be because the students may not know exactly what media consolidation is. One fifth believes that the government has no right to place restrictions on media ownership, while thirty-four percent feels that restrictions should be placed on them. We feel that if an example had been used to illustrate the question we would have received much more accurate results.

**11. Do you think media consolidation affects fair coverage?**



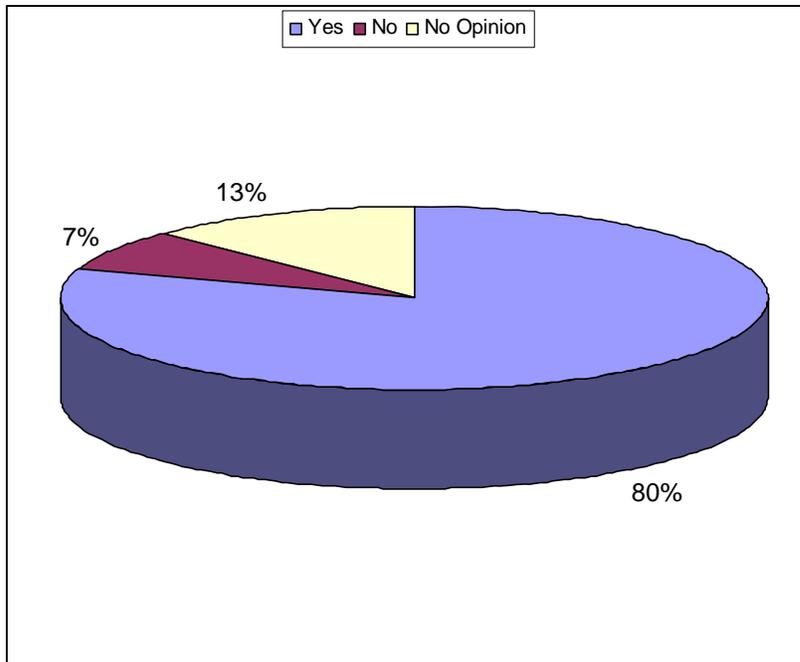
As with the previous question, we feel that the misunderstandings negatively affect the poll. However, forty percent of students still came to the conclusion that media consolidation affects fair coverage.

**12. Do you view bias in the media as generally conservative, liberal, or neutral?**



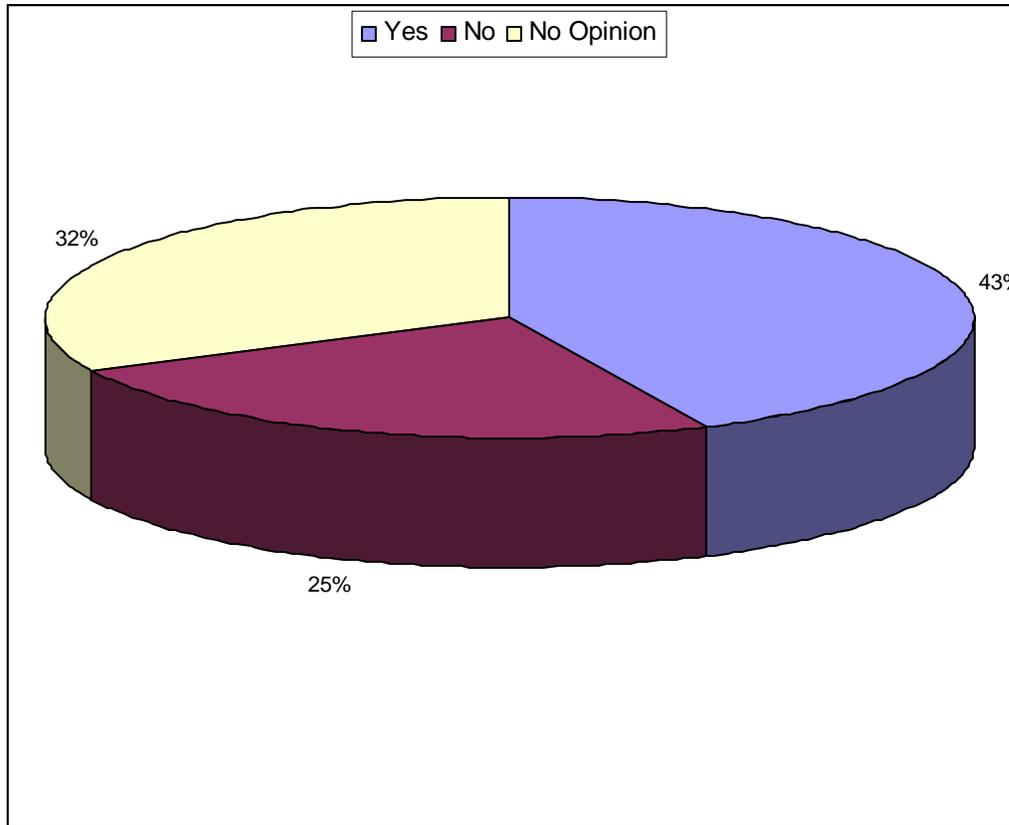
The great debate of media biases has been a very hot issue. Forty percent of students polled believe that the media is biased to the left. While close to one fourth believe that the media is conservative. Thirty four percent believes that the media is neutral on reporting. One survey has the words “FOX News” carved into the paper with many circles around the “Conservative” response.

**13. Do you feel media bias greatly affects the way the public interprets the news?**



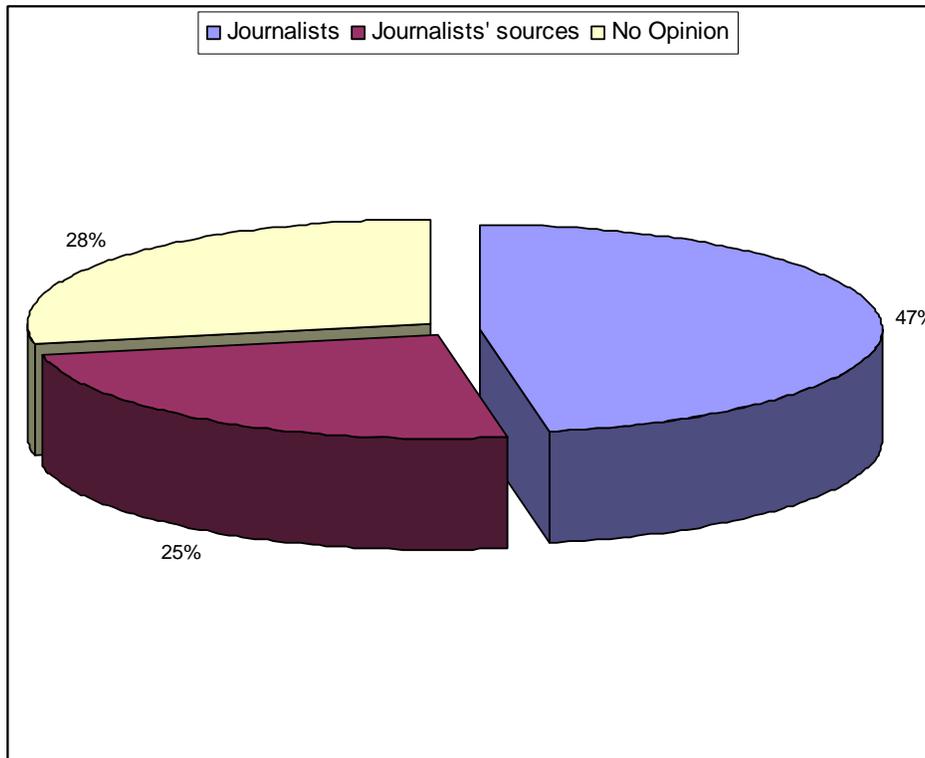
The students weighed in greatly this time with eighty percent agreeing that media bias greatly affects the way the public receives and interprets news. Less than ten percent believes that it has no effect at all, while thirteen percent has no opinion.

**14. Do you feel that journalists should be granted total legal protection from revealing sources' identities?**



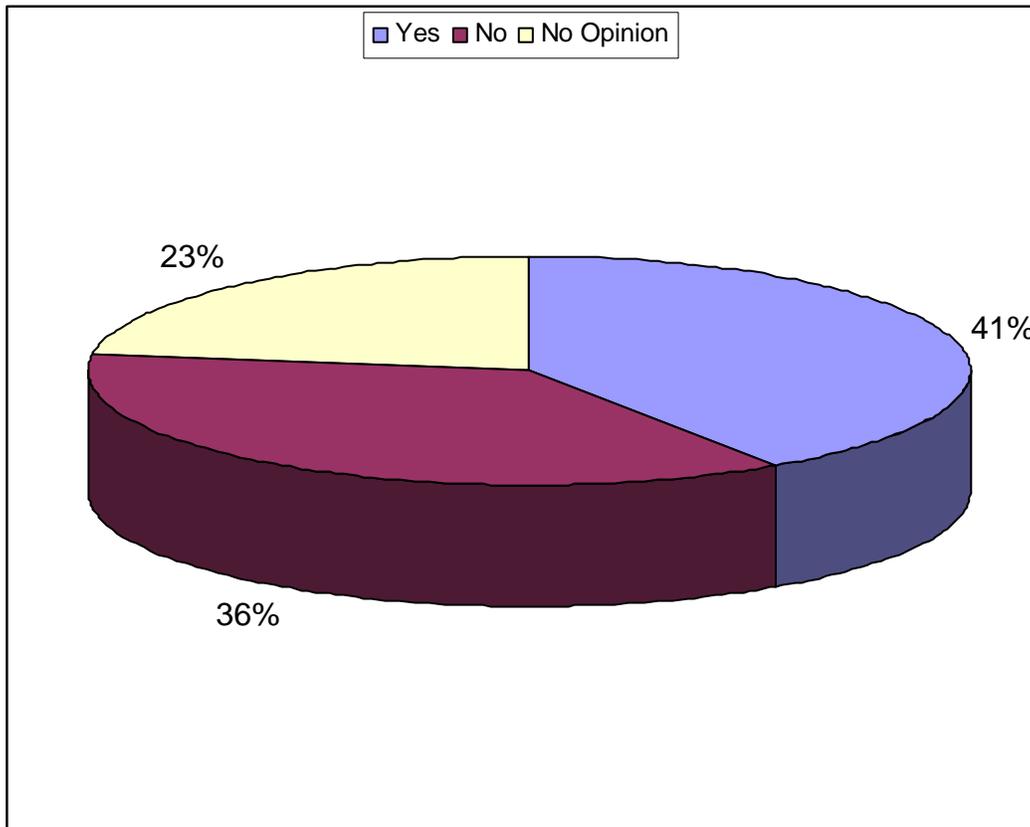
Students remain divided on this issue. The major minority feels that that journalists should be granted total legal protection, while a quarter feels that they should not. Unfortunately a third of the students have no opinion on the issue which affects the outcome of the poll.

**15. Who should be held responsible for the validity of media content?**



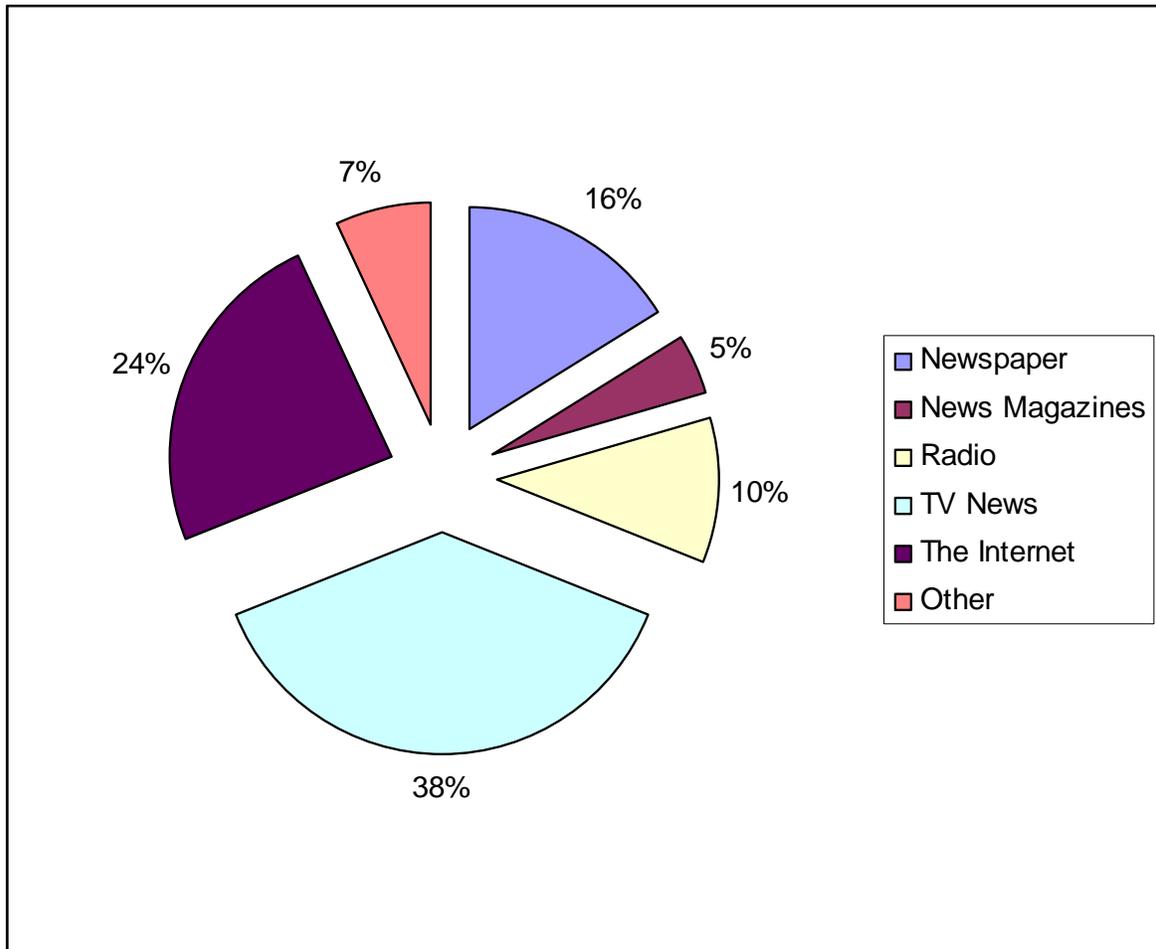
Close to half the students polled revealed that journalists are the ones to be held responsible for media content. A quarter felt that the journalists' sources are the ones to be held responsible for the media content. We felt that the CBS scandal affected this poll in boosting the responsibility of journalists. Another interesting side note is that the same amount of people who felt that journalists shouldn't be granted legal protection matches the amount of people who voted that journalists should be held responsible for the validity of media content.

**16. Do you have a media source that you can trust?**



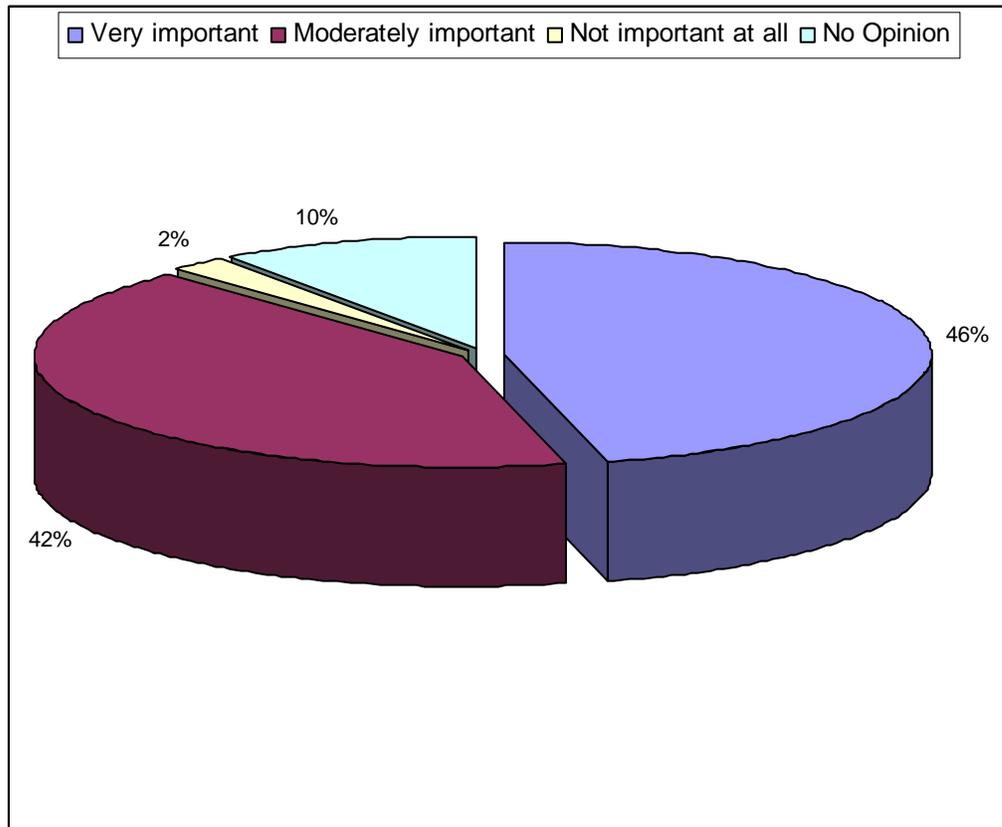
This poll gives us a disturbing statistic that only forty-one percent of students polled have a news source that they can trust for media. One of the many reasons that could have caused this low statistic was the Bush hoax with CBS, among other media scandals during the election. Thirty-six don't have a source, while only twenty-three didn't have an opinion on the issue. This clearly represents a disturbing trend in media.

**17. What is your primary source of getting news?**



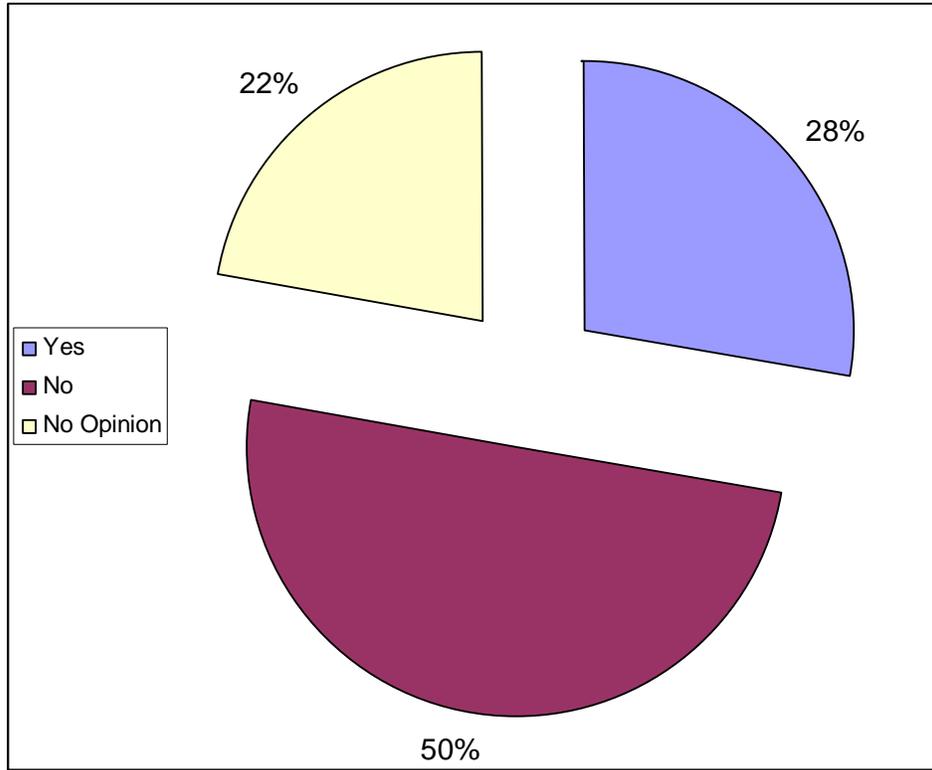
This poll brought some interesting surprises. Close to a quarter cite the internet as their primary source of getting news. The internet has made great strides in becoming a news source. A decade ago it wouldn't have been even included in the poll. Television isn't far ahead with only a fourteen percent lead over the internet. We expect the gap to close in future generations. Newspaper magazines and other news media outlets are in the grey, while radio maintains a healthy ten percent and newspapers stay with a good third place position.

**18. How important is it that there are alternatives to mainstream media?**



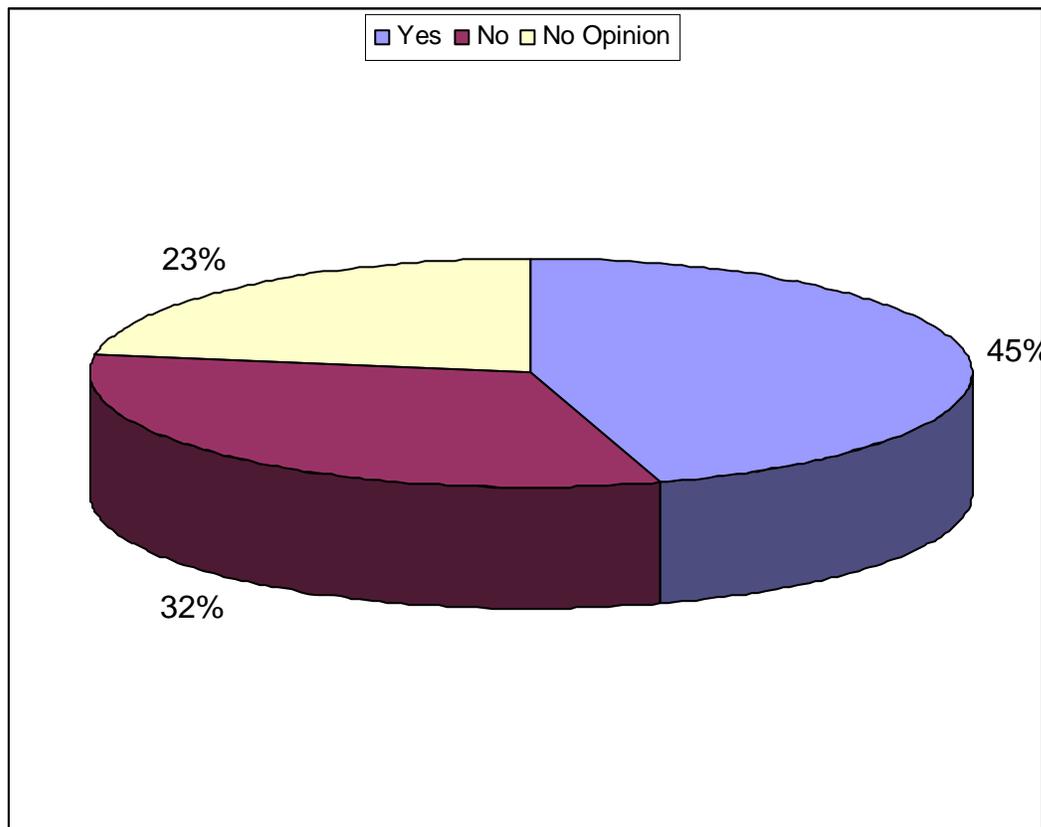
It's clear that the students believe that alternatives to mainstream media are needed. Only two percent felt that they weren't, while a combined eighty-eight percent felt they were important, including the forty-six percent of the total who feel that they're strongly needed.

**19. Does your favorite TV show have a racial minority as a leading character?**



Exactly half of the favorite TV shows watched by students polled do not have a racial minority as a leading character. Twenty-two percent had no opinion on the issue while twenty-eight percent said their shows do have a racial minority as a leading character. It's easy to see that from the views of the students that racial minorities are still not represented as well as they could be by the media. We felt that if we had included animated programs we may have gotten better results.

**20. Do you feel race plays a role in determining which news stories will be reported?**



This poll had interesting results. Close to half of students polled believe that race weighs in on the reporting of news stories. A third of the students felt that race did not have any effect on the way news is reported. We feel that the recent high profile cases against black celebrities (Michael Jackson, and Kobe Bryant) may have affected the outcome of the poll.

**Conclusion:**

In many of the polls it was noted that students were divided almost evenly on the issues. Only in a few cases were opinions actually a strong majority, such as in the case of censorship. There were a few cases which previous results contradicted the results of a similar question, and results that matched the exact percentage of the same type of question. It's clear that the Internet is becoming a major player in the way our media is evolving. Our survey group has come to the conclusion that students would like the media to be protected from censorship, but be truthful and unbiased. Lastly, the media constantly changes, and as our generation ages we will see the different media change along with the ways they are protected and broadcast.

## Conclusion

Daniel Wenger

The research and conclusions presented by Student Advisory Board in this report deal with only a fraction of the deep-rooted problems and controversies that surround the American media. In our society, mass media plays a pivotal part in defining who we are, in shaping how we think, in everything from electoral politics to the war on terrorism.

One of the most cogent and articulate expressions of the importance of the media is found in the book **By Invitation Only: How the Media Limit Public Debate**, by David Croteau and William Hoynes. In it, the authors conclude:

In its role as information source, the media ought not to tell viewers what to think. Instead, news should expose viewers to what others are thinking and doing. The role of the news media should be to present the views of diverse groups involved in or affected by any given issue. If citizens in a democracy are to make informed decisions, they must have access to the range of opinions available on potentially controversial matters. Ideally, people representing different perspectives in this range of opinion should have the opportunity to present their case and perhaps debate those with differing views. Thus, rather than providing a pre-digested view of current events, or one that equates "debate" with the views of the two major political parties, [the media] can serve as a forum that allows for a broad "exchange of ideas." By providing multiple perspectives on issues and events, [the media] can expose us to the worlds and worldviews of a wide range of people.<sup>12</sup>

Freedom of the press is absolutely intrinsic to our democracy, to our civil society. The free exchange and expression of ideas is fundamental to our success as a nation and to our ability to persevere, innovate, and compromise.

Congresswoman Eshoo, we are eternally grateful to you for giving us this invaluable opportunity to voice our concerns and our ideas. It is our hope that our conclusions increase awareness of the role of media in everyday life and drive thoughtful reform both locally and nationally.



Daniel Wenger  
Chair

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<sup>12</sup> Croteau, David and William Hoynes. By Invitation Only: How the Media Limit Public Debate. Monroe, ME: Common Courage Press, 1994 (p. 21).

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