

Media myths, multi-platform journalism and the Hollywood cartel*

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American and British journalists like to claim that no special law is necessary to enforce media and news freedom. Anglo journalists tend to criticise France and other European countries where (they say) press laws and new regulatory regimes proliferate.

The United States Constitution prevents Congress from making laws which may limit the freedom of the press. In the UK the overt tradition also says “No Press Law”; only the general law of the land. But both the US and UK do have three types of media law and regulation:

1. The media are subject to Anti-Monopoly law.
2. There is much regulation of electronic media; in Washington this is done by the FCC, which responds to, and is financed by, Congress. The UK has recently adopted an Office of Communications (OFCOM) which is supposedly modelled on the FCC. These hard regulators have big allocative powers across electronic media, telecommunications and satellites.
3. There is also soft regulation. In the US this is mainly self-regulation of content. Leading American newspapers and TV network news have been prestige services, seeking credibility and advertising revenue in the white suburbs.

In Britain also the press does self-regulation. The Press Complaints Commission includes several newspaper Editors and cannot claim to be independent. Another amusing British tradition is the “D-Notice”. These Defence notices go from the Ministry of Defence to Editors, asking them not to publish certain things about particular sensitive military topics. D-Notices have no legal force and are sometimes ignored. The BBC also has had its own tradition of regulating itself.

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In the US, media regulation is done by specialist lawyers. In the UK, part-time amateurs have been important until very recent years.

The US lacks public service broadcasting and its television news operations are all owned by vertically integrated Hollywood companies which combine movie and TV production, TV and Cable networks, local TV stations, and local cable franchises. ABC, CBS, NBC news as well as the 24 hour news services (CNN, Fox, CNBC) all belong to the big showbusiness/Hollywood companies. European countries and the European Union would not allow almost all national TV news output to be owned by entertainment companies.

Until recently the US could claim to have several of the world's most successful newspapers. A key measure of success was that the leading daily in each of the four key markets (Los Angeles, Chicago, New York and Washington) was the only remaining serious newspaper in each Big City.

Monopolistic concentration in America is also evident in the Associated Press – which is the dominant provider of fast foreign TV news and of foreign text news. Most small American dailies also take most of their national and state news from AP.

Google is yet another dominating presence in the US. Google also owns YouTube. American anti-monopoly law has not prevented such examples of concentration and monopolistic dominance. But it has helped to shape the form of the resulting dominance. In the UK television news dominance is exerted not by Hollywood owned news services, but by the BBC. BBC news services account for about 60% of all TV and radio news audience hours.

The UK's national newspaper scene is dominated, not by excessive monopoly, but by excessive competition – there are still ten national daily newspapers. Big losses in daily sales have been concentrated into the four most downmarket, or working class, dailies.

Most of the UK's six upmarket, middle class, dailies were doing quite well – at least until 2007. Five of these six dailies are now big in on-line unique readers. Each of these five London dailies now has more unique on-line readers per month than does the *New York Times*. The majority of these on-line readers are outside the UK. *The Guardian* for example, hopes to be the world's leading left-of-centre serious daily and it sees its over 20 million online readers (mostly outside the UK) as a means to this end.

One key Anglo myth is, I believe, the “Prestige Paper” also called the “Elite daily”, or the “paper-of-record”. Supposedly this Prestige Paper is superior in news and neutral in politics. The Prestige Newspaper is also rich enough to collect most of its own news, and is supposedly owned by an enlightened, non-interfering, family.

In Britain Rupert Murdoch's acquisition of *The Times*, in 1981, ensured that its prestige pretensions were finally dead. Most of the big US dailies have followed somewhat similar paths. Anti-monopoly law has had unintended consequences as the big Central City dailies decided back in the 1960s and 1970s to compete with small dailies in the suburbs. These Central City dailies also provided special sections for exurban cities and counties. The battle was fought especially across hundreds of pages per week of classified and retail local advertising.

All of the big dailies, and especially the big dailies of Los Angeles and Chicago, have lost both financially and in terms of credibility. The *New York Times* has experienced a tragedy-and-comedy sequence of disasters. It has stuck too close not only to classified advertising but to US foreign policy. It has allowed reporters to invent stories. In early 2008 the *New York Times* moved into a new skyscraper building, where it initially occupied 7 hectares of floor space. Its own stock has been awarded junk status; and the *New York Times* is now dependent on the financial support of the Mexican billionaire, Carlos Slim. Slim is another monopolist – of Mexican telephony, both fixed and mobile.

An oddity of old Europe and modern USA: all of the leading American dailies date back to the nineteenth century. But in old Europe much of the press was born or reborn in and around 1945. Some leading European dailies are even younger. The European press is much more flexible, and diverse and independent of official foreign policy, than are the American newspapers.

In today's multi-platform news, Public Service Broadcasting helps Europe to be ahead of the United States. Policy and regulation have encouraged Europe's public broadcasters to be (as the BBC says) "On TV, On Radio, OnLine".

Western Europe's public broadcasters created the European Broadcasting Union's daily news exchange, which now extends well beyond Europe.

Today there is much talk about multi-platform programming. Also important in broadcasting generally is what the BBC calls "360° Commissioning". Especially in big entertainment programming, this means extending a big talent show across not only the big television channel but also across lesser outlets. So the emerging stars of a talent contest show can be interviewed on smaller digital channels and on radio. Linked material can be shown on mobile devices. An active publicity effort places material in the daily newspapers. European public broadcasters can be leaders in all of this.

Multi-platform programming has extended across several programming genres only in the last few years. But the big public news broadcasters have long been leaders in multi-platform programming. For decades public broadcasters have offered both TV and Radio news across the day and the night. Radio news on the hour has been followed by news on the mobile phone.

European public broadcasters are also going multi-platform in their international efforts in numerous languages – on radio and online and increasingly on international television as well.

Multi-platforming has, I think, altered the balance of power between leading individual journalists and the platforms. Modern technology is efficient, mobile and quick, enabling one journalist in a busy week to appear many times on separate news, and also non-news, shows. Within one week one journalist can appear on several different TV news and public affairs outputs, as well as on radio and online. Many journalists also have their own blogs. Many broadcast journalists today write books and write in the newspapers. Some of today's leading journalists are in demand for well paid public speaking. These celebrity journalists are also interviewed by foreign correspondents

from other countries. Newspaper journalists and columnists, in their turn, also appear on TV, on Radio and Online.

All of this happens around the world. But American national broadcast journalism is more split between Washington and New York; and between TV and Radio. The US lacks the European public broadcaster with its huge number of outlets. In the US, leading broadcast journalists have become smaller, while in Europe leading broadcast journalists have grown bigger.

We will see more of quick-and-easy technology. But there is one type of output – namely blogging – which will, I predict, be less attractive to prominent multi-platform journalists. The journalist’s blog puts a text onto the screen of a recipient. This facilitates the quick and angry response. Journalists who blog on controversial topics and conflicts can find themselves on the receiving end of obscene abuse and unpleasant threats. E-mail can quickly become hate mail. Why should a journalist do something which takes time, attracts hate mail and is effectively unpaid?

Digitalization and the profusion of video channels (and outlets) has happened everywhere; but both trends have gone especially far in the US and the UK. In the UK today about 90% of households receive at least 40 digital TV channels. If you subscribe to everything Sky or Cable offers, you will have 470 channels.

This 470 number comes from OFCOM, the official UK regulator. But such enormous channel profusion complicates previously more simple activities. Try content analysing the output of 470 channels. Try even defining what a channel is, or a network is.

Also scrambled are Genres, Genre definitions, and dividing lines between Genres.

News is relatively easy to define and to pin down. News is daily and its scheduling is far more prominent and stable than scheduling of any other Genre.

But more difficult to define is Public Affairs, or Political or serious Factual, or what the British call “Current Affairs”, programming. Depending on the definition adopted, Public Affairs programming hours have either expanded or contracted in recent years. There is a tendency to dismiss some “soft” public affairs programming as “Consumer” or “Educational”.

There are also numerous other kinds of Factual programming which can be classified as Public Affairs. This includes recent History, Biography, and travel programming. An Indian or Russian travel series may feature a comedian touring India, or a top journalist touring Russia. The BBC has always liked light-and-serious early evening programming. A big recent success is the *One Show*, which is on (BBC1 TV) at 7pm five nights a week; much of it is light and humorous but it also handles serious items. Is this entertainment or public affairs? It’s both.

Just as it’s impossible to read all of the books in the bookstore, so also it’s impossible to view all of the programming on 470 TV Channels. Modern technology allows viewers to ignore channels, schedules, and genres. Everyone’s experience of television is partial, selected and idiosyncratic.

Senior executives in Comedy or Drama or Entertainment or News themselves find it hard to know about all of the programming, even in their own Genre. In Europe this

problem is especially acute because of the preference for hundreds and thousands of short series and short serials. Each week brings novelty in quantity.

Now for one concluding thought about myths and regulations.

In the United States the prevailing myth is of “no law”. In practice anything which involves access to frequencies, markets or copyright, attracts much technical regulation, much lobbying and many lawyers. Anti-monopoly law is important and has many unintended consequences. But foreigners are deliberately ruled out of owning TV stations or significant TV networks.

The UK operates two systems. One (public service broadcasting) is increasingly tightly defined and regulated. But some 400 of the 470 TV channels are in practice largely unregulated.

Across Europe there is a similar sharp contrast. There is one highly regulated sector. But imports, mainly from Hollywood, are ineffectively regulated or largely unregulated.

The traditional business practices of the old 1930s and 1940s Hollywood movie cartel, have continued into European television today. We still today see a TV form of “blind buying” – a European network is forced to buy ‘product’ it does not want in order to get the one TV series it really does want.

European governments, the European Union, and European media companies, have not made the necessary effort – which would involve a strong and vocal presence in Washington and New York and Los Angeles. Also necessary would be a better understanding of the business plans of Google in Mountain View, Silicon Valley, and of Microsoft in Seattle.

Europeans are too willing to accept American mythology and reluctant to recognise that today’s vertically integrated Hollywood is allowed to behave as an integrated cartel in its European business activities.

This contrasts sharply with News. Europe is the world News leader.