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Metrics, models and the meaning of media ownership

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Concentrated media ownership has become an increasingly salient issue in the context of global demands for social justice and democracy. This article calls for cultural policy analysts to highlight issues of media ownership and maps out three approaches to ownership that are designed to provide a more holistic account of the problems and potential solutions. Attention is first paid to ‘metrics’ and the gathering of quantitative data; next, to the generation of normative models of media ownership; and then, to an ideological perspective on ownership that locates it in relation to systems of thought and action that privilege particular ways of thinking about and ordering the world. By arguing for a renewed focus on ownership that is based on the integration of all three perspectives into a more holistic methodology, the article aims to provide scholars with a conceptual and a strategic framework for understanding and intervening in ongoing debates about the dynamics of contemporary cultural industries.

Keywords: media ownership; media concentration; media power; media metrics

The importance of media ownership

The issue of media ownership has increasingly shifted from the business to the front page. Students in Mexico have taken to the streets protesting against the partisan agendas of the two main TV channels as part of a wider democratic reform movement, audiences in the UK have been treated to a daily soap opera of testimony in the Leveson Inquiry about the collusive relationships between News Corp., senior British politicians and top levels of the Metropolitan Police, while there has been a fierce debate in Australia about the need for tougher media ownership laws to secure a more plural media environment.¹ Such debates are often premised on the widely held belief that democracy is throttled if the number of media outlets and distinctive voices is restricted – if, in other words, media power is concentrated and if it is able effectively to evade public oversight and regulatory control.

In this argument, media concentration is anti-democratic: because it restricts cultural diversity (Kawashima 2011), because it undermines the ability of citizens to acquire and exchange the information and ideas necessary to take informed decisions about public life (Baker 2007) and also, because it further commodifies the cultural industries themselves, transforming them from vehicles of symbolic interaction to engines of capital accumulation that foster the exploitation of creative labour (Hesmondhalgh 2012). Consider the response in 2009 of Rupert Murdoch, chairman

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and chief executive of News Corporation, to calls for a bail out of news organisations as they struggled to cope with the combined impact of a huge drop in advertising revenue and the structural challenge posed by the Internet. Welcoming the collapse of companies that fail to adapt to the new digital age, Murdoch argued that ‘they should fail, just as a restaurant that offers meals no one wants to eat or a car-maker who makes cars no one wants to buy should fail’ (Murdoch 2009). This is the same vision of media – as commodities that measure their success simply using market criteria – as that espoused by Federal Communications Commission (FCC) chairman Mark Fowler in the early 1980s when he described television as ‘just another appliance. It’s a toaster with pictures’ (quoted in Horwitz 1989, p. 245). *Media* ownership, according to this logic, follows essentially the same dynamics as general corporate ownership; regulators and governments should not, therefore, make any special arrangements to protect the vitality of the media sector.

However, while ownership has often been neglected in cultural policy research (Garnham 2005, Napoli 2006), it has long featured in the annals of media scholarship. Some of the founding scholars of communications and cultural studies identified diversified ownership as central to the ability of media to pursue an independent, imaginative and critical role in public life. Back in 1948, Lazarsfeld and Merton noted the importance of locating mass media within the specific social and economic structures in which they operated and argued that ‘the social effects of the media will vary as the system of ownership and control varies’ (Lazarsfeld and Merton 2004 [1948], p. 236). More significantly, they insisted that ‘since the mass media are supported by great business concerns geared into the current social and economic system, the media contribute to the maintenance of this system’ (2004, p. 236).

In his 1962 book *Communications*, Raymond Williams highlighted the emergence of new forms of media ownership in the UK that were contributing to a growing commercialisation of audiences and content. He argued that the ‘methods and attitudes of capitalist business have established themselves near the centre of communications’ (Williams 1968 [1962], p. 31), even in a media economy that contained a significant not-for-profit, public service core. ‘From this it becomes one of the purposes of communication to sell’ a particular paper or programme. All the basic purposes of communications – the sharing of human experience – can become subordinated this drive to sell (1968, p. 32).

This article pursues Williams’ interest in the relationship between ownership patterns and the media’s ability to facilitate democratic conversations by arguing that cultural policy analysts should focus on ownership as a strategic priority. Issues concerning the control of financial resources, industry concentration and market structure have too often been hegemonised, both inside the academy and the media policy environment, by lawyers, economists and business analysts who have privileged empirical data, often based on a narrow concern with efficiency and competition, at the expense of developing a more contextualised approach.

The article maps out three approaches to the analysis of media ownership that, if taken together, provide a more holistic account of the problems, and potential solutions, that will be relevant to readers far beyond the USA and UK from where the overwhelming majority of examples are drawn. I first discuss the attention given to ‘metrics’ and the gathering of quantitative data that has preoccupied many media policy-makers; next, I focus on the generation of normative models and, in particular, pluralist models of media ownership; and finally, I highlight a further perspective

which conceives of media ownership in terms of systems of thought and action that privilege particular ways of thinking about and ordering the world. The article is meant to be far more than a literature review but, rather, an attempt to reorient our work on media ownership to meet the challenges of a highly concentrated environment. By arguing for a renewed focus on ownership that privileges its empirical, normative and ideological dimensions, the article aims to help scholars intervene more effectively in both policy debates and strategic action as media ownership becomes an increasingly significant proxy for media power in the digital age.

Analysing ownership as data

The first approach to the analysis of media ownership is to focus on it as a source of quantitative data that, when assessed empirically and presented methodically, produces the evidential basis for further types of action (i.e. ownership rules or regulatory interventions). Data in relation to broadcast ownership may include a breakdown of different types of ownership structure, figures concerning revenue and profit, the share of the market in terms of turnover or audience, levels of concentration, details of income streams and market predictions. Many studies have provided this information in an attempt to map out key features of specific broadcast environments; for example, Compaine and Gomery (2000) and Noam (2009) with reference to the US media ownership, Kelly *et al.* (2004), Open Society Institute (2005) and Sanchez-Taberno and Denton (1993) in relation to European ownership and Open Society Foundations (2012) in relation to over 30 countries across the globe. Meanwhile, Creech (2007), Napoli (2001) and Stolte and Craufurd Smith (2010) have all produced encyclopaedic works which detail all the various interventions into broadcast speech and ownership.

Given the often polarised debates on media ownership, quantitative data may be seen to provide a reassuring source of certainty and retains an ability to be mathematically precise in the midst of what some argue are instinctual claims and unsupported assertions. Noam, for example, insists that ‘what the world needs on the subject of media concentration is more facts, not more opinions’ (2009, p. 34) while Compaine talks of his own ‘data-mongering, stick-to-the-facts approach’ (Compaine and Gomery 2000, p. 21). Concentration can be pinpointed not through a vague sense that one company seems to be dominant but through the systematic use of economic analysis, most often using the Herfindahl–Hirschmann Index (HHI) which assesses market competition in a particular sector and quantifies the results. An HHI score of 1800 or above describes a sector with high levels of concentration while a score of 1000 or below suggests a relatively unconcentrated sector. The FCC, in its desire to relax ownership rules in 2003, employed this approach when establishing a ‘Diversity Index’ that measured the degree of concentration in a typical market, ‘Anytown USA’, which was found, most conveniently, to have a score of exactly 738, well below warning levels (Freedman 2008, p. 100).

Noam, in his 500 page survey of the ownership of contemporary US communications industries, presents data in order to negotiate between what he sees as two opposing, and flawed, hypotheses: first, the ‘destined to diversity’ scenario in which digital technologies are ushering in a communications cornucopia and second, the ‘doomed to concentration’ scenario (2009, p. 34) in which the media environment will inevitably be reduced to a small handful of all powerful fiefdoms. Instead, he

argues that what we find is a media structure governed by three trends – growth in economies of scale, the lowering of entry barriers and digital convergence – that will see it split into large ‘integrator’ firms who dominate conception and distribution and a whole slew of specialist companies which cluster around them (2009, p. 39). Noam concludes, after presenting a truly enormous amount of data, that while broadcast concentration – and more specifically multichannel concentration – is increasing, it is still well below levels ‘that would normally raise antitrust action if encountered in other industries’ (p. 423). Compaine, whose book is of a similar size and scope, is even more optimistic. His analysis of the data leads him to conclude that the emerging media marketplace ‘may be noted more for information overload and fragmentation than for concentration and scarcity’ (2000, p. 578).

It is not just pro-market scholars who turn to data to make their arguments. Figures like Herman and Chomsky (1988), Bagdikian (1990 [1983]), and Herman and McChesney (1997) all provide statistical evidence to support claims of increased media concentration and commercialism. Indeed, Robert McChesney, one of the founders of the Free Press media reform group, has repeatedly called for economists and legal scholars to furnish the reform movement with evidence that can be presented to policy-makers to substantiate the allegations of a link, for example, between increased concentration and reduced diversity. In his book, *Communication Revolution*, he writes that ‘the movement grasped how important it was to have first-rate credible media research’ and noted that there was a pressing need ‘for traditional quantitative communication scholars, for economists, and for legal scholars. And these scholars needed to work with us so that they didn’t get swallowed up by baseless presuppositions’ (2007, p. 172). Economists like Gentzkow and Shapiro (2006), Waldfogel (2007), and Chang (2011) have certainly taken up this challenge.

Quantitative data, therefore, is very much in fashion in the analysis of media ownership and in the discussions that guide policy-makers and regulators in responding to any problems that may arise from concentrated ownership or market failure. It is the ‘gold standard by which policy judgments are made’ (Philip and Karaganis 2007, p. 56) and is at the heart of the ‘evidence-based approach’ of the FCC and the British communications regulator Ofcom, both of which rely heavily on consumer research, market data, investment reports and econometric analyses. Indeed, Ofcom’s annual *Communications Market* reports (Ofcom 2012) are probably the most valuable source of data for any analyst of the British media while the FCC’s eleven reports produced for its 2010 ownership review, all of which are data-driven, provide a rich seam of material for those looking to evaluate the significance of ownership for media diversity (FCC 2011).

There are two problems, however, with this fetishisation of what has come to be known as ‘media metrics’, described by pro-liberalisation campaigners as ‘objective measures in contrast to subjective barometers’ (Thierer and Esikelsen 2008, p. 9). First, there is the fact that such data is far more likely to be demanded of or supplied by commercial organisations. According to Philip and Karaganis (2007) in their persuasive call for a ‘federal data agenda for communications policymaking’, policy-makers generally tend to draw their data from a narrow range of elite sources. ‘Today, communication policymakers rely heavily on the datasets developed by commercial data providers for their clients and the investment community, and, therefore, neglect their own substantial data collection capabilities and responsibilities’ (2007, p. 56).

Second, while a data-driven approach is designed theoretically to insulate media policy-making and regulatory domains from partisanship and bias, there is little to suggest that a call to ‘objectivity’ will necessarily undermine the use of selective facts and subjective judgments. Countervailing ideas can just as easily be marginalized, ignored or buried, as happened when FCC officials refused to distribute a piece of research that demonstrated a link between increased consolidation and decreased amount of local news (Associated Press 2006). Indeed, the Diversity Index employed by the FCC in 2003 to measure degrees of concentration in local markets was eventually discredited by the Appeals Court for relying too heavily on quantitative methods and for not paying enough attention to issues of content and the impact of different types of speech. It seems that not everything in the media environment can be easily quantified and that, perhaps more significantly, quantitative data needs to be more adequately contextualised.

Analysing ownership normatively

An additional approach to tackling questions of ownership is to be found in the pursuit not of empirical data but of normative models, ‘ideal types’ of ownership structure or regulatory behaviour. This is often a response to the failure, identified above, of empirical data to make sense of the communications environment. ‘Media concentration policy’, argues Natascha Just, ‘is not a mechanistic endeavor and thus cannot be captured by the positivist presupposition that inform most empirical attempts’ (2009, p. 113); instead, she calls for a ‘return to the normative principle as a primary guiding element of communications policy making’ (2009, p. 114). Such principles are often expressed in terms of arrangements that best facilitate, for example, the efficient allocation of cultural goods or the exercise of democratic citizenship where the media are seen collectively as a ‘watchdog’ whose prime role is to ‘monitor the full range of state activity, and fearlessly expose abuses of official authority’ (Curran 2002, p. 217). A pluralist perspective on ownership holds that media should articulate the widest possible range of views in order to allow citizens to seek out and act on all viable information as they participate in public life. In both cases, rules may be necessary to break up unaccountable and unacceptable concentrations of power that distort or undermine the ability of media to achieve these noble objectives.

The legal scholar Ed Baker hints at this kind of ownership model when he provides three main reasons for opposing concentration. First, he insists that we will arrive at more democratic arrangements for communicative power (Baker 2007) with a *dispersed* distribution structure that allows for a breadth of voices and representations in order that no one voice is excluded. Second, he argues that the ‘widest possible dispersion of media power reduces the risk of the abuse of communicative power’ (2007, p. 16) and notes how the Italian premier, Silvio Berlusconi, has amassed significant economic and political power through his domination of the Italian media. Finally, he claims that a more egalitarian media structure is likely to improve quality and reduce the risk of market failure as it will check the urge of concentrated organisations to put profit and shareholder value above all else. There are, he concludes, ‘fundamental democratic and significant structural economic reasons’ (2007, p. 53) for introducing rules that will disperse media ownership and consolidate the democratic benefits of a pluralistic media system.

Indeed, some of the most lucid accounts of the relationship between a competitive media system and a robust democracy are to be found in official justifications for precisely these ownership rules. Consider this statement by the then Conservative government when reviewing British media ownership rules back in 1995:

A free and diverse media are an indispensable part of the democratic process. They provide the multiplicity of voices and opinions that informs the public, influences opinion, and engenders political debate. They promote the culture of dissent which any healthy democracy must have. In so doing, they contribute to the cultural fabric of the nation and help define our sense of identity and purpose. If one voice becomes too powerful, this process is placed in jeopardy and democracy is damaged. Special media ownership rules, which exist in all major media markets, are needed therefore to provide the safeguards necessary to main diversity and plurality. (Department for National Heritage 1995, p. 3)

Even the FCC in its attempt in 2003 to *relax* broadcast ownership restrictions nevertheless insisted on the normative importance of retaining measures to promote viewpoint diversity in the interests of democracy. Despite the huge implications of the advent of the Internet and new sources of plurality, 'we therefore continue to believe that broadcast ownership limits are necessary to preserve and promote viewpoint diversity. A large number of independent owners will tend to generate a wider array of viewpoints in the media than would a comparatively smaller number of owners' (2003, p. 11). These views are shared by many scholars writing on the significance of media ownership rules; for example, Barron (2000), Doyle (2002) and Overbeck (2007).

A related way in which scholars have approached ownership and regulation has been to identify the normative bases of traditional public policy approaches to these questions. Philip Napoli, for example, talks of the 'enduring normative principles' (2001, p. 21) that underlie communications policy-making: concepts such as localism, diversity, universal service, competition and the public interest. McQuail (1992, pp. 68–77) discusses freedom, equality and social order as mobilising principles for attempts to regulate media systems while Tom Gibbons highlights values such as free speech, independence and accountability (1998, pp. 35–54). We could add to these lists, a whole host of other normative commitments – to pluralism, citizenship, welfare and social justice as well as to efficiency, productivity and profitability – and assess the ways in which different ownership structures and arrangements impact on these commitments.

Other scholars are keen to enshrine these kinds of normative principles in actual designs for democratic media practices. Georgina Born, for example, develops a 'normative architecture' (2006, p. 116) in which a range of communicative conversations may be fostered by the peculiar possibilities of a public service, non-profit broadcaster. The ability to stimulate these different dialogues is related not just to questions of ownership but to the characteristics of particular platforms (whether terrestrial television or the Internet) in establishing 'dialogical flows between sociocultural majority and minorities, or dominant and subordinate groups' (2006, p. 116).

James Curran has devised a 'working model' (2002, p. 240) of a democratic media system that is stratified by different forms of ownership. At the core of his system is a public service broadcaster responsible, above all, to its viewers and listeners (like, Curran argues, public service channels in Germany and Scandinavia

with their broadcasting councils and democratic representation). This core is surrounded by four ‘peripheral’ media sectors – civic, professional, social market and private spaces – which, taken together, will guarantee not only the communicative rights of minorities but ‘act as a restraint on the over-entrenchment of minority concerns to the exclusion of majority pleasures’ (2002, p. 241). While this is a distinctively European-looking project, William Hoynes has sketched out a vision for public broadcasting in the USA which requires rethinking the ‘core mission of public broadcasting in the digital age’ (2007, p. 375; see also Center for Social Media 2009). He suggests that public broadcasting adopt a remit that clearly distinguishes itself from commercial broadcasting and instead, focuses on local programming as well as independent news and current affairs.

A focus on the normative models is valuable in allowing us to imagine ‘competitive’ or ‘democratic’ ownership structures and regulatory practices (or to criticise structures and practices that are not) from the point of view of firmly held values and perspectives. There is little doubt, for example, that the media reform legislation passed in Argentina in 2009 – which, in its commitment to ‘diversify the airwaves by reserving one-third of licenses each for non-profit organizations, state broadcasters and private companies’ (Valente 2009), is strikingly similar to Curran’s model outlined above – was partly informed by a vision of what a democratic media system should look like. There is, however, always a danger that by choosing not to focus on empirical data, some normative accounts lack verifiability, or more precisely, relevance to particular political and economic contexts. Of course, there is no reason why normative accounts should be counterposed to empirically based studies and, indeed, many of the texts quoted above combine normative reflections with at least some detail about specific media environments. Georgina Born best expresses this approach in her anthropological analysis of a changing BBC (Born 2004), and later concludes that scholars:

need to break down the boundaries between normative theories and the design of democratic institutions, including media systems suited to democratic pluralism. From a policy perspective, we need to take political philosophies seriously – to realize that they offer tangible bases on which to construct institutional arrangements; but also to acknowledge that our existing institutions embody political philosophies that themselves deserve scrutiny and updating. (2006, p. 119)

Taking ‘political philosophies seriously’, according to Born, requires us not simply to imagine and design new models of ownership but to assess existing structures in terms of the specific values upon which they were brought into being. The shape of any media system is far from natural or accidental, but is the result of a series of attempts to regulate social behaviour that have identifiable ideological foundations.

Analysing ownership as an ideological process

This leads us on to a further, and complementary, way of studying ownership and regulation: neither as the mere embodiment of quantitative data nor as the pursuit of theoretically sophisticated normative positions, but as systems of thought and action that are related to specific ways of ordering the world. From this perspective, attitudes towards conglomeration or competition, for example, are revealing for the wider ideological positions that they point to (for example, about the market as an enabler of productive symbolic activity); the advocacy of particular regulatory

mechanisms and objectives is far from a simple technical or administrative matter, but connected to values and priorities and that are by no means natural or inevitable. This is an approach adopted by a whole number of critical communication scholars who identify structures of media ownership as central devices for securing consent to 'market-driven politics' (Leys 2001). For Bagdikian, whose book *The Media Monopoly* (1990 [1983]) was one of the first to combine data on media concentration with a sociological analysis of media influence, ownership is a mechanism for managing the exclusion of certain voices from political power. Media ownership, he argues, is connected to the ability 'to treat some subjects briefly and obscurely but others repetitively and in depth' (1990, p. 16), a seemingly 'normal and necessary' journalistic practice that skews public opinion in the interest of powerful corporations (1990, p. 16).

For Streeter (1996), media ownership policies (and the patterns of ownership they facilitate) help to naturalise capitalist property relations and systems of thought. Ownership policy is an ideological means of resolving differences and enforcing order in the communications environment and beyond: 'underlying all the (very real) disagreements and debates is a relatively constant structure of expectations that limit discussion, not by coercion, but by way of the subtle but profound power of interpretation' (1996, p. 117). For example, when Rupert Murdoch announced to the Federal Trade Commission that 'the government needs to clear the path for companies to invest and innovate – by reducing unnecessary regulation and eliminating obstacles to growth and investment' (Murdoch 2009), we should treat this both as a claim that needs substantiating as well as an expression of a particular neo-liberal world view. We need, therefore, to tie issues of *agency* and *interests* to our analysis of structure and procedure.

One way of doing this is to interrogate elite attitudes towards ownership and to focus on those documents and processes where arguments about ownership are most forcefully mobilised: in corporations' annual reports, parliamentary transcripts, submissions to consultations and reviews, contributions to regulator or industry panels, evidence to inquiries and so on.

The most common argument is technological: that in a brave new world of digital developments and consumer choice, there is little need to worry about oligopoly or a lack of diversity. The dizzying speed of technological innovation and market adaptation make redundant most attempts to control artificially the structure of markets or the preferences of consumers. This is especially true for television where spectrum scarcity, the phenomenon that provided the historic justification for regulating broadcasting, has been largely abolished in the digital age of virtually limitless bandwidth. 'Given the overwhelming wealth of both broadcast and non-broadcast media options available to consumers today', argued some of the largest entertainment companies in the USA during the highly controversial review of ownership rules during 2002–2003, 'the factual underpinnings of the spectrum scarcity rationale of broadcast regulation ... no longer are valid (if they ever were)' (Joint Commenters 2003, p. v).

Referring to the communication 'abundance' specifically facilitated by the Internet, former FCC chair Michael Powell (2003) argued that

the most striking difference between the world today and the world pre-remote [control] is that Americans now have access to a bottomless well of information called the Internet ... The time has come to honestly and fairly examine the facts of the modern

marketplace and build rules that reflect the digital world we live in today, not the bygone era of black-and-white television.

Adam Thierer, an influential Washington think tank analyst and firm supporter of ownership liberalisation, echoes this approach when arguing that we are currently living in a 'golden age' of media.

There has never been a time in our nation's history when the citizens had access to more media outlets, more news and information, or more entertainment. Abundance, not scarcity, is the defining fact of our current media age ... the question of who owns what, or how much they own is utterly irrelevant. (Thierer 2005, p. 161)

Essentially, the argument is that the Internet has stolen audiences, attention and advertising away from 'old' media and that, therefore, the 'rules of the game' have changed forever. Ken Ferree, former head of the FCC's Media Bureau, declared to a 2009 ownership hearing that 'there can be no denying that radio and television broadcast is a much less significant part of the media universe than they once were' (Ferree 2009) leading him to ask one simple question: 'are these ownership rules even relevant in today's media marketplace?' (Ferree 2009).

Liberalisation, conceived here as both desirable and inevitable, is also justified on economic grounds: that the profitability of media businesses would be enhanced through the relaxation of ownership rules. Consider the argument made by the UK culture minister Jeremy Hunt, an outspoken advocate of deregulatory ownership policies, in lobbying prime minister David Cameron to support News Corp's attempt to take full control of satellite broadcaster BSkyB. Dismissing criticisms that this would give News Corp effective dominance of British broadcasting and limit media plurality, Hunt insisted that it would be 'totally wrong for the Government to get involved in a competition issue' and that 'if we block it, our media sector will suffer for years' (quoted in Tapsfield and Marsden 2012).

Reviews of media ownership rules are populated by claims that by continuing with existing prohibitions on ownership, 'legacy' media businesses in particular will be at a disadvantage in the new digital environment. This argument was made with particular vigour by CBS in the 2006 ownership review, warning that without the ability to manoeuvre freely in the marketplace, 'we put at risk the rich American tradition of free, over-the-air broadcasting, including its universal availability, commitment to public service and localism, and its high quality entertainment, sports and news programming' (CBS 2006, p. 3). Many other US broadcast interests, particularly those representing smaller station owners, have made the same point: that liberalisation is increasingly necessary to maintain 'economic viability in a market dominated by consolidated multichannel providers and other competitors' (National Association of Broadcasters 2006, p. iv). The director of Heart Television put it this way: 'By consolidating ownership, operational and technological resources, local television stations can achieve new economic efficiencies and will be able to compete more effectively in the digital era' (Barrett 2009, p. 4). The British communications regulator also agreed that consolidation would allow companies to realise economies of scale and scope to recruit the best managers and provide them with better access to overseas capital (Ofcom 2006, p. 7).

This links to a further justification for ownership liberalisation: a belief that existing regulation is likely to constrain the innate creativity unleashed by market

forces. This reflects a neo-liberal conception that the state should have only a limited role in directing productive activity, that innovation is best realised when left to its own devices and that restrictions on media ownership are, ultimately, a violation of speech rights. 'My notion of the First Amendment', wrote Shaun Sheehan, chief lobbyist for the giant Tribune media corporation, in a private letter to William Safire, the *New York Times* columnist and supporter of ownership rules,

is that the framers feared excesses of government and that the press would be the countervailing force, the unfettered watchdog. Without scale and with the White House gunning for its broadcast licences, could the Washington Post have pursued Watergate? The New York Times, the Pentagon Papers? The more we get back to 'Congress shall make no laws' the better we will be. (Sheehan 2003)

Ownership rules, according to this rhetoric, conflict with basic First Amendment rights to freedom of expression and should be minimised in order to protect the speech rights of corporations. Market forces, according to this perspective, are not only *not* inimical to pluralist goals of source and viewpoint diversity, but are increasingly the main guarantors of such aspirations.

Identifying the interests and objectives behind key arguments posed by pro-liberalisation voices is essential in knowing where to start in challenging these perspectives. Opponents can point to the strong strand of technological determinism that exaggerates the impact of new technologies in a particularly one-sided way, as *requiring* liberalisation. Arguments that the Internet has done away with the need for ownership rules aimed at ensuring media pluralism and diversity are as much ideologically driven as they are the result of technological necessity. 'The sceptical observer', according to Jean Seaton (1998, p. 123), may 'conclude that the frequently heard claim that technology "requires" this or that policy, is just a way of masking a vested interest in the handy disguise of modernity'. Those interested in ownership questions can point to conceptual debates about the democratic significance of the media and use empirical data to reject the argument that the market, as a matter of course, gives voice to divergent groups and perspectives (see Di Cola 2006 for research that points to a link between ownership consolidation and 'homogenized programming' or Hindman 2011 which challenges the claim that the Internet has significantly expanded local news diversity).

A further response to pro-liberalisation arguments concerns their underlying assumptions about ownership rules themselves: that they constitute a 'barrier' to growth, a 'shackle' on investment, a 'violation' of free speech, and a 'restraint' of free trade. The equation of ownership rules with overwhelmingly negative and restrictive characteristics is designed to shift the focus away from their original intention: to promote a wider range of voices and perspectives than would be provided by market forces alone. In fact, it is more than likely that in a digital environment, there will still be the need for special controls to promote pluralism and diversity. Given the amount of Internet traffic dominated by Google, YouTube and Facebook as well as by longer established media companies, a broadband internet future is certain to produce new types of monopoly and new forms of exclusion that can only be tackled with purposeful and positive intervention into media markets.

We also need to assess the ideological implications of ownership even when it does *not* feature as an explicit topic in policy discourse as was the case in the UK Government's ongoing Communications Review, designed to inform future

communications legislation. The open letter that launched the review (Hunt 2011) makes reference neither to the potential threat to plurality posed by the then controversial bid by News Corporation to take full control of the British satellite operator BSkyB (a bid that eventually collapsed in July 2012 following the phone hacking revelations), nor indeed to any proposals to secure plurality in an increasingly volatile environment. Instead, the emphasis is firmly on growth, innovation and deregulation at the expense of other socially and politically desirable objectives: while ‘pluralism’ is mentioned once, ‘growth’ is referred to 21 times; while the ‘public interest’ merits a single mention, ‘competition’ or ‘competitive’ is referenced eight times.

The letter *assumes* that deregulation is the sole, or even preferred, route to ensuring growth and innovation when the picture is far more complex. For example, the government wishes to see the UK content thrive in export markets but the reason why British television (like other UK cultural industries) has strong international appeal is that it is largely the product of a highly regulated, not deregulated, environment. It is especially revealing that the government’s commitment to secure the future of the communications sector as a series of industries that are *both* engines of growth *and* mechanisms for delivering content in the public interest was predicated in advance on a desire further to shed rules that have helped to create strong organisations. Why is a deregulatory approach ‘the aim’ (Hunt 2011, p. 2) of the review as opposed to being one possible outcome? Why is ‘economic growth’ separated out from the role that the media plays more generally in equipping citizens with the information, knowledge and experiences they need fully to participate in contemporary life? Such absences and silences are highly revealing (Freedman 2010).

Indeed, the recent decision by the UK Competition Commission (CC) not to pursue a case against BSkyB in its consideration of anti-competitive behaviour in the pay TV sector (Competition Commission 2012) is a perfect example of an ideological preference (that of market forces acting as regulating agents in their own right) circumscribing the way the ‘problem’ is defined. The issue here is not that its analysis relied too heavily on metrics but that the CC’s use of the data was predicated on a belief in the self-correcting ability of the market that then places limits on its own capacity to secure unfettered competition. For example, despite noting ‘the very high and stable level of concentration, the low level of switching between suppliers, the difficulty of large-scale entry/expansion as a traditional pay-TV retailer and the absence of countervailing buyer power in pay TV’, the CC found that this ‘did not of itself lead to the conclusion that there was an AEC [adverse effect on competition]’ (2012, p. 8).

A normative commitment to the equitable distribution of cultural resources, however, would have identified some significant problems in the pay-TV market where BSkyB has ‘enclosed’ highly valued content behind paywalls. This is not the case simply for movies and sports, the subjects of two recent Competition Commission investigations into Sky’s market power, but also in relation to original drama and entertainment. For example, Sky has signed a deal with HBO worth around £150 m over five years to have exclusive access to both first-run and archive HBO programmes. As a result, *Mad Men* has recently moved from BBC2, a channel which has a 7% audience share, to Sky Atlantic, a channel with a 0.3% share. Even more significantly, Sky has promised to spend £600 m in the original UK material by 2014 to go on channels like Sky One, with a 0.7% share and the two Sky Arts channels, each of which in May 2012 had an average weekly viewing of one minute, with Sky Arts 1 registering a 0.1 share and Sky Arts 2 registering nothing

at all. Perhaps, any new investment into original programming should be welcomed but it becomes a public policy issue if this output is locked into gated communities aimed thus far at a minority of people who happen to get the channels because, by and large, they are sports or film fans. Public money (i.e. licence fee revenue) aimed at mass audiences is being replaced by private money aimed at lucrative subscription audiences with the consequence that content markets are not likely to operate in an open and competitive fashion, despite the CC's conclusion that Sky's market power is not having an adverse effect on competition. In this case, it was not the data that were faulty but rather the CC's underlying assumptions about the innate capacity of market forces to secure open competition and pluralism.

Conclusion

Is it desirable to argue, as this article has done, to prioritise media ownership as a key concern for critical cultural policy analysts? David Hesmondhalgh, a firm critic of existing marketised social relations, nevertheless doubts whether ownership is a sufficiently robust and expansive frame with which to make sense of content in complex media environments. Media producers, he has argued (Hesmondhalgh 2001), often enjoy sufficient autonomy allowing them not to follow meekly or consistently the dictates of owners and executives and that even following a ratings-led perspective is likely to enable the production of challenging and alternative forms of content just as it is also likely to lead to the emergence of trivial and sensation-alised material. He warns that an emphasis on ownership alone may foster an instrumentalist approach that marginalises more complex questions concerning the management of 'risk and uncertainty within the media business' Hesmondhalgh (2001). Furthermore, the emphasis on news and current affairs in many debates on ownership misses out on the role of other formats and genres and diminishes the importance of popular culture. Finally, the fact that there is 'no necessary link between oligopoly and reduced diversity' Hesmondhalgh (2001) – witness the explosion of niche musics presided over by both large and small corporations – suggests to Hesmondhalgh that 'there are other factors, besides ownership, at work in explaining media output' Hesmondhalgh (2001). Indeed, the problems associated with both settling on an acceptable measure of market concentration and then identifying the consequences of concentration on diversity and choice are such that a focus on ownership has left radical critics 'vulnerable to attack from the right and the political centre' (2007, p. 173).

Hesmondhalgh makes some very valuable points about the contradictions of media power and the dangers of economic reductionism, but his argument that media ownership is not a decisive explanatory framework is problematic. Firstly, as we have already seen, this is a view deliberately promulgated by proponents of ownership liberalisation who wish not only to contest specific measures of concentration, but to de-prioritise concentration as a controversial issue in its own right. Secondly, it is not necessarily the case that those who focus on ownership claim that it explains everything about media performance. McChesney (2002, p. 3; 2004, p. 208), for example, repeatedly points out that there are many factors that shape media output apart from ownership – for example, the strength of professional journalism, levels of investment and degree of social stability – but he argues, nevertheless, that a public policy emphasis on stimulating competition within media markets by curbing excessive concentration is needed precisely in order to facilitate diverse,

creative, unexpected and antagonistic content. Thirdly, the emergence of behemoths dominating sub-sectors of the digital economy – YouTube in online video, Amazon in e-books, Facebook in social media and LinkedIn for online biographies – presents all those interested in a diverse and independent media system with a significant and immediate challenge: how to secure pluralism in an environment which was supposed to be more resistant to the bureaucratisation and monopolisation that marked major parts of the analogue world. Ongoing consolidation of the digital domain has highlighted the flaws of contemporary ownership arrangements and competition regimes and contributed to an atmosphere in which demands for reform of media ownership structures are part and parcel of calls for wider democratic change. Far from scaling down campaigns for more democratic forms of media ownership, the current situation requires that more scholars engage in critical research into plurality of and competition in media markets.

Heeding Hesmondhalgh's warning against instrumentalism and reductionism, however, this article has proposed a number of different ways in which we can approach media ownership. It has suggested that the interested researcher may turn to empirical data to substantiate particular claims or to justify certain policy recommendations; it then turned to more normative assumptions about 'desirable' forms of ownership or institutional arrangements that may best facilitate democratic dialogue; and finally, it argued that researchers should consider ownership in ideological terms, not as a collection of self-evident truths, but claims that reveal particular ideological positions.

Each of these approaches may be singly justifiable but, taken together, they provide a much more productive method of cultural policy analysis. The normative without the empirical tends towards the abstract while the empirical without the conceptual tends towards the tedious. By adding in the recognition that what are all too often seen as rather bureaucratic processes are in fact systems of thought and action that, in the present climate, mobilise market-oriented values and marginalise non-commercial objectives; debates concerning ownership can be seen as crucial analytical ciphers for contemporary neo-liberalism.

In conclusion, I am arguing for an approach to media ownership that integrates empirical data, normative assumptions and ideological critique into a robust assessment of ownership that acknowledges the role of agency, interests and structures. We need to identify whose interests are most vociferously represented in ownership debates and to highlight the mechanisms both of the inclusion and exclusion of different perspectives. We need not only to evaluate the dominant paradigms that mark the discussion of ownership but also to introduce alternative frames and new starting points. Only by combining the empirical with the conceptual and the technical with the ideological can we be assured of capturing the real significance of debates on ownership and, in turn, be in a better position to press more effectively for genuinely democratic forms of media ownership.

Note

1. For details of the campaign by Mexican students against Mexican media concentration, see Wilkinson (2012). The Leveson Inquiry, instigated because of the phone hacking crisis involving News Corp's *News of the World*, into the ethics and standards of the British press is at www.levesoninquiry.org.uk. Details of the review into Australia's media ownership rules can be found in Reuters 2012.

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