BATTLEGROUND

THE MEDIA

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CONTENTS

Guide to Related Topics ix
Introduction xvii

Entries

À La Carte Cable Pricing 1
Advertising and Persuasion 5
Al-Jazeera 14
Alternative Media in the United States 21
Anonymous Sources, Leaks, and National Security 28
Audience Power to Resist 33
Bias and Objectivity 39
Blogosphere: Politics and Internet Journalism 45
Body Image 51
Bollywood and the Indian Diaspora 56
Branding the Globe 62
Cable Carriage Disputes 69
Celebrity Worship and Fandom 76
Children and Effects: From *Sesame Street* to Columbine 80

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HYPERCOMMERCIALISM

The landscape of popular culture is cluttered with on air commercial messages and many media analysts and public interest groups charge that advertising, promotion, corporate slogans and icons have become inescapable intrusions on everyday life. The trend toward weaving advertising and promotion into the fabric of mainstream media has been termed hypercommercialism and describes the increasing prevalence of sales and marketing in all aspects of media production and structure. Product branding has been recognizable for decades, but now "branded entertainment" embeds advertising into the design of entertainment programs themselves. Along the way, television is transformed into a marketing tool and viewers become consumers of products, not audiences to be entertained. Media managers argue that combining entertainment and sales will satisfy the public, if done with skill and ingenuity. Critics counter that the consequences of hypercommercialism extend to the foundations of American democracy, because such practices affect news programming and press reporting, as well as entertainment genres. The parameters of hypercommercialism are in constant flux, changing with new ownership structures, media technologies, marketing philosophies, symbolic techniques, and production formats, all of which make contemporary commercial culture a dynamic realm, and a battleground issue, from critical and cultural perspectives.

THE COMMERCIAL MEDIA

The economics of TV has had a particular historical trajectory. When commercial interests won the battle over broadcasting in the 1920s, it was decided

that television and radio programming was to be paid for by corporate sponsors. But the controversy did result in broadcast regulation that required networks and station owners to broadcast in the "public interest, convenience and necessity." Advertising would pay for TV programming and commercialism came to be the dominant force in American media, the ramifications of which we are only now beginning to fully understand.

In the 1950s, one sponsor paid to produce each program. This practice gave way by the end of the decade to spot advertising, which continues today. Commercials inserted during programming breaks are purchased by multiple advertisers at negotiated prices determined by a combination of ratings, program demographics, time, content, and availability. In recent times, commercial messages have lost some of their persuasive power as ads become shorter, more frequent, and easier to zap (for example, TiVo). In addition, viewers are media literate and wary of such overt persuasions. Celebrity endorsements help, but now celluloid and video stars pitch everything from aspirins to phone companies. Audiences have come to know that every endorsement has its price, making them a little less effective. But when stars use products in movies and TV programs, it still appears to be the discourse of entertainment, not sales. In a strategic game of leapfrog, advertisers step up persuasive technique and media strategy as the old ones lose some of their punch.

Now promotional messages are no longer restricted to spot advertising. In the age of deregulation, when restrictions on the number of commercials allowed in any hour of programming have been removed, contemporary television places products into just about every nook and cranny of airtime. Although spot advertising is not going away, it now coexists with product placement, a practice that embeds the promotion within the program. Both advertising practices continue to evolve, and as they do, critics charge that they exert inordinate influence over TV programs and feature films alike.

INFLUENCING MEDIA CONTENT

Placing brands in films really took off after 1982 when Steven Spielberg's cute alien, ET, ate Reese's Pieces and sales shot up. Then, in 1983, Tom Cruise wore Ray Ban sunglasses in the movie *Risky Business.* Public interest researchers Michael Jacobson and Laurie Mazur noted that in one month Ray Ban reported sales of 18,000, more pairs of that style sold then during the previous 3 years. As plugging in film came to be understood as the industry's golden goose, agencies directed more clients toward the movies, and as advertising interest rose so did its influence on films. Media scholar Mark Crispin Miller first noted that films with product placement contained scenes that slowed the pacing to feature products; had more mythic, less complicated heroes; and ended on a happier note. In essence, the films moved closer to the upbeat, singular attitudes of commercial design. These changes were predictable consequences of embedding products in story lines, and they follow the conventions of industry wisdom. Ads must not stand out from the landscape of media, rather, they must be integral parts of entertainment geography. From the early day of commercials on television, broadcast historian

Eric Barnouw detailed the ways in which advertising professionals learned that commercials that diverged in style and content from programs were ineffective at selling products. Since then, media buyers have long demanded what is called *programming environments*: particular stories and character types that surround the product and its ad campaign with compatible and complimentary messages. In this way viewers and readers are *primed* to be more susceptible to ads and the symbolic culture that sustains them.

The economic success of broadcasters is dependent on programs that please two different constituencies, ad buyers and TV audiences, whose interests sometimes diverge. Many network professionals attempt to create interesting, independent programming, but productions must be attractive to sponsors who pay the bills. Because ad agencies and their clients make "up front" media buys based on the programs they see, producers know well that shows dove-tailed to sponsors' wishes garner the highest rates. In these ways, advertisers come to exert enormous influence on programming design. Nowhere is this more evident than with reality shows, in which entire programs are designed by and for advertisers.

BRANDED ENTERTAINMENT

Product placement on TV has evolved into what the industry now calls *branded entertainment.* Media contracts revolve around *brand integration* deals, a common feature of reality shows. In many of these shows the networks have contracted with *task sponsors*, or companies willing to pay to have entire episodes built around their products. In its third season, *The Apprentice* built programs around, for instance, Dominos Pizza and Staples. Products were designed and pitched to company executives, and through the entire episode, each show featured brand logos in an all-encompassing corporate environment. Another NBC reality show, *The Restaurant*, contracted with Coors, American Express, and Mitsubishi. The three companies paid the entire production costs of the episodes. In the first show, chef/owner Rocco DiSpirito orders beer, then corrects himself, "Make that Coors beer. Kimberly, do not come back without Coors beer for all these people," he says. In addition, dialogue with branded content is being dubbed in after filming (Husted 2003). Such practices alter the programs as advertisers influence the scripts, settings and editing process. As one entertainment writer noted, *The Restaurant* has the feel of an infomercial. Such programs might better be called product placement shows because the advertising content is being scripted, with any pretence to reality being in name only. These shows hark back to television of the 1950s when sponsors controlled programming, and illustrate the current merger of entertainment and promotion.

MAGAZINES

These precepts hold true to magazines as well, where combining advertising and content has been standard practice. Articles written to augment paid adverting by emphasizing promotional themes or featuring products are called

complimentary copy. When articles are placed on facing pages or used to surround the ad text, they are referred to as *adjacencies*. Much of magazine content is filled with stories generated from advertising departments as complimentary copy, not from the creative inspirations of editors, or the investigative instincts of reporters. Magazines also carry *advertorials* and special advertising supplements formatted to look like feature journalism. They hope the format tricks readers into being less critical and more open to the messages. Indeed, many advertisers reject independent story ideas. In addition, magazine and newspaper editors increasingly rely on public relations professionals who represent corporate clients and celebrities who pitch stories and even write copy.

CREATIVE AND EDITORIAL JUDGMENT

Now magazine copy, much like many film scripts, is submitted to ad agencies offering them the chance to find appropriate insertion points for their products. This merging of media content and product promotion has resulted in increasing demands by manufacturers and their agents that content conform to the messages of the advertising. Chrysler publicly announced such economic *prior restraint* as corporate policy in January 1996. The company's advertising agency sent a letter to magazines carrying its advertising requiring them to submit articles to Chrysler for advanced screening. If the company deemed any editorial content provocative or offensive, it warned, it would pull its advertising.

The American Society of Newspaper Editors prepared a response and on June 30, 1997 sent out an appeal to editors to take a position not to bow to such advertising pressure and to reassert their right to have final authority over the editorial content of their magazines. Milton Glaser, a graphic designer and cofounder of *New York* magazine, hearing of Chrysler's policies wrote, "Censorship of this kind that acts to curtail the exchange of unpopular ideas is unacceptable for all those who care about human freedom and a healthy democratic society" (Glaser 1997). He added that such a practice "violates our sense of fairness and our notion of how a free press work." Chrysler Corporation responded with surprise to the protest, saying it was only making public a policy that many other companies practice covertly.

In film as well, advertisers sometimes try and succeed, in shaping content to their demands. The fight over how to end the popular film *Jerry Maguire* is a case in point. In *Jerry Maguire*, Tom Cruise stars as a struggling sports agent and Cuba Gooding Jr. plays the lovable football player Rod Tidwell, trying to make it big time. Products such as Coke, Visa, and Reebok are plugged, but the film goes further in its support of advertising. Tidwell's very success is measured by his popularity with advertisers. His career goal is to appear in a Reebok commercial, not on the late-night, low-budget, water-bed pitches that are a sure sign of failure. Reebok's placement in the film led to contentions about creative control, ultimately won by the shoe company. The director cut 47 seconds of Tidwell appearing in a Reebok commercial at the end of the movie. Reebok sued, and when the film aired on Showtime, the pitch had been reinserted. At this point advertisers have enormous control over motion picture plot and dialogue, and in this case, endings. By the end of 1998 the talented Gooding was pitching Pepsi on TV spots, still in his Tidwell character.

MEDIA OWNERSHIP: MERGERS, CONSOLIDATION, AND TIGHT DIVERSIFICATION

No discussion of how media culture came to be hypercommercial is complete without mentioning the role of corporate mergers and acquisitions, which took place in two significant waves of consolidation in the 1980s and 1990s. Film industry observer Thomas Schatz, documented the 1989 transformation of the structure of the industry, when a total of 414 media deals worth over $42 billion were struck, the most notable being the $14 billion merger of Time Warner. In 1995 another wave hit, setting a record of 644 mergers totaling $70.8 billion. Along with Disney purchasing Cap Cities/ABC, Viacom's buyout of Blockbuster, and Westinghouse's merger with CBS, the already massive Time Warner bought Turner broadcasting in a $7.3 billion deal. Among other things, CNN, TNT, and TBS gave the new company broadcast distribution for its vast media products of film and TV series, resulting in the largest media library in existence. Changing copyright ownership led to the mining of the past for commercial purposes, and bits and pieces from old movies, characters and cartoons turned up everywhere from ads to merchandise. Time Warner made spectacular profits with vintage Looney Toons, the revenues for syndication and merchandising of Daffy Duck and his friends reached $3.5 billion in 1996.

Media conglomeration has allowed the mega corporations to practice *synergy*, another key piece of the expanding commercial mosaic, in which corporations cross-promote their own stars, programs, and merchandise on their media outlets. When Time Warner wanted to own the production and distribution of its TV shows, it started its own TV network, WB. Because teens comprise the biggest consumer market in the music industry, *Dawson's Creek* was used to sell the songs and artist signed to Warner Bros. record labels. Paula Cole's, *I Don't Wanna Wait*, became a top 10 single after being featured as the show's theme song.

Synergy also provides the economic fuel that propels the trend toward huge media franchises, including summer blockbusters. The primary requirement for synergy is capital, which only huge companies have, first to produce the film that forms the epicenter, then to provide the millions needed to drive the marketing force behind it. These multipurpose entertainment/marketing machines then create film franchises that become lengthy promotions for a vast array of licensed tie-in and brand-name consumer products. One narrative can also lead to movie sequels, TV series, music videos, and sound track albums, video games and theme park rides, graphic novels and comic books. Indeed, the first giant step in this direction was the *Batman* blockbuster. As industry writers like to say, Warner is the Studio that *Batman* built. *Batman* was one of the first films to utilize the whole machine of the company, from the marketing to the tie-ins and the merchandising, all building up the momentum needed for international distribution. Films are no longer singular narratives, rather, they are *iterations*

of entertainment supertexts, multimedia forms that can be expanded and resold almost ad infinitum.

RETAIL OUTLETS AND MEDIA BRANDS

Batman—the movie, then the industry—inspired the chain of Warner Bros. retail stores, one of the most significant trends in all of this. These new entertainment/commodity facilities, or retail stores feature branded products. Before the deregulation of the 1980s, merchandise tied to TV shows was not allowed because the program would have been, in essence, an extended commercial. Since then (as in the 1950s), the shows that feature the products that children desire so fervently after seeing them on TV, advertise the product for the length of the program. Tying products to TV programs, films, networks, and the cable services on which they appear give media firms distinct brand identities that create new marketing horizons for massive amounts of commodities. Cable channels and broadcast networks alike now strive to be regarded as brands, especially desirable to specific demographic groups targeted by advertisers, especially children who watch Disney and Nickelodeon. Disney now has over 600 retail stores selling branded products, and Time Warner is in hot pursuit with a couple hundred stores. Viacom has also entered the branded retail-marketing venture. It is this latest aspect of the merger/synergy structure that reduces the cultural differences between movies and advertisements, programming and promotion, entertainment and shopping.

As detailed previously, these economic practices also affect content, which is designed to conform to the atmosphere of what some describe as *commercialtainment*. Disney's animated film *Hercules* illustrates the close connections between corporate synergy and sympathetic media content. In the Disney story, when Hercules becomes a hero he also becomes an action figure. The cultural icons of his success are prestigious tie-in products, from Air-Hercules sandals to soft drinks, all of which are sold, of course, in their own branded, retail outlet depicted in the film. At the time of the movie's release, Disney made up the entrance to its store to look like the store in the film, and the tie-in theme park is also depicted in the text of the movie. The movie's celebration of marketing synergy helps create a cultural attitude in its favor, which helps erase the distinction between cultural narratives, heroes, marketing, and merchandise.

While some critics see supra-narratives that extend and augment across media outlets and formats as constituting a creative realm of media and audience production, other analysts argue that they are indicative of a monolithic media world that crowds out smaller, creative alternatives. Those concerned with the excesses of commercialism argue that such narratives are only successful when they conform to a certain set of requirements, designed to target the highest paying markets. The now standard and highly formulaic action adventure narratives must be hyped with all the advertising that studio money can buy. Because advertising is needed to create the buzz (especially to teen audiences who see movies more than once and buy the tie-in merchandise), spot advertising is now a huge expense for media firms themselves. Such franchises are expensive to make and expensive to advertise, and this is a major rationale for the mega-media corporation, because only they can afford the risk and costs.

Deregulation allowed TV programs to become advertisements. Industry conglomeration created the synergy needed for transforming the rest of entertainment into merchandise. The economics of media content has influenced programming and movie design in its favor, but it has also led to a type of economic censorship of shows and content that advertisers and corporations object to.

CBS AND VIACOM: A CASE OF ECONOMIC CENSORSHIP

As the summer of 2001 drew to a close, in the hot days of August and network reruns, the *New York Times* reported that CBS was shelving several episodes it had planned to rerun of its primetime courtroom drama, *Family Law*. The episodes dealt with the death penalty, abortion, gun control, and interfaith marriage. These are the issues that win or lose presidential elections, they shape public policy, and have enormous impact on personal life. They all represent important controversies, unsettled in the minds of the American public, and the country is in great need of as much public discussion about these matters as possible, whether it is on a fictional drama or nightly news broadcast. The shows were pulled because of advertising pressure from Procter & Gamble; the company deemed the episodes too controversial and threatened to withdraw its commercials. CBS succumbed to the pressure and shelved the episodes.

This incident illustrates the commercial forces at work that often determine which programs are made available to the public, and which are not. The decision to pull the programs was the outcome of these regulatory, economic, and structural changes within the industry. In May 2001, CBS's parent company Viacom signed a $300 million advertising contract with Procter & Gamble (P&G), the largest advertiser on TV. Conditions of the media buy stipulated that P&G would spend about one-third of its total advertising budget on ads for products such as Oil of Olay, Pantene, and Tide detergent, most to be aired on CBS. In securing the huge revenue source for Viacom, CBS agreed to work with the company on projects suited for its needs. It is common industry knowledge that P&G is careful about the programs that surround its products, and it employs a private screening agency to monitor the episodes of TV programs that carry its commercials.

The contract involving such large sums of advertising dollars was made possible because of the 1999 merger between Viacom and CBS, creating at the time the world's second largest media corporation. The $80 billion merger, made possible by the Telecommunications Act of 1996, resulted in a vertically integrated company that was allowed to control two TV networks. For the first time in history, TV networks were allowed to own cable systems. Viacom, primarily a cable firm (with a significant library of television classics), could now control TV networks. In addition, previous regulation limited a single company from owning TV stations that reached over 25 percent of the national audience, but after 1996 the maximum audience percentage was raised to 35. Even with the increase the CBS/Viacom deal was over the limit, yet the FCC allowed the merger to take place.

One of the economic incentives for mega media corporations is the ability to secure the largest portion of national adverting revenue. CBS had learned these strategies with their radio properties soon after the Telecommunications Act. Robert McChesney reported that by September 1997, after quickly purchasing the new legal limit of radio stations (eight in a single market), CBS became one of three companies that controlled more than 80 percent of the ad revenues in about half of the top 50 markets. These station monopolies allow companies to corner national advertising, but result in a less competitive, less diverse market system. Independent stations cannot acquire the high-paying national clients, and smaller advertisers cannot obtain the same rates bought by big-time commercial buyers. Massive ad buys of the kind made by P&G result in fewer alternatives for broadcasters if a major sponsor threatens to pull its commercials. That is exactly what happened at CBS. The summer rerun period is not known for high ratings. The threat made by P&G carried weight because it was to sponsor four commercials for the single episode. Replacing those would not be easy for an August rebroadcast.

But CBS had reason not to pull the hour-long drama. It was the only one in the series nominated that year for an Emmy Award, television's highest honor. Dana Delany, playing a single mother whose son is shot by the gun she owns, was nominated for a guest-actress award. Networks routinely rerun their Emmy-nominated programs in August because voting is still taking place. The willingness to pressure the network might have been more understandable had the program been unbalanced, but the episode presented both sides. While dramatizing the often-tragic outcome of gun ownership, the law firm in the series nevertheless defends the mother's right to own a gun.

This incident became the topic of news because the award-nominated actress herself drew attention to the incident. But in this era of media consolidation, the press has not done an admirable job of reporting on industry conglomeration. When mergers occur, problems are downplayed and there is little public discussion. Tom Brokaw's terse statement about the CBS/Viacom deal is illustrative of the coverage. "What does that mean for the average viewer? Well, probably not very much" (*Action Alert* 1999).

PRESSURES ON THE PRESS

Nonfiction programming, news and information have not been insulated from the consequences of megacorporate ownership and hypercommercialism. Hard-hitting investigations that challenge corporate practices, power, and wealth are rare in this media environment that continually promotes consumption. It has long been understood that even though media organizations are large profit-making organization, information and uninhibited public debate are so essential for democracy that they should be insulated from commercial pressures. This is often referred to as the division between church (the editorial division of a company) and state (the rest of the corporation and its business practices). Media managers and owners have offered congressional testimony confirming this separation. But researchers have documented troubling cases where promotion, entertainment, and other profit-making priorities have crossed the line into news divisions and affected editorial decisions (see "The Suit against NBC" sidebar).

THE SUIT AGAINST NBC

Those concerned with press freedom in the age of corporate media conglomeration point to professional journalists as the ones able to protect the public's right to know. While journalists often resist pressures, their careers and incomes are often on the line, and most are aware that lifestyle stories boost ratings and please managers. Former Gulf-war correspondent Arthur Kent (who became known as the Scud Stud during the war) was hired as *Dateline's* foreign correspondent. Kent was committed to serious news and foreign reporting, and when NBC fired him in 1992, he brought suit against corporate news managers. He said producers were reluctant to air his reports because entertainment division executives believed they had no commercial value. The legal case, including transcripts of testimony, offers rare insights into how corporate executives define news, and how the G.E.-appointed NBC news managers had been told to "bring down the barriers" between news and entertainment. The case demonstrated the loss of editorial autonomy in the news division in pursuit of entertainment fare. Though his case was settled and is considered a victory, Kent concluded that working journalists have less real influence on the daily news agenda then ever before.

FOX NEWS AND MONSANTO

One case illustrates these concerns. In December 1996 investigative reporters Steve Wilson and Jane Akre were hired by Fox 13 in Tampa Bay to do hard-hitting local reporting. They quickly uncovered a story critical of Monsanto, the largest agrochemical company, the second largest seed company, and the fourth largest pharmaceutical company in the world, and a main advertiser on the Fox Network nationally. Monsanto produces a synthetic bovine growth hormone (BGH) marketed under the name Prosilac. Prosilac is banned in Canada and Europe because of its links to cancers of the colon, breast, and prostate, and the bacterial and antibiotic residues left in milk. Akre found that virtually all milk sold in Florida came from cows injected with Prosilac, and even though labeling is required, consumers were not being informed. After two months of investigation, the reporters produced a news report. But the story was pulled (Wilson 1998). As the incident became well-known among First Amendment scholars and critics, they found that Monsanto was a client of Actmedia, an advertising firm also owned by Rupert Murdoch, who owns NewsCorp, the parent company of Fox News. The case raised concerns about the decreasing number of companies that control the media, and their willingness to protect corporate interest instead of informing the public.

MARKET JOURNALISM

The overall negative effects on journalism are multifaceted and come from a combination of commercial factors. Editor-at-large of the *Columbia Journalism*

Review, Neil Hickey has tracked newsroom developments and he makes the following points: editors pull back coverage of major advertisers to protect ad revenue. They work with marketers, advertisers and promotion experts on story ideas, collapsing church and state, and losing editorial independence. They acquiesce to shrinking news holes that augment the bottom line. Executives cut budgets to satisfy demands for higher profit margins and fail to reinvest in training, support, staff and equipment. Taken together, according to Hickey, these things constitute the "fatal erosion of the ancient bond between journalists and the public" (Hickey 1998).

At the same time, journalists and critics alike have lamented the changes in serious news reporting (Koppel 1997). They point to newsmagazines and other nonfiction fare produced in entertainment divisions and designed to compete for ratings, which use dramatic production techniques, such as intense and mysterious soundtracks to tell theatrical tales and juicy plots of murder and mayhem. Such ratings-boosting fare offers distraction and visceral responses in a world becoming more complicated and less comprehensible.

Most disturbing is the habitual suppression of an entire terrain of information deemed unacceptable to corporate business interests. A conglomerate such as Disney has declined to allow ABC news to cover conditions at its theme parks, and the company is not eager to air stories that detail the conditions under which Teletubbies are made. Few investigative reports show Chinese workers toiling up to 16 hours a day for less than two dollars to make the merchandise sold in Disney's retail outlets. And with the shared directorates between Time Warner and Chevron Corp., it is no wonder that Chevron's role in the destruction of Nigerian wetlands was identified as a censored news story by Peter Philips and Project Censored. From information about faulty and unhealthy products, to the human and environmental consequences of some corporate practices, critical information is harder to find outside the Internet and alternative media outlets. Critics charge that news produced in the age of hypercommercialism increasingly reflects the interests of the wealthy few that own and advertise on the media.

CONCLUSION

The current reliance of commercialtainment of all sorts, and the branding and merchandising of programs and media companies alike, together with programming pressures from advertisers and their agents, are the result of media conglomeration and corporate friendly regulatory decisions. These changes have raised fundamental questions about democracy and the First Amendment. For fictional fare, as creators lose production independence, the singularly positive portrayals of products and corporate sponsors should not be considered programming in the public interest, but uniquely beneficial to commercial interests. At times, corporate interests are at odds with consumer needs and the public's right to be informed. Analysts wonder if this increasingly hypercommercialized landscape can serve the democratic needs of the public. If not, can the course be changed in a direction able to reenvision a more inclusive, less commercial communication system?

See also Advertising and Persuasion; Alternative Media in the United States; Branding the Globe; Conglomeration and Media Monopolies; Government Censorship and Freedom of Speech; Internet and its Radical Potential; Media and the Crisis of Values; Media Reform; Media Watch Groups; Minority Media Ownership; Product Placement; Ratings; Reality Television; Runaway Productions and the Globalization of Hollywood; Sensationalism, Fear Mongering, and Tabloid Media; TiVo; Transmedia Storytelling and Media Franchises; Video News Releases; Women's Magazines.

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