

# Media, Creativity and the Public Good

A Report of the Aspen Institute  
Roundtable on Leadership and the Media

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*This report is written from the perspective of an informed observer at the conference. Unless attributed to a particular person, none of the comments or ideas in this report should be taken as embodying the views or carrying the endorsement of any specific participant at the conference.*

# Foreword

For 20 years, morning radio and cable television show host Don Imus hurled insults and *ad hominem* attacks against a variety of individuals and institutions. Yet many of the nation's most revered personalities, particularly from the political and journalistic establishment, went on his show to discuss current events. On April 4, 2007, however, when Imus disparaged the Rutgers University women's basketball team with a racist and misogynistic epithet, the curtain fell. First activists, then the public, his advertisers, and ultimately his corporate bosses all aligned to say "enough." The celebrity guests were silent or critical, and within a week, he was off the air. Interestingly, in that particular situation, the government (in the form of the Federal Communications Commission) was not empowered or inclined to intervene.

How did the American media reach the point where talk show hosts in radio and certainly in every other medium regularly debase the culture, spew inanities, and insult segments of the audience? People eat bugs, confess perversions, distort facts, bare themselves, and act foolishly on the mass media. In a system that allows for creative triumphs, such clutter and litter is, at least in part, a by-product of the healthy artistic freedom that is central to the American ethic. But as with anything, there are also excesses and slow races to the bottom as degradations intensify over time; the frog is cooked in the pot, not noticing its own plight until the water has already boiled.

Recent advances in communications technology have brought new attention to this old problem. As the Internet rises in importance as an access point for entertainment and information, the difficulty of controlling its distressing and potentially dangerous elements becomes more apparent. Many now-standard approaches to controlling destructive media content simply will not work online, where creators and users number in the millions, often are anonymous, and change roles far more rapidly than Washington can write policy.

The situation has only heightened concern over the fare offered by our popular mass media, including individualized media such as video games and the Internet. Parents, often sadly unaware of what their chil-

dren are watching or using, are voicing increasing concern. Citizens groups, public officials, religious leaders, and even media executives have all chimed in to differing degrees, but each feels powerless to change the system.

The government cannot censor, though other regulatory avenues could be available; parents cannot always control what their children see, though there are an increasing number of tools to help; citizen activists raise awareness but rarely prevail over powerful industry interests; and media executives, despite good intentions, are heavily pressured to increase their quarterly profits.

This state of affairs led the United States Conference of Catholic Bishops (USCCB), under its then-director of communications, Monsignor Francis Maniscalco, to engage the Aspen Institute Communications and Society Program to convene roundtables of media executives, creative talent, religious leaders, activists, and academics in a series entitled the Roundtable on Leadership and the Media. The first of these meetings was held in Santa Barbara in 2005, resulting in the publication, *Artistic Freedom and Social Responsibility* (Aspen Institute, 2005). The second was held in the same venue in 2007 and is the subject of this report.

Simply, the underlying goal was to establish a dialogue among representatives of the various stakeholders and interest groups to set a framework on how we might think about this difficult topic. How do we maintain a system of freedom and creativity in a profit-making environment and still retain a moral sense of decency? Can socially responsible, individually empowering, personally enlightening content compete for attention on our movie screens, radio and television sets, video game consoles, and computer screens? And how can this be done in a digital environment where electrons respect neither orders nor borders? Within the complicated process of bringing content to the screen, who bears responsibility for what is on, and how can interested parties try to affect it?

Participants in the Roundtable met February 28 to March 2, 2007, to discuss these issues. We ask our rapporteurs—in this case, media scholar and activist Mark Lloyd—to weave the thoughts and insights that arise in the two-day dialogue, along with other outside sources, into a presen-

tation that provides the reader with a better understanding of the issues, including a variety of viewpoints on any particular topic. Thus, this report is neither the minutes of the meeting nor a personal essay on the topic; it is the rapporteur's interpretation of the dialogue that took place.

### **Acknowledgments**

This conference owes its origin and support to the United States Conference of Catholic Bishops. In particular, Monsignor Francis Maniscalco, who ran the USCCB's Office of Communications for 11 years, was the guiding light, but the members of the USCCB Communications Committee, headed by Archbishop George Niederhauer, and the staff of the Office of Communications, including Director of Production Ellen McCloskey, all aided in the process. We thank Mark Lloyd for ably constructing this report from the conference dialogue, its background readings, and his own research and knowledge on the topic. Of course, the Roundtable gained its energy and value from the willingness of the participants to share their valuable time, knowledge, and insights. Particularly, I would like to thank Jonathan Adelstein, Jeff Cole, Geena Davis, Joe Morganstern, and Jonathan Taplin for their excellent presentations to the group to lead off particular sessions. Finally, I thank Kate Aishton, project manager, for conducting all the behind-the-scene work to produce the conference, the background readings, and this report.

Charles M. Firestone  
Washington, D.C.  
October 2007





**MEDIA, CREATIVITY  
AND THE PUBLIC GOOD**

*Mark Lloyd*



# Media, Creativity and the Public Good

*Mark Lloyd*

## Introduction

Technological advances in the media have in certain respects conquered time and space, making communication between people, even when separated by vast distances, both instantaneous and direct. This development presents an enormous potential for service of the common good and constitutes a patrimony to safeguard and promote. Yet, as we all know, our world is far from perfect. Daily we are reminded that immediacy of communication does not necessarily translate into the building of cooperation and communion in society.

-Pope Benedict XVI, 2006<sup>1</sup>

The conversation about the relationship between stories, story-telling, and social mores remains important and ongoing in part because of the constant introduction of new means of communication. Older generations are mystified by talk of online gaming and a second “virtual” life in cyberspace. New generations may have difficulty understanding the impact of one or two television broadcasts on a society just beginning to digest the effects of radio and movies with sound. Yet all the old questions about titillation, violence, commercialization, representation, and civility remain. Hope that new technologies will advance our noblest dreams shares space with fear that the latest gadget is an open door to a nightmarish future. How do we make way for the on-rush of new technologies and protect the common good? How do we encourage individual freedom and creativity while we preserve and defend our moral values?

The Aspen Institute Communications and Society Program, in association with the United States Conference of Catholic Bishops (USCCB), convened a roundtable discussion February 28 to March 2, 2007, in Santa Barbara, California, with more than 25 media, business, and consumer leaders; clergy; critics; and academic experts to explore ways to produce media content that serves the public good while also preserving artistic creativity and freedom.

The conversation was moderated by Charles Firestone and included formal presentations by Jonathan Adelstein, Commissioner of the Federal Communications Commission (FCC); actor Geena Davis, founder of See Jane; *Wall Street Journal* film critic Joe Morgenstern; and Jonathan Taplin, adjunct professor at the Annenberg School for Communication at the University of Southern California (USC). This is an interpretive report of that meeting. As such, it reflects the views of the rapporteur and does not record every comment or follow the exact thread of a spirited conversation. This report also draws on a selection of the readings that were prepared to inform the discussion.

## Developments in the Media Landscape

Television in America is mostly about leisure and entertainment. The Internet's about how we work, how we play, how we learn, how we do everything in our lives, and therefore, I think you can easily make the case that long term, the influence of the Internet will be far more significant than that of television.

-Jeff Cole, January 5, 2005<sup>2</sup>

In addition to media scholars, religious leaders, and policymakers, representatives from the full range of the current media environment participated in the Roundtable. Movie producers, television and radio executives, and print journalists were joined by some of the leading experts on cyberspace and the computer gaming community. The discussion ranged from the personal, such as concerns about what happens when a child watches a movie or television program or plays a game, to the local—what happens to the stability of a neighborhood, to the international: How can we better understand and be better understood in an era of globalization?

Participants expressed little doubt about the importance of media in our society. Some noted the impact media had on them personally. Actor and See Jane Founder Geena Davis was especially moving as she spoke about identifying strongly with Chuck Connors at a younger age and then coming to realize the lack of female role models on television as she watched *The Rifleman* with her daughter. Others spoke of their concern about the preponderance of violence across all media. MTV Networks consultant Peter Marx, a video game industry veteran,

described the graphic violence in video games and worried about the sort of society his children would grow up in.

Even as Roundtable participants spoke lightheartedly about the media, the rich and overlapping nature of the U.S. media environment was apparent from newspaper articles combined with stories about movies, to listening to the radio and watching television, to playing computer games and interacting in online environments—sometimes tethered to the Internet, sometimes not. As Federal Communications Commission (FCC) Commissioner Jonathan Adelstein noted, “We live in a very complex, interrelated media environment. We’ve talked for many years about convergence. Although it’s very useful to talk about the Internet on one hand and maybe broadcasting and film on the other hand, the fact is these things relate to each other. They tie to each other. Broadcasters are on the Internet. Films are on broadcasting. These environments are connected and to think there’s one environment that we have to deal with that somehow does not have an impact on the other makes no sense—we need to rethink those notions. These are connected environments.”

A change perhaps even more profound than the growing complexity of our media environment is that the new distribution systems made possible by digital telecommunications have the print, movie, television, and music industries perplexed about how to reach the audience or how to treat an audience that insists on being producers, as well as how to satisfy advertisers. Others are worried that new technology has destroyed the function of gatekeepers; indeed, new technologies seem to have broken down the gate. As dense and confusing as this early 21st-century media environment is, the future clearly is only dawning, and even observers with experience cannot confidently anticipate where things are headed.

Roundtable Participants also made it clear that the media do not exist in a vacuum—that our media environment operates in a global context of family, school, church, and community, as well as law and market forces. As participants expressed both hope and anxiety about the impact of media on modern culture, many nevertheless expressed a frustrated resignation about the possibility of altering the current direction.

## What is the Problem?

It's clear that parents have an uneasy relationship with how much time their kids spend with media. Intuitively, parents have a sense that too much media isn't a good thing, but they can't quite put their finger on why. There's a real perception gap out there and a genuine sense of anxiety.<sup>3</sup>

-Common Sense Media, 2007

Do our media reflect us? Are the values we see expressed on billboards, in the movies, or on television the values we want to pass on to our children? Does the music we download, the blogs we read and write, or the latest video game truly represent our age? Although there have long been generational differences in media preferences, with a younger generation

**Do our media  
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more attached to the newest technologies and styles of expression, no generation seems to be happy with the media. Young people complain that they are not well represented, senior citizens argue that they are ignored, and—as James Steyer notes—parents are anxious.

As Roundtable participants discussed their general dissatisfactions with the media, there was a tendency to focus on the problems of excessive violence and indecency, as well as the inadequacy of media representation. Yet as Pat Pattillo, Associate General Secretary for Communication for the National Council of Churches, lamented, there may be something deeper occurring under the surface symptoms: “One of the things I think is most troubling is the trivialization of the human experience through gratuitous violence and through a cheapening of relationships, and a normalization of violence as a way to resolve differences. We are modeling for not just our children but for ourselves a lower standard of civilization than we expected in the past.”

Jonathan Taplin of the Annenberg School at USC surmised that the core problem is that our society has moved away from its foundational moorings based in aspirations such as those expressed by John Winthrop in 1630: “We shall be as a city on a hill, the eyes of all people are upon us.” This highly religious and moral goal was embraced by the founders, who believed that happiness was a willingness to live an examined life with a core faith or philosophy.

Today we seem to be ruled by what Taplin calls “the marketer’s philosophy”: Whoever dies with the most toys wins. In modern American society, commercials tell us that “image is everything.” We seem to live in a shallow, “celebrity” culture, in which people feel powerless and alienated, driven toward the materialistic but longing for authentic experiences. According to Taplin, television programs such as *Fear Factor* and most advertising manipulate the “deep needs” of belonging and fears of inadequacy. He warned that cultures don’t always progress. Although others in the group noted that Americans have long been fascinated by celebrity and objected to the idea that a program that encourages people to eat insects is emblematic of our culture, there was a shared sense that most of the media does not project our most cherished values.

The challenges of a consumer culture are compounded by a media environment that seems to splinter rather than bridge communities. Chris Maxcy, Vice President for Business Development at YouTube, worried that new technologies have created “fragmentation.” As a result, media creators now “have to scream louder and louder. In my household, my wife and I have a rule that we don’t like to watch death and destruction, which means that we watch Home and Garden TV. You can’t watch local news.”

FCC Commissioner Jonathan Adelstein confirmed this public anxiety as he talked about traveling around the country to hear from people about the media. He reported that “they are angry and upset; they don’t understand why, but they’re not happy with the media even though they watch it.” Adelstein distinguished between the European model of state-supported media and the U.S. commercial model. Although he affirmed that the U.S. produces the greatest programs in the world—media content is one of the few products that the U.S. exports more than it imports—he described another effect of the commercial model: the drive to “the lowest common denominator.” According to Adelstein, the public is angry about indecency and violence, the lack of representation of minorities and other groups, and the degradation of journalism as infotainment.

### *The Problem of Indecency and Violence*

When Justin Timberlake tore off a part of Janet Jackson’s costume during a live televised performance at Super Bowl XXXVIII in 2004 in

Houston, revealing Jackson's right breast, many Americans went into a sort of frenzy. The Internet search engine Lycos reported that the number of searches for "Janet Jackson" tied the record set by 9/11-related searches on and just after 9/11. But many Americans were not satisfied by watching the moment over and over again on the Internet; they launched a letter-writing campaign protesting against CBS and the National Football League and against indecency on television in general. The FCC saw "a dramatic increase in the number of indecency complaints," according to FCC Chairman Kevin Martin.<sup>4</sup> In 2004 the FCC responded to more than 1.4 million complaints from broadcast viewers and listeners, and assessed penalties and voluntary payments totaling approximately \$8 million.<sup>5</sup>

Perhaps prompted by the Superbowl incident, the Medical Institute for Sexual Health initiated a study of all biomedical and social science research conducted from 1983 to 2004 that explored the effects of mass media on youth. According to Gary L. Rose, MD, President and Chief Executive Officer (CEO) of the Medical Institute, "Our children are saturated in sexual imagery. For example, the average teenager spends three to four hours per day watching television and 83 percent of the programming most frequently watched by adolescents contains some sexual content. Yet we have never stopped to ask what effect all this sexual content in television, the Internet and music has on young people." One finding the group reported was that the more teenagers are exposed to sexual content, the more they are likely to overestimate the frequency of some sexual behaviors, have more permissive attitudes toward premarital sex, and, according to one research study, initiate sexual behavior.<sup>6</sup>

Television commentator Pat Buchanan, the Parents Television Council, the Traditional Values Coalition, and others joined in complaints and letter-writing campaigns against a variety of media. Some even took credit for forcing ABC to delay airing Steven Spielberg's critically acclaimed movie about World War II, *Saving Private Ryan*.<sup>7</sup> Although the number of fines and complaints has dropped dramatically since 2004, Adelstein argues that FCC actions have reduced the amount of indecency over broadcast media and may have created a chilling effect.

As the Roundtable was meeting, the FCC was finalizing a report to Congress on "Violent Television and Its Impact on Children." As Adelstein wrote in his concurrence to that report, "America is hooked on violence. That manifests itself in news coverage with the credo, 'If it



bleeds, it leads.’ To an alarming extent, the same credo applies to much entertainment programming and even some commercials. The top ten highest-rated broadcast programs consistently have programs with violent content leading the pack. In the primetime ratings game, violence sells, and our children are innocent bystanders.”<sup>8</sup> Adelstein and his staff created the chart below to “illustrate the volume of violent shows on television during the then-current primetime lineup.”<sup>9</sup>

**Primetime Broadcast Shows with Violent Content Aired 8–10 p.m.**

DAY	PROGRAM (NETWORK)
Monday	24 (FOX) International Fighting League – Battleground (MY Network) Prison Break (FOX)
Tuesday	American Heiress (MY Network) Law & Order: Criminal Intent (NBC) NCIS (CBS) The Unit (CBS)
Wednesday	Bones (FOX) Criminal Minds (CBS) Crossing Jordan (NBC) Saints and Sinners (MY Network)
Thursday	CSI (CBS) Grey’s Anatomy (ABC)
Friday	Close to Home (CBS) Ghost Whisperer (CBS) Grey’s Anatomy (ABC) Raines (NBC) Smallville CW) Supernatural (CW)
Saturday	Cops (FOX) America’s Law & Order (NBC) Most Wanted (FOX) WWE Smackdown (CW)
Sunday	Cold Case (CBS) Desperate Housewives (ABC)

Shortly after the meeting in Santa Barbara, a horrific shooting took place at Virginia Tech University, reminding the nation of the violence at Littleton, Colorado, in 1999. Then as now, the question was asked:

What is the connection between violent acts and violence portrayed in the media? As Massachusetts Institute of Technology (MIT) professor Henry Jenkins stated in testimony before Congress in 1999, “Most ‘media effects’ researchers pull back from making any confident

**The problems of violence and indecency are a matter of the moral context in which those acts are presented.**

claims about the possible links between popular culture and youth violence, because decades of research on media violence still yield contradictory and confusing results.”<sup>10</sup>

USC professor Jeff Cole confirmed this point but argued that his review of hundreds of major studies and thousands of other studies suggested some link between viewing violence on television and committing a violent act. That is, while a direct connection between violent acts and violent behavior may be difficult to show, there is some evidence to support an increased level of fear or anxiety

among young people after watching violence in the media. In addition, increased exposure to media violence seems to desensitize youth to violent acts.

According to Stephen Balkam, CEO of the Family Online Safety Institute, the problem of violence is not limited to television and the movies. If parents think most video games are like Mario Brothers, they’re in for a shock: “After you get past the age of 8, it seems like its open season. Game play has almost become synonymous with violence: learning how to shoot a weapon or drive a car through pedestrians.”

Balkam also urged the group to distinguish between media content that is offensive and content that is harmful: “Is Janet Jackson’s exposure harmful? It is certainly offensive, but is it harmful?” Complaints about foul language in the plays of David Mamet or nudity in the movie *Schindler’s List* clearly miss the point. Similarly, is the violence in movies such as *Saving Private Ryan* or in Shakespeare’s *Hamlet* really comparable to slasher movies such as *The Texas Chainsaw Massacre* or television shows such as *WWE Smackdown*? Monsignor Francis Maniscalco of the USCCB argued that simply counting the number of violent acts in a movie or television program does not capture the prob-

lem. “Violence must be seen in context,” he said. “There is much violence in Shakespeare, but it is not mindless or absent consequence.” In other words, the problems of violence and indecency are not simply a matter of the number of indecent or violent acts that occur in a media presentation but the moral context in which those acts are presented.

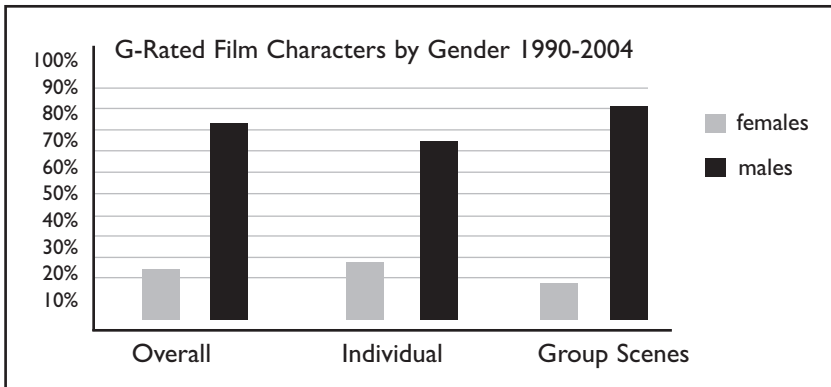
### *The Problem of Representation*

Geena Davis talked about the powerful response she heard from women following the release of her films *Thelma and Louise* and *A League of Their Own*. Women saw themselves in these roles as powerful and meaningful. Their response instilled in Davis an appreciation for the importance of strong acting roles for women. It was with this heightened awareness that, while watching television programs with her daughter, she noticed the lack of female characters in entertainment programs for young children. For example, while there are nine main characters in the *Winnie the Pooh* series, only one is a female. In *Looney Toons*, there are 12 main characters, but only one female. According to Davis, “We know that girls are strongly affected by images in the media, and the more they watch the more they are affected. Seventy-eight percent of senior high school girls don’t like their bodies.”

Davis shared with the group research her organization, See Jane, funded. The study, “Where the Girls Aren’t,” conducted by USC researchers, revealed “a pronounced imbalance in the representation of male and female characters in widely-viewed G-rated films.”

Key findings reveal that:

- In 101 films studied, there were three male characters for every one female character.
- Fewer than one of three (28 percent) of the speaking characters (real and animated) are female.
- Fewer than one in five (17 percent) of the characters in crowd scenes are female.
- More than four of five (83 percent) of the films’ narrators are male.



Source: "Where the Girls Aren't," The See Jane Program at Dads & Daughters, 2006.

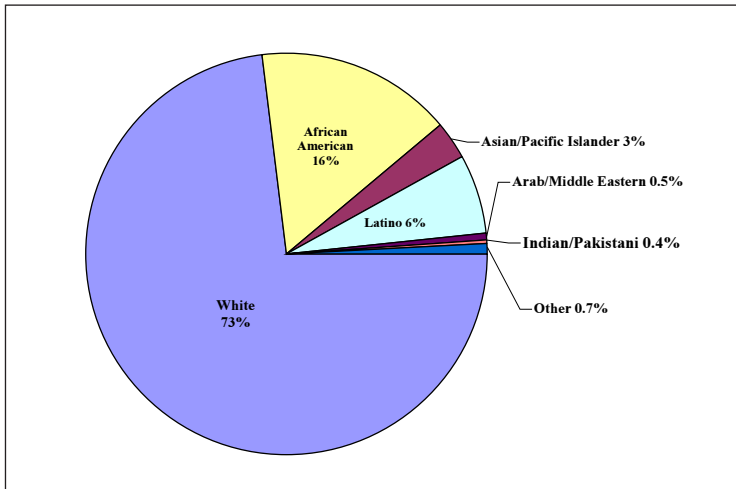
The trends are not improving. According to the study, there was hardly any change in the percentages of male and female characters for films released over the past 15 years. Between 1990 and 1994, 30.1 percent were female. From 1995 to 1999, 25.8 percent were female, and from 2000 to 2004, 29.4 percent were female. The imbalance does not appear to be influenced by which company releases the films. The 101 movies analyzed were released by 20 different distribution companies.<sup>11</sup> As Davis noted, "Girls see that they are sidelined, peripheral, or absent. This is what they grow up to expect. Boys see this as well. What are we modeling for our children?"

**"Girls see that they are sidelined, peripheral, or absent.... What are we modeling for our children?"**

*Geena Davis*

The See Jane studies confirm the 2-to-1 gender imbalance that the group Children Now reported regarding primetime television in 2003–2004. Children Now also looked at racial disparities and found that while 40 percent of American youth ages 19 and under are children of color, this proportion is not reflected on television. White characters continued to be overrepresented, while other racial groups were severely underrepresented or nonexistent.<sup>12</sup>

### Racial Diversity of Total Prime Time Characters



Source: Children Now, "Fall Colors 2003–04: Prime Time Diversity Report."

Among the findings of the Children Now study were the following:

- Nearly three-fourths of all primetime characters (73 percent) were white.
- Only 3 percent of all characters and 1 percent of opening credits characters were Asian/Pacific Islander.
- Arab/Middle Eastern and Indian/Pakistani characters were nearly nonexistent; each group accounted for only 0.3 percent of opening credits characters.
- No Native American characters were represented in any episode in the study's sample.
- The number of African Americans was relatively high: 16 percent.

Despite the relatively high numbers of African Americans in prime-time programming, according to a 2005 study conducted by the National Urban League Policy Institute, African Americans continue to be missing from the Sunday morning network and cable talk shows. Among other findings, the National Urban League study reveals the following:

- More than 60 percent of the programs broadcast during the 18-month period studied had no African American guests.
- Fewer than 8 percent of the guests on these programs were African Americans.
- More than 69 percent of the appearances by African American guests on these programs were by three people: Condoleezza Rice, Colin Powell, and Juan Williams.<sup>13</sup>

This exclusion of African American voices is not unique to Sunday morning talk shows; with few exceptions, television news outlets regularly fail to adequately include African Americans, other minorities, and women in the vast majority of their news programming. The National Association of Hispanic Journalists analyzed thousands of news stories on major network news in 2005 and found that coverage of Latinos or Latino issues amounted to less than 1 percent. As the study authors noted, “Latinos remain practically invisible on the evening news.”<sup>14</sup>

**Media have a way of creating a new psychology, a new way of looking at the world.**

### *Pope John Paul II*

Archbishop George Niederauer of San Francisco, Chairman of the USCCB Communications Committee, noted that the religious community also was underrepresented and misrepresented in mainstream media.

In sum, there is a range of concerns about the media today. Although indecency and sexual titillation—what Pat Patillo calls the trivialization of the human experience in entertainment and news programming—may not be personally harmful, it does not reflect our best selves or communicate to our children the values we hold most dear. Despite a lack of clear consensus on the effects of violent programming, the bombardment of violent images seems to generate either a heightened level of anxiety—what George Gerbner calls the “Mean World Syndrome”<sup>15</sup>—or a desensitization to violent acts, “increasing aggressive thoughts, angry feelings, physiological arousal and aggressive behaviors, and decreases helpful behaviors.”<sup>16</sup> Finally, women, minorities, and the religious community are underrepresented or misrepresented in American media, projecting a distorted picture of who we are as a nation.

Monsignor Francis Maniscalco of the USCCB Communications Committee paraphrased a concern expressed by Pope John Paul II: Media have a way of creating a new psychology, a new way of looking at the world. Monsignor Maniscalco reminded the group that it is very easy to lose focus by concentrating on one word in a program or one program in a sea of content. The focus, he said, should be on the larger issues and the more profound effects of media on our society.

## **Who is Responsible?**

While the various instruments of social communication facilitate the exchange of information, ideas, and mutual understanding among groups, they are also tainted by ambiguity. Alongside the provision of a “great round table” for dialogue, certain tendencies within the media engender a kind of monoculture that dims creative genius, deflates the subtlety of complex thought, and undervalues the specificity of cultural practices and the particularity of religious belief. These are distortions that occur when the media industry becomes self-serving or solely profit driven, losing the sense of accountability for the common good.

-Pope Benedict XVI

The question of who is responsible for debased or objectionable programming is as complicated as the problems of indecency and violence. There are many social pressures at work in the creation of stories. Those pressures range from market and audience demands to recognition by colleagues and familial obligation. In addition, there are groups regarded as most responsible for the structure and regulation of media in our society, such as FCC Commissioners and federal legislators, as well as the creators of media.

FCC Commissioner Jonathan Adelstein noted early in the discussion that while other nations and other eras may have supported artists and reporters through the church or the state, the United States adopted a commercial model to support media. In broadcasting and, increasingly, on the web, the business model depends on the ability to attract advertising. In movies and digital games, producers need to be able to demonstrate that they can attract audiences to attract financing.

The costs of creating competitive media products have risen as a result of an increase in audience expectations for quality production, the increase in salary or profit-share from talent, and the increased cost to advertise and get the consumers' attention. Few media products that compete effectively in the U.S. marketplace are the result of independent financing by one producer or studio.

Reliance on Wall Street financing results in greater pressures to return regular profits to private investors. Observing the new economics of the industry, Joe Morgenstern, movie critic for the *Wall Street*

**Does the  
drive for profit  
produce the  
news and  
information  
citizens need in  
a democracy?**

*Journal*, declared that "the studio apparatus is trapped; they don't know how to make or market movies today." Monsignor Maniscalco noted that in the creation of art we seem to have moved from the age of the impresario to the age of the bureaucrat. He reported on a conversation with a studio executive who said his most difficult job was not managing the introduction of new technology, satisfying government regulation, or creating great art but meeting the demand for profit every quarter. On the other hand, Jonathan Dolgen, former chairman and CEO of Viacom Entertainment Group and now senior consultant with ARTISTDirect, argued that even if the movie industry was more independent from Wall Street in the past, "a lot of schlock was created" even then. Furthermore, Dolgen claimed, state-sponsored media are worse. Despite—or because of—the pressure, he argued, "the commercial market in America produces great art."

Even if this claim is true, does the drive for profit produce the news and information citizens need in a democracy? Paula Madison, former President and General Manager of KNBC-TV in Los Angeles, and Chief Diversity Officer, NBC Universal, described the commercial pressure her news division faced: "When I came to Los Angeles, I publicly stated that we would stop covering the chopper chases. At KNBC we didn't see a value to breaking into highly rated primetime programming. What would be broken into were afternoon programs, soaps. Even entire newscasts would be blown out; whatever issues of the day to be explored would be cast aside so that we could watch an idiot careening down the highway. But under the new policy, reducing coverage of these chases, our ratings



plummeted. But the issue was...what did we stand for? The dilemma is...we want to be responsible and run a successful commercial enterprise. At the time, I was faced with this: I am charged with turning over a profit to my company, but the revenue [without chopper chases] is down.”

As Jordan Weissman, Chief Creative Officer of 42 Entertainment and an expert on the gaming and online community, noted, there are social pressures in addition to these commercial pressures. “What we care about more than anything else is recognition from a community that matters to us,” Weissman said. “The creators of video games are mainly male, who create games for and to impress other men.” The pressures to satisfy Wall Street also can be seen as a social or group pressure to succeed. Many Roundtable participants talked about how this pressure to succeed—with little thought about the consequences—becomes a challenge when they had children to raise.

Aside from these broad market and social pressures, are there specific groups of people in American society responsible for the state of media today and its impact on the public good?

Commissioner Adelstein argued that federal regulators and lawmakers are responsible for the relaxation of restraints on media ownership and the lack of clear, enforceable public interest requirements. The loosening of media ownership rules has led to an increase in consolidation, which Adelstein argued is one direct cause of infotainment. Taplin agreed that “the marketplace solutions put in place” by lawmakers are responsible for the coarseness of our culture.

Paula Madison, now Chief Diversity Officer for NBC Universal, suggested that individuals with power in the industry must assume responsibility for problems with media. Madison described the importance of writers and reporters, as well as the importance of diversity among the people engaged in making decisions about what reaches the screen. She related a story about a comedy-writing team for television. The comedy sketch was making fun of Asians, but there were no Asian Pacific Americans on the comedy writing team. The sketch was not funny to Asians and Asian Pacific Americans, who complained about its insensitivity. Madison’s point was that what was funny to one group was not funny to another. She argued that more diversity must be reflected in the development process. “Who is creating the content?” she asked.

The most recent study by the Radio and Television News Directors

Association (RTNDA) reveals that the percentage of minorities in TV news was 22.2 percent in 2006, while minorities account for one-third of the nation's population. Nevertheless, this proportion was the second-highest level ever recorded in the RTNDA survey. At non-Hispanic television stations, the minority workforce was 20.4 percent. However, the percentage of minorities in radio news dropped to its lowest level ever recorded in the survey—6.4 percent.<sup>17</sup>

<b>Broadcast News Workforce</b>				
	<b>2006</b>	<b>2005</b>	<b>2000</b>	<b>1995</b>
<b>TV News</b>				
Caucasian	77.8%	78.8%	79.0%	82.9%
African American	9.5	10.3	11.0	10.1
Hispanic	9.6	8.7	7.0	4.2
Asian American	2.7	1.9	3.0	2.2
Native American	0.5	0.3	<1.0	0.6
<b>Radio News</b>				
Caucasian	93.6%	92.1%	90.0%	85.3%
African American	2.5	0.7	5.0	5.7
Hispanic	1.9	6.0	3.0	7.5
Asian American	1.8	0.7	1.0	0.6
Native American	0.2	0.5	1.0	1.0

Source: Year of Extremes, RTNDA/Ball State University Annual Survey, 2006.

Minority TV news directors make up 13.2 percent of the industry and 8.6 percent at non-Hispanic stations. The percentage of minority radio news directors was only 4.4 percent. The percentage of female TV news directors was 25.2 percent, equaling the third-highest level recorded by the RTNDA. The percentage of women radio news directors was 20.4 percent in 2006. As Madison noted, however, “Cultural and racial sensitivity among responsible women in the industry should not be assumed.”

Meanwhile, federal regulators have been hampered in this area by conservative federal courts that struck down FCC equal employment opportunity laws in 2001.<sup>18</sup> Madison would hold responsible individuals in the industry who have the power to hire. William Baker, President and CEO of Thirteen/WNET-TV, agreed: “Media owners should be

held responsible and I'm not sure they are. With media consolidation, the local owner is virtually extinct in the US. With business pressures getting more intense and with no pressure from the local community on absentee owners things are getting out of hand."

The disappearance of federal regulation cannot explain the abundance of sexualized and violent content in the computer game industry, however. The National Institute for Media and the Family ratings system by parents for parents described *Grand Theft Auto: San Andreas* as "raunchy, violent and portraying just about every deviant act that a criminal could think of in full, living 3D graphics—takes the cake again as one of the year's worst games for kids. From glorifying drive-by shootings, to delivering prostitutes to their johns, this game teaches just about everything you wouldn't even want your kids to see."<sup>19</sup> According to Peter Marx, "*Grand Theft Auto* out-sold every other game in history.... The last time I looked it was in the \$36 million range.... It outsold Madden football, soccer, and all the previously best-selling games in history. So you have bad behavior being reinforced. I can't tell you that it's successful because it was misogynistic, but clearly it didn't hurt the sales—or at least the producers would make that claim."

Peter Molyneau, founder and CEO of Lionhead Studios and one of the most respected and successful computer game designers in the industry, has stated, "We as an industry have a moral responsibility. Anyone who does something for a mass market has a responsibility. You tread carefully on the lessons you teach." Molyneau's view is countered, however, by another game designer, Lorne Lanning, President of Oddworld Inhabitants: "If designers just create 'fun' games, but the buying trends are heading toward more realistic and violent games, then the designers that refuse to move along will likely be left behind."<sup>20</sup>

Norm Pattiz, Chairman and founder of the radio group Westwood One, echoed the Molyneau/Lanning exchange, arguing that responsibility for media content does rest with the industry and the artists. He noted, how-

**If you're going to operate a sustainable business, you have to give people what they want: "It comes down to spinach or dessert. People don't want spinach."**

*Jonathan Dolgen*

ever, that industry leaders are “constrained by the audience.” Jonathan Dolgen of ARTISTDirect agreed that the consumer is responsible. If you’re going to operate a sustainable business, you have to give people what they want: “It comes down to spinach or dessert. People don’t want spinach.”

Phil Quartararo, President of EMI Marketing, agreed that the media environment is worse, but, he said, “it is an environment where consumers have greater control.” The range of choices available suggests that a consumer can be in total control of his or her media environment. If parents don’t like what’s on television or radio or at the movies, they can pick another channel or turn off the radio, purchase only the music or video they want, and pick from a variety of choices available on the Internet that seems nearly limitless. Ellen McCloskey, Director of Production for the USCCB, suggested that the ultimate responsibility for the media environment lies with parents. Parental involvement determines not only what we choose later on, it forms how we react to media with our children.

In a free and democratic society, there is a sense of shared and personal responsibility for the culture. Although there may be powerful forces at work, and even though industry leaders and government officials have a strong influence over the many challenges posed by media, the issue of responsibility is complicated by technology. Technology has developed to disseminate the tools of artistic creation, to extend more controls to parents, and thus to spread the responsibility for the media environment. As Edward Murray, President and CEO of the Faith and Values Network, said, “We live in a media culture where the public is not only the receiver but the producer. We have seen the enemy, and it is us.”

## **What Can Be Done?**

As a public service, social communication requires a spirit of cooperation and co-responsibility with vigorous accountability of the use of public resources and the performance of roles of public trust, including recourse to regulatory standards and other measures or structures designed to effect this goal.

-Pope Benedict XVI

If the problems are various and complex, and if there is a shared responsibility for the media culture, what, if anything, can be done to

ensure the public benefits from new media technologies and to limit potential harms? Roundtable participants discussed a range of approaches to the various problems posed by the media in society.

*Government.* Rabbi Allen I. Freehling, Executive Director of the Los Angeles Human Relations Commission, suggested that “government should not be reluctant to act, to at least use the bully pulpit to bring attention to the problem.” Commissioner Adelstein argued that the problem of the media should be an issue in the 2008 election. Adelstein also noted that while there are serious First Amendment and other constraints, there was an important role for government to play. “The deregulatory bandwagon has gone too far.”

Norm Pattiz of Westwood One countered that “deregulation has happened; it’s unlikely that genie is going to be put back in the bottle.” Other participants suggested that the imposition of public interest obligations or localism requirements on broadcasters would be unfair, given the lack of comparative regulatory burdens on other media. Moreover, as Pattiz put it, “What good does it do to legislate broadcasters when you don’t legislate the Internet? All you’re doing is taking content from one medium, moving it to another.” Jeff Cole of the Annenberg School for Communication at USC agreed: “One of the most significant uses of the Internet [is that it] has become the place you go to see the things that traditional media will not let you see . . . . People who wanted to see Saddam’s neck snap, people who know that Brittany Spears got out of a car and wasn’t wearing any underwear and wanted to see it know exactly where to go, and whatever we do in traditional media—whatever encouragements, efforts, punishments, fines, whatever—on the Internet people are going to go see exactly what they want to see as graphically as they want to see it, and I think that changes the entire equation.”

On the other hand, Pat Patillo of the National Council of Churches suggested that because broadcasters use the public airways unlike other media, they should be accountable to the public. He also noted that other media use broadcast content and that a reduction of indecent or violent programming in broadcasting would have a positive effect on the content available on other media.

Not until the Progressive Era of the early 1900s did U.S. public policy makers become reluctant to limit media on moral grounds. But since

that time, modern views of the First Amendment have acted as a barrier to the enactment of most law and regulation regarding indecency.<sup>21</sup> For example, on June 4, 2007, in a 2-1 decision, the U.S. Court of Appeals for the Second Circuit overturned an FCC fine levied against the Fox Broadcasting Network and ruled that expletives uttered by Cher and Nicole Richie on live television were not actionable. The court also questioned whether the FCC has the right to police the airwaves for offensive language. FCC Chairman Kevin Martin announced that he was “disappointed for American families,” as did the Parents Television Council. Meanwhile, Fox spokesman Scott Groggin announced, “We are very pleased with the court’s decision and continue to believe that government regulation of content serves no purpose other than to chill artistic expression in violation of the First Amendment. Viewers should be allowed to determine for themselves and their families, through the many parental control technologies available, what is appropriate viewing for their home.” In what may seem an odd twist, many public interest advocates who regularly oppose the Fox network on other grounds agreed with Groggin.<sup>22</sup> Bill Baker of WNET noted that public broadcasting’s recent experience with the crackdown on so called “liberalism” by Corporation for Public Broadcasting (CPB) Chairman Kenneth Tomlinson left him uncomfortable with the idea of government involvement in the media.

Does government involvement necessarily mean either government censorship or government control over speech? FCC Commissioner Adelstein mentioned a proposal attributed to Henry Geller that called for a spectrum fee on commercial broadcasters to support public broadcasting.<sup>23</sup> Taplin supported this proposal and called for “a more robust, more vital PBS, a commercial-free zone for children.” Although Baker welcomed the support, he noted that “Public broadcasting is far from ideal. Part of the problem is economic, part of it is bureaucracy.” Still, Baker said, with commercial media stressed by bottom line pressures, public media became even more important. Creating platforms for people to speak truth to power is important, but “the public should hold PBS to a higher standard.”

*Criticism.* *Wall Street Journal* movie critic Joe Morgenstern discussed the role of criticism in holding the movie industry to higher standards. According to Morgenstern, the entertainment conglomerates are marginalizing critics: “The studios now don’t have to show their films to the

critics.” In addition, the audience is increasingly engaged in criticism of both the media product and the critics themselves. Morgenstern noted the impressive level of knowledge displayed by the public and the range of resources they can turn to and include in their critique, using Web links. On the other hand, Peter Marx observed that there is a good deal of “gaming” the system going on at sites such as “rottentomatoes,” where ratings are inflated by people with an interest in the media product.

Nevertheless, Morgenstern argued “critics are even more important to the independents.” Critics can bring attention to films that studios in league with large theatre chains might otherwise ignore. The general consensus of the group seemed to be that even though there are more opportunities to circumvent established critics, learned criticism was useful in setting standards.

*Technology.* In addition to providing an avenue for the public to criticize the media, new digital technologies are enhancing the ability of content creators to communicate more effectively with the audience through self-labeling. Internet service providers (ISPs) are engaged in filtering content and providing parents with tools to block sites they deem inappropriate. YouTube’s Chris Maxcy cautioned, however, against the idea that technology alone is going to provide a solution because technology alone will never be able to make the sort of judgments for which Stephen Balkam of the Family Online Safety Institute and Monsignor Francis Maniscalco of the USCCB Communications Committee argued. Technology alone cannot determine intent, Maxcy asserted: “We take the approach that the community is probably the best way to do that. So at YouTube, for example, the community lets us know if this content is inappropriate. What we hope over time is that the community will grow.”

*Citizen Activism.* Regulators and creators have long relied on the public to play a role in determining media content. Local groups can monitor and engage in a conversation with local radio and television broadcasters, and if that fails groups can pressure local advertisers that support the broadcasters. The NAACP, the National Council of La Raza, and other social justice groups have been effective in bringing pressure to bear on the television and movie industries, using report cards or well-publicized studies pointing out the lack of minorities on the air or in the movies.

Geena Davis spoke of the work her group, See Jane, is doing in collaboration with the industry. The goal, she said, is to point out the disparity in female characters. Davis is convinced that much of the problem is that people in the industry just don't notice the disparity. Jonathan Dolgen spoke in support of that approach, suggesting that much of the problem in the industry is simple laziness. Dolgen also suggested that one could make an argument that there is more money to be made and a larger audience to reach if producers include a more representative picture of the population. Ellen McCloskey of the USCCB spoke about the importance of rewarding good behavior and noted the "Gabriel Awards" as an example of positive encouragement. Another example is the Humanitas Prize, which honors screenwriters.

*Religious Groups.* What about the role of religious groups? Archbishop George Niederauer bemoaned the lack of church engagement in the problem of media reform, but Monsignor Maniscalco reminded the group of the work of the USCCB in coalition with a variety of other religious groups. Monsignor Maniscalco noted that religious leadership, like much of the public, was locked out of participation in the debate over the 1996 Telecommunications Act but that this situation is changing. Jonathan Taplin of the Annenberg School at USC and FCC Commissioner Adelstein agreed that there is an encouraging new media reform movement taking shape, and the successful battle against media consolidation suggests that policymakers are listening.

*Media Literacy.* Another approach is to better equip parents and schools. Concerned about the repressive climate that developed after the school shootings at Littleton, Colorado, MIT Professor Henry Jenkins offered Congress a series of recommendations focused on schools and students. In summary, he suggested investing in websites that provide "a creative and constructive direction for children who are feeling cut off from others in their school or community"; providing more support for media education in our schools, teaching children how to be safe, critical, and creative users of media"; and getting parents and teachers better informed about popular culture and the content of media products children use.<sup>24</sup> Stephen Balkam of the Family Online Safety Institute supported the notion that we must begin to establish what Jenkins calls "knowledge communities."

The most hopeful solution may lie in the increasing availability of inexpensive digital tools to create and distribute independent media.



Outlets such as the cable television channel Current and the popular Internet site YouTube offer far-reaching distribution venues to independent producers that were not available in the 20th century. The Internet also provides substantial guidance, technical resources, and examples of how to create independent media.

Unsurprisingly, given the range of problems created by the media in the United States—from indecency to violence to underrepresentation—as well as the range of responsible actors, from government to industry to parents, the range of solutions presented also is varied. If democratic governance is governance of, by, and for the people, there certainly is a role for government in shaping our media environment in the public interest. This role may be through “recourse to regulatory standards,” as Pope Benedict XVI suggests, or through greater support of a strong alternative to commercial media, such as a reformed Public Broadcasting Service. Associations also may play an important role in pressuring or collaborating with the commercial industry to better address the variety of problems. Finally, new communications technologies offer parents more control over the media environments in their home, but parents and schools need to become more aware and media literate if they are to pass on their highest ideals to the next generation.

## **Conclusion**

Participants in an Aspen Institute dialogue often become both energized and frustrated with the “debating society” nature of the Roundtable. With all these smart people in the room, one thinks, there must be something we can actually do to solve the problem. Norm Pattiz of Westwood One suggested a media campaign to address the global environmental crisis, noting the excitement created by the movie *An Inconvenient Truth*. Many of the Roundtable participants seemed eager to join this bandwagon as a constructive way to create a communal dialogue in which the media would have an important part. Although there was no disagreement that dialogue about the climate crisis was important, others suggested a sharper focus on media reform.

The Roundtable brought together an extraordinarily well informed group of industry leaders, academics experts on the media, artists, public interest advocates, and religious leaders. There was mutual respect and shared appreciation for the diverse set of experiences and the goal

of a media environment that spoke to and of our better natures. There also were real differences, however. One exchange highlighted the small but very real divide between the industry representatives and the church leaders and public interest advocates in the group. In speaking about the importance of reform, Pat Patillo of the National Council of Churches noted, “The media is our society’s town square.” Norm Pattiz of Westwood One countered, “We have no town square, we have only markets.” If these very distinct worldviews are to be bridged, religious leaders undoubtedly will play a part.

Religious institutions have long been at the forefront of the effort to make the media responsible to moral concerns in American society. The Reverend Everett Parker of the Office of Communication of the United Church of Christ, whose successful lawsuit against the FCC made local broadcasters more responsive to local communities, is the founding father of the media reform movement in the United States. Church groups pioneered the use of radio, television, and cable, and many religious groups make effective use of Internet technologies. Yet there was a clear sense among the religious leaders present at the Roundtable that the church ought to be much more engaged in shaping the relationship between the largely commercial media and a society in need of moral and spiritual direction.

Indeed, as Stephen Balkam of the Family Online Safety Institute later wrote, what became increasingly apparent in the discussion was a sense of shared responsibility. We must embrace not only our usual “culture of rights” in the United States but also a “culture of responsibility.” Regulators have a responsibility to adopt rules that are appropriate to a new digital environment. Industry has a responsibility to look beyond short-term profits. Writers and actors must be much more responsible for what they produce and what projects they decide to get involved in. Parents must embrace the responsibility to learn about this new world—its gadgets and strange digital meeting places—and to convey a similar sense of responsibility to their children. Every time we loudly declare our rights, we should just as clearly describe our responsibilities.

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# APPENDIX

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## Aspen Institute Roundtable on Leadership and the Media

### *Media, Creativity and the Public Good*

Santa Barbara, California  
February 28 – March 2, 2007

#### Participant List

**Jonathan Adelstein**

Commissioner  
Federal Communications  
Commission

**William Baker**

President and Chief Executive  
Officer  
Thirteen/WNET-TV

**Stephen Balkam**

Chief Executive Officer  
Family Online Safety Institute

**Jeff Cole**

Director  
Center for the Digital Future  
Annenberg School for  
Communication  
University of Southern California

**Geena Davis**

Founder  
See Jane

**Frank Desiderio**

President  
Paulist Productions

**Jonathan Dolgen**

Senior Consultant  
ARTISTDirect, Inc.

**Charles Firestone**

Executive Director  
Communications and Society  
Program  
The Aspen Institute

**Rabbi Allen I. Freehling**

Executive Director  
Human Relations Commission  
City of Los Angeles

**Bishop Gerald Kicanas**

Bishop of Tucson  
and  
Former Chairman  
U.S. Conference of Catholic Bishops  
Communications Committee

Note: Titles and affiliations are as of the date of the conference.

**Reverend Monsignor**

**James Lisante**

St. Thomas the Apostle Church

**Mark Lloyd**

Senior Fellow

Center for American Progress

**Paula Madison**

Former President and General  
Manager

KNBC-TV

and

Chief Diversity Officer

NBC Universal

**Monsignor Francis Maniscalco**

Former Director of

Communications

U.S. Conference of Catholic  
Bishops

**Peter Marx**

Consultant

MTV Networks

**Chris Maxcy**

Vice President, Business

Development

YouTube

**Ellen McCloskey**

Director of Production

U.S. Conference of Catholic  
Bishops

**Joe Morgenstern**

Film Critic

*The Wall Street Journal*

**Edward Murray**

President and Chief Executive  
Officer

Faith and Values Media

**Archbishop George Niederauer**

Archbishop of San Francisco  
and

Chairman

U.S. Conference of Catholic  
Bishops

Communications Committee

**Wesley “Pat” Pattillo**

Associate General Secretary for  
Communication

National Council of Churches

**Norm Pattiz**

Chairman and Founder

Westwood One, Inc.

**Phil Quartararo**

President

EMI Marketing

**Jonathan Taplin**

Adjunct Professor

Annenberg School for  
Communication

University of Southern California

**Jordan Weissman**

Chief Creative Officer

42 Entertainment, LLC



## About the Author

**Mark Lloyd** is a senior fellow at the Center for American Progress focusing on communications policy issues, including universal service, advanced telecommunications deployment, media concentration and diversity.

From the fall of 2002 until the summer of 2004, Mr. Lloyd was a Martin Luther King, Jr. visiting scholar at the Massachusetts Institute of Technology, where he taught communications policy and wrote and conducted research on the relationship between communications policy and strong democratic communities. He also served as the executive director of the Civil Rights Forum on Communications Policy, a non-profit, non-partisan project he co-founded in 1997 to bring civil rights principles and advocacy to the communications policy debate.

Previously, Mr. Lloyd worked as general counsel to the Benton Foundation, and as a communications attorney at Dow, Lohnes & Albertson in Washington, D.C. representing both commercial and non-commercial companies. He also has nearly 20 years of experience as a print and broadcast journalist, including work as a reporter and producer at NBC and CNN, and is the recipient of several awards including an Emmy and a Cine Golden Eagle. He has served on the boards of directors of dozens of national and local organizations, including the Independent Television Service, OMB Watch, the Center for Democracy and Technology, and the Leadership Conference on Civil Rights Education Fund. He has also served as a consultant to the Clinton White House, the John D. and Catherine T. MacArthur Foundation, the Open Society Institute and the Smithsonian Institution. He received his undergraduate degree from the University of Michigan and his law degree from the Georgetown University Law Center.



# About the Communications and Society Program

[www.aspeninstitute.org/c&s](http://www.aspeninstitute.org/c&s)

The Communications and Society Program is an active venue for global leaders and experts from a variety of disciplines and backgrounds to exchange and gain new knowledge and insights on the societal impact of advances in digital technology and network communications. The Program also creates a multi-disciplinary space in the communications policy-making world where veteran and emerging decision-makers can explore new concepts, find personal growth and insight, and develop new networks for the betterment of the policy-making process and society.

Ongoing activities of the Communications and Society Program include annual roundtables on journalism and society (e.g., journalism and national security), communications policy in a converged world (e.g., the future of video regulation), the impact of advances in information technology (e.g., “when push comes to pull”), advances in the mailing medium, and diversity and the media. The Program also convenes the Aspen Institute Forum on Communications and Society (FOCAS), in which chief executive-level leaders of business, government and the non-profit sector examine issues relating to the changing media and technology environment.

Most conferences utilize the signature Aspen Institute seminar format: approximately 25 leaders from a variety of disciplines and perspectives engaged in roundtable dialogue, moderated with the objective of driving the agenda to specific conclusions and recommendations. In 2007, FOCAS has emerged as a larger event.

Conference reports and other materials are distributed to key policy-makers and opinion leaders within the United States and around the world. They are also available to the public at large through the World Wide Web, [www.aspeninstitute.org/c&s](http://www.aspeninstitute.org/c&s).

The Program’s Executive Director is Charles M. Firestone, who has served in that capacity since 1989, and also served as Executive Vice

President of the Aspen Institute for three years. He is a communications attorney and law professor, formerly director of the UCLA Communications Law Program, first president of the Los Angeles Board of Telecommunications Commissioners, and an appellate attorney for the U.S. Federal Communications Commission.