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Bad News

By **RICHARD A. POSNER**

THE conventional news media are embattled. Attacked by both left and right in book after book, rocked by scandals, challenged by upstart bloggers, they have become a focus of controversy and concern. Their audience is in decline, their credibility with the public in shreds. In a recent poll conducted by the Annenberg Public Policy Center, 65 percent of the respondents thought that most news organizations, if they discover they've made a mistake, try to ignore it or cover it up, and 79 percent opined that a media company would hesitate to carry negative stories about a corporation from which it received substantial advertising revenues.

The industry's critics agree that the function of the news is to inform people about social, political, cultural, ethical and economic issues so that they can vote and otherwise express themselves as responsible citizens. They agree on the related point that journalism is a profession rather than just a trade and therefore that journalists and their employers must not allow profit considerations to dominate, but must acknowledge an ethical duty to report the news accurately, soberly, without bias, reserving the expression of political preferences for the editorial page and its radio and television counterparts. The critics further agree, as they must, that 30 years ago news reporting was dominated by newspapers and by television network news and that the audiences for these media have declined with the rise of competing sources, notably cable television and the Web.

The audience decline is potentially fatal for newspapers. Not only has their daily readership dropped from 52.6 percent of adults in 1990 to 37.5 percent in 2000, but the drop is much steeper in the 20-to-49-year-old cohort, a generation that is, and as it ages will remain, much more comfortable with electronic media in general and the Web in particular than the current elderly are.

At this point the diagnosis splits along political lines. Liberals, including most journalists (because most journalists are liberals), believe that the decline of the formerly dominant "mainstream" media has caused a deterioration in quality. They attribute this decline to the rise of irresponsible journalism on the right, typified by the Fox News Channel (the most-watched cable television news channel), Rush Limbaugh's radio talk show and right-wing blogs by Matt Drudge and others. But they do not spare the mainstream media, which, they contend, provide in the name of balance an echo chamber for the right. To these critics, the deterioration of journalism is exemplified by the attack of the "Swift boat" Vietnam veterans on Senator John Kerry during the 2004 election campaign. The critics describe the attack as consisting of lies propagated by the new right-wing media and reported as news by mainstream media made supine by anxiety over their declining fortunes.

Critics on the right applaud the rise of the conservative media as a long-overdue corrective to the liberal bias of the mainstream media, which, according to Jim A. Kuypers, the author of "Press Bias and Politics," are "a partisan collective which both consciously and unconsciously attempts to persuade the public to accept its interpretation of the world as true." Fourteen percent of Americans describe themselves as liberals, and 26 percent as conservatives. The corresponding figures for journalists are 56 percent and 18 percent. This means that of all journalists who consider themselves either liberal or conservative, 76 percent consider themselves liberal, compared with only 35 percent of the public that has a stated political position.

So politically one-sided are the mainstream media, the right complains (while sliding over the fact that the owners and executives, as distinct from the working journalists, tend to be far less liberal), that not only do they slant the news in a liberal direction; they will stop at nothing to defeat conservative politicians and causes. The right points to the "60 Minutes II" broadcast in which Dan Rather paraded what were probably forged documents concerning George W. Bush's National Guard service, and to Newsweek's erroneous report, based on a single anonymous source, that an American interrogator had flushed a copy of the Koran down the toilet (a physical impossibility, one would have thought).

Strip these critiques of their indignation, treat them as descriptions rather than as denunciations, and one sees that they are consistent with one another and basically correct. The mainstream media are predominantly liberal - in fact, more liberal than they used to be. But not because the politics of journalists have changed. Rather, because the rise of new media, itself mainly an economic rather than a political phenomenon, has caused polarization, pushing the already liberal media farther left.

The news media have also become more sensational, more prone to scandal and possibly less accurate. But note the tension between sensationalism and polarization: the trial of Michael Jackson got tremendous coverage, displacing a lot of political coverage, but it had no political valence.

The interesting questions are, first, the why of these trends, and, second, so what?

The why is the vertiginous decline in the cost of electronic communication and the relaxation of regulatory barriers to entry, leading to the proliferation of consumer choices. Thirty years ago the average number of television channels that Americans could receive was seven; today, with the rise of cable and satellite television, it is 71. Thirty years ago there was no Internet, therefore no Web, hence no online newspapers and magazines, no blogs. The public's consumption of news and opinion used to be like sucking on a straw; now it's like being sprayed by a fire hose.

To see what difference the elimination of a communications bottleneck can make, consider a town that before the advent of television or even radio had just two newspapers because economies of scale made it impossible for a newspaper with a small circulation to break even. Each of the two, to increase its advertising revenues, would try to maximize circulation by pitching its news to the median reader, for that reader would not be attracted to a newspaper that flaunted extreme political views. There would be the same tendency to political convergence that is characteristic of two-party political systems, and for the same reason - attracting the least committed is the key to obtaining a majority.

One of the two newspapers would probably be liberal and have a loyal readership of liberal readers, and the other conservative and have a loyal conservative readership. That would leave a middle range. To snag readers in that range, the liberal newspaper could not afford to be too liberal or the conservative one too conservative. The former would strive to be just liberal enough to hold its liberal readers, and the latter just conservative enough to hold its conservative readers. If either moved too close to its political extreme, it would lose readers in the middle without gaining readers from the extreme, since it had them already.

But suppose cost conditions change, enabling a newspaper to break even with many fewer readers than before. Now the liberal newspaper has to worry that any temporizing of its message in an effort to attract moderates may cause it to lose its most liberal readers to a new, more liberal newspaper; for with small-scale entry into the market now economical, the incumbents no longer have a secure base. So the liberal newspaper will tend to become even more liberal and, by the same process, the conservative newspaper more conservative. (If economies of scale increase, and as a result the number of newspapers grows, the opposite ideological change will be observed, as happened in the 19th century. The introduction of the "penny press" in the 1830's enabled newspapers to obtain large circulations and thus finance themselves by selling advertising; no longer did they have to depend on political patronage.)

The current tendency to political polarization in news reporting is thus a consequence of changes not in underlying political opinions but in costs, specifically the falling costs of new entrants. The rise of the conservative Fox News Channel caused CNN to shift to the left. CNN was going to lose many of its conservative viewers to Fox anyway, so it made sense to increase its appeal to its remaining viewers by catering more assiduously to their political preferences.

The tendency to greater sensationalism in reporting is a parallel phenomenon. The more news sources there are, the more intense the struggle for an audience. One tactic is to occupy an overlooked niche - peeling away from the broad-based media a segment of the consuming public whose interests were not catered to previously. That is the tactic that produces polarization. Another is to "shout louder" than the competitors, where shouting takes the form of a sensational, attention-grabbing discovery, accusation, claim or photograph. According to James T. Hamilton in his valuable book "All the News That's Fit to Sell," this even explains why the salaries paid news anchors have soared: the more competition there is for an audience, the more valuable is a celebrity newscaster.

The argument that competition increases polarization assumes that liberals want to read liberal newspapers and conservatives conservative ones. Natural as that assumption is, it conflicts with one of the points on which left and right agree - that people consume news and opinion in order to become well informed about public issues. Were this true, liberals would read conservative newspapers, and conservatives liberal newspapers, just as scientists test their hypotheses by confronting them with data that may refute them. But that is not how ordinary people (or, for that matter, scientists) approach political and social issues. The issues are too numerous, uncertain and complex, and the benefit to an individual of becoming well informed about them too slight, to invite sustained, disinterested attention. Moreover, people don't like being in a state of doubt, so they look for information that will support rather than undermine their existing beliefs. They're also uncomfortable seeing their beliefs challenged on issues that are bound up with their economic welfare, physical safety or religious and moral views.

So why do people consume news and opinion? In part it is to learn of facts that bear directly and immediately on their lives - hence the greater attention paid to local than to national and international news. They also want to be entertained, and they find scandals, violence, crime, the foibles of celebrities and the antics of the powerful all mightily entertaining. And they want to be confirmed in their beliefs by seeing them echoed and elaborated by more articulate, authoritative and prestigious voices. So they accept, and many relish, a partisan press. Forty-three percent of the respondents in the poll by the Annenberg Public Policy Center thought it "a good thing if some news organizations have a decidedly political point of view in their coverage of the news."

Being profit-driven, the media respond to the actual demands of their audience rather than to the idealized "thirst for knowledge" demand posited by public intellectuals and deans of journalism schools. They serve up what the consumer wants, and the more intense the competitive pressure, the better they do it. We see this in the media's coverage of political campaigns. Relatively little attention is paid to issues. Fundamental questions, like the actual difference in policies that might result if one candidate rather than the other won, get little play. The focus instead is on who's ahead, viewed as a function of campaign tactics, which are meticulously reported. Candidates' statements are evaluated not for their truth but for their adroitness; it is assumed, without a hint of embarrassment, that a political candidate who levels with voters disqualifies himself from being taken seriously, like a racehorse that tries to hug the outside of the track. News coverage of a political campaign is oriented to a public that enjoys competitive sports, not to one that is civic-minded.

We saw this in the coverage of the selection of Justice Sandra Day O'Connor's successor. It was played as an election campaign; one article even described the jockeying for the nomination by President Bush as the "primary election" and the fight to get the nominee confirmed by the Senate the "general election" campaign. With only a few exceptions, no attention was paid to the ability of the people being considered for the job or the actual consequences that the appointment was likely to have for the nation.

Does this mean that the news media were better before competition polarized them? Not at all. A market gives people what they want, whether they want the same thing or different things. Challenging areas of social consensus, however dumb or even vicious the consensus, is largely off limits for the media, because it wins no friends among the general public. The mainstream media do not kick sacred cows like religion and patriotism.

Not that the media lie about the news they report; in fact, they have strong incentives not to lie. Instead, there is selection, slanting, decisions as to how much or how little prominence to give a particular news item. Giving a liberal spin to equivocal economic data when conservatives are in power is, as the Harvard economists Sendhil Mullainathan and Andrei Shleifer point out, a matter of describing the glass as half empty when conservatives would describe it as half full.

Journalists are reluctant to confess to pandering to their customers' biases; it challenges their self-image as servants of the general interest, unsullied by commerce. They want to think they inform the public, rather than just satisfying a consumer demand no more elevated or consequential than the demand for cosmetic surgery in Brazil or bullfights in Spain. They believe in "deliberative democracy" - democracy as the system in which the people determine policy through deliberation on the issues. In his preface to "The Future of Media" (a collection of articles edited by Robert W. McChesney, Russell Newman and Ben Scott), Bill Moyers writes that "democracy can't exist without an informed public." If this is true, the United States is not a democracy (which may be Moyers's dyspeptic view). Only members of the intelligentsia, a tiny slice of the population, deliberate on public issues.

The public's interest in factual accuracy is less an interest in truth than a delight in the unmasking of the opposition's errors. Conservatives were unembarrassed by the errors of the Swift Boat veterans, while taking gleeful satisfaction in the exposure of the forgeries on which Dan Rather had apparently relied, and in his resulting fall from grace. They reveled in Newsweek's retracting its story about flushing the Koran down a toilet yet would prefer that American abuse of prisoners be concealed. Still, because there is a market demand for correcting the errors and ferreting out the misdeeds of one's enemies, the media exercise an important oversight function, creating accountability and deterring wrongdoing. That, rather than educating the public about the deep issues, is their great social mission. It shows how a market produces a social good as an unintended byproduct of self-interested behavior.

The limited consumer interest in the truth is the key to understanding why both left and right can plausibly denounce the same media for being biased in favor of the other. Journalists are writing to meet a consumer demand that is not a demand for uncomfortable truths. So a newspaper that appeals to liberal readers will avoid exposés of bad behavior by blacks or homosexuals, as William McGowan charges in "Coloring the News"; similarly, Daniel Okrent, the first ombudsman of The New York Times, said that the news pages of The Times "present the social and cultural aspects of same-sex marriage in a tone that approaches cheerleading." Not only would such exposés offend liberal readers who are

not black or homosexual; many blacks and homosexuals are customers of liberal newspapers, and no business wants to offend a customer.

But the same liberal newspaper or television news channel will pull some of its punches when it comes to reporting on the activities of government, even in Republican administrations, thus giving credence to the left critique, as in Michael Massing's "Now They Tell Us," about the reporting of the war in Iraq. A newspaper depends on access to officials for much of its information about what government is doing and planning, and is reluctant to bite too hard the hand that feeds it. Nevertheless, it is hyperbole for Eric Alterman to claim in "What Liberal Media?" that "liberals are fighting a near-hopeless battle in which they are enormously outmatched by most measures" by the conservative media, or for Bill Moyers to say that "the marketplace of political ideas" is dominated by a "quasi-official partisan press ideologically linked to an authoritarian administration." In a sample of 23 leading newspapers and newsmagazines, the liberal ones had twice the circulation of the conservative. The bias in some of the reporting in the liberal media, acknowledged by Okrent, is well documented by McGowan, as well as by Bernard Goldberg in "Bias" and L. Brent Bozell III in "Weapons of Mass Distortion."

Journalists minimize offense, preserve an aura of objectivity and cater to the popular taste for conflict and contests by - in the name of "balance" - reporting both sides of an issue, even when there aren't two sides. So "intelligent design," formerly called by the oxymoron "creation science," though it is religious dogma thinly disguised, gets almost equal billing with the theory of evolution. If journalists admitted that the economic imperatives of their industry overrode their political beliefs, they would weaken the right's critique of liberal media bias.

The latest, and perhaps gravest, challenge to the journalistic establishment is the blog. Journalists accuse bloggers of having lowered standards. But their real concern is less high-minded - it is the threat that bloggers, who are mostly amateurs, pose to professional journalists and their principal employers, the conventional news media. A serious newspaper, like The Times, is a large, hierarchical commercial enterprise that interposes layers of review, revision and correction between the reporter and the published report and that to finance its large staff depends on advertising revenues and hence on the good will of advertisers and (because advertising revenues depend to a great extent on circulation) readers. These dependences constrain a newspaper in a variety of ways. But in addition, with its reputation heavily invested in accuracy, so that every serious error is a potential scandal, a newspaper not only has to delay publication of many stories to permit adequate checking but also has to institute rules for avoiding error - like requiring more than a single source for a story or limiting its reporters' reliance on anonymous sources - that cost it many scoops.

Blogs don't have these worries. Their only cost is the time of the blogger, and that cost may actually be negative if the blogger can use the publicity that he obtains from blogging to generate lecture fees and book royalties. Having no staff, the blogger is not expected to be accurate. Having no advertisers (though this is changing), he has no reason to pull his punches. And not needing a large circulation to cover costs, he can target a segment of the reading public much narrower than a newspaper or a television news channel could aim for. He may even be able to pry that segment away from the conventional media. Blogs pick off the mainstream media's customers one by one, as it were.

And bloggers thus can specialize in particular topics to an extent that few journalists employed by media companies can, since the more that journalists specialized, the more of them the company would have to hire in order to be able to cover all bases. A newspaper will not hire a journalist for his knowledge of old typewriters, but plenty of people in the blogosphere have that esoteric knowledge, and it was they who brought down Dan Rather. Similarly, not being commercially constrained, a blogger can stick with and dig into a story longer and deeper than the conventional media dare to, lest their readers become bored. It was the bloggers' dogged persistence in pursuing a story that the conventional media had tired of that forced Trent Lott to resign as Senate majority leader.

What really sticks in the craw of conventional journalists is that although individual blogs have no warrant of accuracy, the blogosphere as a whole has a better error-correction machinery than the conventional media do. The rapidity with which vast masses of information are pooled and sifted leaves the conventional media in the dust. Not only are there millions of blogs, and thousands of bloggers who specialize, but, what is more, readers post comments that augment the blogs, and the information in those comments, as in the blogs themselves, zips around blogland at the speed of electronic transmission.

This means that corrections in blogs are also disseminated virtually instantaneously, whereas when a member of the mainstream media catches a mistake, it may take weeks to communicate a retraction to the public. This is true not only of newspaper retractions - usually printed inconspicuously and in any event rarely read, because readers have forgotten the article being corrected - but also of network television news. It took CBS so long to acknowledge Dan Rather's mistake because there are so many people involved in the production and supervision of a program like "60 Minutes II" who have to be consulted.

The charge by mainstream journalists that blogging lacks checks and balances is obtuse. The blogosphere has more checks and balances than the conventional media; only they are different. The model is Friedrich Hayek's classic analysis of how the economic market pools enormous quantities of information efficiently despite its decentralized character, its lack of a master coordinator or regulator, and the very limited knowledge possessed by each of its participants.

In effect, the blogosphere is a collective enterprise - not 12 million separate enterprises, but one enterprise with 12 million reporters, feature writers and editorialists, yet with almost no costs. It's as if The Associated Press or Reuters had millions of reporters, many of them experts, all working with no salary for free newspapers that carried no advertising.

How can the conventional news media hope to compete? Especially when the competition is not entirely fair. The bloggers are parasitical on the conventional media. They copy the news and opinion generated by the conventional media, often at considerable expense, without picking up any of the tab. The degree of parasitism is striking in the case of those blogs that provide their readers with links to newspaper articles. The links enable the audience to read the articles without buying the newspaper. The legitimate gripe of the conventional media is not that bloggers undermine the overall accuracy of news reporting, but that they are free riders who may in the long run undermine the ability of the conventional media to finance the very reporting on which bloggers depend.

Some critics worry that "unfiltered" media like blogs exacerbate social tensions by handing a powerful electronic platform to extremists at no charge. Bad people find one another in cyberspace and so gain confidence in their crazy ideas. The conventional media filter out extreme views to avoid offending readers, viewers and advertisers; most bloggers have no such inhibition.

The argument for filtering is an argument for censorship. (That it is made by liberals is evidence that everyone secretly favors censorship of the opinions he fears.) But probably there is little harm and some good in unfiltered media. They enable unorthodox views to get a hearing. They get 12 million people to write rather than just stare passively at a screen. In an age of specialization and professionalism, they give amateurs a platform. They allow people to blow off steam who might otherwise adopt more dangerous forms of self-expression. They even enable the authorities to keep tabs on potential troublemakers; intelligence and law enforcement agencies devote substantial resources to monitoring blogs and Internet chat rooms.

And most people are sensible enough to distrust communications in an unfiltered medium. They know that anyone can create a blog at essentially zero cost, that most bloggers are uncredentialed amateurs, that bloggers don't employ fact checkers and don't have editors and that a blogger can hide behind a pseudonym. They know, in short, that until a blogger's assertions are validated (as when the mainstream media acknowledge an error discovered by a blogger), there is no reason to repose confidence in what he says. The mainstream media, by contrast, assure their public that they make strenuous efforts to prevent errors from creeping into their articles and broadcasts. They ask the public to trust them, and that is why their serious errors are scandals.

A survey by the National Opinion Research Center finds that the public's confidence in the press declined from about 85 percent in 1973 to 59 percent in 2002, with most of the decline occurring since 1991. Over both the longer and the shorter period, there was little change in public confidence in other major institutions. So it seems there are special factors eroding trust in the news industry. One is that the blogs have exposed errors by the mainstream media that might otherwise have gone undiscovered or received less publicity. Another is that competition by the blogs, as well as by the other new media, has pushed the established media to get their stories out faster, which has placed pressure on them to cut corners. So while the blogosphere is a marvelous system for prompt error correction, it is not clear whether its net effect is to reduce the amount of error in the media as a whole.

But probably the biggest reason for declining trust in the media is polarization. As media companies are pushed closer to one end of the political spectrum or the other, the trust placed in them erodes. Their motives are assumed to be political. This may explain recent Pew Research Center poll data that show Republicans increasingly regarding the media as too critical of the government and Democrats increasingly regarding them as not critical enough.

Thus the increase in competition in the news market that has been brought about by lower costs of communication (in the broadest sense) has resulted in more variety, more polarization, more sensationalism, more healthy skepticism and, in sum, a better matching of supply to demand. But increased competition has not produced a public more oriented toward public issues, more motivated and competent to engage in genuine self-government, because these are not the goods that most people are seeking from the news media. They are seeking entertainment, confirmation, reinforcement, emotional satisfaction; and what consumers want, a competitive market supplies, no more, no less. Journalists express

dismay that bottom-line pressures are reducing the quality of news coverage. What this actually means is that when competition is intense, providers of a service are forced to give the consumer what he or she wants, not what they, as proud professionals, think the consumer should want, or more bluntly, what they want.

Yet what of the sliver of the public that does have a serious interest in policy issues? Are these people less well served than in the old days? Another recent survey by the Pew Research Center finds that serious magazines have held their own and that serious broadcast outlets, including that bane of the right, National Public Radio, are attracting ever larger audiences. And for that sliver of a sliver that invites challenges to its biases by reading The New York Times and The Wall Street Journal, that watches CNN and Fox, that reads Brent Bozell and Eric Alterman and everything in between, the increased polarization of the media provides a richer fare than ever before.

So when all the pluses and minuses of the impact of technological and economic change on the news media are toted up and compared, maybe there isn't much to fret about.

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