

# ESJ

*Elon Journal*

of Undergraduate Research  
in Communications

**2010** Fall  
Issue

School of Communications  
Elon University

## Joining the World of Journals

Welcome to the nation's first and, to our knowledge, only undergraduate research journal in communications.

We discovered this fact while perusing the Web site of the Council on Undergraduate Research, which lists and links to the 60 or so undergraduate research journals nationwide (<http://www.cur.org/ugjournal.html>).

Some of these journals focus on a discipline (e.g., Journal of Undergraduate Research in Physics), some are university-based and multidisciplinary (e.g., MIT Undergraduate Research Journal), and some are university-based and disciplinary (e.g., Furman University Electronic Journal in Undergraduate Mathematics).

The Elon Journal is the first to focus on undergraduate research in journalism, media and communications.

The School of Communications at Elon University is the creator and publisher of the online journal. The second issue was published in Fall 2010 under the editorship of Dr. Byung Lee, associate professor in the School of Communications.

The three purposes of the journal are:

- To publish the best undergraduate research in Elon's School of Communications each term,
- To serve as a repository for quality work to benefit future students seeking models for how to do undergraduate research well, and
- To advance the university's priority to emphasize undergraduate student research.

The Elon Journal is published twice a year, with spring and fall issues.

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## Celebrating Student Research

This journal reflects what we enjoy seeing in our students -- intellectual maturing.

As 18 year olds, some students enter college wanting to earn a degree, but unsure if they want an education. They may question whether communication theory has anything to do with real life. Ready to start their media careers, many would rather focus on workplace skills than analyze issues and concepts.

In Elon's School of Communications, we strive for a balance among concepts, writing and production. All are important.

Student media and organizations are terrific venues for the practice of journalism, broadcasting, public relations, advertising and cinema.

In turn, this journal celebrates the life of the intellect through undergraduate research. It represents the intellectual maturing that occurs by the senior year.

These published articles make us aware of the solitary hours that students spend in research and the untold hours in which student and teacher-mentor work together to revise a paper for public consumption. It's exciting to see students conducting research in such arenas as social media and press freedom.

By focusing attention on undergraduate research, this journal helps reinforce all that we think a university should be.

Dr. Paul Parsons, Dean  
School of Communications

## Editor's Note

For the Fall 2010 issue, 10 papers were selected for publication out of 25 submitted. Among many topics, new media issues were dominant. Social media was covered by two papers; instant blogging, podcast, and digital music were covered by one paper each. Other topics, such as health communications, were covered by two papers, and traditional areas, such as analysis of newspaper coverage, TV coverage and public relations, were also covered by one student each.

Writing a research paper was quite a learning process to them, which was well summarized by one author, Michell Newman. She said, "Not only did I learn a lot about my topic, but writing this article taught me a lot about the research process. I discovered the importance of planning a systematic method and following that method accordingly. The most important lesson, I think, was accepting that every research project does not have to be successful to be important. Just because my hypotheses were not correct or I couldn't find significant relationships does not mean my project was pointless. We are still able to learn from 'failed' experiments."

Having the first issue under their belt, people seemed to feel more confident. Student authors expressed that the articles in the first issue helped them identify tone, length, format, and style of papers that can qualify for the journal. They also felt encouraged after learning that a good paper could be written within a semester. The production process was much smoother: scheduling was much easier because we know who should be responsible for what and how much of time will be needed for each task. I could take advantage of my InDesign skill that I sharpened in the production of the first issue. I believe other colleagues would feel more certain this time, even though it still must have been a daunting task, especially considering that all the work should be done at the last minute of the Spring semester.

Among others, I appreciate the effort of the Spring 2010 senior capstone professors -- Dr. Naeemah Clark, Dr. David Copeland, Dr. Anthony Hatcher and Dr. George Padgett -- who guided student research and selected submissions on time, even on a tight deadline. The online issue also reflects the work of Jason McMerty, who filmed and edited videos of the students, and Colin Donohue, who posted this journal online.

I hope the articles in this issue will inspire students in the next semester to be more serious about research and submit their papers to this journal.

Dr. Byung Lee  
Journal Editor

## Editorial Board

Seventeen faculty members in Elon's School of Communications served as the Editorial Board that selected the 10 undergraduate research papers appearing in the Fall 2010 issue.

From more than 100 research papers written in advanced School of Communications classes, 25 were submitted to the journal by Elon communications students through the encouragement and mentoring of capstone teachers and other professors in the school. Under the direction of journal editor Byung Lee, each paper was evaluated in a multiple blind-review process to identify the best student work.

Professors who served as the Editorial Board were Brooke Barnett, Connie Book, Naeemah Clark, David Copeland, Vic Costello, Michelle Ferrier, Amanda Gallagher, Anthony Hatcher, Dan Haygood, Richard Landesberg, Harlen Makemson, Barbara Miller, Tom Nelson, George Padgett, Paul Parsons, Glenn Scott and Frances Ward-Johnson.



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# The Daily Show and Meta-Coverage: How Mock News Covers the Political Communications System

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## Abstract

*This study examines the relationship between mock news coverage and Presidential approval. Specifically, it focuses on whether approval affects the volume and framing of mock news meta-coverage, or coverage of the political communications system. In contrast to other studies, which address either entertainment news programs or meta-coverage, this study combines the comedy of mock news and the democratic importance of meta-communications. Using a content analysis of The Daily Show episodes during the first term of former President George W. Bush and the current term of President Barack Obama, the research does not support a significant relationship between approval ratings and mock news meta-coverage. The research does identify key trends in meta-coverage themes and framing strategies.*

## I. Introduction

When the Pew Research Center released information on America's most admired news figures in 2007, it probably surprised few to see Katie Couric, Dan Rather, and Tom Brokaw toward the top of the list. However, many were shocked to see one person's name. Americans ranked comedian Jon Stewart among the top five most admired journalists. Stewart's mock news program, *The Daily Show*, has become very popular since it premiered in 1996. The show is regarded as a fake news program, but it is structured much like a traditional news broadcast with an anchor, Stewart, giving news updates and interviewing guests. There are also news packages produced by fake correspondents on real or fake locations. Stewart satirizes political and pop culture issues as well as the media in a fashion that has garnered much attention from both viewers and critics. The show averages about 1.2 million viewers, who some believe are paying too much attention to the program (Pew, 2008). Critics say it is not appropriate for people to rely on *The Daily Show* for accurate information on current events (Pew, 2008). Others see the program as the true watchdog in society that exposes a manipulative government and media (Baym, 2005; Brewer, 2003). Regardless of which side of the argument is right, it is important to understand the messages that are being sent to so many people.

This research addresses *The Daily Show's* role in revealing the manipulation of the political communication system among the Presidential Administration. The program does this through the coverage of media coverage, also known as meta-coverage. In traditional news meta-coverage can be defined as "the news media's self-referential reflections on the nature of the interplay between political public relations and political journalism" (Esser, 2001). In mock news programming meta-coverage is not exactly self-referential, but is critical of the relationship. This research analyzes *The Daily Show* episodes during the presidential terms of George W. Bush and Barack Obama to determine if public approval affects the volume and type of

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\***Keywords:** The Daily Show, mock news, meta-coverage, presidential media, media framing  
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meta-coverage. The Administration is constantly under public scrutiny and its actions become controversial topics of debate; the type of stories that fuels Stewart's wit. The President's office and the media also have a crucial relationship. Political officials have communications strategies that are extremely sensitive to public acceptance. Meta-coverage threatens this acceptance and helps the democratic process by exposing the manipulation. This study explores the conditions under which presidential approval affects mock news meta-coverage.

## II. Literature Review

The increasing popularity of *The Daily Show* has caught the eye of political communications researchers. The scholarly literature has focused on a number of issues related to political processes and programs like *The Daily Show*. Much of the research on this topic can be divided between two groups: 1) research on entertainment media, including mock news and 2) research on meta-coverage (Baym, 2005; Brewer, 2003; Esser, 2001, 2003; Fengler, 2003; Johnson, 1996). The first of these topics can be further divided into two categories: 1) content (Baum, 2003; Baym, 2005; Brewer, 2007; Niven, 2003), and 2) effects (Baum, 2003; Baumgartner, 2006; Feldman, 2008; Young, 2006). These studies have established a need to take a closer look at the significant implications of mock news programs.

### *Soft News and Entertainment Media*

**The Content:** *The Daily Show* and other satirical entertainment programs focus on a wide range of topics. They are reflective of what is popular in society, but also bring attention to what may not be widely known. This watchdog nature is similar to the role of a traditional journalist, with a twist. Much research has focused on analyzing the content of these programs (Baum, 2003; Baym, 2005; Brewer, 2007; Niven, 2003). Soft news programs are an important source of information on foreign crises and what Baum describes as "water cooler" events (2003, 5). These are events the media can elevate from traditional political discourse to topics discussed across the population, such as the Monica Lewinsky scandal or the war in Afghanistan.

Specifically analyzing Stewart's typical dialogue with sound bites from political events has led Baym (2005) to conclude that Stewart often juxtaposes what is happening in the real world with his idea of common sense, creating an undermining humor that has become very popular. Scholars have discovered the majority of news stories featured on *The Daily Show* are about politics (Brewer, 2007, 259). According to Brewer and Marquardt's content analysis, the top subject for ridicule was the President in 2004, but the press also became a primary target (Brewer, 2007, 259).

Previous research has also found that guest appearances and interviews have a significant role in informing the public on political issues (Brewer, 2007; Niven, 2003). Brewer and Marquardt (2007, 263) found that over half of guest interviews on *The Daily Show* discuss politically relevant issues and claim this increases the show's potential to influence public opinion.

**The Effects:** To further establish whether or not satirical entertainment programs, like *The Daily Show*, can provide the public with political information, researchers have also looked into the effects of the programs on political efficacy (Baum, 2003; Baumgartner, 2006; Feldman, 2008; Young, 2006; Young, 2008). Some researchers have categorized *The Daily Show* within a group of late-night comedy television programs that also include political satire (Young, 2006; Baum, 2003; Feldman, 2008). Other scholars have considered *The Daily Show* as a separate phenomenon, because unlike the other late-night programs, it takes on the personality of a news program and often includes more political information (Young, 2006). The 2004 National Annenberg Election Survey and the 2000 Pew Research Center for the People and the Press report suggested that younger audiences are avoiding traditional news programs and getting all of their information from more entertaining sources. Both Feldman and Young (2008) and Young and Tisinger (2006) used data from the reports to determine the relationship between late-night viewing and traditional news consumption. Both concluded that an effect of late-night content is an increased level of attention to traditional news for political information. Baum (2003) refers to a similar group of programming as soft news. According to Baum, more people consume soft news for its entertainment purposes rather than for political information. He identifies soft news as a gateway to traditional news. Feldman and Young (2008) supported this gateway theory by finding a positive relationship between late-night viewing and higher levels of attention to traditional news sources during the 2004 presidential primaries. Other research may not necessarily deny the legitimacy of entertainment media as a source of political information, but it recognizes news media as the better source (Kim,

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2008). Kim and Vishak (2008) claim that traditional news viewers remember information more accurately than entertainment media audiences. Their research also suggests that entertainment media does not promote information acquisition.

Other research has found more direct effects on political knowledge. Baumgartner and Morris (2006) conducted a study to test young viewer's evaluations of political candidates after seeing clips of *The Daily Show* and *CBS Evening News*. Seeing the negative portrayal of the candidates on *The Daily Show* led to increased cynicism and lowered support (Baumgartner, 2006, 352). They found that it negatively affects external efficacy by lowering trust in both the media and entire electoral process. They claim viewers are less likely to vote if they see flaws in the electoral process or have increased cynicism towards the candidates. However, Baumgartner and Morris found the opposite for internal efficacy. Viewers of *The Daily Show* thought they had a better understanding of the political process because the content appeared to simplify the complexities of the political system (Baumgartner, 2006, 353).

Baum (2003) has researched the effect of soft news programming outside of the election process. He also analyzed attitudes of soft news viewers, but with an emphasis on foreign policy. He found a strong correlation between soft news consumption and opposition to a proactive or interventionist foreign policy (Baum, 2003, 230-258). The research also revealed that soft news viewers are also more likely to view the content as the most pressing issues facing the nation.

### *Meta-Coverage*

Most scholars would agree that meta-coverage involves both sides of the political communications process (Baym, 2005; Brewer, 2003; Esser, 2001, 2003; Fengler, 2003; Johnson, 1996). Fengler (2003) first looked at media self-criticism through interviews with journalists and critics. She identified several attitudes towards media criticism including a reluctance to attack fellow journalists and recognition of the potential of criticism as a method for self-regulation (Fengler, 2003). Academics have further looked at meta-coverage by studying the content of traditional news programs (Johnson, 1996; Esser, 2001, 2003). Research has identified four prominent themes in meta-coverage: media performance/impact, policy/campaign issues, candidate media strategy/ performance, and general media stories (Johnson, 1996). Johnson and Bourdeau (1996, 662) discovered most meta-coverage stories fell in the general media category, which would include features on media figures or about the technology used to cover political campaigns, and that few stories focus on media performance (Johnson, 1996, 662). Research has revealed differences between American, German and British meta-coverage content (Esser, 2001). In studying the coverage of political public relations, academics found the United States used "spin doctors" more often as legitimate sources than as people using the media for manipulation (Esser, 2001, 32).

Other scholars have similarly focused on the content of meta-coverage, but with an emphasis on content frames. Esser and D'Angelo (2003) analyzed meta-communications content frames of news programs during the 2000 election. They divided meta-coverage into two different groups: press and publicity propositions. They identified frames from three categories, finding that strategy frames were the most common (Esser, 2003, 632). Conduit frames were the second most popular, while accountability frames accounted for very few stories (Esser, 2003, 632). Academics have also examined the tones of meta-coverage in traditional news (Johnson, 1996; Esser, 2001, 2003). An earlier analysis found most meta-coverage stories to have neutral tones (Johnson, 1996, 662). Compared to other countries, American programs more often portray political officials as competent, useful professionals (Esser, 2001, 38).

Other scholars have researched meta-coverage specifically in *The Daily Show* (Baym, 2005; Brewer, 2003). Some academics suggest that Jon Stewart uses humor to confront the entire political communications system (Baym, 2005). The mock news format illuminates government manipulation of the media and the media's compliance. According to Baym, *The Daily Show* has a type of diagnostic function, pointing out what is wrong with the government media strategy. His study claims *The Daily Show* can actually inform the public on politics and policy issues, while also encouraging them to be skeptical of the news media. A content analysis of *The Daily Show* episodes discovered that fifteen percent of the stories cover the media, including clips of news programs or general criticism of media behavior (Brewer, 2007).

It is clear that *The Daily Show* and satirical entertainment programs have a strong influence on public opinion, especially with meta-coverage of the political communications system. However, there has been little research identifying similar content specifically to the President's office that could have the same impact on political discourse. As the leader of the United States, the President is one of the most scrutinized positions in government. Research has yet to address the role of *The Daily Show* and late-night comedy specific to the

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President's office and whether the same principles from previous studies are applicable. The following research will provide further detail on the conditions that influence content on *The Daily Show* during the terms of former President George W. Bush and President Barack Obama.

### III. Methodology

#### *Hypotheses*

This analysis is exploratory because no previous research has systematically looked at meta-coverage of the President's office on mock news programming. Previous research has discovered *The Daily Show* is very cynical, so one could expect the news stories to be more critical of the political communications system than the traditional news broadcast (Baumgartner, 2006). Content analyses have also revealed that most of the stories mock elected officials, with the President being the top subject (Brewer, 2007). Based on this research, while Johnson (1996) identified a neutral tone in traditional news meta-coverage, this is not necessarily true for mock news. *The Daily Show* has anything but neutral undertones. Therefore, rather than meta-coverage focused on general media stories, it is logical to predict there will be more stories about media performance and political media strategy. (Hypothesis 1)

When presidential approval is low, the public is more critical of the government's strategies. Given the critical nature of *The Daily Show* meta-coverage, it is reasonable to believe that as approval decreases, meta-coverage will increase (Hypothesis 2).

Scholars have suggested that accountability frames are the most desirable for democratic theory because they hold both politicians and the media to a set of democratic standards. As approval decreases, *The Daily Show* is more likely to hold officials and the media accountable for their responsibilities, resulting in more accountability frames than conduit and strategy (Hypothesis 3).

#### *Measurements*

This research utilizes a content analysis of *The Daily Show* episodes to identify the volume of meta-coverage and to code four meta-coverage categories and three framing categories. For this research, meta-coverage is defined as "the news media's self-referential reflections on the nature of the interplay between political public relations and political journalism" (Esser, 2001). As a mock news program, *The Daily Show* acts in place of the news media to reflect on and criticize this relationship. The definition suggests two types of meta-coverage: press and publicity. Press meta-coverage was coded based on media key words (e.g. journalists, press, news media, broadcast, camera crew) and images (e.g. video cameras, news footage). Publicity meta-coverage was identified using political public relations key words (e.g. press conference, public affairs, press secretary, appearances, aides, statements) and images (e.g. press conference, microphones). Only meta-coverage of the President's administration was coded for the quantitative analysis, but other instances and topics were recorded. The volume of presidential meta-coverage was measured as a percentage of general meta-stories.

The four themes analyzed were adapted from Johnson and Boudreau (1996): 1) media performance/strategy; 2) politician performance/strategy; 3) general media; 4) policy issues. All political meta-coverage stories, regardless of mentioning the Administration, were coded for analysis according to these themes. Those centered on the media's performance in reporting political issues or on an administrator's performance in communicating his or her message, were coded just as such. Stories not performance or strategy related were coded with the general media or general policy themes.

The three coded script frames were adapted from Esser and D'Angelo (2003): 1) strategy frames; 2) accountability frames; and 3) conduit frames. The foundation of their frames remained the same, but the definitions were adjusted to fit the comedic nature of *The Daily Show*. In strategy frames, the media is viewed as a political tool caught in the game of politics. They emphasize a politician's desire to manipulate and control information and the media's inability to stop it. In *The Daily Show*, strategy frames would criticize the rhetoric and tactics used to manipulate the public. A story about the press secretary's use of a certain word would be considered to have a strategy frame.

Accountability frames focus more on the role of the media in democracy. They examine the news media's watchdog role and the government's attempts to fool the media. *The Daily Show* coverage would

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concentrate on exposing flaws or mistakes in a public affairs strategy or the media's negligence to cover important issues. For example, *The Daily Show* may expose the President's mistake in saying he will do one thing at a press conference, then actually doing something else.

Conduit frames show the media as simply the transmitter of information and the government as a basic user of the media. In traditional news these stories are not as critical, but in mock news the stories would frame the media and government's mutual compliance in a negative way. A story about the media publishing a prepackaged news report from the government would be coded as a conduit frame. To be coded for framing analysis the story had to mention 1) the President or President's office and 2) any keywords that constitute meta-coverage. The stories were not coded based on their length and could include more than one frame depending on the content.

This research examined *The Daily Show* episodes during the first term of former President George W. Bush and the current term of President Barack Obama (Appendix A). Gallup Poll data on the percentage of Americans who approve of the way each handled his job as President was used to determine presidential approval levels (Appendix B). Ten episodes were examined from three months corresponding to the months of highest, lowest, and closest to average approval. These months were selected by first identifying the weeks of highest, lowest, and average career approval. The average approval ratings for the proximate months determined which month would be analyzed. This was done so the episodes were more reflective of the high or low approval ratings. Episodes were chosen with a random number generator to total the ten episodes per month. If an episode did not air on the random date generated, the very next episode was chosen for analysis. Sixty total episodes were analyzed. These episodes were found on *The Daily Show* website, which keeps an archive of segments aired on a particular date.

## IV. Findings

With approximately 192 episodes per year, or 768 per four-year term, there are many opportunities for *The Daily Show* to criticize the political communications system. In this same time frame, the public has many opportunities to judge the Administration's performance. Former President George W. Bush's approval ratings shifted throughout his first term in office. On the other hand, President Barack Obama's approval ratings have steadily declined since he took office in 2009. October 2001 marked Bush's highest month of approval, just after the September 11 attacks and his lowest first-term approval ratings in August 2001. His first term average was 62.2% with just over a majority of Americans agreeing with how he handled the job. As previously mentioned, Obama's ratings have steadily declined since he took office in late January with his highest approval in February 2009. Currently his average rating is at 56%, slightly lower than his predecessor's.

The content analysis included 327 story segments, of which 103 constituted meta-coverage (31.5%). Fifty-three of these were coded as meta-coverage of the Administration. A majority of the meta-coverage focused on the publicity side of communications, with only 33 of the 103 total meta-stories about the media. Of the 53 Presidential meta-stories, there were only 15 instances of press meta-coverage. An example of one of the press-centered stories aired in August 2009. The segment discredited cable news polling by exposing biased and inaccurate research methods (*The Daily Show*, August 17, 2009).

**Finding 1:** The data showed the dominant theme in mock news meta-coverage is politician performance/strategy followed by media performance/strategy (Table 1).

**Table 1. Meta-coverage by theme**

Meta-coverage Theme	Number of Meta-Stories	Number of Administration Stories
Media Performance/Strategy	33	15
Political Performance/Strategy	58	39
Policy Issues	2	0
General Media	2	2
Not Coded	8	0

**Finding 2:** The analysis did not support a strong relationship between low Presidential approval and a high volume of meta-coverage (Table 2). In the lowest approval month of analysis, there were 6 meta-stories about the Bush Administration, representing 17% of his meta-coverage. For Obama, only 16 meta-stories or 23% of the meta-coverage occurred in the lowest month of approval. The highest counts for both Presidential Administrations were in the months corresponding to the term's average approval rating. However, when comparing volume between the two Administrations, the data showed a significantly larger volume in Obama's current term. Compared to Bush, President Obama had the lower first-term average (56%) and the lowest approval rating (45%).

**Table 2. Relationship between approval rating and media coverage volume**

Month (Approval %)	Number of Meta-Stories*	Number of Administration Stories**
August 2001 (56%)	6	4
October 2001 (88%)	11	4
June 2003 (62%)	18	11
February 2009 (64%)	20	13
August 2009 (53%)	32	17
April 2010 (45%)	16	4
Totals: 103 Meta-Stories; 53 Administration Stories		
*Calculated as the amount of stories constituting meta-coverage		
**Calculated as the amount of meta-stories coded as Presidential Administration stories		

**Finding 3:** Furthermore, the data did not indicate a relationship between Presidential approval and the way each segment, or story, was framed (Table 3 on the next page). In months of low approval there were more strategy frames than accountability, representing more than 60% of the meta-coverage. Strategy frames also constituted the majority of meta-coverage in the months of high approval ratings. Overall, there were just as many accountability frames as strategy frames, each making up 48% of presidential meta-coverage. During the Bush Administration, there were more strategy frames than accountability. The opposite was true for the Obama Administration. Conduit frames were nearly nonexistent with only two total segments of presidential meta-coverage.

Strategy stories were often critical of the rhetoric and tactics used in a political actor's strategic messaging. In a June 2003 episode, Stewart claimed all Bush Administration functions were "carefully choreographed." As he narrated a press conference accordingly, Stewart said Bush rolled up his sleeves to "give the people the idea [he's] a regular dude" and addressed weapons of mass destruction using "deliberately vague wording" (*The Daily Show*, June 5, 2003). This kind of commentary left audiences under the impression that political talking points are strategically planned to carry out manipulative political agendas.

Most accountability stories focused on criticizing the media's inability to perform their role as the nation's "watchdog." During one August 2009 segment, Stewart said they had to talk about "the disgrace that calls itself the mainstream media...and its incessant desire, nay need, to give one Barack Obama a great big, fat pass." He illustrated the media's avoidance of the pressing issues by showing a press conference clip of a journalist asking about the President's birthday plans. Stewart jokingly said, "you'd think the [mainstream media] would be coming at the White House hard and fast" (*The Daily Show*, August 4, 2009). Meta-stories like these enlighten audience members on their watchdog's shortcomings.

Conduit frames are the most basic and least critical form of meta-coverage. Given the nature of mock news programming, it is expected that only a few instances of conduit frames occur. The two stories

were brief mentions of Obama's use of the media to get his message to the public. They did not carry overly-critical undertones.

**Table 3. Relationship between approval rating and framing**

Month (Approval)	Accountability	Strategy	Conduit
August 2001 (56%)			
Press	0	0	0
Publicity	1	3	0
October 2001 (88%)			
Press	1	0	0
Publicity	1	2	0
June 2003 (62%)			
Press	2	0	0
Publicity	4	5	0
February 2009 (64%)			
Press	4	0	0
Publicity	2	10	0
August 2009 (53%)			
Press	7	0	0
Publicity	6	3	1
April 2010 (45%)			
Press	1	0	0
Publicity	0	2	1

## V. Discussion

*The Daily Show* format in itself addresses the flaws in the United States' political communications system. By mocking a traditional news program with an anchor, interviews, news packages, and correspondents, Stewart comically exposes the absurdities of mainstream media. This analysis supports previous research in showing that *The Daily Show* fulfills this role beyond its program format to challenge both the media and political actors' strategies for communication political messages in its program content. With nearly one-third of *The Daily Show* content being meta-coverage, much of the show directly calls into question the political communications system. While other categories of content were not coded, analyzing the episodes did provide some evidence that no other content category made up such a significant portion of the program. This further suggests that one of *The Daily Show's* main roles, whether intentional or not, is to confront the flaws in the system.

**Discussion 1:** As supported by this analysis, the most common way *The Daily Show* identifies these flaws is by evaluating a political actor's media performance and strategy. Every word that comes from the President or his staff is subject to Stewart's merciless scrutiny. The show's assessment extends deeper than calling out the President's last stumble in his speech or laughing at the press secretary's inability to answer a question. Stewart analyzes the subject matter closely to reveal what the common eye might not see. He sheds light on the public relations tactics and manipulative rhetoric commonly used by political actors to fool the public and the media.

The media does not escape Stewart's watchful eye either. As the second most popular theme found in this analysis of meta-coverage, mock news evaluation of media performance and strategy is crucial to confronting the political communications system. The media are widely known as America's watchdog, but who is making sure they are doing their job for the benefit of society? The data show that much of the mock news content does just that. Stewart often points out media compliance in political publicity. Their willingness to accept government-generated information, he suggests in various sound bites, runs counter to their journalistic values. *The Daily Show* also brings the media's infotainment fascination to the forefront of its criticism.



Stewart attacks traditional news organizations for following politically irrelevant stories when there are more newsworthy events taking place.

**Discussion 2:** It was hypothesized that there would be some correlation between presidential approval ratings and the volume of meta-coverage. The analysis did not reveal such a relationship, suggesting *The Daily Show* content is not dependent on public opinion. In other words, the results suggest Stewart does not focus all of his resources on the topic simply because people do not like the President at the time. Meta-coverage appears to be more reflective of current events and the activities of the President's Administration. In months of low activity, there is less media coverage and correspondingly less meta-coverage. For example, in August 2001 Bush took a month-long vacation in Texas. There were very few meta-stories most likely because there was nothing going on, not because of his approval rating. The traditional media had little to report and the President was not holding press conferences on vacation, giving *The Daily Show* little material to work with. Inactivity may be an indicator of low approval ratings, and thus indirectly related to low meta-coverage. Conversely, controversial activity may lead to low approval ratings, yet yield significant amounts of meta-coverage. There are many factors not studied in this analysis affecting approval ratings that could influence mock news meta-coverage volume. For example, significant differences between the Bush and Obama administrations suggest yet another factor that could affect the volume of meta-coverage.

**Discussion 3:** The analysis also did not provide strong evidence for the hypothesized relationship between approval ratings and meta-coverage framing strategies. Accountability frames were most common in the months representing average approval ratings. Again, *The Daily Show* content appears to be more reflective of current events than public opinion. For publicity meta-coverage, accountability frames are dependent on inconsistencies in messaging strategies. Because *The Daily Show* is not a team of experienced investigative journalists, the mistake must be obvious or it must have already been exposed. In a February 2009 episode, Stewart discussed President Obama's press conference in which he was asked about his economic stimulus plan. Obama avoided answering by saying his Secretary of the Treasury will provide details the next day. Stewart then played footage from Secretary Geithner's press conference in which no details were mentioned (*The Daily Show*, February 11, 2009). In doing so, Stewart reported an inconsistency in the White House's message. However, he did not discover this falsity on his own; the press conference provided the evidence. Had the conference not happened, *The Daily Show* probably would not have covered the mistake. This dependency would limit opportunities for accountability-framed publicity meta-coverage more than approval ratings.

Furthermore, all press meta-coverage had an accountability frame. While the data does not indicate that approval ratings affect the volume, the analysis shows that *The Daily Show* holds media organizations accountable for their responsibilities as journalists. Rather than portraying the media as incapable of preventing government manipulation or basic users of government information, as is the case for strategy and conduit frames, *The Daily Show* insists the media can and should fulfill their obligations to the public.

Similar to accountability, strategy frames were popular regardless of approval ratings. However, the strategy-framed meta-stories were not as critical of the political communications process. Instead, Stewart's mockery often appraised the political actor's rhetorical strategy. This type of criticism is not as dependent on inconsistencies as accountability frames. For example, identifying the President's use of a particular word to appease the public is easier than investigating the truth in his statement. Just as timeliness is key to traditional news, it is also important for *The Daily Show*. This could explain why strategy frames are popular despite high or low approval ratings. In an effort to both inform and entertain audiences in the mock news format, *The Daily Show* must report and criticize the most recent events. Strategy frames are simple criticisms, easy to write into Stewart's dialogue.

## VI. Conclusion

While this research does not suggest strong relationships between the variables, it is still important to recognize several findings. This research does identify two prominent themes in mock news meta-coverage: media performance and political strategy. The analysis also revealed the popularity of publicity strategy and press accountability frames in presidential coverage. Approval does not seem to have an impact on the types of framing strategies used in *The Daily Show* scripts. This suggests that there may not be any overarching strategy that goes into writing Stewart's sound bites. Researchers may be looking too hard to explain a

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media based solely on events that are happening no matter what the accompanying frame may be. There may not be any particular reasoning for including some types of stories more than others, besides the need to attract and entertain viewers.

Future research may address some of the weaknesses in these findings, including the limited sample. Three months per term may not be representative enough to support a strong relationship between the variables. This research also measures volume based on quantity. Examining the actual length of each story segment may provide different results if meta-coverage stories took up more time in each program than non-meta stories. Further analysis could also compare the script frames of Presidential coverage to non-Presidential coverage to determine if strategy and accountability frames still make up the majority. Also, this research does not address the direction of the relationship between approval ratings and mock news coverage. Examining the effects of *The Daily Show* meta-coverage could find if mock news has an influence on public opinion. This kind of research is necessary to determine the implications of mock news coverage.

As previous research suggests, the cynicism in *The Daily Show* leads to an increased cynicism towards the subjects of Stewart's ridicule (Baumgartner, 2006). If viewers regard *The Daily Show* as a source of news, then it could have the potential to set the public agenda like traditional news programs. Agenda setting theory suggests the media may not be able to tell people exactly what to think, but they can tell them what to think about (McCombs, 1972). By exposing the press-politician relationship, *The Daily Show* may be able to bring political manipulation and media compliance to the forefront of public discourse. With the increasing dependence on mock news for political information, it is important to understand its impact on public opinion and even its potential for future government manipulation.

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## Appendix A: List of Episode Dates\*

August 2, 2001	February 2, 2009
August 6, 2001	February 3, 2009
August 7, 2001	February 6, 2009
August 9, 2001	February 9, 2009
August 13, 2001	February 11, 2009
August 15, 2001	February 12, 2009
August 20, 2001	February 23, 2009
August 21, 2001	February 24, 2009
August 22, 2001	February 25, 2009
August 23, 2001	February 26, 2009
October 1, 2001	August 3, 2009
October 2, 2001	August 4, 2009
October 10, 2001	August 5, 2009
October 15, 2001	August 6, 2009
October 16, 2001	August 12, 2009
October 17, 2001	August 13, 2009
October 18, 2001	August 17, 2009
October 22, 2001	August 18, 2009
October 23, 2001	August 19, 2009
October 30, 2001	August 20, 2009
June 2, 2003	April 1, 2010
June 3, 2003	April 5, 2010
June 4, 2003	April 6, 2010
June 5, 2003	April 7, 2010
June 9, 2003	April 8, 2010
June 10, 2003	April 12, 2010
June 12, 2003	April 13, 2010
June 16, 2003	April 14, 2010
June 17, 2003	April 15, 2010
June 18, 2003	**March 31, 2010
<p><i>*All episodes retrieved from <a href="http://www.thedailyshow.com">www.thedailyshow.com</a></i></p> <p><i>**March 31 used to make ten episodes of analysis for the month of April 2010</i></p>	



## Appendix B: Gallup Poll Approval Ratings

Month	Average Approval*
Bush:	
August 2001	56%
October 2001	88%
June 2003	62%
Obama:	
February 2009	64%
August 2009	53%
April 2010	45%
<i>* Calculated as the average percentage of respondents who believe the President is handling his job well.</i>	

# Bound: Print Journalism's Framing of Female Candidates in the 2008 Presidential Race According to the 'Double Bind' Theory

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## Abstract

*This research looked at the portrayal and framing of two women politicians—Sarah Palin and Hillary Clinton—and their media framing. It attempted to identify if these women were framed in the “double bind theory,” which theorizes that “women are expected to act like men, and are then criticized for just that” (Myers, 2008). When women in leadership positions conform to traditional female roles, they are seen as “too soft to be effective,” but when they defy society’s norms, “they are seen as ‘too tough’” (Myers, 2008). To understand how these women were framed, articles from three major newspapers—the Washington Post, the New York Times, and USA Today— were analyzed. These articles showed patterns in phraseology, article placement, valance, article subject, and positive and negative descriptors. This research showed that while the coverage of female candidates has improved, the three newspapers are still applying different standards than their male counterparts. They were usually represented as extreme figures, falling in the category of “too hard” or “too soft.” Also, women’s families were included in a large percent of their media coverage.*

## I. Introduction

With the recent push for equal rights for women in politics and the election of more female public officials, the image of women in politics has garnered greater attention and changed drastically. In the 1970s, female candidates were often told that they should be “shown as assertive rather than aggressive, attractive without being a sexpot, self-confident but not domineering” (Williams, 1998). The image that developed was a passive and cookie-cutter politician who did not make waves or cause trouble and was still attractive and fashionable enough to be a trophy wife. Today, women are often encouraged to “craft a message and a public persona that persuades party, pundits, and public that she can be as clear and independent a decision maker as any man, but more caring and trustworthy” (Williams, 1998). This current view of a female politician’s image is still not a radical one. Overall, the ideal image is one of a balance between masculine and feminine traits—the best of both worlds. This image has proved hard to achieve, however, as many women in politics fall to one extreme or the other.

This research focuses on the framing of Hillary Rodham Clinton and Sarah Palin in print journalism. These women have been heavily followed by the media, and represent different political images and media frames. In communications, framing is best described by Robert M. Entman of George Washington University as “select[ing] some aspects of a perceived reality and mak[ing] them more salient in a communicating text, in

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\* **Keywords:** Women, politics, 2008 election, framing, double bind theory

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such a way as to promote a particular problem definition, causal interpretation, moral evaluation, and/or treatment recommendation” (Entman, 1993). Simply put, framing is what a politician’s public relations staff wants the candidate’s image to be. Framing is also considered an “essential part” of news reporting (Heldman, 2000). However, studies have shown that newspapers tend to stereotype female candidates by “emphasizing ‘feminine traits’ and ‘feminine issues’” (Bystrom, Robertson, & Banwart, 2001).

Journalists often use gender stereotypes to evaluate the capacity of certain candidates to handle certain issues: men are usually associated with economics, crime, and defense issues, while women usually are paired with healthcare or education. Journalists’ coverage also tends to emphasize the “feminine” traits that mark a female candidate: personal lives, personalities, appearances, children, and marital status (Major & Coleman, 2008). Previous literature suggests that women receive less coverage about electoral issues and more coverage about issues of appearance, family, or personal life, but recent studies have found the opposite. Journalists appear to be diverging from the “stereotypical coverage of hair, clothing, and physical features” and have altered their style to attempt to represent female candidates in the same way as male candidates. They have achieved some progress when it comes to coverage of female candidates, but still stereotype by the type of story they write or the issues covered. The problem arises when this stereotyping comes off as negative, even when the report is positive (Major & Coleman, 2008).

Many studies show the differences in media coverage of male and female politicians in electronic and print media. One study in 2000 showed that newspaper reporters “devoted much more attention to the personal lives, personalities, and appearances of women as compared with men” and that journalists “often ask women politicians questions that they don’t ask men” (Bystrom, Robertson, & Banwart, 2001). In a quantitative analysis of newspaper coverage, female candidates received more coverage about children and marital status than men.

Journalists try (or claim to try) to present news coverage in a fair and balanced way without bias. Studies have shown that despite this effort, they cannot break away from certain psychological processes that are inherent in human nature (Major & Coleman, 2008). Many studies have shown that there are certain stereotypes present in media coverage of women (Major & Coleman, 2008). These stereotypes are often unconsciously included in coverage, and based off of attitudes, values, or beliefs. Stereotypes can occur unintentionally, and are so embedded in a person’s thought process that they may be impossible to abandon. On the other hand, conscious slanted coverage is sometimes encouraged by outside sources such as advertisers, businesses, government, news room policies, the political elite, or economics (Major & Coleman, 2008). Journalists may feel that propagating these stereotypes keeps their jobs secure. Even still, sometimes journalists are just conveying the image constructed and provided by the candidate herself (Major & Coleman, 2008).

While the media may not act as the only deciding factor in elections, it has been shown that they do play an “ever increasing role” in determining election outcome (Niedermeier, 2009). National political campaigns rely on various channels to contact constituents, and in 99% of cases this contact is made through the mass media. Therefore, the candidate’s presentation and looks have become increasingly important. Niedermeier notes that “not very attractive candidates are often left on the side in the internal party selection. How a candidate can show himself to the media is ... important” (Niedermeier, 2009). The media, Niedermeier claims, can “build a politician as well as dismantle him/her.”

In a study that examines Hillary Clinton’s time as first lady and her campaign as senator, Karrin Vasby Anderson claims that gender is still a “significant but complicated variable in U.S. politics” (Anderson, 2002). The office of the United States president is a gendered post, she claims, and in 2000 the office was “just as gendered as it has always been” (Anderson, 2002). Anderson argues that women in politics are constantly battling a “double bind,” a conflict of role expectations that “trap women ... curtail their opinions and circumscribe their power” (Anderson, 2002). This double bind tends to affect different candidates in varying capacities. For Clinton, she went from her frame as a “woman” in the role of first lady who was evaluated by the ways in which she positively or negatively influenced femininity, to being viewed and critiqued primarily as a candidate at the national level—but rarely both at the same time (Anderson, 2002).

Another non-empirical look at the “double bind” theory comes from former White House Press Secretary Dee Dee Myers. Myers, the first female White House Press Secretary, served in the Clinton administration. She authored the book *Why Women Should Rule The World* as a critical look at the challenges women face in a male-dominated political arena, and the benefits of having women in leadership roles. She writes that due to the “double bind” theory, “women are expected to act like men, and are then criticized for just that”

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(Myers, 2008). She explains that when women in leadership positions conform to traditional female roles, they are seen as “too soft to be effective,” but when they defy society’s norms, “they are seen as ‘too tough’” (Myers, 2008). Recently, however, there has been an increase in the number of women in leadership positions that refer to their experiences in motherhood as a “training ground for leadership” and a “metaphor for leadership behavior” (Myers, 2008). This study, done by Wellesley College’s Center for Women, shows that women are now more comfortable speaking about their struggles with balancing motherhood and professional life, and are aware of the value of motherhood as a leadership role. Myers also writes about the fact that women are evaluated differently than men in the campaigning process. According to Myers:

Voters focus on a female candidate’s performance under pressure, knowledge of issues, and personal presentation. Voters are more judgmental about a female candidate’s performance and less forgiving of her mistakes than they are of her male counterpart’s. ... In other words, voters assume men are tough enough. But women have to prove it. (Myers, 2008)

In a study by the research company *Catalyst*, the double bind theory is broken down into three problem categories women face. The first is an “extreme perception” where women are “never just right” for a role. They are seen as too far on the end of the spectrum to satisfy the goals of a job. Another issue is that women are faced with higher standards and lower rewards than their male counterparts. Women are often expected to work doubly hard as men to “prove” their leadership abilities. When women accomplish these leadership goals, they are not rewarded with the same promotions or financial incentives as their male counterparts. Finally, the *Catalyst* said that females who “exhibit traditionally valued leadership behaviors such as assertiveness, are perceived to be competent but not personable or well liked” (Double bind dilemmas for women, 2007).

The different ways in which women are judged, combined with the double bind theory, make it essentially impossible for a female candidate to fulfill the role of an acceptable candidate. Even though companies and governments with women in leadership roles are more successful, women are still less considered “minorities” in these areas (Myers, 2008).

## **Research Questions**

The purpose of this research is to examine the double bind theory in the context of the 2008 election by analyzing the campaigns of Senator Hillary Rodham Clinton and Governor Sarah Palin. The questions this research aims to answer include:

RQ1: Were the candidates of the 2008 election framed in the double bind?

RQ2: If so, how were the women depicted?

By exploring the ways in which the candidate’s image was portrayed in the light of the double bind, this research attempted to identify the possible repercussions of this representation.

## **II. Methods**

To explore and compare the portrayals of women in politics, this research looks at two different politically active women: Sarah Palin and Hillary Clinton. Both of these women have recently staged campaigns at a national level, and have received heavy coverage by the media. With the advent of 24-hour journalism due to the Internet, portable cellular devices, and 24-hour news stations, coverage of these women pervaded media outlets for the span of their campaigns.

This research uses print articles from three elite newspapers to examine the context in which these women were framed. The newspapers included the New York Times, USA Today, and the Washington Post. Each newspaper article was found using a LexisNexis search. The articles that were published sometime in 2008 and contained the woman’s name in the headline or lead were selected. Only news and features articles were used, with editorials and opinion pieces left out because of the biased nature of their content. Articles that only covered an entertainer’s portrayal of the woman, such as Tina Fey’s portrayal of Sarah Palin, were also excluded because they did not offer the merit of election coverage and the promise of “balanced” journalism.

Each woman was viewed in different time frames because they both ran for political office at different periods within the last two years:

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## **Hillary Clinton**

News articles were analyzed from the announcement of Clinton's presidential campaign on Jan. 20, 2007, until Obama was nominated for the Democratic ticket at the Democratic National Convention on Aug. 27, 2008. The starting date of Jan. 20 was chosen because of her switch from a local senator to a national campaigner for the presidency of the United States. Her public relations team had to change its entire plan of action to campaign on a national scale instead of campaigning for her senate seat in New York. The ending date for Clinton's materials—Aug. 27—was chosen because it was the end of her campaign to the American public for the presidential office.

## **Sarah Palin**

News articles of Sarah Palin were analyzed beginning on the night of her acceptance speech, Sept. 3, 2008. On this date, she went from Alaskan governor to a figure of national prominence as the first woman Republican vice presidential candidate. The analysis of articles concluded on Nov. 4, 2008, when McCain officially ended his campaign for president.

## **Coding**

Each article was coded using a coding sheet. Categories were created for article placement, gender of the writer, professional sources, interviews, words used to describe the candidate, pertinent quotes, references to family life, references to marriage or spouse, references to sexual allure/body or clothes, and overall valence of the article as a whole. Categories also included headlines, leads, and persuasive features such as sources quoted and experts referenced. Additionally, phraseology was reviewed.

# **III. Findings**

## **Sarah Palin**

After coding of the articles concerning Sarah Palin, the two most salient findings were:

- The article topics focused more on personal traits and characteristics than they did on election issues such as foreign policy, taxes and spending, social ideals, or campaign finance issues.
- References to Sarah Palin's family life, notably her children and husband, were more frequent than references to her looks, clothes, body, or sexual allure.

Most of the articles written about Palin focused on the personal aspects of her life. Out of the three publications reviewed, 36 percent of the articles featured stories about Palin's personal life, with topics including personal qualities, morality and corruption issues, trustworthiness, and character issues. These articles often focused on her role as a mother, her children, her connection with the Down's syndrome community, her membership in the church, and the "Troopergate" scandal. In all three of the newspapers, the number of stories coded as "personal" exceeded any other type of story.

Some of the stories about Palin's personal life were veiled under a larger issue, like campaign finance or social issues, but careful coding revealed the overall theme of the article concerned Palin's personal life. For example, in one article in *USA Today* on Sept. 12, 2008, began as if it were investigating the readiness of Palin to be the President. An article titled, "Palin wired to be VP, President if need be," interviewed three expert sources about Palin's history in the foreign policy field. After the initial first few paragraphs, however, the story turned to pinpoint Palin's strong Christian beliefs, quoting her as saying, "Our national leaders are sending U.S. soldiers on a task that is from God," and as repeatedly referring to the war in Iraq as a "mission." The word "mission" brings about religious connotations that further the reputation of heavily conservative Palin as a fanatic Christian. This image is bolstered when, in another article published by *USA Today* on the same day, Joseph Pika of the University of Delaware's political science program says of Palin, "She's a gun-toting, pro-life, and a religious conservative ... She's scary to some people and a kind of figure to be respected to others."

Other stories blatantly focus on Palin's personal life. One *Washington Post* article published on Sept. 11, 2008, features quotes from mothers who identify with Palin's struggle to raise a family, work, and maintain

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a relationship with her husband. These women see Palin as “just as flawed as we are,” and the writer classifies Palin as “a symbol” for working mothers. Stories overtly focusing on Palin’s personal life often use words such as “flawed” and “just like us” while interviewing mostly working females with children. The *New York Times* uses a similar approach in an article published on Sept. 7, 2008, titled “Soccer moms welcome their hockey-loving sisters to political arena.” This article uses the familiar persona of the “soccer mom,” such vital voters for candidates in previous elections, to help frame the persona of a traditional “hockey mom,” as Palin describes herself. Interviewees, all soccer mothers, recognize that Palin’s time as a mother of athletes creates a “difference [in] how I connect with her” and says, “I’m like you.”

A different article, published by the *New York Times* on Oct. 19, 2008, discusses Palin’s appeal to men, noting the sexual undertones of some of her campaigning and the reactions of voters. It contained very little mention of Palin’s political stances or major political issues. This article, which interviewed mostly men, contains quotes such as “She’s so beautiful. . . . I came here to look at her” and “Marry Me, Sarah!” This article, while as a whole positive in connotation, uses words such as “unserious,” “uncurious” and “unusual nature” to describe Palin’s candidacy. When describing Palin herself, the author used words like “a can-do-caretaker” and “striking,” and made note of her quote describing her husband as “a guy who knows how to work with his hands.” When considered together, these descriptors paint a picture of a sexually charged candidate who rallies male attention by using a mix of physical allure and housewife-charm. This image is perpetuated in an article by the *New York Times* on Sept. 12, 2008, titled “Back off, GI Joe,” that interviews the creator of “Sarah Palin action figures.” In this short article, the author mentions that the figures based on Palin are “muscular” and that different versions are outfitted as a businesswoman, a superhero, and a school-girl. These images of Palin were obviously created to be sexual.

Another finding that ties in with the emphasis placed on Sarah Palin’s personal life was the number of articles that referenced her children or her husband. Out of the three papers combined, 40 percent of all articles featured references to Palin’s children, with some articles focusing on them entirely. This aspect of Sarah Palin was stressed much more than stories about her looks or clothes. Only 8 percent of stories mentioned Palin’s looks, another 8 percent mentioned sexual allure, 8 percent also mentioned her clothes, and only one article commented outright on Palin’s body. Journalists clearly consciously or unconsciously chose details and stories that emphasized the role of Palin in a family setting. One such article appeared in the *New York Times* on Sept. 12, 2008. Titled “A way of life for Alaskans on skates,” this article focused almost completely on Palin’s oldest son, Track, and chronicled his life in the hockey rink. Palin, while mentioned as a satellite figure, did not play a large role in this story. Sources interviewed included family friends, Track’s hockey coach, and relatives of teammates. In another article, published on Sept. 7, 2008, the *Washington Post* explores how Palin’s children have fit into her political views and busy schedule. Titled, “Palin’s family has always held a place in her politics,” this article uses interviews to explain how a “working mother” and “maverick with a very large family in tow” can also be a “perfectly coifed professional woman” who runs the state of Alaska. Also in regards to the way a family fits in with the title of governor, a *Washington Post* article published on the front page on Sept. 9, 2008, discusses how Sarah Palin billed the state of Alaska for her family’s travel to government functions, not an uncommon practice. The headline, “Palin billed state for nights spent at home; Taxpayers also funded family’s travel,” implies that excessive amounts of state tax dollars were spent on Palin’s large family, but the article looks at the issue critically and neutrally, and gives Palin credit for trying to cut costs. The author even goes as far as to quote Kim Garner, Alaska’s state finance director, saying how “She flies coach and encourages her cabinet to fly coach as well.” It can be inferred that the negative connotation of the headline was used as a way to get readers to examine an otherwise unimportant issue to the campaign.

Other times, Palin’s children are simply mentioned in stories focusing on other topics. For example, one article published in *USA Today* on Sept. 4, 2008, titled “Sarah makes landfall in St. Paul; VP Pick focuses on energy—and jabs at Obama,” focuses on Palin’s vice presidential debate with Obama. Palin talks about her children and says:

I’m just your average hockey mom who signed up for the PTA because I wanted to make my kids public education better.

Another article, published on Sept. 3, 2008 and titled “McCain strategist blasts media; top aide says news orgs are ‘on a mission to destroy’ Palin,” looks at the media exposure of Palin in the first days of her campaign. The author notes that in media coverage, “the media is asking more questions about Palin’s pregnant daughter than about Obama’s real estate deal with Tony Rezko, who was recently convicted on cor-

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ruption charges,” and that there is a constant debate about “whether a mother with a pregnant daughter and four other children can effectively function as vice president.” An article on the front page of the *Washington Post* on Sept. 22, 2008, titled “First Dude Todd Palin illustrates Alaska’s blend of private and public,” asks that same question by using a quote from a voter named Tom Whitstine, saying:

If Sarah’s running around the state and Todd’s off conducting state business, who’s looking after the children?

The mentioning of Palin’s children in these articles does not add to the story, and in most cases is used as a descriptor of Palin herself. For example, many articles use descriptors such as “hockey mom,” “44-year-old mother of five” and “mother” when introducing Palin, a framing technique that points out her femininity and separates her from her masculine counterparts.

Palin’s husband was mentioned less than her children, but was still recorded in 20 percent of the articles. One article was even specifically written about Todd Palin. The story “A day at the races” published by the *New York Times* focuses completely on Todd Palin’s local fame in Alaska for being a snowmobile racer for Arctic Cat, a company specializing in snow equipment. Other times, he is mentioned as Alaska’s “first dude” or as Sarah Palin’s escort. Articles mentioning Todd include the all of the stories about “Troopergate,” and how he did not honor the request of a court to appear and testify about his involvement. Articles in all three papers focus on the “Troopergate” scandal, involving Sarah Palin’s sister and ex-brother-in-law named Mike Wooten. These articles explore the ethics inquiry into Palin’s accused harassment and dismissal of Alaskan State police commissioner Walter Monnegan, and only mention the familial connection with Wooten briefly.

Overall, the two largest findings in the Palin news articles had to do with examining Palin’s personal life and framing her as a member of a family. By giving more news space to stories about Palin’s personal life, the writers created a heightened interest in Palin’s life rather than her stances on political issues.

## **Hillary Clinton**

After coding the news articles concerning Hillary Clinton, the two most salient findings were:

- The image that was portrayed of Clinton was conflicted, with some articles presenting her as an accommodating candidate who can relate to her constituents and others showed her as a confrontational candidate who is impersonal and clashes with other candidates.
- Bill Clinton was omnipresent in Hillary Clinton’s campaign coverage. He was part of her campaign and frequently quoted. Sometimes, Hillary was even compared to Bill in her decisions and stances on certain topics.

The first major observation from this research was that the image portrayed of Clinton represented two conflicting representations: the image of an accommodating friendly woman, presented in the “Hillary I Know” campaign, and the image of a confrontational and decisive political figure with traits commonly attributed to masculine candidates. Sullivan and Turner (1996) observed this conflicted representation during Clinton’s time as First Lady, and labeled it the “discourse of confrontation and accommodation.”

Clinton is shown as accommodating by her efforts to reach out to minority constituents and by her attempt to appear “softer.” On Feb. 5, 2008, a *USA Today* article highlighted how Clinton was working on her “warmth” to attract voters to her ticket. Clinton was said to be “chatting” to “a roundtable of working moms” that she “had coffee with.” The author speaks of Clinton’s attempt to “appeal” to these women because she “wants to seem caring, approachable, and in touch” with voters. Another previously published article in the *USA Today* from July 23, 2007, interviewed women who called Clinton a “champion for women” who was a “supportive” and “understand[ing] advocate.” The *Washington Post* humanized Hillary Clinton after her appearance in a *Sopranos* video spoof on June 6, 2007, as it recounted how she had a “sense of humor” and was “adept” in using the mediums familiar to her audiences to accommodate their needs from a candidate. Dan Manatt of PoliticsTV.com is quoted saying that “Hillary Rodham Clinton is very adeptly using the internet to humanize herself.” In an article from *The New York Times* titled “Clinton seeks blend of policy and persona,” the author points out Clinton’s conflicting projections, calling out the “teary-eyed Hillary” and the “I-feel-your-pain Hillary” that were her “newest public face.” This article published on Jan. 17 2008, described how she “nodded,” “listened,” and “expressed sympathy” to the audience’s questions in an effort to “play the part” of a concerned and warm candidate.

A contrasting image was presented in another article published by the *New York Times*. In this arti-

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cle, the women of Wellesley College recall Clinton before she was a politician and compare it with the Clinton that has changed as a result of a harsh media and political system. Her peers and classmates said that while she is a “fiery” and “passionate and outspoken” woman, she is also a “guarded and cool politician” who can be “cold” and “calculating.” This article, published on April 14, 2007, says that now she is “savvier” and “more cynical” than she used to be. An article titled “Poll Electability becoming more important to Dems” published by *USA Today* also reinforced the idea that Clinton comes across as confrontational when the author discusses the “controversy over her tone” that concerns Democratic strategists.

Clinton is again shown to be a confrontational figure when another *USA Today* article, published on Sept. 27, 2007, pointed out how she was “criticized” for “closing the door to allies” and “hasn’t learned from mistakes” she made in the past. It also included a quote that referenced her previous discrepancies with Bill Clinton, when she responded “Well, he isn’t standing here right now” in front of a crowd of people. Finally, an article published in the *New York Times* on Nov. 14, 2007, includes a headline calling Clinton a “Democratic Antagonist.” This story discusses how Clinton is a universal scapegoat for the GOP, and includes a quote from Greg Strimple, a GOP pollster, and saying, “The use of Hillary Clinton allows every candidate to overcome the imperfections of their own candidacies.” Pegging her as the antagonist to every Republican candidate, and even to Democratic candidates, frames her as a confrontational candidate that could be the “worst thing for the party.”

The second major finding from the Clinton articles was that Bill Clinton received almost as much coverage as Hillary. Out of the articles analyzed, 46 percent mentioned former President Bill Clinton in some form. When reading the articles as a whole, it seems as if the campaign is about Bill *and* Hillary, not just Hillary Clinton. Bill Clinton is noted as speaking at Hillary Clinton’s rallies or advocating for her in public speeches along the campaign trail. This occurs in an article titled, “Clinton stumps with burgers and Bill” in an article published by the *Washington Post* on Sept. 24, 2007. The writer describes the partnership of Hillary and Bill Clinton along the campaign trail, and how through “role reversal,” Bill Clinton is now acting as a supportive spouse rather than as a campaigning candidate.

A July 14, 2007, article titled “Comeback kid of 92, now half of combo, returns to NH” explores the idea that many of Hillary Clinton’s supporters are just there to get a glimpse at Bill Clinton. One woman is quoted as confessing “that she has probably come more to hear Mr. Clinton than Mrs. Clinton,” while another says “I do believe that with Hillary, you get two for one.” Several months later, another article published by the *New York Times* on May 5, 2008, says that “the Clinton campaign has dispatched...President Clinton to small towns all over the state” in order to make the “final push” for voters in Indiana, a key state for both Hillary Clinton and Barack Obama. This statement makes Bill Clinton seem like a secret weapon, holed away and waiting to rescue his wife when the time is right.

Sometimes, the entire article is about Bill Clinton and his contributions to Hillary’s campaign, while only mentioning the senator briefly. An example of this occurred in the *Washington Post* on July 3, 2007. The article, titled, “In Iowa, Clinton relies heavily on husband’s star power” discusses how Bill Clinton has been drawing crowds to Hillary Clinton’s rallies, and how she has been using his celebrity to boost the number of voters in her campaign. This article was interesting because it actually mentioned what Bill was wearing before Hillary’s attire was discussed. The author wrote that Bill had on, “a bright yellow shirt” and that she was wearing “a pastel jacket,” painting the picture of a happy, matching couple. The image was pushed further when the writer said that Hillary “followed her husband to the microphone” and “shared the stage with her husband,” and halfway through her speech she “reach[ed] out to her husband” before saying “she would ‘have good help along the way’” when she made it to the White House. The picture painted here is one of a tightly woven marriage where the woman relies on the man, which the general public knows not to be true after the Clinton’s first run in the White House, the Monica Lewinsky scandal, and the further accusations of Bill Clinton’s infidelity.

Hillary Clinton is often compared to Bill Clinton in some of the articles, specifically about her views and opinions of the NAFTA treaty and personal traits. In a *USA Today* article published on Oct. 9, 2007, an article titled “Clinton seeks to reevaluate NAFTA; divides with husband on key issues” talks about how Hillary Clinton “split from husband” and “distanced [herself] from husband’s achievements” while president. Another article published by the *New York Times* on Dec. 9, 2007, compared the couple’s personality traits. The article, titled “Clinton proudly talks of scars while keeping her guard up,” describes Hillary as someone who “picked fights and alienated friends” and was “joyless, humorless, and lacking heart and soul,” and the article quotes people associated with Hillary Clinton. One person is quoted as saying, “Bill genuinely likes being

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with people, Hillary does not.” The article also ends with a picture of Hillary and Bill sitting side by side at the funeral of Mrs. Clinton’s best friend. Bill Clinton is shown tearing up while Hillary is holding strong and clenching her jaw against the tears. The author wrote that “when [Bill] spoke of Mrs. Blair, Mr. Clinton wept...his wife, Diane Blair’s best friend, held steady in the front row.” This presents the image that Hillary’s tough-as-nails demeanor pervades even into her personal life, and perpetuates the descriptors used previously in the article.

Bill Clinton’s presence in the media coverage of Hillary Clinton’s campaign can be attributed to the fact that she was the first lady of the United States, and it would be unreasonable to completely ignore that part of her life. Her time as first lady established her on a national level, and allowed her to gain exposure in more ways than being a senator would have allowed. On the other hand, the percentage of stories occupied by Bill—and the extent to which he is covered—seems very high. The candidate in this race is Hillary Clinton, not Bill Clinton, who already had his time in the White House. Other candidates’ spouses—Michelle Obama, a prominent lawyer; Todd Palin, a champion snowmobile racer; and Cindy McCain, chair of Hensley & Co.—were featured prominently in the news during certain times in the campaign, but not as consistently as Bill Clinton.

## IV. Discussion

Media coverage of women in politics has evolved over the last half century, but the biases and stereotypes seen in both public relations materials and print journalism articles leads to the conclusion that women are still represented differently when it comes to national political campaigns. Women struggle to be seen as competent enough to be a viable candidate for any major public office, which was evident in the 2008 presidential election.

After examining the findings from the coding of the news articles and the press releases, several overarching themes presented themselves. By combining the different qualitative results and interview responses from public relations professionals, the following four themes classifying the images of candidates can be identified, and their effect on the campaigns of the women can be inferred:

### ***Extreme Perceptions***

Both Palin and Clinton were the subject of extreme perceptions, a category previously mentioned, which was established by the group the *Catalyst* in 2007 as a result of a research study. The *Catalyst*, a leading nonprofit organization that specializes in expanding opportunities for women in the workplace, found that the pigeonholing of women into extreme roles has been noted in both corporate offices and in the political sphere. When women act in accordance with traditional gender roles, they are seen as too “soft”, yet when they conform to the masculine traits favored in political office, they are seen as too “tough” (Double Bind Dilemmas for Women, 2007, pp. 60-61). The *Catalyst*’s “too soft” category occurs when women act in ways consistent with traditionally feminine stereotypes and are deemed incompetent. The “too hard” category occurs when women do not take traditionally feminine stereotypes and are deemed “unfeminine” and therefore “too tough” (Catalyst, 2007). Clinton and Palin both suffered from extreme classifications, with Clinton often falling on the “too tough” end of the spectrum and Palin spending the beginning of her campaign on the “too soft” end and shifting towards the “too tough” end towards the election.

At the beginning of Palin’s campaign, she found herself classified in the “too soft” end of the spectrum after her handlers cut off media access to “protect” her. Palin also was framed as the subject of “attacks” by the Democratic Party and placed into the role of a victim to villainize Obama and the Democratic campaign. The articles analyzed framed Sarah Palin as victimized by both the media and by the Obama campaign.

Palin’s sequestration, followed by much media speculation, actually hurt her campaign because of the lack of outgoing information on her platforms and political stances. Palin now says that she regrets not speaking out against her handlers and talking to the media anyway, but because of her instructions, she kept quiet (Palin, 2009).

This emotional appeal portraying Palin as a victim paved the way for the other side of Palin; the side presented as a gung-ho, “moose-shooting” maverick attack dog that would clean-up Washington’s political. Palin won over many voters by her outward love of her family and vow to defend them, and by identifying herself as a “Washington outsider.” After she established a relationship with her voting base, she could pass

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into the territory known so well by Clinton: acting as a confrontational candidate without alienating voters. The victimized and outcast Sarah Palin from the early campaign presented in both print journalism and by the McCain-Palin press team grew to a “killer” candidate, and no one seemed to be bothered. By using the two extremes of Palin in this order, the campaign allowed the actions and words from Palin to be excusable, almost as a way to get revenge or to “fight back” for the injustice done against her and her family.

Still, try as she might, Palin could not shake the initial brand of being “too soft.” She did aim to portray herself as hardened and tough but the image did not stick: she likened herself to a “pit bull with lipstick” in her famous vice presidential nomination speech, and often referred to herself as a “mother bear.” However, even after she stood her ground in the vice presidential debate with Sen. Joe Biden, her looks, which brought about the slogan, “Coldest state, hottest governor” seemed to impede on her portrayal as a toughened politician. This hurt her chances at being taken seriously on a national political stage.

Clinton, on the other hand, was criticized during her time in the White House as well as on the campaign trail for being too hard, harsh, or impersonal (Hsu, 2009). By the time the 2008 election rolled around, Clinton had already established herself as a non-traditional female because of her often criticized demeanor during her time as First Lady. She had already established herself as unconventional, unemotional, and even cold in the eyes of American voters, which was hard to overcome. Through her husband’s two terms and the tumultuous relationship she shared with him, Hillary Clinton drew much attention for her lack of public emotion. This persona continued and followed her to the campaign trail, where she was criticized for her hardened demeanor by opponents, the media, and members of her own party.

The prime example of media criticism during Clinton’s campaign was at her friend Diane Blair’s funeral, when she did not cry but her husband did (Liebovich, Clinton proudly talks of scars while keeping her guard up, 2007). Clinton’s lack of tears became the topic of debate instead of political issues like healthcare or foreign policy. In a completely different case, Clinton did shed tears—and was criticized for it. After an audience question at the New Hampshire primary caused her to break down in tears, the media flocked to analyze her show of emotion, saying she was insincere or that it was staged (Lawrence J. , Candidates make final push before primary: Clinton loses lead in nat’l Gallup Poll, 2008). Some critics even said that her tears meant she was not qualified to lead the country, even though in months prior President Bush had cried on television during a Medal of Honor presentation (Benac, 2007).

These two completely opposite events show that no matter what Clinton did, she could not escape the criticism that she was never “just right” for the office of president. Juxtaposed together, these incidents are a perfect example of the way that women struggle for acceptance and the validity that they can be legitimate candidates for offices on a national level.

Women candidates are stuck in a vicious cycle in a similar vein as the fairy tale, *Goldilocks and the Three Bears*; these candidates have been labeled too hot and too cold, but we are still waiting to find when they will be labeled “just right.”

## ***Family***

In the news articles about Sarah Palin and Hillary Clinton, family was very prominently featured. The number of articles and stories about the families of the women reflects the framing of the candidates by both print articles and public relations materials as mothers and caretakers that will ensure the wellbeing of the country.

Often, the press gets blamed for focusing too much on the candidate’s family members. In both her book, *Going Rogue*, and in interviews after her campaign, Sarah Palin frequently criticized the media for focusing on her family, from breaking the news of Bristol’s pregnancy to the “Troopergate” scandal. Palin, a self-proclaimed “mother bear,” said that she begged the media to leave her family alone and they did not acquiesce, yet when Barack Obama asked the media to leave his children be, the media listened (Palin, 2009).

In Clinton’s campaign, print news articles featured Bill prominently, and went as far as to base whole articles around his role in Clinton’s campaign. It is important to acknowledge the fact that he was previously the President of the United States, and therefore a newsworthy public figure, so some media coverage was expected. Constantly comparing the Clintons, however, was not. It is possible that the journalists writing the stories used Bill Clinton as an easy way to establish the story or to set the political scene. Bill Clinton offered a newsworthy name in conjunction with Hillary Clinton, so journalists may have seen this as an opportunity to attract more readers to their stories.

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Other candidate's families were not featured as prominently as Clinton and Palin's. Cindy McCain seldom made news articles, and McCain's children or other family were hardly ever involved in press coverage. Obama asked the press to leave his children out of the media spotlight, and his request was relatively respected. The exception to this trend was Michelle Obama, who was featured more often than most of the other candidate's family members. Michelle Obama was talked about because of her accomplishments as a black woman in a professional field, her role as a successful working woman and mother, and because of her fashion choices. These frames support the observations of this research. Michelle Obama was seen as a novelty because few black women have been prominently featured on the national political stage. Her skills as a mother were also called into the spotlight, and media tended to speculate how she would raise her two daughters, Malia and Sasha, in the White House. The media also drew much attention to her impressive sense of style, comparing her to a modern day Jacqueline Kennedy. Her fashion choices, often full of color and from publicly accessible stores like *White House*, *Black Market*, were a stark contrast to the expensive navy suits worn on the campaign trail by both Palin and Clinton. Michelle Obama was neatly boxed into the same frames that the female candidates in the race were framed in; as a motherly figure, as a figure who represented the average or disadvantaged American family, and as a novelty representation of how the United States has succeeded in leveling the playing field for all citizens.

### ***Mother or Candidate: Pick One.***

In the same mindset that frames female candidates as caretakers and family figures, they are criticized more than male candidates for the toll taken on their family life. This was especially seen in the 2008 election with Palin's campaign. News stories repeatedly mentioned Palin's motherhood as a major part of her candidacy, especially since she had one son serving in Iraq, one pregnant teenage daughter, and one special needs child. While many mothers and women across the country rejoiced that "one of us" was on the road to the White House, speculation grew about the viability of a candidate with so many young children. Palin, the mother of five, was routinely questioned on her ability to raise a family with a special needs child—her ability to be a "good" mom—and her ability to hold and perform well in the office of Vice President at the same time. Palin, who had successfully been a mayor and Governor of the State of Alaska, drew much fire for exposing her children to such a spotlight as the national political stage, and was doubted for her competency to raise a family while Vice President.

This election spared Clinton some of the turmoil she suffered during her time as First Lady (Turner, 1996). During her time as First Lady, Clinton was criticized for breaking the "normal" role of a First Lady by refusing to be a "sweet, quiet wife behind her husband" and instead being "professional, tough, and independent" (Hsu, 2009). Gleason notes, Clinton was "demonized from the beginning...if people think Sarah Palin was demonized [in the media], Clinton has been from the early days.

Different media outlets described her as "ambitious, aggressive, and hardheaded...the yuppie wife from hell," and the New York Times wrote that she "made her husband seem like a wimp" (Hsu, 2009).

This election, journalists seemed to be more respectful of Clinton than they were during her time as First Lady. The elite newspapers did not use such aggressive and scathing terminology when describing Clinton as a candidate. Bracey hypothesized that the previously established relationship between Clinton and the media was the cause. He says, "In 1990, Hillary Clinton gave press conference where she sat down and answered every question from bloodthirsty reporters. At the end of it, people still felt negatively about her [choices in her] personal life, but a lot of people had respect for her."

Clinton's willingness to cooperate with the media established a relationship that may have affected her media coverage. While the portrayal of Clinton was far from gentle, her give and take relationship with the media, especially compared to Palin's relationship, generally created a more respectful news environment than the one that existed during her time as first lady.

In general, questions surrounding child rearing while being a national political figure seemed to point at the women involved in the 2008 election. According to most media speculation, women cannot hold positions of power while being "good" mothers; one must be one or the other.

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## **V. Conclusion**

While coverage of female candidates has evolved to be less biased in terms of amount of coverage and story type, there are still discrepancies in the themes of both the press releases and print articles and the polarization of women running for office. Women are still characterized in both public relations materials and in print articles by platforms for “feminine” causes and in the polarization of female candidates by framing them as too “hard” or too “soft.” It is unclear if this is intentional, or if the stereotypical frames inherent in human behavior cause the separation and polarization of male and female to pervade all aspects of life.

Because of the gendered office of president and vice president, many scholars note women are still trapped in the double bind that causes them to be a competent candidate or a good mother, overly outgoing or bitchy, an accomplished leader or not well liked, with no option in between. The campaigns of both Palin and Clinton are indicative of the trend that women cannot run as “normal” candidates as they are represented as extreme and larger-than-life by the media. It is only by reshaping the framing and coverage of national political offices that we can realistically expect women running for office to have an equal chance at representation, portrayal, and perhaps election. The media play an important role in this reshaping because of their power to frame candidates, issues, and political offices. If public relations departments of campaigns as well as popular media outlets refuse to propagate candidates’ gender stereotypes, the “glass ceiling” holding minorities of all genders and races from political office will finally break, leading to a more democratic and representative government.

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# Developing Health Communication with Displaced Populations: An Exploration of Cultural Barriers to Health Care Experienced by Southeast Asian Refugees

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## Abstract

*Culture is primary in shaping an individual's perception of illness and compliance with prescribed medical regimens, making identification of health-related cultural elements critical. This research attempts to identify the cultural barriers to displaced populations' acceptance of "Western" medicine and compliance to its tenets. Evidence-based cross-cultural health knowledge of the Montagnard community in Greensboro, North Carolina was collected via snowball sampling in this ethnographic study. Subjective narratives, in combination with investigator observations and review of previous research, were used to analyze the overall patterns observed in both first- and second-hand accounts of health-related activities and health care utilization by the Montagnard community. Patterns found included misunderstandings between patient and provider due to differences in defining illness and false perceptions of Western medicine and health services. These fostered patient noncompliance and explained ignorance of clinical appointment and payment systems. The possibility of new health concerns related to an unbalanced diet was also found due to the introduction of American fast food and formation of new dietary habits by refugees.*

## I. Introduction

Health communication can increase an audience's awareness of health problems and solutions, influence perceptions and beliefs, prompt action, demonstrate healthy behaviors, and reinforce existing knowledge or behaviors (Freimuth & Quinn, 2004). Customization of health communication programs and health services to better meet the needs of minority and vulnerable populations is done by recognizing and practicing culturally relevant modes of appropriating knowledge (Kreuter & McClure, 2004).<sup>1</sup>

Non-native and refugee populations are especially vulnerable to significant discrepancies in health care access and are in great need of culturally relevant, accurate, and timely health information (Kreps & Sparks, 2008). To provide a reference that health agencies and communicators can draw from when creating public health materials for isolated communities, this paper will explore the cultural barriers to displaced Southeast Asian populations' acceptance of "Western" medicine and compliance to its tenets. Before the stories of these cultural groups can be told, an introduction to the populations being examined and the reasons behind their exodus to the United States must be understood.

For the past 35 years, 1.3 million refugees have arrived from Southeast Asia. Cambodia, Laos and

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Vietnam are the three major countries represented by the immigration of Hmong, Cambodian, Laotian, Vietnamese and Montagnard communities following the end of the Vietnam War (2009). The importance of health care providers understanding Southeast Asian refugee populations' cultural tenets and ideologies in order to establish patient-doctor relationships and ensure successful provision of care has been documented in both scientific studies and practitioner observations (Ito, 1999; Stephenson, 1995; Uba, 1992).

Southeast Asian refugees in the United States, despite many cultural, linguistic, and national differences, share common pre-emigration experiences of war and flight from oppressive governments and common governmental benefits once in America (Ito, 1999). As such, information about Montagnards normative cultural values and their direct and indirect influence on health care will be supplemented by findings of other Southeast Asian refugee experiences and cultural patterns observed by other health care providers and documented in anthropological studies.

## **II Literature Review**

Modeling health messages in a culturally appropriate framework is primary for health communication to be effective between health provider and patient or health agency and target community. The significance of cultural awareness in health communication has been explored by scholars via 1) an examination how health culture develops and its influence on patient compliance, 2) the role of health providers in establishing culturally appropriate communication, and 3) the special need for culturally appropriate health care for refugee populations.

Culture is best thought of as an adaptive system of meaning, in which behavior, values, and ethnicity contribute to, but do not encompass the mass of, its depth and density. While not inherently cultural, factors such as familial roles, religiosity, the importance of individualism versus collectivism, and specific behavioral engagement can help define culture for a group if the aforementioned factors have a special meaning to group members (Kreuter et al., 2002). These integrated patterns of human behavior are the underlying determinants of individual decision-making, especially those related to the use and trust in health care (Paez et al., 2008). Developing culturally appropriate programs and materials requires the identification of authentic community structures, beliefs, and roles instead of relying on easy but ultimately superficial identifiers like ethnicity and race (Kreuter et al., 2002). Examining cultural issues that impact and influence the way in which members of vulnerable populations respond to health communication and care is crucial for success in disease prevention and health management (Kreps & Sparks, 2008).

Health culture is also transmitted through social networks and interactions with others. This reinforces an individual's interpretations of illness and appropriate reactions and solutions to a given disease or sickness (Ito, 1999). Health culture includes the belief systems, spiritual values, and behavioral decisions that filter health messages, instructions, and communications. After such processing, the program's message is either ignored or accepted (Institute of Medicine, 2002). Health culture has the capacity to determine from whom health care is sought, how symptoms are described, and whether treatment options will be complied with or even considered (Andrulis & Brach, 2007). Patient beliefs can impede preventative care efforts, delay, or complicate clinical care and result in a lack of treatment or inappropriate remedies (Flores, 2000).

In addition, health providers' willingness to acknowledge the existence of a patient's unique health culture and its potentially conflicting etiologies is critical. By accepting the idea of a different sociocultural context through which patients are communicating their concerns as well as hearing medical professional's instructions, health care providers can begin taking steps to modify their own messages for greater treatment success. In order to assure that patient-provider interactions are successful, clinicians must learn about their patients' health literacy and health culture and use that information to improve communication with diverse patients (Andrulis & Brach, 2007). The health culture in which a patient is immersed affects several levels of health care. This includes interpretations of the origins of disease and decisions concerning compliance and overall efficacy of care (Ito, 1999). The elicitation of symptoms and evaluation of signs and descriptions of illness are highly related to a patient's health culture and the selection of medications or treatment plans must be done with regard to patient culture (Horner et al., 2004).

Thus, reaching non-native populations is a tremendously complex but acute need in the United States as these groups are the most vulnerable health care consumer population. Refugee populations are minor-

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ity groups that are not only subject to discrimination based on ethnicity and race but often have low, if any, English language proficiency, occupy low socioeconomic status, and have been displaced from their native country and sometimes even their families. They are at greatest risk for higher levels of death and disease than other segments of the population (Kreps & Sparks, 2008). Traditional culture and accompanying values are highly valued by populations who, because of violent and horrific circumstance, are forced to live without the basic comforts of a familiar language, nationality, and political structure (Frye & D'Avanzo, 1994). Cultural traditions provide stability to these groups, who have become stripped of most all worldly possessions, and help them face the challenges of a foreign and intimidating environment. Often these belief structures have been threatened in their native country and refugees have suffered violence from the governing bodies that forced their exodus (Frye & D'Avanzo, 1994).

Refugees, therefore, are leaving one volatile and violent environment for a potentially safer but more unpredictable and foreign one. The loss of possessions, loved ones, and the experience of actual or threatened violence take a toll. So do the emotional and physical demands of flight and uncertainties encountered in an alien country. These are just some of the many hardships refugees must face when entering the United States (Starr & Roberts, 1982). These numerous potential sources of stress refugees face make them prime candidates for health problems, but because of the cultural and linguistic barriers before them, refugees are the least likely population to take advantage of necessary and available health care systems.

Culturally appropriate health communication targeted at health care providers or agencies is thus necessary to limit health disparities and encourage medical compliance in non-native and refugee populations. In order to fully demonstrate this need for cultural awareness in a clinical and public health setting, the cultural barriers experienced by Southeast Asian refugees, specifically the findings of an ethnographic study of the Montagnard refugee population in Greensboro, North Carolina, were examined.

### **III. Methods**

This ethnographic study, which was conducted between September 2008 and February 2010, focused on the subsection of Montagnard refugees in the Greensboro area, as well as community members who have worked extensively with the population. Snowball sampling was used to locate and interview subjects since organizations familiar with the community mainly work exclusively with the local Montagnard religious leaders and are not in contact with other individuals except on a case-by-case basis. The sensitive nature of questioning, as it regarded health-related information, made introductions through acquaintances beneficial in securing source confidence. Since there is very little current literature about the Montagnards in general, much less about those living in North Carolina, the researcher began the process of contacting members of the Montagnard community by contacting refugee resettlement agencies and requesting referrals for community leaders. By attending regular Sunday worship services at the United Montagnard Church, the researcher established a familiarity with the community and recruited interviewees, most of who suggested other family members or friends as potential interviewees.

Interviews, which ranged from 45 to 90 minutes in length, were conducted individually, although family members were sometimes present, and participant narratives were recorded and transcribed. Interviewees were asked questions that covered a variety of topics, including inquiries about their health histories, personal experiences with health care in the United States and Vietnam, challenges they faced during the resettlement process, religious beliefs, Montagnard traditions and health experiences related to them by friends and family members. Visual material (photographs and video of some informant interviews) and audio material from taped conversations were collected. These subjective narratives, in combination with investigator observations and review of previous research, were used to analyze the overall patterns observed in both first- and second-hand accounts of health-related activities and health-care utilization by the Montagnard community. Analyzing techniques involved 1) the identification of indigenous themes that appeared to characterize the health care experience of an interviewee and 2) the comparison of these themes to other interviewee accounts and current scholarly research.<sup>2</sup>

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<sup>2</sup> Interviewees are not identified in the paper, unless their position is relevant to the quoted information.

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## IV. Results

Patterns found among Montagnard refugees included misunderstandings between patient and provider due to differences in defining illness and false perceptions of Western medicine. The introduction of American fast food is leading to the formation of new dietary habits by refugees, forecasting the possibility of new health concerns related to an unbalanced diet.

### ***Defining sickness***

Modern health care is highly regarded by many Southeast Asian groups. Problems related to these groups' utilization of health care are due more often to misunderstandings rather than a lack of acceptance (Kemp, 1985). Since health culture shapes the way in which sickness and its severity are defined, it also influences the actions necessary to treat it and the way in which it is described to others. Ideas concerning the source of sickness and disease, something many mistakenly believe are universally understood and accepted, are susceptible to varying explanations. For instance, the idea of preventative care is not a familiar mode of thinking for many Montagnards. "They work until they get hurt or are too sick to go into work," said one interviewee. "If someone gets them to a medical provider, then they get care, and if they don't they don't."

An individual's understanding of illness etiologies are created well before a clinical encounter (Ito, 1999). Such interpretations of symptoms and causation of sickness are conceived through interactions with people within important social networks and can influence behavior both before and after a doctor's visit (Ito, 1999). Moreover, procedures such as circumcision or tonsillectomies, which are considered routine in the United States, are frightening to many Southeast Asian refugees. Some groups believe such invasive procedures have long lasting and multiple effects that outweigh the benefits of surgical relief or cures (Muecke, 1983). Religious beliefs also play a role in why many routine procedures are refused by Montagnard patients. "Circumcision [the doctors] explain is cleanliness, for a better health, but in our culture and belief you shouldn't take off anything that's given, you go against God's will and those are the things that are so sensitive because once it's done you can't sew it back."

Southeast Asians who decide to seek health care are often apprehensive about the treatments and diagnostic tools used in Western medicine because of their lack of familiarity with and misinterpretation of the functions of such procedures, no matter how non-invasive or simple they may seem to Westerners (Uba, 1992). One Montagnard woman gave birth to a son with a malfunctioning liver and although the doctor suggested a transplant, she refused to give permission for such an operation. "They keep him two months and they said they want change for him, change his liver," she said. "I say he still little, I'm scary for him. At the meeting they say 'Why you say no?' I say no I can't do it, they want me to sign the paper, and I say no I just speak to God I pray to God." This Montagnard mother's lack of knowledge about the technology, process and safety measures taken before, during and after organ transplants in the United States led her to refuse a potentially health-improving, even life-saving, surgery for her son.

### ***Unfamiliarity and misunderstandings of Western health care systems***

Those familiar with the Western medical system often consider intake procedures routine but these same situations are often confusing to Southeast Asian refugees new to the process. Members of minority groups may try to hide or mask their limited health literacy or unfamiliarity with Western systems of care by not asking questions or simply feigning comprehension (Andrulis & Brach, 2007). The American appointment system is often misunderstood both in terms of needing an appointment and the fact that once an appointment is made, patients still must often wait past the scheduled time (Muecke, 1983). According to one Montagnard interviewee, the concept of needing to make an appointment time, arriving at the doctor's office or clinic at that specified time and then having to wait several minutes past that time is unusual and frustrating. "It's different from Vietnam and here. When I was in Vietnam when I got to doctor, when we go there, it's like they working when we get hurt but over here we have to wait. No, in Vietnam when you get hurt just go, you don't need to make an appointment or anything." The appointment system continues to be a source of confusion and sometimes a reason behind a lack of health care seeking behavior, according to community leaders. "They keep say 'Why doctor make appointment for me and I have to come on time, but I wait over 30 minutes or one hour how is that?'" Frustration felt by Montagnard patients already dealing with stresses of relocation can lead to bitterness toward Western health services, a dim prospect for the resolution of future medical conditions.

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The purpose behind physical examinations and the listing of health histories is not understood by many refugees. Indochinese groups tend to focus on treatment of symptoms rather than discovering the underlying causes (Kemp, 1985). In addition, obtaining medical histories from many Southeast Asian patients tends to be unproductive because they are rarely told the names of previous illnesses or medicines given to them. "Many time when they do a family health history, we don't know," an interviewee said. "We know our folks died, but we don't know what they die from. We just say one day we come home and after meal she die. It's hard for [doctor] to acknowledge that." Thus knowledge of past diagnostic procedures and the results of such tests are rarely known (Muecke, 1983).

Any foreign-born person's first contact with Western health services requires them to fill out questionnaires. These situations reveal unfamiliarity with Western medicine's typical instructions such as check boxes and rating scores of symptoms, and require the patient to reveal private and possibly embarrassing health-related information (Zanchetta & Poureslami, 2006). "They ask you how many partners you have," one interviewee said. "We don't ask that back home or are you active and things like that, we don't ask those things. When they asked me for the first time I was like 'What do you mean? I'm single.' You didn't understand the question to be honest." Such misunderstandings of important medical questions have the potential to lead to inaccurate health histories, which may cause clinicians to order unnecessary, expensive and time-consuming diagnostic procedures or misdiagnose a patient.

The medical billing system, which remains enigmatic and confusing for many natural born citizens, is also challenging for many Montagnards since even hospital staff are unsure about the exact cost of some procedures, and the prices are not readily available to patients at the time of care. "You go to a doctor in this country and they don't tell you how much it's gonna be," an interviewee said. "You get a bill later, and then you get a different bill from different department and they are like 'I only went one time.'" Some of them said, "Well, I felt better until I saw the bill." It appears that Western health services generally lack in easily accessible pricing information about procedures and treatment plans interject even more uncertainty into a situation where Montagnard patients already feel lost and uneasy, foreshadowing a potential lack of health-seeking behavior.

The roles of hospital or clinical personnel differ from country to country, and the breadth of responsibility exercised by a nurse versus a doctor or a receptionist may be unfamiliar to a patient. A Montagnard woman who was a nurse in her native country continually seemed confused by how little nurses seemed to influence care regimens. "Everybody know the nurse in Vietnam not same as here," she said. "Here somebody sew they only sew, somebody take out baby they only take out baby and over there I do everything. I take out baby, I can see ear, can see jaw, can see everything. I give the medicine. I don't need the doctor." The idea of specialization or different fields of medicine is also a hard idea to grasp for some Montagnards used to a more generalized system of care. "In Vietnam they have a general doctor," one interviewee said. "One doctor he can make decision to do things. Here you go to primary doctor, and he cannot do the family practice he sent you to specialist and that is different way of treatment." Montagnards wanting to see a physician must find some form of transportation and potentially secure a translator, in addition to the regular scheduling steps taken by most Americans needing to use health services. After putting so much effort into seeing one doctor, it can be incredibly disheartening for a patient to realize the process must be repeated. The prospect of repeating such a daunting task may lead to an abandonment of efforts all together.

### ***Changes in diet and lifestyle***

The "bigness" of American lifestyle, including the availability of high calorie, large proportioned food not available in Vietnam has contributed to the formation of new health concerns for Southeast Asian populations. According to one interviewee, the Montagnards have adopted all of the American bad dietary habits. "Over here it's like it's kind of easy," according to one interviewee. "It's like hamburgers, in Vietnam it's tree leaves and what we found in jungle just eat something we found in jungle. In America it's like kind of get bigger, in Vietnam it's not get big." The vast selection of food and its availability in America appears to be in stark contrast with what many Montagnards experienced in their native country. "In Vietnam no food, no anything," one interviewee said. "In America you have salt, you have food, you have anything." Another interviewee emphasized the people's dependence on the natural environment for sustenance in Vietnam. "I told Montagnard one word in the beginning, Montagnard have never die by food. Many people surprise when I say that. But when we are in Vietnam we are starving, we don't have food enough, and we eat nature; we not eat meat too much because we don't have."

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This new selection of food and its unhealthiness is compounded by the sedentary lifestyle propagated by Western luxuries such as public transportation and factory jobs that don't involve manual labor. "I never exercise," one interviewee said. "Because they used to work a lot so they don't need exercise and they all skinny. When they get here they are kind of big. Even me when I was in Vietnam I was so skinny." High blood pressure and other diseases associated with weight gain are very plausible future medical concerns for these populations not used to having to compensate for lack of everyday exercise and the accessibility of cheap, unhealthy fare. "In America many people get wrong food, high blood pressure, cholesterol, diabetes and often if you not careful with nutrition you get because of that," said the leader of a local Montagnard congregation. "I have over history 30 Montagnard die in America. Same cause from stroke because of high blood pressure, and they never heard that in Vietnam."

## **V. Discussion**

In this study, cultural barriers to the Montagnard refugee populations' acceptance of "Western" medicine and compliance to its tenets have been examined. The findings point to the need for greater acceptance and understanding of Montagnards' definition of illness and false perceptions of Western medicine by health care professionals to improve the quality and accessibility of information and treatments. A clinician seeking to learn about the Montagnard needs to know about how these cultural factors can negatively influence a clinical encounter.

The sensitive, non-judgmental clinician is able to learn about a patient's belief system and practices and replace harmful or ineffective remedies with harmless ones that are consistent with individual beliefs (Flores, 2000). Providers who accommodate folk illness beliefs and practices, and are able to integrate them into suggestions for appropriate care, will be better able to explain the rationale behind a particular biomedical condition and treatment plan (Flores, 2000). Cross-cultural exploration by providers will better allow them to appropriately diagnose and treat culturally diverse, minority patients. An understanding and culturally appropriate approach must be taken by providers to support their patients' self-management efforts (Andrulis & Brach, 2007).

Accomplishing this is possible if clinicians are willing to adapt their own approaches to accommodate multiple needs of culturally diverse minority community members (Andrulis & Brach, 2007). This can be accomplished by establishing cultural competency training in collaboration with local resettlement agencies or building relationships with community leaders who can communicate the needs and cultural nuances of their group to medical professionals and health educators. When meeting with patients individually, providers can attempt to gauge patient understanding by asking the patient, and any accompanying relative or friend, to repeat instructions. The scope of these methods can be as large as instituting new training programs or as small as assuring understanding in a single patient encounter. No matter the extent of these accommodation efforts, all bring providers and refugees one step closer to real understanding and effective care that continues outside the hospital or clinic.

All of those working in a patient-care, health provider setting must be able to acknowledge and move beyond their own personal perceptions of perceived lack of time, lack of care coordination, racial and ethnic prejudices and assumed patient ignorance in order for the cultural competency process to begin (Paez et al., 2008). Further cataloging of the problems of limited health communication between provider and patient is no longer necessary—identification and implementation of strategies and knowledge bases to remedy such disparities in the access and utilization of care should now be at the forefront of social science as it relates to medicine and managed care practices (Paez et al., 2008).

No matter the extent of these accommodation efforts, an increase of cultural awareness and knowledge by providers and educators can bring refugees one step closer to real understanding and effective care that continues outside the hospital or clinic. This progress is sorely needed by refugee communities, especially the Montagnards, whose want for comprehensive health care is great because of intense pre- and post immigration experiences but ability to access and understand such beneficial health services is limited by cultural barriers.

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# A Brief Look at Effective Health Communication Strategies in Ghana

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## Abstract

*Health communication is widely considered to be a major aspect of any public health campaign. Strategies integrated into a community, based on personal contact and delivered through culturally appropriate media, are effective communication tools in Ghana. However, no comprehensive research has been conducted to analyze the success of public health campaigns that include extensive use of interpersonal communication. The goal of the research conducted was to discuss the impact of personal contact in the success of Ghanaian public health initiatives. An analysis of four different public health campaigns in Ghana was performed, examining the communication strategies used in each. It was determined that using interpersonal communication, in conjunction with other appropriate strategies, gives the highest success rate in Ghanaian health campaigns.*

## I. Introduction

Health communication plays a vital role in public health campaigns designed to prevent infectious disease in the developing world. The purpose of the research presented in this article is to examine the role that interpersonal communication plays in the success of government-sponsored public health campaigns in Ghana. The goal is to determine whether imparting knowledge of infectious disease prevention and treatment on a personal level, not just via mass media, will better equip the government to be able to decrease preventable disease morbidity rates across the entire nation.

Infectious disease has been a significant component in the history of many countries and continues to have a major impact in worldwide (Koop, Pearson and Schwarz, 2001). The origin of infectious disease dates back to the beginning of civilization, when hunter-gatherers began to settle into villages and towns. The combination of close living spaces, the introduction of agriculture and irrigation, and the domestication of animals allowed ample ways for diseases to spread (Robbins, 2006). While it is generally acknowledged that the majority of diseases are either treatable or preventable in developed countries, most developing countries lack the advanced medical training and technology prevalent in Westernized countries. However, it is possible for the level of awareness of preventable diseases to be increased with the health communication models and systems that have been created for developing countries (Johns Hopkins, 2010). Unfortunately, this is often not the case. A case study on HIV/AIDS in South Africa shows that posters designed to increase awareness and change people's behavior towards this virus lack integral components from a communication perspective (Beaudoin, 2007). Another program focusing on reproductive health in Zambia used television to increase

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condom use and had positive results (Rossem and Meekers, 2007); however, this study is not applicable to regions of sub-Saharan Africa that do not have access to television.

The same is true for Ghana, a democratic country located in Western sub-Saharan Africa. Ghana is a country that exhibits marked differences in both cultural and climate changes in its various geographical regions. However, one thing is constant across the entire nation: infectious diseases are running rampant. Ghana, along with most African countries, has faced many infectious diseases for several centuries, including “malaria, syphilis [*sic*], yaws, leprosy, spirillum fever, dysentery and worms, to which must be added such epidemic diseases as yellow fever, small pox and sleeping sickness and the new imports of tuberculosis and cholera” (Boahen, 1990). While developed countries have created methods and treatments for these diseases, countries such as Ghana face economic, geographical, infrastructural, educational and political factors, as well as government corruption, that hinder them from treating and preventing such diseases (Koop, Pearson and Schwarz, 2001). While many of these issues are beyond the realm of communication, health communication can be used in conjunction with public health planning to increase levels of awareness of infectious disease in Ghana.

This research examines the methods in which the Ghanaian government has attempted to overcome its alarming medical issues with health communication to increase awareness of disease. Currently, almost half of Ghanaians have absolutely no access to healthcare due to a lack of staff and inaccessible or non-existent roadways (Mba & Kwanyke, 2007). Thus, it is important for these Ghanaians to have access to information on how to prevent lethal diseases still prevalent in their country, such as malaria, cholera, dysentery, dengue fever, sleeping sickness and worms. Communicating health information to under-educated and largely geographically inaccessible people is a significant challenge for any country; thus, this research examines the best way to enhance disease awareness in the developing West African country of Ghana.

## II. Literature Review

A myriad of different studies have been conducted on various specific aspects of health communication in Ghana. Overall, these studies indicate that communicating to rural Ghanaians requires integration into a community that includes presenting material in a manner that rural persons are familiar with and allowing for discussion and input from community members.

Cultural familiarity often affects the way that medical information is effectively communicated in Ghana. For instance, when comparing the usage of traditional medicine versus Western biomedical medicine, Ghanaians typically tend to use traditional medicine because it is more fully integrated in Ghanaian lifestyles and is more familiar than biomedical medicine (Aries, Joosten, Wedgda & van der Geest, 2007). This preliminary understanding of the weight given to known information sources is the first aspect of Ghanaian culture that needs to be understood when communicating biomedical health information to the population.

As a result, this norm of sticking to the familiar seen with traditional medicine usage is expanded to being applicable to behavioral change in Ghana. Among adults and adolescents, peer education increases the chances that individuals will change their behavior by 1.74 times the normal amount simply due to the similarities that can exist between the educator and the target. Essentially, the higher the demographic similarities between the educator and the target group, the larger the increase in behavioral change towards the desired result (Wolf & Bond, 2002).

In Ghana, these demographic similarities, along with trends toward the familiar, can be observed in effective health communication. In the late 1940s, when health communication to the Ghanaian people by the government was beginning, attempts at showing film clips and using other modern technology failed. It was only through the use of specially designed puppet shows and performances tailored to the specific ethnic groups that the desired behavior and awareness level change occurred (du Sautoy, 1958).

It has been determined that the best communication strategy for developing countries is based on the idea of integration with the community. The principles of “inclusion, participation and self-determination” help defeat the major problems seen with solely increasing comprehension of why a certain health behavior is wrong (Ford, Abimbola, Renshaw & Nkum, 2005); such problems with just increasing comprehension include the fact that just understanding an issue does not lead to a change in behavior and that awareness alone does not hold people responsible for their own health. Allowing people to have input on how health informa-

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tion is going to help them change by both discussing different communication channels to be used and setting goals for desired change together provide such responsibility (Ford, Abimbola, Renshaw & Nkum, 2005). Through these studies, it is clear that the closer a message is to the culture, expectations, and lifestyle of individuals and the more integrated a campaign is, the more effectively health communication information can be communicated to the Ghanaian people.

There have been a couple studies conducted trying to discover the best communication channels to reach Ghanaians. In a study on the implementation of a vitamin regimen in a Ghanaian village, a huge result of the research was the determination of the best manner to communicate with rural Ghanaians. Overall, it was determined that radio is the best way to communicate because, although many Ghanaians do not personally own a radio, most have access to one. In addition, “town criers, radio, posters, church, mosque and market announcements, loudspeaker vans and a song” were more popular and effective channels of health communication than community groups, television, movies, videos, healthcare personnel, billboards, newspapers and schools (Hill, Kirkwood, Kendall, Adjei, Arthur & Agyemang, 2007).

By examining this data and realizing that the more traditional, less mass media-oriented methods were the most popular among rural Ghanaians, it is clear that this supports another study conducted on the importance of folk-media as a communication channel. Folk media is a channel that uses communication methods already in place in certain villages to discuss pertinent issues, including health education and disease prevention and care. Since this type of communication is embedded in the culture of a particular community, it increases the audience’s belief and trust in it and thereby increases the likelihood of its effectiveness (Panford, Nyaney, Amoah & Aidoo, 2001).

A specific case example of this situation was seen in the successful *Stop Aids Love Life* HIV/AIDS prevention campaign. This campaign used song and dance through multiple different media channels, including radio, to reach Ghanaians across the country. The song was sung in many different languages and the campaign achieved success through the use of “the ABCs of prevention (Abstinence, Being faithful, and Condom use), ... [increased] personal perception of HIV risk, and testimonies from Ghanaians living with HIV or AIDS” (Johns Hopkins, 2003). By using different tribal languages, appropriate media forms and creating a similarity between the persons giving testimony and those listening, this particular campaign is an example of successful health communication strategies.

Overall, previous research has proved the importance of using folk-media, integration and culturally appropriate channels during health campaigns in Ghana. In addition, information being disseminated by personal contact during peer education is extremely effective, although the impact on public health initiatives has not been examined. Together, integration, appropriate channels and personal contact have been shown to be truly effective Ghanaian communication strategies.

### *Research Purpose*

The purpose of this research is to examine the Ghanaian government in its effectiveness in health communication as compared to the conclusions obtained via previous health communication research in Ghana. The main question asked through this research is what the impact of having interpersonal contact, along with other media forms, as part of government-sponsored health communication campaigns has upon the success of such initiatives.

## **III. Methods**

Four public health campaigns conducted within the past ten years were examined. The four campaigns analyzed were the National Tuberculosis Control Program: Stop TB, the Integrated Child Health Campaign, the Home-based Care for Malaria Campaign and the Life Choices Campaign. Each campaign was examined qualitatively, using a case-study approach that permitted cross-comparisons to draw conclusions about the success of the health communication strategies utilized. These campaigns were selected to have varying specific public health topics in order to solely focus on the communication strategies used and to eliminate any stigma associated with specific diseases and treatments. Since public health research conducted and evaluated in Ghana is often not published externally and very little research exists on Ghanaian health communication, the other selection criteria for the campaigns used was the amount of information avail-

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able on the specific campaigns via the World Wide Web and library databases. The data given from several sources of information were examined for all campaigns studied. Then, each campaign was analyzed in terms of proven methods of health communication to the Ghanaian people along with the success, if known, of the campaign.

## IV. Findings

### *Campaign #1: National Tuberculosis Control Program: Stop TB*

The Stop TB campaign is an on-going collaboration between Ghana Health Services (a sector of the Ghanaian government), the World Health Organization (WHO) and the Danish International Development Agency (DANIDA). The program was started in 1994 as a test program in three regions of the country and has expanded to be nationwide with, according to WHO standards, 100 percent of Ghanaians reached. This campaign originally developed out of the desire to curb the increasing TB infection rates that occurred from the early 1960s through the 1990s (Ghana Health Services n.d. a).

The approach taken by the Ghana Health Services was the WHO DOTS method. DOTS stands for Directly Observed Treatment Short course and consists of five different components designed to help treat and prevent TB (WHO, 2010 b). The five components are as follows:

1. "Political commitment with increased and sustained financing
2. Case detection through quality-assured bacteriology
3. Standardized treatment with supervision and patient support
4. An effective drug supply and management system
5. Monitoring and evaluation system and impact measurement" (WHO, 2010b).

These steps highlight the means to reduce TB morbidity rates by properly detecting, treating and monitoring the disease (WHO, 2010b). However, it interestingly does not provide any method to raise awareness of the treatments available for TB and decrease stigma of TB in Ghana. According to recent research on the disease, TB remains highly stigmatized even after the implementation of the program. As a result, people tend to ignore the symptoms or use another condition to explain such systems in order to avoid being isolated by society. After having TB, people are generally always socially associated and isolated due to the disease, largely due to misconceptions (Dodor & Kelly, 2009). Thus, the fact that incorrect information regarding the disease is still strongly prevalent throughout the country, despite the efforts of the Stop TB program, indicates a need for health communication tactics to be in place simultaneously with DOTS.

Ghana has most recently updated its use of the WHO Stop TB program to include an expanded program that does address communication strategies about the disease (Ghana Health Services n.d. a). This new program includes expanded efforts to identify the reasons that people do not act on information they receive, such as the need to start TB treatment, and create behavioral-change messages to address those causes. This type of communication is supposed to deliver messages that will help change the behavior of Ghanaians. Methods recommended by the WHO include all different types of media channels as well as seminars, print materials and community activities (WHO, 2010a). This updated program was initiated in 2005 with a goal of reaching 75 percent of adults; however, thus far, no public evaluation of the campaign is available online (Ghana Health Services n.d. b).

### *Campaign #2: Integrated Child Health Campaign*

In conjunction with a variety of different sectors of the Ghanaian government, the Ghana Health Services and the Ghana Ministry of Health held a one-week campaign in 2006 to improve the health of children across the nation. The main goal of the campaign was to provide 2.1 million bed-nets for malaria prevention to children under the age of two years. Additional goals included immunizing children against measles and polio. Communication strategies were used at the start of this campaign to raise awareness of children's health and to increase the level of participation among the Ghanaian people in the effort. This campaign utilized the decentralization of the Ghanaian healthcare system into community health centers to implement it (Communication Initiative, 2010).

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A variety of communication strategies were used during the course of the Integrated Child's Health campaign. The primary audience of this campaign was the parents of children under five and the secondary audience was political, traditional and community leaders. The main strategy used during the campaign was interpersonal communication via the use of trained volunteers who were from the same village they presented the campaign data to; in addition to children's health information, these volunteers also delivered information to increase the level of awareness of malaria and bed-nets (UNICEF, 2006). Overall, there were 28,000 volunteers in this campaign spread out among 9,505 immunization sites (DFID, 2007). Other communication tactics used in this campaign included celebrity appearances, popular artists singing the campaign song and the delivery of 1.5 million leaflets about the campaign to primary schools nationwide (DFID, 2007; UNICEF, 2006). In addition, radio and TV were used extensively in multiple languages to increase awareness of the campaign itself. The success of the campaign was such that 96.4 percent of Ghanaian's children less than two years of age received bed-nets (DFID, 2007). No long-term studies of the effects of the campaign have been conducted.

### *Campaign #3: Home-based Care for Malaria Campaign*

The home-based care for malaria started in 2002 in conjunction with the He – Ha – Ho campaign, standing for healthier happier homes. This campaign was sponsored largely by Ghana Health Services with additional funding coming from Johns Hopkins University, USAID and, later, UNICEF. The campaign worked to increase awareness among mothers of how to recognize malaria and treat it among their children. The campaign was also intended to increase knowledge among pharmacists about dosing information (WHO, 2009). The need for this campaign developed out of the fact that most cases of malaria are treated at home but only 15 percent of people treat malaria effectively and only 52 percent of pharmacists know correct dosing information (WHO, 2009; Baffoe-Wilmot, 2002).

The communication strategies in this campaign were heavily based on electronic media, namely radio and TV. A specific theme song was developed for He – Ho – Ha and aired on both television and TV in local languages. The television advertisement walked the audience through a mother noticing her sick child, going to the pharmacy for medication, giving the child the medicine and then stressing to her friends the need to rely on pharmacists to provide the appropriate medication (Baffoe-Wilmot, 2002). In addition to radio and TV ads, this campaign also used posters, leaflets and flip cards to help the public recognize malaria and serve as motivation to receive treatment (WHO, 2009). Some of the initial issues with the campaign were its promotion of malaria tablets for treatment instead of the syrup-based treatment, the need for more staff and the need for more educational materials to be available (Baffoe-Wilmot, 2002). A presentation made by the deputy head of the Ghanaian national malaria control program, Aba Baffoe-Wilmot, spoke of the need to use interpersonal communication, not just TV and radio, to increase the success of this campaign (Baffoe-Wilmot, 2002). No specific data on the results of this campaign are available.

### *Campaign #4: Life Choices*

The life choices campaign was started in 2001 by Ghanaian president J.A. Kufuor in order to empower women to control the number of children they want to have, along with the timing of each pregnancy (Johns Hopkins, 2005b). A variety of national and international agencies provided support to the Ministry of Health and Ghana Health Services to implement the campaign (Johns Hopkins, 2005a). The campaign worked to correct misconceptions of the use of contraception such as exaggerated negative side effects from the medication and the idea that contraception should only be used to prevent further children, not to space births (Communication Initiative, 2009; Johns Hopkins, 2005b). It also worked to fill an expressed need among women for more information on family planning (Johns Hopkins, 2005b).

In terms of communication strategies, the main objective of this campaign was to increase the use of modern family planning techniques by targeting single and married adults and opinion leaders (Communication Initiative, 2009). The campaign had two major strategies: using a life stage approach to show the use of contraception at different stages of life and a lifestyle approach to show the benefits of contraception use. A variety of different media were used during this campaign including songs on the radio and TV, leaflets, posters and stickers, educational sessions, and community networking and events (Johns Hopkins, 2005b). One hundred billboards were put up nationwide and representatives of different social classes were used in the television and radio advertisements (Johns Hopkins, 2005a). Results from a survey taken in urban areas of the country showed that 89 percent of members of the target audience were aware of the Life Choices

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campaign and the messages within the campaign. No results from rural areas were provided. Although the campaign used both interpersonal and electronic methods of message dissemination, mass media was cited to be the most effective form of communication in this particular campaign (Johns Hopkins, 2005b). However, the campaign seeks to strengthen its use of interpersonal communication through peer testimonials and the expansion of community networks, rallies and seminars (Johns Hopkins, 2005a).

## V. Discussion

Overall, it is clear from the success of the Integrated Child's Health campaign and the expressed need for more community-based personal interaction in the other three campaigns that interpersonal communication integrated at a local community level is the most all-around effective way to have health behavioral change among the Ghanaian people. This reflects the ideas presented in previous literature that integrated health campaigns in local communities can account for cultural similarity between those delivering messages and those receiving them, thus increasing the likelihood of behavior change.

In the Stop TB campaign, there was originally a dearth of communication strategies. The original campaign was not effective at actually impacting people's behavior, its objective, even though it did deliver its message to 100 percent of Ghanaians; reaching the entire population does nothing unless it is accompanied by communication strategies that combat myths and raise awareness of the disease. As previously stated, the results from the revised campaign are not available but the new initiative does specifically emphasize the power of community-level communication. Overall, this campaign proves that communication about disease fact, treatments and prevention is a necessary part of the success of any public health campaign.

The Integrated Health Campaign is a great example of the power that integrated interpersonal communication as a health communication strategy can have the success of a campaign. This campaign, by far, had the best success rate out of the four campaigns analyzed with 96.4 percent of children under two receiving bed-nets and 72 percent of these children sleeping under the bed-nets. The one variable factor that differs with this campaign from the others is the substantial use of community-level interpersonal communication. The campaign was integrated into every local community nationwide and was far more effective than a campaign using solely mass media, such as was seen in the home-based care malaria campaign.

The He – Ho – Ha home-care malaria campaign initially deliberately emphasized the use of electronic media, such as radio and television, as the primary means of communication along with print materials. While radio is considered to be the most effective form of mass-media oriented communication, even the deputy head of the malaria control program in Ghana acknowledged the need to expand the program to include community and individual level communication to obtain a high success rate. Once again, it appears that although mass media has some effect, integrating into local communities is quickly gaining recognition as the most effective way overall to communicate.

Lastly, the life choices campaign chose to use both mass media and community-level communication strategies to increase the use of modern family planning methods among reproductive-age persons in Ghana. The evaluative research from a survey shows that the mass media channels were most effective; however, only people living in urban areas took the surveys. Thus, nothing can be evaluated about the effects of the campaign among rural Ghanaians or the country as a whole. It is interesting to note that the campaign is expanding the community-based communication approach to increase coverage of more Ghanaians, most likely in an attempt to reach rural Ghanaians who may not have ready access to either TV or radio.

Overall, it appears that each of the three campaigns examined not using integrated interpersonal communication is expanding their campaign to make extensive use of this particular strategy. It is clear that the highly integrated and personal contact approach of the Integrated Child's Health campaign is what gave it a high rate of success and can tentatively be considered the best approach for health communication in Ghana.

## VI. Future Research

This particular research was limited in the depth of analysis and breadth of the number of campaigns

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examined. Future research needs to be performed to analyze the strategies and success of many more campaigns, particularly analysis conducted in Ghana. In addition, the health communication efforts of nonprofits, in addition to the government research performed here, needs to be analyzed both on its own and in conjunction with the programs from the Ghanaian Health Services. With this research a more thorough understanding of the role of health communications in Ghana can be appropriately determined.

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# Social Media: No 'Friend' of Personal Privacy

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## Abstract

*This comment examines the lack of regulation of social media websites, such as Facebook and MySpace, and the effects this lack of regulations has had on the liberties guaranteed by the Fourth Amendment to the United States Constitution. This comment argues that by establishing privacy settings on social networking websites, users construct a reasonable expectation of privacy. Examples are provided to illustrate the detrimental nature and ineffectiveness of industry self-regulation. A relevant case study is explored to highlight the societal concerns that are being brought forth within the legal system at an ever-increasing rate. Scholarly opinion is then analyzed in order to reinterpret privacy law so that it properly adapts to rapidly evolving social media networks within cyberspace.*

## I. Introduction

Industry leaders Facebook and MySpace have largely defined the advent of popular social networking websites. According to Hitwise, a distinguished tracking service, Facebook alone comprises approximately 7.07 percent of all Internet visits.<sup>1</sup> Furthermore, Facebook and MySpace account for an estimated 249 million unique visitors monthly and, on average, Facebook users spend about 6 hours and 30 minutes on the site every month.<sup>2</sup> These statistics are nothing short of remarkable considering that, to a large extent, these websites did not exist prior to 2006.

Social networking websites such as Facebook and MySpace often divulge personal information through the inclusion of personal profiles, pictures, video, and the ability to send messages to friends, family, co-workers, and acquaintances. These key features have raised significant privacy concerns for individual users of these websites. Current policy dictates that the social networking industry should practice self-regulation. However, there has been frequent public objection to self-regulation. Social networking websites have based their arguments on the fact that higher rates of disclosure produce increased revenues. Therefore, social networking sites are less likely to have their users best interests in mind when the disclosure of personal information is at stake. As Brooklyn Law School professor Paul M. Schwartz argues, "Legal protection

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**\*Keywords:** Facebook, MySpace, Fourth Amendment, Social Media Regulation, Privacy Law, Expectations of Privacy in Cyberspace

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1 Reinan, John. "Facebook Overtakes Google -- and the Marketing World Salivates." *MinnPost.com (blog)*. 12 Apr. 2010. Web.

2 ComScore. Marketing Communications. *Social Networking Explodes Worldwide as Sites Increase Their Focus on Cultural Relevance*. ComScore, 12 Aug. 2008. Web.

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of personal information on the Internet is generally limited and often incoherent.”<sup>3</sup> Additionally, law and policy has been slow in keeping up with the ever-evolving social networking applications that have developed over the course of the past decade. More specifically, “Despite the centrality of these issues the American courts lack a coherent methodology for determining whether an individual has a reasonable expectation of privacy in a particular fact that has been shared with one or more persons. Indeed, jurisdictions cannot agree on a framework for resolving these kinds of cases.”<sup>4</sup> The following document will provide an overview of the court decisions and policy initiatives that relate to this discussion. In addition, it will provide a brief summary of the legal opinions held by several attorneys and law professors.

The main focus of this article is to demonstrate how privacy law should evolve to account for the technological advancement of the Internet with a particular emphasis on the social media networks Facebook and MySpace. Although the Supreme Court has been hesitant to definitively rule on this issue, lower court opinions, legal ethics opinions, and relevant policy are included in this comment. These sources are examined in order to understand how the law is approaching the privacy issues surrounding social media including “cyber-bullying,” employment practices, and law enforcement monitoring of the internet. Through careful analysis, it can be determined how policymakers and the courts can aid in resolving these issues and progressively establish a more clear definition of the legal obligations placed on Facebook and MySpace. After doing so, this article argues that that by recognizing privacy abuse on social networking websites, Congress can pass and enforce new laws that protect Americans from these harms and provide greater protection to individual privacy.

## II. Current policy

To a large extent, social networking websites receive government protection from policy written in the 1990s. Section 230 of the Communications Decency Act (“CDA”) protects Facebook and MySpace. This policy states, “No provider or user of an interactive computer service shall be treated as the publisher or speaker of any information provided by another information content provider.”<sup>5</sup> In other words, if person A posts a defamatory comment about person B on a social networking website such as Facebook, person B cannot sue Facebook for allowing the post because social networks cannot be found liable for these criminal damages. The Act establishes the notion of “cyberspace exceptionalism,” a concept that endorses the belief that, “the Internet is unique/special/different and therefore should be regulated differently. Section 230 of the CDA is a flagship example of such exceptionalism. It creates rules that really differ between the online and offline worlds, such that publishing content online may not create liability where publishing the identical content offline would. The medium matters.”<sup>6</sup>

## III. Fourth amendment background & applicable Supreme Court decisions

The Fourth Amendment protects “the people” from “unreasonable searches and seizures.”<sup>7</sup> In 1967 the Supreme Court handed down its decision in *Katz v. United States*.<sup>8</sup> Prior to this date, the Court had adopted a literal interpretation of the Fourth Amendment. It had ruled that a violation of privacy could only occur

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3 Schwartz, Paul M. “Privacy and Democracy in Cyberspace.” *Vanderbilt Law Review* 52.1607 (1999), 1632. LexisNexis. Web.

4 Strahilevitz, Lior J. “A Social Networks Theory of Privacy.” *The University of Chicago Law Review* 72.3, 921. JSTOR. Web. Summer 2005.

5 Congressional Research Service, Library of Congress (1996) (enacted). Print.

6 Goldman, Eric. “Re: Roommates.com Denied 230 Immunity by Ninth Circuit En Banc (With My Comments).” Web log comment. *Technology & Marketing Law Blog*. 3 Apr. 2008. Web. <[http://blog.ericgoldman.org/archives/2008/04/roommatescom\\_de\\_1.htm](http://blog.ericgoldman.org/archives/2008/04/roommatescom_de_1.htm)>.

7 U.S. Const. amend IV.

8 *Katz v. United States*, 389 U.S. 347 (1967).

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in a physical or tangible sense. In other words, "the Fourth Amendment was not violated as long as there was no official search of a person, or his tangible, material effects."<sup>9</sup> Thus, establishing the trespass doctrine, which held that the Fourth Amendment is not implicated unless there is a physical intrusion, or trespass, into a private area such as an individual's residence. In the landmark privacy case of *Olmstead v. United States* this doctrine was upheld in light of the advent of wiretapping technology. Recognizing the dangers this ruling posed to the Fourth Amendment in light of technological advances, Justice Brandeis authored a famous dissent, hinting at a new Fourth Amendment standard:

Time works changes, brings into existence new conditions and purposes. Subtler and more far-reaching means of invading privacy have become available... Discovery and invention have made it possible... by means far more effective than stretching upon the rack, to obtain disclosure in court of what is whispered in the closet. Advances in the psychic and related sciences may bring means of exploring unexpressed beliefs, thoughts and emotions. Can it be that the Constitution affords no protection against such invasions of individual security?<sup>10</sup>

Justice Brandeis' words emphasize the dangers that the advancement of technology poses to individual privacy. His view was ultimately vindicated nearly 40 years later in *Katz*.

Fearful of the limited protection that a trespass standard provided, *Katz* adopted a two-step approach to determine the legality of Fourth Amendment searches and seizures. Justice Harlan explained in his concurring opinion: "there is a twofold requirement, first, that a person have exhibited an actual expectation of privacy and, second, that the expectation be one that society is prepared to recognize as 'reasonable.'"<sup>11</sup> Thus, Harlan established the modern Fourth Amendment standard for a search: an invasion of a zone of which a person has a reasonable expectation of privacy

In regards to this discussion, the question then becomes, "how is this construction of the Fourth Amendment then applied to an intangible medium such as a social networking website?" To date, the Supreme Court has yet to consider this question. Therefore, the lower courts are forced to draw analogies to Supreme Court rulings dealing with situations outside of cyberspace.

Some courts have expressed their discontent with this approach. For instance, in *United States v. Walser* the Tenth Circuit Judge Stephanie Seymour stated, "[t]he advent of the electronic age and . . . the development of desktop computers . . . go beyond the established categories of constitutional doctrine. Analogies to other physical objects, such as dressers or file cabinets, do not often inform the situations we now face as judges when applying search and seizure law."<sup>12</sup> Yet, the fact remains that lower courts are forced to connect expectations of privacy on the Internet with the provisions outlined in *Katz*. In doing so, they have relied largely on *Smith v. Maryland* and *United States v. Miller*. In *Smith*, the Court ruled that the installation of a pen register did not constitute a search that would breach the defendant's reasonable expectation of privacy.<sup>13</sup> For clarification, "A pen register is a device installed by the telephone company which can track the phone numbers of all calls outgoing from a person's house."<sup>14</sup> Therefore, since the numbers are automatically shared with a third party, the telephone company, an individual cannot reasonably expect this information to be private.

In *Miller*, the Court ruled that a person does not have a reasonable expectation of privacy over his bank records. In delivering the majority opinion Justice Powell stated, "documents subpoenaed are not [Miller's] 'private papers', but instead, part of the bank's business records." Therefore, "Miller's rights were not violated when a third party - his bank - transmitted information that he had entrusted them with to the government."<sup>15</sup>

In most respects, the decisions handed down in both *Smith* and *Miller* permit the government to, with-

9 See *Olmstead v. United States*, 277 U.S. 438, 466 (1928).

10 Id. at 472-73 ("Clauses guaranteeing to the individual protection against specific abuses of power, must have a similar capacity of adaptation to a changing world.") Id at 472 (Brandeis, J., dissenting).

11 *Katz*, 389 U.S. at 361.

12 *United States v. Walser*, 275 F.3d 981, 986 (10th Cir. 2001).

13 *Smith v. Maryland*, 442 U.S. 735 (1979).

14 Hodge, Matthew J. "The Fourth Amendment and Privacy Issues on the 'New' Internet: Facebook.com and MySpace.com." *Southern Illinois University Law Journal* 31.95 (2006), 102. LexisNexis. Web.

15 *United States v. Miller*, 425 U.S. 435 (1976).

out any suspicion at all, seize and search the records of third party entities, such as Facebook and MySpace.

However, as Matthew Hodge states in his comment, state and appellate courts have not strictly adhered to these rulings when interpreting an expectation of privacy based their own *state* constitutions.<sup>16</sup> Furthermore, Congress itself has passed legislation that has largely supplanted these rulings.<sup>17</sup>

#### IV. Consequences of pure market self-regulation

In most cases, the policies previously described have been used to protect the social media industry and have not protected an Internet user's privacy. Essentially, social media outlets have been permitted to regulate themselves. Paul Schwartz advances two critical assertions why this self-regulation has been largely ineffective in protecting one's privacy on the Internet. "(1) the 'knowledge gap,' which refers to the widespread ignorance regarding terms that regulate disclosure or nondisclosure of personal information and (2) the 'consent fallacy,' which points to weaknesses in the nature of agreement to data use. Both support a conclusion that reliance on a privacy market will not generate appropriate rules regarding personal data use in cyberspace."<sup>18</sup> Further research has shown that Schwartz is quite correct in this assessment, especially when applied to social networking websites. According to a research survey conducted by students at M.I.T. in 2005, over 90% of users of Facebook said that they had not read the site's terms and conditions.<sup>19</sup> Additionally, in December 2009 Facebook overhauled the privacy settings of every user's profile and reset them to the default. In conducting its own survey, Facebook revealed that 35% of users had read the documentation outlining this change and modified their privacy settings appropriately. Therefore, 65% remained largely unaware of whom their information was being shared with.<sup>20</sup> In investigating this development, Danah Boyd, a Social Media Researcher at Microsoft Research New England, has noted that in her interviews with Facebook users she has yet to find an individual who could correctly describe their current privacy settings. In a recent speech, Boyd narrated a story involving a woman who had moved away from her abusive father. "The young woman talked with her mother (who had moved with her) about possibly joining Facebook. They sat down to make the content as private as possible, which worked well. But in December, the young woman clicked through Facebook's privacy dialog (as most people did) and had no idea her content was public. She only found out when someone who should not have seen the content told her."<sup>21</sup>

In conjunction with Boyd's analysis, in March 2009 Cambridge University's Computing Laboratory published a report criticizing Facebook for its excessive use of pithy legal language within its terms of service document. These criticisms stem from the fact that Facebook has publicly claimed to be a democratic service, when in fact, if read carefully, its terms of service prove otherwise. As Professor Ross Anderson of Cambridge University stated following the release of the aforementioned study, "We should not be surprised that corporations do not want to give power to their users, but pretending that the site is democratic when it is not is offensive - it is reminiscent of the old German Democratic Republic, which was actually a Russian colony and not democratic at all."<sup>22</sup> The report itself identifies several terms that are particularly vague and can produce multiple interpretations.

Facebook has failed by its own standards by not providing a Statement that is clear and free

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16 Hodge, "The Fourth Amendment and Privacy Issues on the 'New' Internet: Facebook.com and MySpace.com" 103.

17 Hodge, "The Fourth Amendment and Privacy Issues on the 'New' Internet: Facebook.com and MySpace.com" 104.

18 Schwartz, Paul M. "Privacy and Democracy in Cyberspace." *Vanderbilt Law Review* 52.1607 (1999), 1683 LexisNexis. Web.

19 The Global Covenant Network. *The Shocking Truth of Facebook*. I-Newswire, 2 Aug. 2008. Web.

20 Kincaid, Jason. "Danah Boyd: How Technology Makes A Mess Of Privacy and Publicity." *TechCrunch*. WordPress.com, 13 Mar. 2010. Web.

21 Kincaid, "Danah Boyd: How Technology Makes A Mess Of Privacy and Publicity."

22 Saran, Cliff. "Cambridge Researchers Slam Facebook Democracy." *ComputerWeekly.com*. Reed Business Information Ltd, 17 Apr. 2009. Web. <<http://www.computerweekly.com/Articles/2009/04/17/235687/cambridge-researchers-slam-facebook-democracy.htm>>.

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from "legalese." §14 "Disputes" is a particularly bad example, as the Statement contains many loaded legal terms such as "indemnify and hold harmless," which most users will not be able to properly interpret. §14.3 then provides a long disclaimer of responsibility, which is typed in all capital letters, limiting readability, and contains technical phrases such as "NON-INFRINGEMENT," "DAMAGES, KNOWN AND UNKNOWN," and "MATERIALLY AFFECTED." Finally, §16, "Other," adds several more critical disclaimers of responsibility in a set of seven disorganized sentences... the Statement reverts to increasingly arcane legal formalisms after most users will have stopped reading."<sup>23</sup>

Yet, the most troubling revelation that the Cambridge report discloses is the way in which Facebook has concealed the details of its privacy policy.

The Privacy Policy and several other documents are referenced by the Statement but not included in it, and must be accessed separately despite §16.1, which says, 'This Statement makes up the entire agreement between the parties regarding Facebook, and supersedes any prior agreements.' The privacy policy is glossed over with the platitude 'Your privacy is very important to us,' which might re-assure users who will then skip over reading it, despite it carrying the same legal weight as the Statement.<sup>24</sup>

Boyd's story and the analysis conducted by Cambridge University's Computing Laboratory illustrates that self-regulation has prompted social networking websites to take advantage of both the "knowledge gap" and "consent fallacy" for purely financial gains. The greater number of profiles that are open to the public increases the likelihood that advertisers will utilize the website. Default privacy settings allow companies to view a person's interests, hobbies, etc. and advertise certain products to a specific individual. To generate considerable profit, social networking websites need to appeal to these advertisers. Therefore, ensuring that a large number of profiles remain public, to a large extent, conforms to the website's financial interests.

## V. Determining expectations of privacy on Facebook or MySpace

Law professor James Grimmelmann analyzes a pertinent case study in his lecture on Internet privacy and its application to Facebook,

"In 2006, two students at the University of Illinois were urinating on the front of a bar. When a police officer approached, Marc Chiles escaped while Adam Gartner was detained. Gartner denied knowing Chiles. Later, the officer accessed Facebook and scoured student profiles. When he realized Chiles and Gartner were Friends on Facebook the officer charged the latter with obstruction of justice."<sup>25</sup>

Grimmelmann goes on to explain that, "when users make privacy choices using Facebook's technical controls, they're expressing expectations about who will and won't see their information, and society should treat those expectations as reasonable for Fourth Amendment purposes."<sup>26</sup> However, to date, Facebook has not been held legally responsible for policing its own network. Although it explicitly states to its users that it has no control over the actions of other individuals using the website, there should at least be some measures taken to deter hackers or law enforcement officials from using the network in a criminal manner, legally or otherwise. The same M.I.T. students who reported that over 90% of users of Facebook stated that they had not read the site's terms and conditions, were also able to download over 70,000 profiles using an applica-

23 Bonneau, Joseph, Soren Preibusch, Jonathan Anderson, Richard Clayton, and Ross Anderson. *Democracy Theatre: Comments on Facebooks Proposed Governance Scheme*. Rep. University of Cambridge Computer Laboratory, 2009. 4-5. Web. <[http://preibusch.de/publications/Bonneau\\_Preibusch\\_Anderson\\_Clayton\\_Anderson\\_Facebook\\_Governance\\_Comments.pdf](http://preibusch.de/publications/Bonneau_Preibusch_Anderson_Clayton_Anderson_Facebook_Governance_Comments.pdf)>.

24 Bonneau, Preibusch, J. Anderson, Clayton, and R. Anderson, *Democracy Theatre: Comments on Facebooks Proposed Governance Scheme* 5.

25 Grimmelmann, James. *Internet Law: Spring 2010. Reading Packet 3: Privacy*, 50. New York Law School. Web. <<http://james.grimmelmann.net/courses/internet/Internet2010SReader3.pdf>>.

26 Grimmelmann, James. "Saving Facebook." *Iowa Law Review* 94 (2009), 1197. JSTOR. Web.



tion they had created.<sup>27</sup> What's more troubling is that Grimmelmann reports, "Facebook has trouble controlling its own employees, who treat access to profile and user-activity information as a 'job perk.'"<sup>28</sup> This kind of unwanted disclosure has recently led to a number of state and appellate cases, which will be discussed in greater detail below. As indicated earlier, the courts have received little guidance from the federal government in ruling on this issue.

## VI. "Cyberbullying:" a product of unwanted disclosure

"Cyberbullying" has emerged as a prominent Internet safety concern over the course of the past several years. A United States research center dedicated to the study and prevention of cyberbullying has defined it as, "willful and repeated harm inflicted through the use of computers, cell phones, and other electronic devices."<sup>29</sup> Therefore, cyberbullying clearly constitutes as a violation of the privacy rights that protect against the disclosure of private facts that would be considered highly offensive to a reasonable person, and the placing of someone in a false light. Facebook and MySpace are two mediums where cyberbullying has occurred quite frequently. The lack of website surveillance, and an effective legal response, has aided in facilitating this type of behavior. This has resulted in the filing of a number of recent lawsuits. The most current being, *Finkel v. Facebook*.<sup>30</sup>

There, teenager Denise Finkel sued four high school students, their parents, and Facebook arguing that they were liable for the production of defamatory statements made about her. The suit began after Finkel discovered that the four students had created a Facebook group entitled, "90 Cents Short of a Dollar." Statements made within the group declared and implied that Finkel "was a woman of dubious morals, dubious sexual character, having engaged in bestiality, an 'IV drug user' as well as having contracted the H.I.V. virus and AIDS."<sup>31</sup> Finkel asserted in her complaint that Facebook should be held accountable for allowing the defamatory material to be published on its website claiming, "[Facebook] should have known that such statements were false and/or have taken steps to verify the genuineness of the statements."<sup>32</sup> Predictably, the court granted Facebook's motion to dismiss the charges as a result of the protection supplied under Section 230 of the CDA. However, Finkel's attorney's response raised an interesting argument. They chose to highlight that in its terms of service Facebook claims ownership of the material posted on their website. As a result, "Facebook wants to use the CDA as a shield to immunize itself from being sued for defamation due to any postings of its users while also claiming ownership of the content posted on its site."<sup>33</sup> To a large extent, these assertions are meritless and the court rejected this response due to the fact that "Ownership of content plays no role in the Act's statutory scheme."<sup>34</sup> Ultimately, there is no precedent to support Finkel's claim that ownership should establish liability under Section 230 of the CDA. However, this argument shows that Facebook has been permitted to, as the cliché goes, have its cake and eat it too. Policies should be enacted to prevent Facebook from claiming ownerships over its materials and at the same time being absolved of responsibility over the very material it owns.

Current federal policy has also ineffectively punished individual users who have abused their use of

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27 I-Newswire, *The Shocking Truth of Facebook*.

28 Grimmelmann, "Saving Facebook" 1183.

29 *Cyberbullying Research Center*. Web. <<http://www.cyberbullying.us/index.php>>.

30 "Finkel v. Facebook." *Citizen Media Law Project*. Berkman Center for Internet & Society, 3 Mar. 2009. Web.

31 "Finkel v. Facebook." Cmpl. ¶ 23.

32 "Finkel v. Facebook." Id. ¶ 28.

33 Altschul, Mark M. "Finkel Opposition to Facebook Motion to Dismiss." Letter to Supreme Court of the State of New York. 16 Feb. 2009. *Citizen Media Law Project*. *Citizen Media Law Project*. Web.

<<http://www.citmedialaw.org/sites/citmedialaw.org/files/2009-03-26-Finkel%20Opposition%20to%20Facebook%20Motion%20to%20Dismiss.pdf>>.

34 Alonso, Morris D. "Notice of Motion to Dismiss." Letter to Altschul & Altschul & Orrick Herrington & Sutcliffe. 23 Apr. 2009. *Citizen Media Law Project*. Web. <<http://www.citmedialaw.org/sites/citmedialaw.org/files/2009-04-23%20Finkel-%20Schwartz%20notice%20of%20motion%20to%20dismiss.pdf>>.

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Facebook and MySpace. For instance, in *United States v. Drew*<sup>35</sup> a 47-year-old mother, Lori Drew, was partly responsible for the suicide of 13-year-old Megan Meier. Drew created a fake MySpace account and contacted Meier posing as a 16-year-old boy. Using the account, Drew harassed Meier and inflicted significant emotional distress. A month after the fake account was created, Meier hung herself in her bedroom closet. Drew was later indicted and accused of violating the Computer Fraud and Abuse Act on several counts. One of the charges brought against Drew accused her of violating MySpace’s terms of service as a result of her accessing MySpace servers in order to gather more information on Meier. The creation of a false account violated MySpace’s terms and conditions as well. The indictment was legally questionable because the Computer Fraud and Abuse Act, as currently written, only encompasses federal, state, and designated financial computer systems. As a result, on August 28, 2009, Drew was acquitted of these charges.

This case has incited a significant call to change state and federal policy. Most notable is a bill introduced to Congress on August 2, 2009, titled the Megan Meier Cyberbullying Prevention Act. If it were to be passed, the bill would establish a federal definition of cyberbullying and criminalize online communication that is done “with the intent to coerce, intimidate, harass, or cause substantial emotional distress to a person.”<sup>36</sup>

Further highlighting the ineffectiveness of social networking website self-regulation, in February 2007 a case titled *Doe v. MySpace* attempted to reframe the responsibility of social networking websites in the context of protection from sexual predators. The plaintiff accused MySpace of negligence that stemmed from the belief that MySpace should have “implemented basic safety measures to prevent sexual predators from communicating with minors.”<sup>37</sup> The District Court again denied these claims on the basis of the Communications Decency Act. The Appeal’s Court affirmed this decision, relying on precedent established in *Green v. AOL* and finding that MySpace was not liable for user-generated content on its website.<sup>38</sup> The Supreme Court denied certiorari to hear the case in November 2008.

All three of these cases provide a clear example of how Facebook’s and MySpace’s practice of self-regulation have been ineffective and unreliable. The question then becomes whether the government should abandon this policy of self-regulation and begin to hold Facebook and MySpace liable due to their claimed ownership of defamatory content, and the necessity to protect children. Without enforcing it personally, or specifically mandating guidelines for Facebook and MySpace, the government essentially permits the existence of a medium that has the potential to become a safe-haven for sexual predators and the circulation of defamatory comments.

## VII. Facebook’s & MySpace’s connection to discriminating employment practices

The limited amount of regulation on websites such as MySpace and Facebook has also led to a disturbing trend in the workplace. Both have displayed an inability to keep information that is thought to be private, out of the hands of current or potential employers. The damaging effects this can have on one’s career was made clearly evident in *Barrow County School District v. Payne*.<sup>39</sup> There, Ashley Payne was a Barrow County schoolteacher who, in August 2009, was forced to resign from her job. Ms. Payne alleges that she was asked to resign after photos from a recent vacation in Europe surfaced on Facebook. These photos reportedly show Ms. Payne holding wine and beer. Below the photo is a posting that states she was “headed out to play Crazy Bitch Bingo.” The school contends that it was forced to ask for Ms. Payne’s resignation after a parent called the school complaining about the content. However, Ms. Payne asserts that she was not “Facebook friends” with any of her students and had enabled all proper privacy settings on her profile. Contending such, Ms. Payne has filed a lawsuit against the school district. As of this writing, the trial is forthcoming.

35 *United States v. Lori Drew*, No. CR 08-0582-GW, <http://www.scribd.com/doc/23406419>.

36 Congress, 1st Session, H.R. 1966, (April 2, 2009), <http://thomas.loc.gov/cgi-bin/query/z?c111:H.R.1966>.

37 *Doe v. MySpace*, 528 F. 3d 413 (5th Cir. 2008).

38 *Green v. America Online (AOL)*, 318 F. 3d 465 – 2003.

39 “*Barrow County School District v. Payne*.” *Citizen Media Law Project*. Berkman Center for Internet & Society, 4 Mar. 2010. Web.

The Payne case highlights a frequent trend that has become quite common in today's job markets. Employers have become especially adept at using Facebook and MySpace to screen job applicants and current employees. A 2006 survey conducted by researchers at the University of Dayton concluded, "Out of a pool of 5,000 employers nationwide, 40% would consider using the Facebook profile of a potential employee in making the hiring decision. Several employers even reported rescinding offers after checking out profiles on Facebook."<sup>40</sup> In many cases, these employers violate Facebook and MySpace's terms of service in retrieving information from a current or prospective employee's profile. For instance, "a method employers have been known to use involves the use of their current employees' Facebook accounts to search applicant's profiles in which they are in the same network, such as the same college. The employee may have reservations about probing the profiles of their younger college mates, but do so anyway for fear of repercussions from their employer due to noncompliance."<sup>41</sup>

To a limited extent, a recent court case, *Pietrylo v. Hillstone Restaurant*<sup>42</sup> challenged this common, unethical practice in a court of law. Two employees at Hillstone Restaurant decided to create a MySpace page where other fellow employees could join and express their grievances with the management. The page was protected by the password and none of the managers were invited to join. However, one manager eventually learned of the MySpace page and, after repeated attempts, convinced an employee to reveal the page's password. Shortly thereafter, the creators of the MySpace page were fired for "damaging employee morale and violating the restaurant's 'core values.'"<sup>43</sup> The two employees, Pietrylo and Marino filed a lawsuit against the restaurant alleging that its actions violated the Federal Stored Communications Act. In addition, both plaintiffs argued that the restaurant's actions also violated their right to privacy. The jury found that the restaurant did violate the federal Stored Communications Act, due to the fact that the restaurant compelled the employee to allow them unauthorized access to stored electronic communications. However, they also found that the plaintiffs had no reasonable expectation of privacy within the MySpace group. The jury reached this conclusion by following the third party doctrine, which states, "Knowingly revealing information to a third party relinquishes Fourth Amendment protection in that information."<sup>44</sup> This case illustrates how the unethical practice of coercing an employee to reveal communication on a social networking working website is punishable in a court of law. Yet, this can only occur if the website is protected by a password and stored communication is being sought. Unfortunately, Facebook and MySpace profiles do not fall under the category of stored communication. Thus, limiting the employer's responsibility in coercing a fellow employee to allow him or her to view a current or potential employee's profile and bypass privacy settings.

In addition, "a [second] means of accessing Facebook profiles and by far the most invasive is to hack into the Facebook database. This may not be such a hard task for many tech-savvy IT employees at most companies. By this means the company would have access to any profile they wish."<sup>45</sup> The ease with which IT employees can hack into information stored on Facebook is further highlighted by the actions of the two M.I.T. students previously described in this comment. If two undergraduate students were able to access over 70,000 profiles using a program they designed, it is not unreasonable to suggest that it is not difficult for a company's IT professionals to easily find ways to bypass Facebook and MySpace's privacy controls.

## VIII. Application of tort law

In his comment, *A Social Networks Theory of Privacy*<sup>46</sup>, law professor Jacob Strahilevit contends

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40 C. Wiley, "Facing the Consequences of Facebook." University of Dayton. 22 Nov. 2006. 4 Mar. 2007, [http://www.udnews.org/2006/11/facing\\_the\\_cons.html](http://www.udnews.org/2006/11/facing_the_cons.html).

41 Engler, Peter, and Peter Tanoury. *Employers Use of Facebook in Recruiting*. Publication. Ethica Publishing. Web.

42 *Pietrylo v. Hillstone Restaurant*. LexisNexis. United States District Court District of New Jersey. 24 July 2008. Web.

43 *Pietrylo v. Hillstone Restaurant*, United States District Court District of New Jersey.

44 *Pietrylo v. Hillstone Restaurant*, United States District Court District of New Jersey.

45 Engler and Tanoury, *Employers Use of Facebook in Recruiting*.

46 Strahilevitz, Lior J. "A Social Networks Theory of Privacy." *The University of Chicago Law Review* 72.3: 919-88. JSTOR. Web. Summer 2005.

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that understanding social networks will aid the courts in applying a more balanced standard of a reasonable expectation of privacy. Strahilevit agrees that state and appellate courts have been inconsistent in making this determination. "Jurisdictions cannot agree on a framework for resolving these kinds of cases. Hence, Georgia law holds that disclosing sensitive information to dozens of people, and perhaps even tens of thousands of strangers, does not necessarily render information 'public' for the purposes of the public disclosure of private facts tort, but Ohio law governing the same tort holds that a plaintiff's decision to share sensitive information with four coworkers eviscerates her expectation of privacy in that information."<sup>47</sup>

The key to resolving this type of discrepancy is to accept "the fact that an event is not wholly 'private' does not mean that an individual has no interest in limiting disclosure or dissemination of the information."<sup>48</sup> According to Strahilevit, "tort law can thus function as a form of social insurance: protecting those people who engaged in socially desirable sharing of personal information, but who had the misfortune to see those personal details disseminated to the general public without their consent."<sup>49</sup> In his analysis, Strahilevit proposes that a reasonable expectation of privacy can be determined based on "the possibility that the information will be disseminated to a number of people that exceeds the size of his social network."<sup>50</sup> On Facebook and MySpace, privacy features are often used to restrict access to a specific group of people. Therefore, they are an appropriate indication of with whom the individual would like his information to be shared, and the extent to which he would prefer it to be spread. In accordance with this assertion, any unauthorized access by an outside party to bypass a person's privacy settings would constitute a violation of their reasonable expectation of privacy. Strahilevit's proposal conforms to the research conducted by Boyd and Cambridge University's Computing Laboratory concluding that many users incorrectly believe that only select friends and family can access their information. Therefore, Strahilevit's solution can go a long way in resolving instances of cyberbullying, defamation, child predation, and employee discrimination on Facebook and MySpace. Although Strahilevit offers an effective resolution to many of the problems plaguing social networking websites such as Facebook and MySpace, it is unreasonable to expect a reinterpretation of privacy law to come from the Judicial Branch. Rather, it is the legislature that must become the innovator of new laws that govern privacy through this newborn medium. In doing so, they should heed the advice of scholars such as Strahilevit, and establish a system that clearly outlines how social networks are used to determine a person's reasonable expectation of privacy.

## **IX. Proposed resolution**

The argument furthered in this comment places emphasis on the need to correct privacy concerns facing the users of social networking websites such as MySpace and Facebook. It is evident that free market self-regulation of social networking websites denies individuals the privacy protection they deserve. As shown earlier, it is counter-intuitive for social networking websites to protect one's privacy because it adversely affects financial gain provided by the business of advertisers. Additionally, protecting social networking websites from any sort of regulatory responsibility through the application of Section 230 of the CDA, has produced multiple negative consequences including the emergence of "cyberbullying" and concerns over the potential for child molestation and employee discrimination.

Congress should take decisive action to combat these growing problems. One such solution may involve the passing of legislation that redefines a "reasonable expectation of privacy" on social networking websites. A more appropriate way to view privacy on social networking websites is advanced by J.D. candidate Matthew Hodge. In his comment, Hodge provides an analogy that accurately depicts how social networking websites should be regarded in light of privacy controls. By relating an individual's Facebook or MySpace account to a safety deposit box Hodge asserts:

In each case, a person rents a small area in a public facility to store effects or information. The vendors of these areas hold them out to be private, by giving the purchaser a tangible key, or in the case of cyberspace, through a password. In both the case of the safety deposit

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47 Strahilevitz, "A Social Networks Theory of Privacy" 921.

48 Strahilevitz, "A Social Networks Theory of Privacy" 923.

49 Strahilevitz, "A Social Networks Theory of Privacy" 927.

50 Strahilevitz, "A Social Networks Theory of Privacy" 974.

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box and storage area, the vendor/owner may have a legitimate business purpose to have access to the area, but it would not be one which a person would reasonably expect to occur. In both situations, this information, much like the profile with the protection of the extra settings, could be considered to be not in open view, and therefore, be the equivalent of a 'closed, opaque container.'<sup>51</sup>

Congress should take Mr. Hodge's assertion into consideration when passing several new Acts that would protect the privacy of personal information on social networking websites. After placing these Acts in effect, in order to ensure that this new perception of social networking privacy is respected, a regulatory agency should be installed to police the misuse of these websites. This agency would behave similarly to the FCC, which was similarly created in large part to keep up with the regulation of emerging technology. The United States can follow the lead of nations such as Australia<sup>52</sup> and Canada<sup>53</sup>, which have already established an Office of the Privacy Commissioner. This independent regulatory agency is obligated to "Determine how public bodies may collect, use and disclose personal information" and "set out how private organizations (including businesses, charities, associations and labour organizations) may collect, use and disclose personal information."<sup>54</sup> In fact, the Canadian office has already filed a case against Facebook that outlines its various privacy infractions.<sup>55</sup>

This comment has examined privacy on social networking websites largely from a legal perspective because it draws attention to important privacy concerns that require further clarification and interpretation. Historically, it typically takes an extended period of time for the law to catch up with new technology. Yet, the extraordinarily rapid growth of social networking websites such as Facebook and MySpace emphasize the perception that time is of the essence. Commonly, important legal issues are discussed in the lower courts extensively before the Supreme Court deems it necessary to provide further legal clarification. In this particular instance, however, an effective solution must swiftly come from the legislature. It is not hard to conceive that the current Supreme Court will have difficulty understanding the innovative technological capabilities of social networking on the Internet. The average age of the current Supreme Court is 68 years of age and on several occasions Justices have showcased their inability to stay up-to-date with current technology. This became especially apparent during oral arguments conducted on April 19th, 2010 for a case concerning text messaging.<sup>56</sup> At one point Chief Justice Roberts asked what the difference was "between email and a pager?"<sup>57</sup> Shortly thereafter, Justice Anthony Kennedy inquired as to what occurs when an incoming text arrives at a cell phone just as another is being sent. "Does it say: 'Your call is important to us, and we will get back to you?'"<sup>58</sup> At one point, Justice Scalia even asked whether texts are printed out in "hard copy."<sup>59</sup> The struggles the Supreme Court had in understanding the technological functions of cell phones highlights that it is unlikely the Court will understand the significance of addressing privacy on social networking websites in a prompt manner.

The Internet is evolving at a breathtaking pace. Its advancement has opened up new doorways through which the exchange of information can now flow. In deciding to create a profile on a social networking website such as Facebook or MySpace, an individual makes a conscious decision to share their personal information with others. However, this same individual does not expect this information to be guaranteed virtually no protection. It is improper to assert that privacy is rendered impotent the instant one establishes an account. Despite the difference in medium, citizens still deserve a right to certain protections. It is the duty of

51 Hodge, "The Fourth Amendment and Privacy Issues on the 'New' Internet: Facebook.com and MySpace.com" 119.

52 "Privacy Law." *Australian Government - Office of the Privacy Minister*. Web. <<http://www.privacy.gov.au/>>.

53 "About Us." *Office of the Privacy Commissioner of Canada*. Web. <[http://www.priv.gc.ca/index\\_e.cfm](http://www.priv.gc.ca/index_e.cfm)>.

54 *Office of the Privacy Commissioner of Canada*.

55 McNish, Jacquie. "Jennifer Stoddart Blazes a Global Trail for Privacy Protection." *Globe and Mail*. 27 Apr. 2010. Web. <<http://www.theglobeandmail.com/report-on-business/industry-news/the-law-page/jennifer-stoddart-blazes-a-global-trail-for-privacy-protection/article1548740/>>.

56 Frauenfelder, Mark. "Supreme Court Justices Ask Important Questions About Text Messaging and Email." *Boing Boing*. Happy Mutants LLC, 21 Apr. 2010. Web. <<http://www.boingboing.net/2010/04/21/supreme-court-justic.html>>.

57 Frauenfelder, "Supreme Court Justices Ask Important Questions About Text Messaging and Email."

58 Frauenfelder, "Supreme Court Justices Ask Important Questions About Text Messaging and Email."

59 Frauenfelder, "Supreme Court Justices Ask Important Questions About Text Messaging and Email."

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the U.S. government to ensure that these rights and liberties are protected even in the advent of technological development. Action must be taken to resolve the problems facing millions. If not, privacy in cyberspace runs the risk of becoming virtually extinct.

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## The Effect of Personality Styles (Level of Introversion- Extroversion) on Social Media Use

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### Abstract

*This research paper details a study of social network users personality style and their consequent social media use on the popular social networking site (SNS), Facebook. The self-reported level of extroversion amongst other personality traits served as the central delineation of personality style. The amount of social media usage was determined based on basic behaviors and motivations for using the site (e.g., time spent, purpose, etc.). The objective of this study was to determine if and how a relationship existed between Facebook use and personality type in that one personality type would use Facebook more often and for different reasons than the other, unrepresented personality type. The results indicated that heavy Facebook users, who spend more than two hours daily on the site, are seen by themselves and others as more outgoing and extroverted.*

### I. Introduction

The conceptualization of the Internet has been undeniable, affecting the way millions of people today communicate, interact and gather information.<sup>1</sup> People use the Internet to “send e-mail, check news, research, play games, download music or movies, keep in touch with family and friends, seek similar others, buy products, and engage in numerous other activities.”<sup>2</sup> Additionally, the Internet is used to conduct business, keep in touch with family and friends, seek emotional support, and search for romantic partners.<sup>3</sup> The Internet we know today has come about not in the form of a replacement for the real world, but rather as a part of it in our present society, and this is just the beginning. The ability of the Internet to touch almost every aspect of our life is likely to increase over the next few years.<sup>4</sup> This gives the Internet a great influence over the ability it has to shape our lives, now and for generations to come.

\* **Keywords:** Social Networking Sites, Social Media Use, Personality style: introversion/ extroversion, Behaviors/ motivations for Social Networking

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1 Tel Amiel and Stephanie Lee Sargent, “Individual Differences in Internet Usage Motives,” *Computers in Human Behavior* 20 (2004): 712.

2 Vikanda Pornsakulvanich and Paul M. Haridakis, “The Influence of Dispositions and Internet-use Motivation on Online Communication Satisfaction and Relationship Closeness,” (Paper presented at the annual meeting of the NCA 93rd Annual Convention, Chicago, IL, January 24, 2010), 2.

3 Ibid.

4 Hamburger, “Internet and Personality,” 2.

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With the advent of a new form of communication comes both positive and negative feedback. The Internet has been said to have created a new, different approach towards interpersonal interaction improving individuals' lives, while it has also been said to have eroded psychological well-being (by increasing loneliness and depression), weaken real-world ties and reduce any sense of community involvement.<sup>5</sup> No matter how important the advantages or disadvantages of this new form of communication, it is still a fact that 80 percent of U.S. adults go online, whether at home, work or elsewhere.<sup>6</sup> There are different types of Internet use, including non-interpersonal communication use (e.g., entertainment) and interpersonal communication use (e.g., email and social media use). Of those Internet users, the average user spends 13 hours per week online.<sup>7</sup> Of these 13 hours, the average user around the world spent more than five and a half hours on social networks in December 2009, up 200 percent from the same month in 2008.<sup>8</sup>

Social networks are defined as "web-based services that allow individuals to (1) construct a public or semi-public profile within a bounded system, (2) articulate a list of other users with whom they share a connection, and (3) view and traverse their list of connections and those made by others within the system."<sup>9</sup> Social networks offer users to become part of a network of online friends that allows them to keep in touch with current friends, reconnect with old friends and/or create real-life friendships by joining groups/ forums of those who share similar interests.<sup>10</sup> Additionally, some social network sites (SNS) offer users the opportunities to find a job or establish business contacts.<sup>11</sup> Most SNS also offer further features. In addition to blogs and forums, users can express themselves by designing their profile page to reflect their individual personality.<sup>12</sup> For these reasons and more, 110 million Americans, or 60 percent of the online population, use social networks.<sup>13</sup> Among all sites and applications on the Internet, social networks and blogs proved to be the most popular, followed by online games and instant messaging.<sup>14</sup> The average social networker visits a social site five days a week and checks in about four times daily for a total of an hour each day.<sup>15</sup>

"Boasting 206.9 million users in December, 2009 [now more than 400 million as of April, 2010], Facebook was the top SNS, according to Nielsen Media Research, grabbing 67 percent of social networking users throughout the world," according to Lance Whitney.<sup>16</sup> Founded in 2004, Facebook is a social networking site (SNS), which provides users with a platform to create a personal profile page, add 'friends', and send messages. "The average Facebook user is more likely to be married (40 percent), Caucasian (80 percent) and retired (6 percent) than users of the other social networks. They have the second-highest average income of other SNS, at \$61,000, and an average of 121-130 connections."<sup>17</sup>

One statistic that is left out here is the average Facebook user's personality style and consequent motivation for choosing to communicate in this way and on this particular SNS, Facebook, specifically. Not much research has been conducted in this area. The little that has proved inconsequential evidence or evidence that includes other extraneous variables. The current researcher is interested in answering the following questions:

5 Ibid.

6 Lance Whitney, "Average Net User Now Online 13 Hours Per Week," *Cnet news Online*, December 23, 2009, [http://news.cnet.com/8301-1023\\_3-10421016-93.html](http://news.cnet.com/8301-1023_3-10421016-93.html) (February 28, 2010).

7 Whitney, "Average Net User Now Online 13 Hours Per Week."

8 Lance Whitney, "Twitter, Facebook Use Up 82 Percent," *Cnet news Online*, February 22, 2010, [http://news.cnet.com/8301-1023\\_3-10457480-93.html?tag=mncol;posts](http://news.cnet.com/8301-1023_3-10457480-93.html?tag=mncol;posts) (February 28, 2010).

9 danah m. boyd and Nicole B. Ellison, "Social Network Sites: Definition, History, and Scholarship." *Journal of Computer-Mediated Communication* 13 (2007).

10 "Social Networking Websites Review," *Top Ten Reviews*, <http://social-networking-websites-review.toptenreviews.com/> (March 20, 2010).

11 Ibid.

12 Ibid.

13 "What Social Networks Reveal About the User," *Advertising Age*, July 8, 2009, <http://www.lookingfit.com/articles/what-social-networks-reveal-about-the-user.html> (March 29, 2010).

14 Whitney, "Twitter, Facebook Use Up 82 Percent."

15 "What Social Networks Reveal About the User."

16 Whitney, "Twitter, Facebook Use Up 82 Percent."

17 What Social Networks Reveal About the User."; "Facebook Statistics."

- R1: What personality characteristics does the average Facebook user possess?
- R2: Does his or her amount of personal use differ due to their personality?
- R3: Is the typical Facebook user extroverted or introverted?
- R4: What is his or her main purpose and motivation in maintaining membership on Facebook?

In attempting to answer these questions, past researchers have looked to behavior motivations, most specifically, personality traits that cause and influence our actions online. This is because personality traits influence peoples' motivation and behavior during social interaction, both online and offline.<sup>18</sup> This study will delve more into this area and seek to understand why and how individuals' personality traits, mainly the level of extroversion, affect one's social media use (primarily Facebook).

## II. Literature Review

A great deal of past research has sought to find out the many ways that personality may affect individuals' media use patterns, particularly on the Internet or online.<sup>19</sup> This is because people are different in their social and psychological circumstances, which may affect how and why they use the differing forms of media to fulfill their personal needs.<sup>20</sup> These personality characteristics rely on several models differing between three and five total dimensions accepted as the universal, comprehensive elements of human personality including extroversion, neuroticism, openness, agreeableness, and conscientiousness.<sup>21</sup> It is important to note that the expression of one personality factor may depend on where an individual stands on another factor, which suggests that personality characteristics interact to shape ones online behavior.<sup>22</sup> It is widely known that exposure to specific online media outlets is expectedly associated with an individuals' personality characteristics, inclusive of many background variables that can contribute to why individuals chose to interact online, "such as loneliness, unwillingness to communicate, psychological variables such as locus of control and need for cognition, and personality or temperament factors including need for activation, shyness, sensation seeking, task orientation, and tendency to approach or withdrawal from new stimuli."<sup>23</sup>

For the purpose of this study, the level of the extroversion personality trait has the greatest effect on an individual's online social media outlet tendencies. This is because extroversion relates to an individuals' ability to engage with the environment.<sup>24</sup> Sociability, social contact and a preference for companionship are likely to be pursued by those high in extroversion.<sup>25</sup> Those high in this trait, accordingly, tend to be lively, assertive, active, carefree, outgoing and enjoy surrounding themselves with others mainly, while those lower in the extroversion trait are more likely to be shy, introspective and less likely to seek external social stimulation.<sup>26</sup> The extrovert also desires excitement, takes risks and acts impulsively at times, while the introvert is a quiet, reflective person who prefers time alone, does not crave excitement and can be seen as distant by others at times.<sup>27</sup>

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18 Katelyn Y.A. McKenna and John A. Bargh, "Plan 9 From Cyberspace: The Implications of the Internet for Personality and Social Psychology," *Personality and Social Psychology Review* 4 (2000): 63.

19 Alice Hall, "Audience Personality and the Selection of Media and Media Genres," *Media Psychology* 7 (2005): 368.

20 Pornsakulvanich and Haridakis, "The Influence of Dispositions and Internet-Use Motivation," 2.

21 Leman Pinar Tosun and Timo Lajunen, "Does Internet Use Reflect Your Personality? Relationship Between Eysenck's Personality Dimensions and Internet Use," *Computers in Human Behavior* 26 (2010): 162; Hall, "Audience Personality," 378.

22 Hall, "Audience Personality," 382.

23 Ibid., 378.

24 Amiel and Sargent, "Individual Differences in Internet Usage Motives," 713.

25 Hall, "Audience Personality," 370.

26 Ibid., 380; Hamburger, "Internet and Personality," 6; Amiel and Sargent, "Individual Differences in Internet Usage Motives," 713; Tosun and Lajunen, "Does Internet Use Reflect Your Personality?," 162.

27 Hall, "Audience Personality," 382.

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Research has noted that extroverts experience more successful social interactions online than introverts.<sup>28</sup> Thus, it would seem that extroverts use social media more often because of their success. The statistic found by Myers-Briggs researchers only supports this idea in saying that extroverts use social media more often, because it is hypothesized that roughly two-thirds of any population is composed of extroverts, with the remaining one-third introverts.<sup>29</sup> It would then make sense that because the general population is made up mostly of extroverts, that extroverts would be heavier users on SNS than introverts. Specifically, the online environment is a place where individuals (both extroverts and introverts) can maintain existing relationships with one another and/or solidify offline contacts.<sup>30</sup>

Similarly, extroversion was positively related to online use for supplementing the relationships previously established in face-to-face relationships.<sup>31</sup> This phenomenon, also known as the social enhancement hypothesis, states that extroverted and outgoing individuals are motivated to add online contacts to their already large network of offline friends.<sup>32</sup> These results are important because they show that personality is a highly relevant factor in determining online behavior.<sup>33</sup> However, social media use, particularly for purposes of interacting with others, may be higher among those who rank lower in extroversion for the following reasons.<sup>34</sup>

Research has found that introverts are quite successful in social interactions online, find it easier to express themselves online and, in turn, oftentimes prefer it.<sup>35</sup> This is because introverts feel a need to control the amount of social interaction they subject themselves to and the online world is a place where they have this ability.<sup>36</sup> Facebook has been described as the “ultimate communication platform for people who are more introverted because they can be connected with their own world online and be by themselves at the same time.”<sup>37</sup> It has been said that Facebook offers introverts the opportunity and comfort to prescreen their friends as they choose and present themselves in the way that they choose.<sup>38</sup> In other words, Facebook offers introverts a painless, promising alternative to face-to-face interactions.

Researchers also note that introverts may be drawn to the Internet for the social interactions lacking in their offline or ‘real’ lives.<sup>39</sup> In doing so, these introverts may adopt a more extroverted character online.<sup>40</sup> “Introverts are able to construct and reconstruct their identity in numerous ways on the Internet—something not possible for the average individual offline.”<sup>41</sup> Consequently, it has been said that people, both introverts and extroverts, may have changed their personality in the process of social interaction online. Compared to

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28 Xun Liu and Robert Larose, “Does Using the Internet Make People More Satisfied With Their Lives?” (Paper presented at the annual meeting of the International Communication Association, Dresden, Germany, May 25, 2009), 6.

29 Anne Baxter, “Are Social Networking Websites Better for Introverts or Extroverts?,” *Associated Content*, February 12, 2009, [http://www.associatedcontent.com/article/1453268/are\\_social\\_networking\\_websites\\_better.html?cat=9](http://www.associatedcontent.com/article/1453268/are_social_networking_websites_better.html?cat=9) (March 29, 2010).

30 danah m. boyd, and Nicole B. Ellison, “Social Network Sites: Definition, History, and Scholarship,” *Journal of Computer-Mediated Communication* 13 (2007).

31 Tosun and Lajunen, “Does Internet Use Reflect Your Personality,” 163.

32 Jolene Zywicki and James Danowski, “The Faces of Facebookers: Investigating Social Enhancement and Social Compensation Hypotheses; Predicting Facebook and Offline Popularity from Sociability and Self-Esteem, and Mapping the Meanings of Popularity with Semantic Networks,” *Journal of Computer-Mediated Communication* 14 (2008): 5.

33 Hamburger, “Internet and Personality,” 6.

34 Liu and Larose, “Are You a Different Person Online,” 11.

35 Ibid.

36 Baxter, “Are Social Networking Websites Better.”

37 Barclay, “Is Social Networking an Introverted or Extroverted Activity,” *Introvert Retreat*, May 20, 2009, <http://www.introvertretreat.com/?p=195> (February 27, 2010).

38 Baxter, “Are Social Networking Websites Better.”

39 Liu and Larose, “Are You a Different Person Online,” 9.

40 Ibid.

41 Ibid., 7.



their behavior in real life, some Internet users behave differently while they are online.<sup>42</sup> In other words, they are using a different or more perfected 'version' of their personality while online, which is something that cannot be done offline.

Furthermore, the level of extroversion may influence media use in that extroverts and introverts will differ in viewing the Internet as either an extension or a substitute for social interaction, respectively.<sup>43</sup> Introverts may be more likely than extroverted individuals to use the media as a replacement or alternative for interpersonal face-to-face interaction, past research has shown.<sup>44</sup> Research has been found demonstrating that those who have difficulties in face-to-face interactions or who are communication-avoidant may also communicate better and prefer online interactions more than in person.<sup>45</sup> This is due to a slew of advantages of the Internet including "anonymity, control over self-presentation, intense and intimate self-disclosure, less perceived social risk, and less social responsibility."<sup>46</sup>

This also suggests that a higher level of extroversion can be negatively related to those media outlets that serve more so as a substitute for interpersonal interaction.<sup>47</sup> This is known as the social compensation hypothesis, which demonstrates that "introverts and socially anxious individuals, having difficulty developing friendships, are more likely to use the Internet because they substitute online contacts for an undesirable offline social network."<sup>48</sup> However, the Internet allows the introverts positive relationships to take a new form because they are able to participate in more sociable activities that are missing in their daily offline lives with others.<sup>49</sup> The Internet is an appealing and accessible alternative of gratifying the desires for socializing that the introvert does have.

The Internet fulfills the desires for communication and interpersonal interaction for both the typical introvert and extrovert. Both personality styles are drawn towards the Internet and towards online communication, but for different reasons. Individuals' tendencies to use a particular communication medium to fulfill their needs are shaped by the alternatives they have available, explained more by the Uses and Gratifications theory.

#### *Uses and Gratifications Theory:*

The uses and gratifications approach has been used to give great insight into why individuals chose the various media outlets that they do and why they interact with others the way they do.<sup>50</sup> The uses and gratifications theory explains media exposure that has been applied to a wide range of conventional mass media as well as interpersonal communication and now, to the Internet.<sup>51</sup> This theory demonstrates that "individuals have unique sets of psychological and social needs as well as specific expectations relating to how a particular media outlet can fulfill those needs."<sup>52</sup> These exact needs and expectations of individuals contribute to the reasons behind why certain individuals chose to participate in different media outlets.<sup>53</sup> Researchers found eight reasons or gratification factors for Internet use including: "to keep informed, diversion and entertainment, peer identity, good feelings, communication, sights and sounds, career, and 'coolness.'"<sup>54</sup>

The uses and gratifications theory believes that "individuals are active, goal-directed, and motivated

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42 Ibid., 2.

43 Amiel and Sargent, "Individual Differences in Internet Usage Motives," 715.

44 McKenna and Bargh, "Plan 9 From Cyberspace," 63; Hall, "Audience Personality," 378.

45 Tosun and Lajunen, "Does Internet Use Reflect Your Personality," 163; Pornsakulvanich and Haridakis, "The Influence of Dispositions and Internet-use Motivation," 2.

46 Liu and Larose, "Are You a Different Person Online," 2.

47 Hall, "Audience Personality," 380.

48 Zywicki and Danowski, "The Faces of Facebookers," 5.

49 Liu and Larose, "Are You a Different Person Online," 9.

50 Hall, "Audience Personality," 377.

51 Robert Larose, Dana Mastro and Matthew S. Eastin, "Understanding Internet Usage: A Social- Cognitive Approach to Uses and Gratifications." *Social Science Computer Review* 19 (2001): 397.

52 Hall, "Audience Personality," 377.

53 Ibid.

54 Larose, Mastro, and Eastin "Understanding Internet Usage," 399.

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in selecting their media for consumption.”<sup>55</sup> In other words, mass media is purposeful and targeted.<sup>56</sup> Additionally, “people select and use the appropriate channels of communication to gratify their needs and wants.”<sup>57</sup> Specifically, much initiative in linking need gratification and media choice lies with the individual.<sup>58</sup> The uses and gratifications theory offers that “different people have diverse communication behaviors, which are based upon social and psychological factors.”<sup>59</sup>

Accordingly, “social and psychological situations influence how well and appropriately media can serve and satisfy people’s needs and wants.”<sup>60</sup> This is applicable to the personality styles mentioned above because people are goal-oriented in their preferences for communication channels; thus, people chose to use certain communication channels over others.<sup>61</sup> It is widely known that media compete with other sources of need satisfaction.<sup>62</sup> Accordingly, people use the Internet for gratification of their needs for which they have difficulty “completing through their other communication” techniques (especially face-to-face interactions).<sup>63</sup>

By directly applying these assumptions to mass media in terms of social media outlets (such as Facebook), a few customized observations can be made. First, the average user is active, as the individual has willingly created an account and holds a membership on the site. Next, the user chose Facebook as a means to fulfill their wants and needs over the many other possible media outlets. Essentially, the Facebook user came to the site for a unique purpose that the other social media outlets could not provide. Thirdly, methodologically speaking, many of the goals of media use are supplied directly from self-report data provided by audience users themselves.<sup>64</sup> The uses and gratifications theory simply represents an attempt to explain why individuals chose certain media outlets among other resources and alternatives in their environment, to satisfy their needs and to achieve their interpersonal communications goals.<sup>65</sup>

Social networking encompasses a certain media outlet that is broadly targeted to all individuals who want to interact and be involved in interpersonal relationships. Thus, social networking cannot be more equip or more satisfying for any certain personality type because it is human nature to want to be involved in many relationships in ones lifetime. What differs is the amount of time spent on these SNS and what the users motivations are. SNS are seen as the “middle ground” between introverted and extroverted activities, because “it provides introverts an opportunity to network with others, on a business or personal level, while remaining in their own comfortable world, while, simultaneously allowing extroverts the ability to stay connected with the outside world at times when they would otherwise be alone.”<sup>66</sup>

Though research in the area of personality and online media preferences has been limited, past studies have attempted to understand the relationship between the two. Because online media, most specifically, the relationships in this form of media and interpersonal communication is such an area that is untouched, researchers have to use results from traditional media. These encouraging results in prompt the overarching question to be addressed in this study, which is: why and how do individuals’ personality traits, mainly the level of extroversion, affect their social media (primarily Facebook) use.

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55 Pornsakulvanich and Haridakis, “The Influence of Dispositions and Internet-use Motivation,” 2.

56 Elihu Katz, Jay G. Blumler, Michael Gurevitch, “Uses and Gratifications Research.” *The Public Opinion Quarterly* 37 (1974): 510.

57 Pornsakulvanich and Haridakis, “The Influence of Dispositions and Internet-use Motivation,” 2.

58 Katz, Blumler and Gurevitch, “Uses and Gratifications Research,” 512.

59 Pornsakulvanich and Haridakis, “The Influence of Dispositions and Internet-use Motivation,” 2.

60 Ibid.

61 Tosun and Lajunen, “Does Internet Use Reflect Your Personality,” 163.

62 Katz, Blumler and Gurevitch, “Uses and Gratifications Research,” 512.

63 Tosun and Lajunen, “Does Internet Use Reflect Your Personality,” 164.

64 Katz, Blumler and Gurevitch, “Uses and Gratifications Research,” 512.

65 Ibid.

66 Ibid.

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### III. Method

To address this question, journals, online articles and papers presented at conferences comprised the secondary research for the current study. Because Internet use and personality is somewhat of an untouched market, some primary sources that could have been used in the research were not available. From there, an analysis of the past studies and results and hypotheses and research questions were framed. Then, a survey was formulated based on a set of mainly close-ended questions investigating individual social media use and personality style. Past research shows that a survey of an undergraduate student sample is a relevant and significant group, because college students fit the demographic of most social network site users (mainly Facebook).

The survey was conducted using the Survey Monkey host where users can create their own web-based surveys ([www.surveymonkey.com](http://www.surveymonkey.com)). To maximize the potential for a large quantity of participants, Facebook itself was used for maximum, quick, and fast exposure, where the researcher created an 'event' which included a brief description of the research and a link to take the survey. The researcher invited all of her 'friends' on her Elon Facebook network. Additionally, the researcher sent out a similar brief description and link to her spring semester courses and organizations. Because the researcher is female, the organizations were more targeted towards females (e.g. sorority and volunteer organizations), thus, skewing the population size, which primarily consisted of females. The participant's results were analyzed based on their anonymous survey responses.

The survey consisted of 10 questions, including three major sections: (1) Facebook Use, (2) Personality Type, and (3) Demographics [See Appendix A]. In the first section, participants answered questions about their daily Facebook use, main purpose in using Facebook as often or seldom as they do, and how often they change their content on their Facebook profile. The second section consisted of questions ranking from strongly disagree to agree about their preference for Facebook versus offline interaction, their communications successfulness and sincerity on Facebook versus offline, and their Facebook use as a way to be a different person or the person they are not in the 'real world'. Additionally, participants answered questions placing themselves into introvert or extrovert categories based on their own self-perception and outsiders' perceptions of themselves. The third section of the survey consisted of close-ended demographic questions that participants answered regarding their year in school (e.g. freshman, sophomore, etc.) and gender. In the first two sections (Facebook Use and Personality Type), I included an optional open-ended question 'Why?' so that I could receive personal feedback from participants in their own words.

### IV. Findings

The goal of the current study was to see if a valid relationship existed between Facebook use and personality types in that one personality type (for example the typical introvert) would use Facebook more often and for different reasons than the other personality type (the typical extrovert). Each section of the survey provided the participant the opportunity to honestly and openly express his or her behavior, perception and give specific rationale for why they feel they way they do.

#### *Demographics/ Participants:*

Participants were college students enrolled at Elon University in North Carolina consisting of 4,995 undergraduate students; 59% female, 41% male.<sup>67</sup> A total of 405 subjects participated in this study. Out of the total number of participants: 77.4% were female and 22.6% were male. For year in college, 19.9% were freshman, 25.0% were sophomores, 21.8% were juniors, and 33.2% were seniors.

#### *Facebook Use:*

In answering the question, "How much time do you spend on Facebook daily?" most participants (31.6%) answered between 30 and 60 minutes, while 25.2% answered less than 30 minutes, followed by 22.6% for 60-90 minutes, 9.2% for 90-120 minutes, and 11.4% for more than 120 minutes. This is meaning-

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<sup>67</sup> "About Elon University," 2010, [http://www.elon.edu/e-web/visit/about\\_elon.xhtml](http://www.elon.edu/e-web/visit/about_elon.xhtml) (March 3, 2010).

ful because close to 50% stated that they spend 60 minutes or less a day on Facebook. Those that used it for 60 minutes or less answered the optional open-ended question of 'Why?' by stating that they are too busy and have more important uses for their time than Facebook, it is uninteresting to them, and they only check it when they get an email notification. A very light user even mentioned, "it makes me sad that so many of my peers waste so much of their lives on Facebook."

Then, there is the other extreme that spends more than 120 minutes on Facebook. These individuals use Facebook for many reasons including: out of habit, procrastination, distraction (during classes, spare and homework time), boredom, entertainment, and to be social (especially with friends not close in proximity: home, studying abroad, etc.). These heavy users noted that they sign on to Facebook every time they are on their computer and often just keep it up and open. They state that Facebook is "addicting" but also a "mindless way to unwind."

It was interesting to note that both those students that use Facebook often and seldom state busyness as an important factor. Light users do not use Facebook because they do not have time, while heavy users say that Facebook is a great alternative to not having to spend an hour on the phone calling others when they can keep up and catch up with friends on Facebook. Facebook is a main source of communication for some heavy users because they note that Facebook is easier than email because people get on Facebook more often than they check their email.

In answering the question, "What is your main purpose of using Facebook this often?" most participants (59.0%) chose time-passing entertainment, while 7.3% chose information, 0.2% chose relationship development, 33.0% chose relationship maintenance, and 0.5% chose trend-following. This shows that the entertainment factor is the most common motivation for being on Facebook. Ranking second is relationship maintenance, which factors in maintaining relationships and wanting to stay in touch with people.

In this explanation of 'Why,' participants mentioned that they wanted to rank both time-passing entertainment and relationship maintenance first but they could not choose both so they gave their reasons why they chose one over the other. One participant noted, "I don't need Facebook to build relationships ... however, Facebook is a way to distract myself from harder, more difficult aspects of life." I found this interesting, as it seems this particular user uses Facebook as an escape or alternative to communicating in the other ways, which aligns with past research. Others that ranked Facebook use as a time-passing alternative said that, "If I have a lot of work to do, I try to use Facebook as motivation. I'll tell myself I'm allowed to check Facebook after I get an hour's worth of work done."

It was interesting to note that those participants that mentioned they had studied abroad ranked relationship maintenance higher than time-passing entertainment because they saw Facebook as more beneficial for this factor than the other. Participants noted that Facebook is a great way to communicate with those who he/she values the most: his/ her friends and family. They note, "If someone has impacted me, I want to maintain that friendship." Also, those that ranked relationship maintenance higher than time-passing entertainment showed how great and effective Facebook is at connecting with people not close in proximity. Participants stated, "Besides texting, Facebook is the second way I can get in touch with people."

For the question asked, "How often do you change the content and/ or features of your Facebook profile (e.g. update your status)?" most participants (43%) said that they change their personal content sometimes/ almost weekly, while 9.5% make changes often/ almost daily, 31.6% rarely/ almost monthly, 15.5% never/ almost yearly, and 0.5% do not know how often they change features of their Facebook profile. In answering 'Why,' those participants that changed their content often mentioned that they like to let others know what they are doing, especially if it is something important or worthwhile in sharing (events, travelling, music lyrics, quotes, etc.). Those that rarely change their content say, "It's not everyone's business what I'm doing all the time!" and show their dislike when others change their status in saying, "I hate when people think that I care what they are doing for every second of their day because I do not care if and when they are showering, shopping, etc." They also mention that status updates are what Twitter is for.

### *Personality Type:*

This section used three Likert scale questions ranging from strongly disagree to strongly agree as well as two questions asking about self and outsiders' perceptions of personality. In answering the question, "Do you agree or disagree with the following statement: Sometimes, I enjoy Facebook (and online) interactions more so than face-to-face interactions (offline)," most participants (39.7%) noted that they disagree with

the statement, while 26.4% noted that they strongly disagree, 17.5% were undecided or neutral, 14.6% noted that they agree, and 1.6% noted that they strongly agree. Past research shows that Facebook interactions are well suited for those who are introverted so this is what the current researcher expected. The current study brought about interesting results. Almost 60% showed that they disagreed or strongly disagreed with the idea that they sometimes enjoy Facebook interaction more so than face-to-face interactions. These participants mentioned that they prefer face-to-face interactions because “they are more rewarding” and “online interactions mean nothing.” They stated that “nothing is substitute” for face-to-face interactions which are more sincere, worthwhile, entertaining, and the stage where you make meaningful memories.

There were also participants that voted undecided and/or neutral because they mentioned that they like both types of interactions with different people: “face-to-face with better friends, online/ on Facebook with random people.” Other participants mentioned busyness once again stating that because they are busy college students; “Facebook is sometimes the best I can do to connect with people.” One participant mentioned, “I’d rather interact with people face-to-face, but when that isn’t possible due to time, distance, etc. Facebook is a more valid option.”

Those that voted undecided to strongly agree mentioned interesting and different reasons in why they voted this particular way. Participants noted that sometimes communication on Facebook is easier, more convenient, less stressful, and less awkward (especially with people you do not know as well such as people you are in classes with and not necessarily friends with). A participant honestly stated that there are “some occasions when the digital wall lets me overcome shyness to jump-start a conversation that I wouldn’t in person.” Another participant mentioned that “there are a few people I converse with online only.” For those that have a difficult time in interpersonal interactions or are intimidated, Facebook is beneficial because they have more time to think online; a participant noted their “slow processor,” and another mentioned their anxiety disorder, which predisposes them towards preferring online interactions more than face-to-face.

There could be a self-report bias involved in answering this question because multiple participants mentioned that they sometimes enjoy Facebook interactions more so than face-to-face. This is known because these participants mentioned the easiness and convenience in their answer to ‘Why’, but then disagreed in the actual question because they didn’t want to or were too embarrassed to admit the truth.

To answer the question, “I feel I communicate and represent myself better on Facebook (online) than offline (face-to-face) with others,” most participants (49.1%) noted that they disagree with the statement, while 30.8% noted that they strongly disagree, 12.8% were undecided or neutral, 5.5% noted that they agree, and 1.8% noted that they strongly agree. For the communication aspect of the question, there were those who stated that they communicate much better in person than online because of the non-verbal cues, tone, etc. that only occur in face-to-face interactions. These participants mentioned that “words can be misconceived and/ or interpreted in many different ways.”

Those who agreed with the statement stated that they have an easier time communicating on Facebook in that “I have time to compose my thoughts before sharing them, unlike in face-to-face conversations.” They also agreed that they represent themselves better online because online interactions are more truthful because they actually type out their words versus saying them without realizing what they are saying. One participant stated, “Sometimes my status shows how I’m feeling when normally, I wouldn’t tell anyone face-to-face.”

For those that disagree with the second half of the statement in that they represent themselves better in person than online, “because it is more complex and meaningful.” Additionally, conflicting with above response, a participant noted people are better represented in person because “a lot of times people put up inaccurate information on Facebook.” Another participant believes, “I’d say my Facebook profile is a really accurate representation of myself,” disagreeing that they represent themselves better in person.

On the other hand, there are those that agree with the idea that they represent themselves better online than in person. One participant mentioned they represent themselves better online, “because I have time to change myself on Facebook and can think about what I want to have known about me.” Another participant noted, “I may present myself better because I can think about what is on my Facebook page, but it doesn’t necessarily represent me at all. It represents the perfect, ideal me.” Thus, conflicting results come about in answering this question because some participants feel they communicate and represent themselves in a more positive light while others do not feel this way.

The question stating “I use the Internet and the online world to become the person I’m not offline or in

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the 'real world'." produced interesting results in that 68.9% of respondents noted that they strongly disagree with the statement, while 24.8% noted that they disagree, 3.9% were undecided or neutral, 1.6% noted that they agree, and 0.8% noted that they strongly agree. This question brought back the strongest results with almost 70% answering in one way. The participants that answered strongly disagree voiced that they are the same person both online and offline. They mentioned, "I wouldn't want to be two people ... that would be exhausting." Another mentioned, "Because I like who I am; I don't feel any need to be who I'm not while online."

Those that answered strongly agree felt as though they can be "more of myself and/or who they want to be online"; in other words, they can be two different people. One participant even noted that online, they can be who they want to be in that "I am whoever people need me to be (funny, witty, intelligent) online, while offline I am myself." Another participant noted their admiration more so of the person they are online in that "I look perfect on Facebook. I am not perfect in real life (offline), but I would never post my flaws."

Self-report bias might come into play in this question as well because participants rated that they strongly disagreed with the statement, but then had conflicting rationale in their answer to the 'Why' portion of the question. For example, one participant rated that they strongly disagreed with the idea but then in their rationale they stated, "in some ways, yes, but overall, no." Thus, they do not actually disagree with the statement because they voice that at sometimes the online world is used as an escape or outlet to express a different side of oneself. Additionally, there are individuals that report that for the most part, they are the same person online as they are offline, when, in actuality, researchers know this cannot be true. Thus, there were participants who were torn and answered that they strongly disagreed but in their rationale voiced their truthful answer: "Although I would like to strongly disagree with this statement, I think that it is idealistic and maybe even unattainable to be the exact same person both online and offline. Online and offline behavior are simply different, and it would be impossible to act the same in both of these scenarios." Additionally, one participant voted that they strongly disagreed with the statement but consequently mentioned, "People say I talk differently online than in person. Also, I know that I am a shy person, but online I am more outgoing and step out my shell."

The remaining questions had to do with individual perceptions from the participant and of what they believe others would classify them as, whether more introverted or extroverted. In answering the question, "Which of the following statements do you most identify with?" most participants (37.6%) noted that they are mostly outgoing and enjoy using Facebook as an outlet to fulfill their desire for continuous interpersonal engagement, while 1.6% noted that they are shy but enjoy using Facebook because they are in control of their interactions with others, 8.4% noted that they are somewhat shy and sometimes enjoy using Facebook as an alternative for face-to-face interactions, 25.6% noted that they are neither shy nor outgoing and enjoy using Facebook both as an alternative and a supplement for face-to-face interactions, and 26.9% noted, "I am very outgoing and enjoy using Facebook to add to my offline (face-to-face) interactions."

Of those who answered the 'Why' portion of this question, they stated that for them, "Facebook is really useful in communicating with those people that I would not be outgoing enough to contact in person or that I simply don't have regular contact with in person." For those who self-reported that they were outgoing and/or extroverted, they said that they don't use Facebook to fulfill any desires; but mainly "just use it to keep in touch with people who are too far away to see regularly." Even for those who self-reported that they were shy agreed noting, "I feel I'm not very outgoing, but I use Facebook as a supplement ... not as an alternative." Thus, both introverts and extroverts noticed that they don't use or don't want to use Facebook as an alternative but an extension.

To answer the question of "Others would describe me as ...," most participants (41.5%) believed they'd be described as someone who is talkative and seeks external face-to-face interactions oftentimes, while 2.6% believed they are someone who is reserved and enjoys being alone most of the time, 3.1% believed they are someone who sometimes seems distant and inhibited in face-to-face interactions, 32.9% believed they are someone who is neither shy nor outgoing but enjoyable to be around in face-to-face interactions, and 19.8% believed they are someone who is very outgoing and enjoys being always surrounded by others.

For those who self-reported that they were seen by others to be more of an introvert, they duly noted that they still enjoy face-to-face interactions. Additionally, one participant noted, "I'm shy and enjoy the time I have being by myself ... it's quiet." Another participant stated, "Being around people is a good way for me to relieve stress, but I do like being alone oftentimes." There were also those that coined themselves extroverts as one participant mentioned that they love spending time with friends and being social but mentioned, "I

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definitely need alone time to re-coup.”

## V. Discussion

From these findings, I decided to filter the responses of the lightest Facebook users to the heaviest Facebook users and see if their self-perceptions and others' perceptions of their personality styles delineated at all.

For the lightest Facebook users (those that spend less than 30 minutes daily), 31.7% self reported that they are very outgoing, while 2.0% described themselves as shy, 6.9% described themselves as somewhat shy, 30.7% described themselves as neither shy nor outgoing, and 28.7% described themselves as mostly outgoing (Table 1 in Appendix B). For the heaviest Facebook users (those that spend more than 120 minutes daily), 33.3% self reported that they were very outgoing, while 4.8% described themselves as shy, 11.9% described themselves as somewhat shy, 21.4% described themselves as neither shy nor outgoing, and 28.6% described themselves as mostly outgoing (Table 2 in Appendix B). This is important because those that used Facebook the most often self-reported themselves as the most outgoing and extroverted factor while those that use Facebook the least often were seen as the middle factor between shy and outgoing. In comparison of the heavy to light Facebook users, it is interesting to note that heavier users rank themselves more outgoing and extroverted than the lighter users. This is a result that was suspected but not proved through past research.

The lightest Facebook users were perceived by others to be mainly someone who is neither shy nor outgoing with 38.6%, while 4.0% were described as reserved, 3.0% were described as distant in face-to-face interactions, 34.7% were described as talkative, and 19.8% were described as very outgoing (Table 3 in Appendix B). The heaviest users were perceived by others to be mainly someone who is talkative and seeks face-to-face interactions with 35.7%, while 0.0% were described as reserved, 7.1% were described as distant in face-to-face interactions, 31.0% were described as neither shy nor outgoing, and 26.2% were described as very outgoing (Table 4 in Appendix B). This is important because those that used Facebook the most often were perceived by others to be more outgoing and extroverted ranking on the 4th most outgoing factor (talkative and interaction seeking), while those that use Facebook the least often were seen by others as those that placed on the middle factor between shy and outgoing again (similar to their self-reported perceived personality type). In comparison of the heavy to light Facebook users, it is interesting to note that heavier users are ranked by others as more outgoing and extroverted than the lighter users. Again, this is a result that was suspected but not proved through past research.

Thus, the current researchers findings conclude that it is applicable to say that those who use Facebook more often or heavily are recognized as more outgoing or more extroverted. This is important because past research has delineated how and why introverts would be more heavy users of Facebook for many reasons in that they seek to be a different person online and a comfort factor is found online and in online interactions. A great deal of past research has attempted to make this assumption come to life stating that introverts would be heavier users of Facebook because of the alternatives it offers to face-to-face communication. However, current research has found that Facebook and SNS, in general, offer the extrovert an outlet and a new platform for which they can interact with others at times that they would not be able to and would otherwise be alone.

## VI. Conclusion

This study took a critical look at the impact and affect of personality type, specifically extroversion, on social media, specifically Facebook, use. As of now, the only conclusive data that was found through the current study is that heavier users of Facebook tend to be more extroverted individuals. This is because these extroverts constantly seek interaction with others and the internet, specifically SNS, offers extroverts the ability and platform for which they can maintain and also create relationships with others both in their offline world and those that are not yet a part of their online world. In other words, the Internet is an extension to the extroverts' interaction with the outside world. Although it seems as if SNS fulfill the needs of the typical extrovert

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more than the introvert, this is not the case, because the introvert enjoys the online interaction just as much as the extrovert. This conclusion directly relates to the uses and gratification theory mentioned in the literature review in that the expectations of SNS users contribute to their actual use and rationale.

This study was limited because the sample size consisted primarily of women (77.4%) because it was a convenience sample of college students rather than random sample. This was due to the lack of time to collect the survey responses, thus, the researcher had to gather responses based on her social outlets (e.g. sorority, campus organizations and courses), which consisted primarily of females because the researcher is female. This was even more compromised because the current researcher, who readily defines herself as an extreme extrovert, is involved in organizations that consist mainly of extroverts because her interests are extroverted, in nature. These results should be replicated with a more diverse population encompassing larger school populations and equal male/female ratios for a more accurate representation and generalizability to the public. Another limitation is that this research used retrospective self-reports of media behavior and online usage, which is an approach that is frequently criticized as being unreliable and biased. When necessary, the researcher attempted to present this to the audience effectively. This study relied on self-reported measures of usage and perceptions of usage motivations and behaviors, which have the potential to not reflect actual behavior and usage patterns. Further research should use other alternatives in gathering information on on-line media usage.

In order to further understand the existing relationship between SNS personality type and usage, more research should be conducted. It would be beneficial to investigate a different Internet user base, such as Internet newcomers and different age groups or demographics, in order to verify the replicability of these results. Another alternative could include diaries used to record daily Internet use. Another limitation to the current study is that more open-ended questions should have been asked. Also, the way the questions were asked could have skewed the results in that starting with strongly agree and moving to strongly disagree could change participants' responses. Additionally, it would have been beneficial to ask the participants to answer the survey questions as honestly and accurately as possible throughout the survey.

The goal of the current study was to see if a relationship exists between Facebook use and personality types in that one personality type would use Facebook more often and for different reasons than the other personality type. Again, the only conclusive finding was that heavier users of Facebook tend to be more extroverted individuals. The current study contributes to an on-going dialogue about the importance of SNS in the relationship between the personality style of users and their usage and behavior. Much still remains to be explored. Methodologically, SNS researchers' ability to make causal claims is limited by a lack of experimental and longitudinal studies. Although the situation is rapidly changing, researchers still have a limited understanding of who is using these SNS, why, and for what main purposes. Such questions will require large-scale quantitative and qualitative research. Thus, a focus group could be beneficial to gain more qualitative research. The researcher hopes that the current study will help construct a foundation for future investigations of these and other important issues surrounding social network sites.

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## Appendix A: Survey Questionnaire

### *Facebook Use*

1. How much time do you spend on Facebook daily?

- i. Less than 30 minutes
- ii. 30-60 minutes
- iii. 60-90 minutes/ 1-1.5 hours
- iv. 90-120 minutes/ 1.5-2 hours
- v. More than 120 minutes/ 2 hours

2. What is your main purpose of using Facebook this often?

- i. Time-passing entertainment  
(e.g. to overcome boredom; it is habit; it amuses/ entertains me)
- ii. Information  
(e.g. to find/ share information; keep up with interests/ hobbies)
- iii. Relationship development/ companionship  
(e.g. to make new friends; to find people like me)
- iv. Relationship maintenance  
(e.g. to stay in touch with people I see a lot and/or rarely; to make plans with friends; to maintain relationships that I value)
- v. Trend-following  
(e.g. because everyone else is doing it; to impress people)

3. How often do you change the content and/ or features of your Facebook profile (e.g. update your status)?

- i. Often/ Almost daily
- ii. Sometimes/ Almost weekly
- iii. Rarely/ Almost monthly
- iv. Never/ Almost yearly
- v. Don't know

### *Personality Type*

Do you agree or disagree with the following statement?:

4. Sometimes, I enjoy Facebook (and online) interactions more so than face-to-face interactions (offline).

- i. Strongly disagree
- ii. Disagree
- iii. Undecided/ Neutral
- iv. Agree
- v. Strongly agree

5. I feel I communicate and represent myself better on Facebook (online) than offline (face-to-face) with others.

- i. Strongly disagree
  - ii. Disagree
  - iii. Undecided/ Neutral
  - iv. Agree
  - v. Strongly agree
-



6. I use the Internet and the online world to become the person I'm not offline or in the 'real world'.
- Strongly disagree – e.g. I am the same person both online and offline.
  - Disagree
  - Undecided/ Neutral
  - Agree
  - Strongly agree – e.g. I can be more of myself and/or who I want to be online.
7. Which of the following statements do you most identify with?:
- I'm shy but enjoy using Facebook because I am in control of the interactions with others.
  - I'm somewhat shy and sometimes enjoy using Facebook as an alternative for face-to-face interactions.
  - I'm neither shy nor outgoing and enjoy using Facebook both as an alternative and a supplement for face-to-face interactions.
  - I'm mostly outgoing and enjoy using Facebook as an outlet to fulfill desire for continuous interpersonal engagement.
  - I am very outgoing and enjoy using Facebook to add to my offline (face-to-face) interactions.
8. Others would describe me as:
- Someone who is reserved and enjoys being alone most of the time.
  - Someone who sometimes seems distant and inhibited in face-to-face interactions.
  - Someone who is neither shy nor outgoing but enjoyable to be around in face-to-face interactions.
  - Someone who is talkative and seeks external face-to-face interactions oftentimes.
  - Someone who is very outgoing and enjoys being always surrounded by others.

### *Demographics*

9. What is your gender?
- Male
  - Female
10. What is your class year?
- Freshman
  - Sophomore
  - Junior
  - Senior

## Appendix B: Data Tables from Survey Monkey

**Table 1. Less than 30 Minutes Daily on Facebook- Personality Type Question 4**

Which of the following statements do you most identify with?		
Answer Options	Response Percent	Response Count
I'm shy but enjoy using Facebook because I am in control of the interactions with others.	2.0%	2
I'm somewhat shy and sometimes enjoy using Facebook as an alternative for face-to-face interactions.	6.9%	7
I'm neither shy nor outgoing and enjoy using Facebook both as an alternative and a supplement for face-to-face interactions.	30.7%	31
I'm mostly outgoing and enjoy using Facebook as an outlet to fulfill desire for continuous interpersonal engagement.	28.7%	29
I am very outgoing and enjoy using Facebook to add to my offline (face-to-face) interactions.	31.7%	32
Why?		15
answered question		101

**Table 2. More Than 120 Minutes Daily on Facebook- Personality Type Question 4**

Which of the following statements do you most identify with?		
Answer Options	Response Percent	Response Count
I'm shy but enjoy using Facebook because I am in control of the interactions with others.	4.8%	2
I'm somewhat shy and sometimes enjoy using Facebook as an alternative for face-to-face interactions.	11.9%	5
I'm neither shy nor outgoing and enjoy using Facebook both as an alternative and a supplement for face-to-face interactions.	21.4%	9
I'm mostly outgoing and enjoy using Facebook as an outlet to fulfill desire for continuous interpersonal engagement.	28.6%	12
I am very outgoing and enjoy using Facebook to add to my offline (face-to-face) interactions.	33.3%	14
Why?		8
answered question		42

**Table 3: Less Than 30 Minutes Daily on Facebook- Personality Type Question 5**

Others would describe me as . . .		
Answer Options	Response Per-cent	Response Count
Someone who is reserved and enjoys being alone most of the time.	4.0%	4
Someone who sometimes seems distant and inhibited in face-to-face interactions.	3.0%	3
Someone who is neither shy nor outgoing but enjoyable to be around in face-to-face interactions.	38.6%	39
Someone who is talkative and seeks external face-to-face interactions oftentimes.	34.7%	35
Someone who is very outgoing and enjoys being always surrounded by others.	19.8%	20
Why?		12
answered question		101

**Table 4. More Than 120 Minutes Daily on Facebook- Personality Type Question 5**

Others would describe me as . . .		
Answer Options	Response Per-cent	Response Count
Someone who is reserved and enjoys being alone most of the time.	0.0%	0
Someone who sometimes seems distant and inhibited in face-to-face interactions.	7.1%	3
Someone who is neither shy nor outgoing but enjoyable to be around in face-to-face interactions.	31.0%	13
Someone who is talkative and seeks external face-to-face interactions oftentimes.	35.7%	15
Someone who is very outgoing and enjoys being always surrounded by others.	26.2%	11
Why?		8
answered question		42

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# No Updates from the Bench, Stands or... Press Box?: The Legality of Live Blogging from Sports Events

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## Abstract

*As digital platforms for media become more diverse, media coverage of sports has expanded online in many facets. The Internet creates opportunities for enhancing the product of sports organizations in addition to television broadcasts, but not without challenges. Contracts between networks and leagues solidify the exclusive rights to telecast a certain event. However, the fairly new phenomena of live blogging from a game presents a virtually untraceable way of distributing information in real time from the stands and thus, an interesting dynamic in the legal realm of copyright for these sports organizations. While a case has not yet reached the court system, there will likely be concern in the near future over what a live blog should be considered in a legal sense. It does relay information almost as soon as the action has occurred, but does not capture the audio-visual essence of the game like a broadcast. In order to determine whether or not live blogging may be considered a violation of exclusive media rights in the future, this paper touches on the history of sports broadcasting, pre-existing statutes and cases in sports law and Internet law, the current policies of sports organizations and a hypothetical case study involving live blogging from a sports event. All of these elements provide some legal context for live blogging from sporting events and allow for predictions to be made about the state of live blogging in years to come.*

## I. Introduction

In January 2010, the online video site YouTube entered a “landmark” deal with Global Cricket Ventures, giving them the rights to stream the Indian Premier League games on a specified online channel. The chairman and commissioner of the Indian Premier League told CNN that Google gives his sport access to half-a-billion viewers every moment of the day and will enhance his audience’s experience of the games. The agreement is the first global sporting event to be streamed over the Internet and is expected to reach those 500 million viewers throughout the six week tournament (“YouTube confirms landmark”, 2010).

Convergence of different media continues to be a growing trend for the communications field, and the realm of sportscasting is no exception. The digital platform of media is rapidly expanding and traditional sports broadcasters are looking to these new forms of information distribution as ways to enhance a viewer’s experience during a sporting event. Clear contractual agreements exist between networks – cable and over the air – to provide live coverage of certain sporting competitions to the public. However, those networks’ rights over the digital coverage of those events are still fairly indistinguishable.

Live blogging from a sporting event presents a particular challenge to exclusive coverage. Modern technology presents many unique and potentially untraceable means of blogging, so while it may be completely feasible to negotiate exclusive rights for broadcast coverage, a media organization may encounter difficulty in successfully and legally gaining the rights to live blog exclusively at any given event. Fans become

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citizen journalists with mobile devices or other sports journalists from competing media organizations can report with laptops from the stands. Blogging may be an entirely unique manner of providing live statistics to sports audiences void of exclusive coverage contract limits. With this, there is little to no researched material and legal background concerning this area. However, league regulations are becoming more and more restricting when it comes to live blogging, and it is likely that a case concerning this new field of sports reporting will emerge in the near future. The conflict between copyright of an event's broadcast and the First Amendment rights of reporters and casual bloggers could soon reach a climax and be brought to court. But with no clear precedents, it is unclear what decision would come from such a case.

This paper will investigate the history of sports broadcasting, pre-existing statutes and cases in sports law and Internet law and the current policies of sports organizations, all of which could provide some legal context for live blogging from sporting events. Ultimately, the background those elements provide will help determine a predicted ruling for a hypothetical case involving live blogging from a game. Overall, the nature of blogging statistics and action from a sporting event more closely resembles traditional print journalism than a live audio-visual broadcast. Even though live blogging is considered "real-time" reporting, the factual nature of much of the information and the delay of distribution and reception of that information (due to the time it takes to manually post blogs) merits a less restraining approach than some of the leagues have insinuated especially without legal backing. Therefore, live blogging should not be considered a violation of exclusive broadcasting rights but rather a supplement to the game's telecast.

## II. Literature Review

There is little if any concrete and scholarly research on the nature of live blogging from sporting events and whether or not it violates exclusive rights merited by broadcast contracts. However, there are various articles concerning the relationship between sport and media, the antitrust issues involved in that relationship and new technological advances that may affect how deals are negotiated in the future.

In their 2002 article, Lee and Chun provide an overview of the value and growth of various broadcast rights. Professional football, basketball, baseball and hockey teams share the revenue generated from national broadcast rights. Leagues are preempted from the antitrust laws of the Sherman Act under the Sports Broadcasting Act of 1961, which allows them to sell the rights as "a single economic unit" (Lee & Chun, 2002), although that does not mean teams are not exempt from review when it comes to antitrust law (Thorne, et al, 2001, p. 76). Based on the historical growth – in number and value – of broadcast contracts, Lee and Chun conclude that revenues from media coverage will continue to increase to reach "an unthinkable position" in the coming decade. Part of their reasoning includes the "consolidation of media and entertainment companies" (Lee & Chun, 2002), many of which now include online venues. It is only probable, then, to infer from this supposition that Internet outlets and the sports blogosphere will also expand in the next ten years.

Thorne, et al. (2001) further explain the "symbiotic relationship" (p. 76) between sport and the media. The Sports Broadcasting Act of 1961 is mentioned as a "clash" between media interests and leagues (Thorne, et al., 2001, p. 76). This "clash" is illustrated by the case of Chicago Professional Sports Limited Partnership and WGN Continental Broadcasting Company v. National Basketball Association in which the NBA attempted to limit the number of games broadcast on the superstation WGN. The courts ultimately ruled that the NBA was acting as a joint venture and was violating antitrust laws by trying to control the broadcast rights of a single team. In this case, the Sports Broadcasting Act did not apply because the league was not acting as a single unit (Thorne, et al., 2001, p. 79-80). Thorne, et al. states that "[t]he overall purpose of antitrust laws is to protect the competitive process and preserve competitive markets" (Thorne, et al., 2001, p. 80). As online ventures become more prevalent in years to come, it is questionable how the courts will deal with antitrust issues when it comes to the Internet. Typically more individualistic mediums, sites and blogs may affect the actions of the leagues that are classified under law now as single entities. Furthermore, it may be more difficult for leagues to act as such when bloggers can easily relay information from a sporting event that may be under exclusive broadcast contract.

However, contracts are beginning to cover more than just broadcast, which may also reform the legality of free live blogging from sporting events. A 2006 article by McGuire provides a case study of multi-media contracting at the University of Missouri. McGuire concluded that the vastness of platforms that can be approached and controlled with these agreements is great and presents even greater opportunity: "While

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traditional broadcast deals would have limited advertisers to presenting messages via radio or television, the multimedia approach allows the distributor to utilize a variety of media (e.g., print, broadcast, and Internet) in customizing client packages” (McGuire, 2006, p. 67). McGuire also notes that by consolidating services, new media for content distribution is more apt to be developed, such as video-on-demand and podcasts (p. 68). This study demonstrates the current evolution of exclusive contracts between sports franchises and a medium, which is likely to expand further as other platforms, like blogging, become more and more established.

New technologies also play into the mutually beneficial relationship between sport and media. Bechis (2009) explains the intrigue and issues surrounding the Slingbox, “a ‘place-shifting’ device that allows users to stream broadcasts live from their home televisions onto laptops, cellular phones, and other Internet-ready devices” (p. 17). Sling Media (Slingbox software) is compatible with both Apple and Palm-OS mobile devices, meaning any home TV signal can be transferred digitally to another location where those devices are present (Bechis, 2009, p. 18). The leagues that have exclusive rights to the reproduction and distribution (among other copyright rights) of the games, Bechis argues, may find this new technology threatening to their ability to sell and therefore, have three distinct options: ignore the Slingbox and allow it to co-exist, sue Sling Media for copyright infringement or partner with Sling Media and negotiate a licensing agreement with the company (p. 19). For professional sports leagues that “thrive on proximity controls” (Bechis, 2009, p. 27), Bechis suggests that partnering with the technology developers would be most beneficial. While blogging constitutes a completely different outlet (written and online) rather than simply place-shifting a broadcast, the parallels in developments in media have similarities. It appears as though leagues have virtually the same options when it comes to dealing with live blogging as they do with the Slingbox. In relation to live blogging, leagues have taken different approaches and will likely experiment within these three options in the future.

As well as this, Bechis (2009) comes to his conclusion by exploring the option of suing for copyright infringement with legal precedents and determining the success of the leagues based on those rulings. The hypothetical section of this paper will be formatted similarly, utilizing legal precedents in place concerning copyright, antitrust and other viable issues that involve the relationship between sport and media. Contrary to Bechis’s supposition, the legal process in this paper will attempt to find whether or not live blogging could be considered a violation of exclusive contract if brought to the court of law.

While there is a definite lack of literature concerning the actual topic in question, this previous scholarly research can help guide the investigation of live blogging’s legality. However, there is a plethora of information regarding the legal rationale for exclusive broadcasting rights that can be seen as the media predecessor to blogging straight from the games. The history of contracts, the laws that allow them to occur and the cases that have brought exclusive media rights into question have all become precedents for new technology developments in sports coverage, including blogging.

### ***History of sports broadcasting and exclusive media rights***

Sports broadcasting has a history that was pioneered and is still propelled by technology and America’s genuine love of the game. The first radio broadcast of a sporting event took place on September 6, 1920, a boxing match between Jack Dempsey and Billy Miske (Schwartz). Early sportscasters chose boxing because the rings were well-lit and confined spaces to shoot in, perfect for the technological challenges they faced in the earlier part of the century (Baran). The first time sports were televised was from a Columbia-Princeton baseball game in the spring of 1939. NBC’s Bill Stern reported from the game with just one camera shot along the third base line (Baran; Schwartz). The next two years brought the first professional baseball, football, hockey and basketball games to television audiences, all from W2XBS, an experimental station run by the National Broadcasting Company in New York City (Schwartz). NBC was the first network to broadcast a network sports program in 1944 with the Gillette Cavalcade of Sports, which stayed on the air for two decades (Baran). The first color broadcast in sports was the Davis Cup in August 1955 (Schwartz).

It didn’t take the leagues long to realize that selling sport to television was a profitable endeavor, and the advent of contracting those rights out began. By the 1970s, networks were paying \$50 million to broadcast professional football and \$18 million for professional baseball. Just fifteen years later, those costs rose to \$450 million for NFL games and \$160 million for MLB competitions (Baran). These contracts have their foundation in the law from which they are derived. It is this law that allows leagues to even sell the rights in the first place.

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### ***Pertinent law and statutes***

At a very basic level, U.S. law has given sports leagues and teams the authority to negotiate contracts of broadcasts of their competitions due to copyright law. The United States Copyright Act was crucial in establishing what is indeed copyrighted material. In 17 USC §102, motion pictures, audiovisual works, sound recordings and pictorial and graphic works are all considered “original works of authorship fixed in any tangible medium of expression” and therefore, subject to copyright (“17 USC 102 – Subject of matter of copyright: In general”). Dramatic works are also protected under copyright law (“17 USC 102 – Subject of matter of copyright: In general”), and the combination of the performance that is involved in sporting events and the capturing of video and/or audio that could potentially occur there gives the teams and leagues the right to sell those copyrighted works to third parties. In most cases, these rights are contracted out to over-the-air broadcast networks or cable television networks.

Sports entities in this country have somewhat of special privileges when it comes to selling broadcasting rights without violating antitrust laws. The Sherman Antitrust Act was passed in 1890 with the intention of preventing industrial monopolies and trust building between businesses in America. Section 1 in particular deems that “[e]very contract, combination in the form of trust otherwise, or conspiracy, in restraint of trade or commerce among the several States, or with foreign nations, is declared to be illegal” (Sherman Antitrust Act, 1890). In other words, this first section of the Sherman Act was created to outlaw certain means of anticompetitive conduct particularly targeting agreements between two or more individuals or entities” and not “by the unilateral action of a single actor” (Flatt, 2009, p. 641). This act has since served as “the foundation and the basis for most federal antitrust litigation” (“Antitrust: an overview”). In the early days of sports broadcasting, there was question of whether leagues could sell rights to all of their teams’ games collectively, as a single unit.

In 1961, Congress passed the Sports Broadcasting Act. The act stated that the antitrust laws of the Sherman Act “shall not apply to any joint agreement by or among persons engaging in or conducting the organized professional sports teams ... by which any league of clubs ... sells or otherwise transfers all or any part of the rights of such league’s member clubs in the sponsored telecasting of the games” (Sports Broadcasting Act of 1961). This amendment permitted professional football, baseball, basketball and hockey leagues to sell broadcasting rights as a league without being considered an illegal conglomerate. This was in part due to the fact that the horizontal scheme that sports leagues present (meaning that competitors are on a similar commercial level) are not necessarily harmful, but can actually enhance the competitiveness of the individual sports teams. For instance, the National Football League pools its broadcast revenues and splits them evenly among teams. That way, less popular or profitable teams are given a share equal to those that have more income from other means (Flynn & Gilbert, 2001, p. 29). As with many statutory laws, separate cases have arisen from the ambiguity of the exception from antitrust laws and how much control sports entities truly have over their copyrighted material.

### ***Related cases***

The realm of sports broadcasting has been affected by many cases, some with particular significance when considering various antitrust issues, distribution of copyrighted material and the leagues’ ability to act as a single entity with media contracts.

As early as 1922, professional sports were ruled exempt from antitrust restrictions. At that time, the Supreme Court found that the “business of baseball” could not be deemed interstate commerce that falls under the Sherman Act (Flynn & Gilbert, 2001, p. 31). In 1974, a federal district court decided in *San Francisco Seals, Ltd. v. National Hockey League* ruling that “the member clubs of the NHL did not compete against each other; rather, they acted as a single entity in competition with other professional sports leagues” (Flynn & Gilbert, 2001, p. 33). Both of these cases served as a foundation for leagues controlling the rights to their media output.

The 1986 case of *Baltimore Orioles, Inc. v. Major League Baseball Players Association* was important in further establishing professional leagues’ ownership of rights. A group of baseball players from the Orioles sought to profit from telecasts of the games under their right to performance. However, courts ruled that the MLB fully owned the copyright of broadcasts and the players’ performances featured in those broadcasts were works made for hire under the U.S. Copyright Act of 1976 (*Baltimore Orioles, Inc. v. Major League Baseball Players Association*, 1986). The authority that leagues have over media rights was even more solidified

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with *Chicago Professional Sports Ltd. Partnership v. National Basketball Association* (1996) when the NBA filed suit against the Chicago Bulls after the team tried to sell rights to broadcast their games to superstation WGN. Again, the courts found that the NBA was trying to promote competition in the marketplace of professional sport, not restrain it. As a result, the decision stated “that when acting in the broadcast market the NBA is closer to a single firm than to a group of independent firms” and could potentially deny the Bulls the opportunity to sell rights to the superstation (*Chicago Professional Sports Ltd. Partnership v. National Basketball Association*, 1996).

Fantasy leagues have been a considerably popular online venture for professional sport, and *C.B.C. Distribution & Marketing, Inc. v. Major League Baseball Advanced Media, L.P.* (2006) dealt with use of players’ names and statistics on a fantasy league service. Ultimately, the court decided that C.B.C.’s use of names and statistics was neither a violation of the players’ right of publicity since they were not seeking financial gain by doing so, nor a violation of MLB’s copyright laws since the use of names and stats is not copyrightable. The courts also noted that the distribution company’s First Amendment rights would override some of the league’s rights in this particular case, likely due in part to the Internet having a great amount of free speech protection (Mead, 2007, p. 730). While these names and statistics were not released in real-time like live blogging, this case is representative of how courts may deal with information featured or released online.

One of the most significant cases when considering the legal implications of live blogging is *The National Basketball Association v. Motorola, Inc.* (1997). The NBA brought the case to the courts in 1996 after Motorola had been utilizing Sports Team Analysis and Tracking Systems, Inc. (also known as STATS, Inc.) to send their customers updates from games as they were going on (Seidenberg, 2009). The NBA saw this service as a violation of their copyrights and won their case at the district court level. However, when Motorola appealed the decision, the circuit court of appeals ruled in its favor. Based on *Feist Publications, Inc. v. Rural Telephone Service Co.*, the court said that STATS was only reproducing factual information by sending out statistics about the game to customers and “not the expression or description of the game that constitutes the broadcast” (*The National Basketball Association v. Motorola, Inc.*, 1997). The broadcast itself is protected, but not the game and any facts associated with it. This idea is reflected in several of the leagues’ blogging policies that prohibit capturing the likeness of the competition.

While there are no cases specifically regarding live blogging from sport events, these cases put the issue into some context and provide some precedents for how the issue may be dealt with in the courts.

### **III. Blogging and Internet laws**

Courts have had trouble defining what a blog truly is from a legal perspective and arguably an even more difficult time considering what should and should not be limited when it comes to this form of media (Tune & Degner, 2009, p. 1). The Digital Millennium Copyright Act was passed in 1998 in response to the growing utilization of the Internet and the potential copyright infringements that could occur as a result. Section 512(c) of that legislation protects service providers – like blogging or other social media websites – from being held liable for infringing material posted on their sites so long as they have the ability to request removal of the material and are not receiving financial benefit from the infringing material (*The Digital Millennium Copyright Act of 1998*). This was demonstrated in *The Football Premier League Ltd. v. YouTube, Inc.* when the league suggested video of its games were being posted when YouTube was both aware and profiting from it. The plaintiffs argued the DMCA requirement to request removal of the material was virtually inconsequential since “it is impossible for a copyright holder to find all instances of a copyrighted work that might appear on YouTube, and because YouTube users can readily repost infringing matter under different user and/or file names” (Tune & Degner, 2009, p. 3). While there is no official ruling on this case yet, it is interesting to consider if the courts will choose to limit free speech rights online with this decision by somehow limiting copyrighted video more vigorously or keep the regulations as they are and risk more copyright violations in the future. Another court decision in *BidZirk, LLC v. Smith* concluded that certain online material in a blog format could be classified as journalism if the content and intent are in line with that of a news outlet (Tune & Degner, 2009, p. 6). If applied to blogging from sport events, the same standards for journalists would have to be applied to bloggers. These kinds of rulings could certainly affect how other user-generated content, like blogs, is dealt with in a legal sense as issues become more complex and cases brought to court more numerous.

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### **League regulations on live blogging**

In 2007, Brian Bennett was in the stands at the University of Louisville's College World Series game doing what he normally did as sports reporter with the Louisville Courier-Journal: blogging stats to fans through the newspaper's website. Soon after the National Collegiate Athletic Association officials found out, he was evicted from the press box. A memo was quickly sent to all of the media at Patterson Stadium reminding them that "any statistical or other live representation of the Super Regional games fall under the exclusive broadcasting and Internet rights granted to the NCAA's official rights holders" ("Live From Louisville", 2007). The NCAA's media policy now includes a section on blogging stating that any blog "may not produce in any form a 'real-time' description of the event" ("Section 6 – Internet"). The organization now does allow live blogging, but under very specific terms including submission of the blog link to the NCAA blog central site, a logo present on each blog pertaining to their sport events and a regulated limit on the number of posts per game ("The NCAA Now Allows Live Blogging", 2007).

The NCAA is not the only league trying to control social media output from its games. All of the professional sports organizations have put rules on the books that in some capacity limit unauthorized information distribution during competitions and, for some, beyond. The NFL has strictly prohibited players, coaches and officials from posting any updates on social media sites (Twitter, Facebook, etc.) during games, including 90 minutes prior to and following a game. Even the media are encouraged to refrain from phone use during the competition (Cheng, 2009). As well as this, video content from games (even with credentials) can only be 90 seconds long and available online for no longer than 24 hours (Stradley, 2008). Fans are not yet subject to any restrictions. The NBA is similar in its restraints, not allowing players, coaches and team personnel to use cell phones or other handheld devices 45 minutes before and after the game or at any press functions. Additionally, individual teams have told their members that social media updates during practices and other team times is also prohibited. The MLB has had numerous circumstances in which the league tried to prevent real time reporting. Now the media can't post more than seven photos and audio/video content has to be two minutes or less with no streaming material allowed. The NHL is the only major professional sports organization that hasn't created policy to limit engaging in social media during games (Cheng, 2009).

While the vast majority of regulations deal with those directly involved with the leagues (mostly through payroll), some measures are being taken to extend the rules to fans as well. The Southeastern Conference, a sub-division of the NCAA, announced in August 2009 "that ticket-holding fans could not say anything about the game in question on the Internet" including observations, descriptions, pictures, audio and video (Cheng, 2009).

Bennie Ivory, executive editor of the Courier-Journal, published his own thoughts about Bennett's eviction from the baseball stadium, saying that "[i]t's clearly a First Amendment issue. This is part of the evolution of how we present the news to our readers" (Bozich, 2007). The question of whether leagues are able to restrict the speech happening from the press box or stands to protect their copyrighted material is still unanswered by the country's court system.

## **IV. Hypothetical court case**

The following is a hypothetical lawsuit involving live blogging from a sport event. Using the legal precedents available in this field, a supposed ruling will be reached:

A credentialed journalist from the Baltimore Sun newspaper is in the press box at a season Ravens home game. As he watches, he blogs a summary of each play from his Blackberry sporadically taking photos and sending those with the updates. Most of the blog posts were based on statistics with a few personal commentary comments inserted, such as "what a throw" or "best defensive play so far." When an NFL official noticed what he was doing, he told the reporter to leave the media area because blogging real time information was strictly prohibited. The reporter argued for a few minutes before being forced out of the press area. The Baltimore Sun is now suing the NFL for unfairly restricting its First Amendment rights. The NFL argues that the right to blog live from the event is one held exclusively by its organization and any allied network or media outlet that is contractually granted the permission to disperse multimedia material.

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Even though there are no NFL regulations at the moment that completely restrict media blogging from the game, with the trends going in a more limiting direction, it's a definite possibility in the near future that doing so will be the main consideration, not whether or a live blog appears to be or does the same thing for a potential audience as a live broadcast or whether blogging is, in fact, an infringement of copyright.

Based on the aforementioned cases, the NFL does have the right to sell its broadcast rights as a single entity. However, the Sports Broadcasting Act only specifies selling rights for the telecast of the event. If the blog were considered a form of journalism as in *BidZirk, LLC v. Smith* (2007), it would be assumed that the blogger would have the same privileges as other forms of print media. Even though newspapers freely report, they do so when they publish or after the game once they can summarize its events online. Live blogging presents an interesting dynamic: written but real-time information. While live blogging has qualities of print journalism, its speed makes it more similar to live broadcasting.

However, the content that is discussed in the blog is an essential part of the consideration. In order for a live blog to truly resemble a live broadcast, it would have to create a visual representation of the event. This is the reason for the language in the NCAA blogging policy that has no tolerance for capturing the likeness of the game ("Live from Louisville", 2007). In this situation, the personal commentary from the reporter could be considered embellishment to what would otherwise be a collection of non-copyrightable facts according to *The National Basketball Association v. Motorola, Inc.* (1997). The pictures the reporter posted with his facts could amount to more of a live representation of the game; however, those images were not streaming constantly so it's questionable whether that really created a "broadcast" that closely amounts to what telecasts offer to the audience.

While live blog posts from a sporting event are considered to be real-time accounts of the competition, the updates come after the action has occurred. Unless streaming video is a part of the blog, it is nearly impossible to truly capture the event "live." Live blogging could potentially be a supplement to, and therefore a possible distraction from, the broadcast of a game or event. Yet, relaying statistics with brief comments about the nature of the game barely has the same qualities as watching the game on television, and it is doubtful that people would fully replace their live audio-visual experience for a delayed account of the game without those elements. If anything, the game is now reaching more people through another medium. The blog really isn't a simulcast or a recreation of what is going on, but can be seen more as an analysis of fact (Bozich, 2007). It is understandable that the league or organization would seek to gain more profit from owning the rights to the publication of blog posts from the game. However, as expressed in the plaintiff's argument in *The Football Premier League Ltd. v. YouTube, Inc.* (2007), it is unlikely that any league would be able to effectively locate and punish all of the bloggers that are sending information of any sort from the venue during a game.

Finally, when it comes to protecting the rights of bloggers and their free speech or the rights of the league and its copyrighted material, it is more likely that the courts will decide in favor of the blogosphere. First Amendment rights are foundational to successful journalism and the idea of a public forum in this country. When basic rights are limited by rulings and that restriction is made a precedent, it is difficult to reverse the action. A live blog does not amount to enough resemblance of a live broadcast to control it in light of preserving copyright. In theory, it is the broadcast itself that is copyrighted, not the game and the facts that surround it.

Therefore, in light of the importance of First Amendment rights (especially online), the actions of the NFL in this case would likely be reprimanded. The economic harm, at this point, has not proven to be a valid reason to so severely limit live blogging. The wording in policies now is too vague to constitute what would be violating those live blogging rules and crossing the line into the realm of exclusive rights. This doesn't limit the leagues' ability to create multimedia contracts including the rights to the official live blogging. However, the organizations do not have the overriding right to prevent live blogging of factual information and brief comments about the game when the right to free speech has historically trumped many other assumed rights in this country. If a blog were to illegally present the copyrighted broadcast of an event, the ruling would address the infringement and not the issue of free speech; but any ruling against live blogging in this circumstance has a greater potential for harm when considering the repercussions it could have on other forms of online forums. Therefore, in this situation, according to the precedents set by sports and Internet law statutes and cases, the decision would likely be for the *Baltimore Sun*. This hypothetical is similar to situations that have actually occurred at games with other professional leagues, so this case is not completely unfeasible in the years to come.

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## V. Conclusion

Live blogging is a fairly new development in sports coverage, but one that has presented challenges for leagues trying to sustain their copyrighted broadcasts and ability to form and profit from exclusive contracts. The limitations of this research mainly lie in the lack of information directly related to the legality of live blogging. There has been no official legal action against live bloggers, but regulations of the individual national sports leagues have reflected a desire to limit the act of posting statistics and other information about a competition in real time. While scholarly research and direct legal context are somewhat sparse, statutes and precedents from prior cases provide an adequate amount of context for the issue. The nature of the blog has been central to the rules set by leagues that attempt to ensure only factual information (and only so much of it) is being released from the venue as the game is going on. Successful or not, the growing trend of these restrictions has resulted in a more unwelcoming environment for live blogging. While it is important for leagues to protect their copyrighted material, the First Amendment function that online content providers serve has often been found to be a more important role in past court rulings. Therefore, it seems unlikely that leagues will prevail in completely eliminating live blogging from journalists and fans in the stands on the basis of protecting their exclusive media contracts.

Multimedia contracts for sports games and events do exist, and there is no rationale for why they should cease. The online presence of any sport is now essential to its image and consumer relations. However, the language in these contracts will likely begin to specify the “official” provider of live statistics and information as to not imply that the league is able to or can limit the live blogging of other outlets. The plays, the score, the statistics of any given game are facts and not copyrighted and therefore should be open for anyone to express. Instead of outlawing the act of live blogging, it is possible that the leagues could more effectively ally themselves with these blogs and consequently increase the number of outlets their games are being seen on. Overall, the free speech rights that are being utilized through live blogging can be seen as an asset to the leagues rather than a detriment if relationships were formed between successful bloggers and those organizations. Perhaps it is all in competitive spirit; we are talking about sportscasting. But it is time for leagues to realize that live blogging is probably going to sustain its presence and possibly grow in popularity. Rather than beat it (very few have defeated team First Amendment in the past), why not join it? Just as with any technological advancement, sports organizations will eventually find a way to adapt their methods of granting exclusive media rights to broadcasters or online service providers without infringing on the rights of bloggers. This will hopefully be the first of several academic investigations of the issue especially as live blogging becomes more prominent in sports.

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# **The Unexplored New Medium: Recent Trends in Podcast Advertising**

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## **Abstract**

*This research paper explores advertising in podcasts – a relatively new medium – to see if there has been an increase in the amount of advertising since 2007, when Daniel Haygood did a similar study, and to observe if any trends have emerged in podcast advertising. Through listening to and coding episodes of the top ten podcasts on iTunes for six weeks, the research found that while a significant amount of podcasts lacked advertising, there were consistent advertising trends in those podcasts that did have advertisements. Ads in podcasts tended to appear at the beginnings and ends of episodes, creating a “bookend” effect, and the same products or services often appeared in episodes of the same podcast. Also, podcasts produced as episodes of regular radio broadcasts that shared the same broadcasting station, such as NPR, also tended to share the same advertisers.*

## **I. Introduction**

Declared as the word of the year by the *New Oxford American Dictionary* in 2005, “podcasting” is real, and so are its implications in advertising (Levinson, 2007). As a medium still emerging amid the slew of “alternative media” options, podcasting remains largely unexplored by advertisers today. Given the relatively low production cost of creating a podcast – as low as \$5,000 per episode – and the millions of consumers each podcast can reach, one would think advertisers would be scrambling to get their products into a podcast (Zucker, 2008), especially since research shows that “those who downloaded podcasts are the kind of target audience advertisers crave; well educated, high incomes [and] technologically astute” (Haygood, 2007).

Perhaps advertisers are slow to bite at the new medium because while the podcast is easily accessible to anyone with a computer, it is still less popular than the traditional modes of entertainment and news, such as print and television. Regardless of the reason that advertisers have been less inclined to advertise within podcasts versus with other forms of media, it is important for future advertisers – or current advertisers who wish to expand their advertising – to understand the podcast and how it is currently being used in advertising. While it’s still not the most popular vehicle of advertisement dissemination, podcasting has been peppered with advertisements more now than it had been years ago, and has the potential to become a more popular, advantageous resource to advertisers.

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\* **Keywords:** Podcasting, broadcasts, new media, advertising, bookend effect

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## II. Literature Review

The general consensus of the literature on podcasting – which is still small due to the medium's novelty – is that few advertisers have taken advantage of advertising in podcasts. Ever since the term “podcasting” was coined in 2004 by journalist Ben Hammersley, podcasts have been considered to exist under the category of “new media,” which is generally used to designate forms of media that consumers and advertisers are still beginning to explore (Hammersley, 2004). However, in the midst of other such new media strategies such as social sites, blogs, and mobile advertising, podcasting remains relatively untouched by advertisers. According to a survey done in 2008, advertisers and marketers planned on only allocating 20% of their advertising to podcasts in 2009 even though 45% of advertising spending in 2009 was expected to be allocated for alternative media as a whole (Shreffler, 2009).

With the recent focus on incorporating “alternative” or “new” media into advertising campaigns, it is a wonder why so little effort has been applied to advertising with podcasts. Podcast advertising is sparse, while social media sites like Facebook and search engines such as YouTube and Google have been increasing their advertising tactics at rapid rates. In January through March of 2010 alone, Facebook served 176.3 billion display ads (Vascellaro, 2010) and has recently extended its advertising reach with “social plugins” that enable the site to track users' interests and target ads to them based specifically on those interests (Nuttall, 2010). YouTube, originally just a video search engine, has adopted an entire advertising platform, showing “a greater variety of ads against user-uploaded content and promot[ing] videos that draw higher ad rates more than other videos” (Vascellaro, 2009). And Google has added personalized online banner ads – which also target users based on their Internet habits – to its repertoire of ad campaigns (McCormick, 2010).

As recently as 2006, an article in *Advertising Age* postulated that “podcasting's Wild West” is still a relatively unsettled terrain because of an inconsistency in the number of listeners. The article referenced a report from the same year that showed the total number of podcast users at 10 million, yet showed a number of only 3 million who were considered active users, or who downloaded weekly (Klaassen, 2006). This inconsistency between passive and active consumers could potentially be what has been making advertisers wary of investing in podcasting advertisements.

To help target this problem, new companies have been created to help advertisers see their options more clearly. PodTrac, established in November of 2005, is a relatively “new service designed to provide third-party audience measurement as well as an ad-sales infrastructure for podcasts” (Shields, 2005). PodTrac allows podcasters to “collect demographic and behavioral data from their listeners,” which is then indexed against MRI's Survey of the American Consumer (Shields, 2005). In addition to this data collection, the measurement tool tracks “hard usage numbers,” which PodTrac had initially hoped would be used by advertisers who wanted to advertise on multiple podcasts (Shields, 2005).

Since PodTrac's inception, other networks have emerged that offer similar podcast information-gathering services which could potentially assist an advertiser. PodBridge's services include presenting information about if and when listeners hear an embedded ad, using “passive technology to track listening: When a listener subscribes to a podcast within the PodBridge network, it installs a plug-in, a la Macromedia flash, that asks basic demographic questions” (Klaassen, 2006). From there, the plug-in creates a header in the listener's podcast content and records the time when the advertising content was played, and whether or not the listener played it long enough to actually hear the advertisement (Klaassen, 2006).

Whether or not networks like PodTrac and PodBridge are actually assisting advertisers, a few more companies have started pushing their products in podcasts, which Mat Zucker of *Advertising Age* thinks is a smart and cost-effective strategy for marketing. In his 2008 article, he stated that it can cost as little as \$5,000-\$30,000 to produce an audio podcast, which makes it easy for advertisers to afford paying sponsorship fees (Zucker, 2008). According to an article in *Advertising Age* in 2006, most of the advertising done in podcasts has been sponsorship-based: “A marketer commits a set amount of dollars against an estimated number of downloads or impressions. Marketers can then back into a cost per download – a number that's ranged between a couple cents to \$2” (Klaassen, 2006). One may wonder if, at this expansion rate, podcast advertising might grow in the future. According to eMarketer, spending on podcast advertising should increase to \$400 million by 2011, reflecting a growth in the recently small shift towards populating podcasts with ads (Haygood, 2007).

Volvo and Lexus were some of the first automobile companies to advertise on podcasts. Volvo paid a total of \$60,000 for a podcast sponsorship that lasted six months and was downloaded 150,000 times. Using

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a different sponsorship model, Lexus paid a single flat rate to sponsor the podcast of Santa Monica radio station KCRW, after which the station decided to charge advertisers \$25 per thousand listeners as a general rule and this number has become the normal rate for advertising on a podcast (Haygood, 2007).

With the podcast advertising rate roughly set, one may conjecture whether advertisers are using podcasts as marketing tools more than they did a few years ago. In Daniel Haygood's 2007 article, "A Status Report on Podcast Advertising," he outlined an experiment that coded when and how frequently advertisements showed up in the top 100 podcasts on iTunes. After coding the data, his results showed that the majority of advertisements were placed at the beginnings and ends of podcasts, creating a "bookend" effect (Haygood, 2007).

### **III. Method**

This research examined the type of advertising that is currently being used in the top ten most popular podcasts on iTunes, over the course of six weeks. The research included a record of what types of products and companies are using podcasts as an advertising medium, based on the brands with advertisements in the podcasts studied. This will potentially show which type of product or service provider has implemented podcasting into their repertoire of advertising techniques, which may be helpful for the future advertiser. In addition to this classification, the placement of the ads within the podcasts was examined. In order to determine whether advertising has become more prevalent in podcasting, a system of coding was implemented, whereby the frequency and placement of specific products or services in the advertisements were documented.

Modeled after Haygood's research in 2007, the most popular podcasts on iTunes were selected for study. However, in the interest of time and personal computer hard drive capacity, the top ten most popular podcasts on iTunes were downloaded for coding, instead of the top 100. At the time of download, March 6, 2010, the top ten podcasts were "NPR: Wait Wait...Don't Tell Me," "NPR: Fresh Air Broadcast," "This American Life," "Freakonomics Radio," "Stuff You Should Know," "Stuff You Missed In History Class," "WNYC's Radiolab," "The Nerdist," "The Adam Carolla Podcast," and "Tell 'Em Steve-Dave." It is important to note that the positions of iTunes' top ten podcasts fluctuate on a weekly basis, and that these particular podcasts were the top ten during time of download. However, regardless of popularity fluctuation over the six weeks of study, the same ten podcasts were listened to and coded to maintain consistency.

Over the period of six weeks, each podcast episode was listened to in its entirety, and any advertisement information – including the name of the product or service being advertised, its placement within the podcast, and terminology used to introduce the advertisement – was recorded. Due to individual podcast's broadcasting schedules, there were weeks when certain podcasts did not broadcast an episode within the specific seven-day week of study. Thus, not an exactly equal number of episodes per podcast was able to be studied; however, the consistency of advertisement appearances within said podcasts suggested relatively consistent results, despite the slight discrepancy in episode number.

### **IV. Results Discussion**

Studying and coding the ten podcasts over six weeks yielded results showing that 24 out of 66 episodes, or 36%, had advertisements. Four of the ten podcasts didn't have any advertising whatsoever: "Stuff You Should Know," "Stuff You Missed in History Class," "The Nerdist," and "The Adam Carolla Podcast." The other six podcasts had regular advertising, three of which had a relatively established schedule: "NPR: Wait Wait...Don't Tell Me," "NPR: Fresh Air," and "This American Life." The largest similarity among these three podcasts was that they were episodes of regular radio show broadcasts, "Wait Wait...Don't Tell Me" and "Fresh Air" belonging to National Public Radio (NPR) and "This American Life" regularly broadcast on Chicago Public Radio. The majority of the advertisements in these three podcasts were at the beginnings and ends of each episode, creating the same "bookend" effect that Haygood observed in his 2007 study of podcast advertising. In fact, seven of the 17 episodes in these three podcasts with advertisements (41%) had ads at both the beginnings and ends of each episode. The remaining ten of the 17 episodes (59%) in the aforementioned three podcasts just had a single ad at the beginning of the podcast (see Appendix).

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This bookend effect remained consistent in the podcasts that featured ads less frequently, with 10 out of the total 24 episodes with advertisements (42%) displaying ads at the beginnings and ends of episodes. The other podcasts with ads (58%) lacked the bookend structure, placing either a single ad at the beginning of an episode, and sometimes in the middle.

Another similarity that all the podcasts with advertising shared was the continued use of the same supporters. For example, “Wait Wait...Don’t Tell Me” consistently had ads from Angie’s List, Visa Signature, and the National Association of Realtors. “Fresh Air Broadcast” consistently had advertisements from Visa Signature; “This American Life” had multiple advertisements from Kohler; and “Freakonomics Radio” consistently had advertisements from Audible.com and the University of Chicago Booth School of Business (see Appendix). It is important to note that for the purposes of this research, supporters and underwriters for podcasts were considered advertisers because they gained recognition in a medium to which many potential consumers had access.

Also consistent within the advertisements themselves was the wording used to introduce the ads. For example, both Angie’s List and Visa Signature advertisements were introduced by “Support for this podcast comes from...”; Kohler ads were consistently preceded by “Support for This American Life comes from...”; and advertisements for the University of Chicago Booth School of Business were introduced using “Support for Freakonomics Radio comes from...” The consistent use of the same supporters using the same language suggests that advertisers paid for blocks of time, similar to purchasing advertising time in other media.

Also noted was that the two podcasts by NPR – “Wait Wait...Don’t Tell Me” and “Fresh Air Broadcast” – shared Visa Signature as a consistent sponsor in their episodes. These ads always appeared at the episodes’ beginning, and were always introduced by “Support for this podcast comes from...” regardless of podcast and episode (see Appendix). This, too, suggests that advertisers bought pieces of advertising time from the original radio broadcasting station.

The research found that advertising in the ten podcasts included ads for both products and services. Products advertised included Kohler, Visa Signature and the Mini Cooper automobile. However, a large amount of the advertising coded was for service providers, such as Progressive Insurance and Lindamood-Bell learning centers. Also noted was the fact that several of the service providers advertising on the podcasts were educational service providers: Lindamood-Bell is a family of learning centers; The John S. and James L. Knight Foundation is a national foundation for the advancement of journalism; and The George Lucas Educational Foundation was created to improve public education. Granted, these are underwriters for the shows, but because they gained recognition in the episodes, they were coded as advertisers.

In regards to self-supporting advertising, only one of the ten podcasts studied included self-support ads in their episodes. “WNYC’s Radiolab” inserted advertisements encouraging listeners to access their web site and click on the “support” button to help fund the podcast. These advertisements were placed at the beginning, middle, and ending of episodes, without any specific structure (see Appendix).

## V. Conclusion

Even though three years have passed since Haygood published his research on podcast advertising – a significant amount of time for change to occur in media – only a small amount of progress has been made in advertising within podcasts. The medium remains relatively untouched by advertisers, yet the trends that Haygood observed in 2007 have stayed consistent in podcast episodes in 2010. For example, the placement of ads at the beginning and ends of episodes – creating a “bookend” effect – is still in practice today.

In addition to already-established trends in podcast advertising, a few others were observed, such as the consistent use of the same supporters using the same language in a particular podcast, which suggests that advertisers paid for blocks of time, similar to purchasing advertising time in other media. Also, the shared sponsorship from Visa Signature on both NPR podcasts further reinforced the idea that advertisers bought pieces of advertising time from the original radio broadcasting station, which was in this case, National Public Radio. Lastly, given the consistent sponsorship of Lindamood-Bell, The John S. and James L. Knight Foundation, and The George Lucas Educational Foundation, perhaps a trend is emerging where educational foundations and services support podcasters and advertise the fact that they are underwriters on podcasts.

This information will be useful for advertisers who are interested in advertising in podcasts. If, in fact,

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there is a trend in which educational sponsors support podcasts, the above research can be utilized by other educational foundations that are looking to advertise their services in new media.

## Acknowledgements

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## Appendix

NPR: Wait Wait...Don't Tell Me					
Date	Podcast Length	Advertisements			
Week 1 3/6/2010	47:52 min.	<b>Angie's List</b> (0:00-0:14) "Support for this pod-cast comes from..."	<b>Progressive Insurance &amp; Lending Tree</b> (46:02-46:18) "Support for NPR comes from..."	-	-
Week 2 3/13/2010	47:12 min.	<b>Angie's List</b> (0:00-0:14) "Support for this pod-cast comes from..."	<b>Lindamood-Bell, Lending Tree, Angie's List</b> (45:02-45:29) "Support for NPR comes from..."	-	-
Week 3 3/20/2010	47:41 min.	<b>Visa Signature</b> (0:00-0:12) "Support for this pod-cast comes from..."	<b>Lumber Liquidators</b> (45:23-45:32) "Support for NPR comes from..."	<b>George Lucas Education Foundation</b> (45:33-45:40)	<b>MINI (Mini Cooper)</b> (45:41-45:48)
Week 4 3/27/2010	47:25 min.	<b>Visa Signature</b> (0:00-0:12) "Support for this pod-cast comes from..."	<b>Lending Tree</b> (45:36-45:44) "Support for NPR comes from..."	<b>Avis Family Foundation</b> (45:45-45:49)	<b>Avis Family Foundation</b> (45:45-45:49)
Week 5 4/3/2010	47:07 min.	<b>Visa Signature</b> (0:00-0:12) "Support for this pod-cast comes from..."	<b>National Association of Realtors</b> (44:52-57) "Support for NPR comes from..."	<b>The Avis Family Foundation</b> (44:58-45:02)	<b>Lending Tree</b> (45:03-45:11)

Week 6 4/10/2010	47:32 min.	<b>Angie's List</b> (0:00-0:14) "Support for this pod- cast comes from..."	<b>Lumber Liq- uidators</b> (45:53-45:59) "Support for NPR comes from..."	<b>The John S. &amp; James L. Knight Foundation</b> (46:00-46:04)	<b>National Association of Realtors</b> (46:05-46:11)
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NPR Fresh Air Broadcast					
Date	Podcast Length	Advertisements			
Week 1 3/9/2010	45:24 min.	<b>Visa Sig- nature</b> (0:00-0:12) "Support for this pod- cast comes from..."	-	-	-
Week 2 3/17/2010	43:50 min.	<b>Visa Sig- nature</b> (0:00-0:12) "Support for this pod- cast comes from..."	-	-	-
Week 3 3/23/2010	44:34 min.	<b>Visa Sig- nature</b> (0:00-0:12) "Support for this pod- cast comes from..."	-	-	-
Week 4 3/30/2010	43:42 min.	<b>Visa Sig- nature</b> (0:00-0:12) "Support for this pod- cast comes from..."	-	-	-



Week 5 4/8/2010	53:07 min.	<b>Allied Bank</b> (0:00-0:13) “Support for this pod- cast comes from...”	-	-	-
Week 6 4/12/2010	45:26 min.	<b>Angie’s List</b> (0:00-0:14) “Support for this pod- cast comes from...”	-	-	-

This American Life					
Date	Podcast Length	Advertisements			
Week 1	59:21 min.	-	-	-	-
Week 2 3/14/2010	59:01 min.	<b>Audible.com</b> (0:00-0:14) “This podcast of ‘This Ameri- can Life’ is brought to you by...”	<b>Kohler</b> (58:18-58:32) “Support for This American Life comes from...”	-	-
Week 3 3/21/2010	58:34 min.	<b>Kohler</b> (57:08-57:21) “Support for this American life comes from...”	-	-	-
Week 4 3/28/2010	1:01:02 min.	<b>Kohler</b> (1:00:02- 1:00:18) “Support for this American life comes from...”	-	-	-

Week 5 4/4/2010	58:34 min.	<b>Kohler</b> (1:00:02-1:00:18) “Support for this American life comes from...”	-	-	-
Week 6 4/11/2010	59:55 min.	<b>Kohler</b> (59:05-59:18) “Support for This American Life comes from...”	-	-	-

Freakonomics Radio					
Date	Podcast Length	Advertisements			
Week 1 2/25/2010	21:21 min.	<b>U. of Chicago Booth School of Business</b> (0:00 -0:12) “Support for Freakonomics Radio comes from...”	-	-	-
Week 2 3/17/2010	3:17 min.	-	-	-	-
Week 3 3/23/2010	21:05 min.	<b>Audible.com</b> (0:00-0:19) “This podcast is brought to you by...”	<b>U. of Chicago Booth School of Business</b> (7:37-7:50) “Support for Freakonomics Radio comes from...”	-	-

Week 4	NO PODCAST				
Week 5 4/7/2010	7:18 min.	<b>U. of Chicago Booth School of Business</b> (0:00 -0:12) “Support for Freakonomics Radio comes from...”	-	-	-
Week 6 4/12/2010	20:34 min.	<b>Audible.com</b> (0:00-0:19) “This podcast is brought to you by...”	<b>Audible.com</b> (9:56-10:07)	-	-

Stuff You Should Know					
Date	Podcast Length	Advertisements			
Week 1	32:45 min.	-	-	-	-
Week 2 3/18/2010	31:23 min.	-	-	-	-
Week 3 3/23/2010	29:24 min.	-	-	-	-
Week 4 3/30/2010	25:56 min.	-	-	-	-

Week 5 4/8/2010	26:34 min.	-	-	-	-
Week 6 4/13/2010	30:37 min.	-	-	-	-

Stuff You Missed In History Class					
Date	Podcast Length	Advertisements			
Week 1 3/10/2010	19:02 min.	-	-	-	-
Week 2 3/15/2010	18:22 min.	-	-	-	-
Week 3 3/24/2010	22:51 min.	-	-	-	-
Week 4 3/31/2010	21:28 min.	-	-	-	-
Week 5 4/7/2010	14:48 min.	-	-	-	-

Week 6 4/12/2010	26:37 min.	-	-	-	-
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WNYC's Radiolab					
Date	Podcast Length	Advertisements			
Week 1 3/8/2010	9:43 min.	<b>Austria</b> (0:00-0:12) "WNYC is supported by..."	<b>Self-support ad</b> (0:13-0:37) Encourages listeners to click "support" button online	<b>National Science Foundation &amp; Sloan Foundation</b> (9:02-9:15) "founded in part by..."	<b>Self-support ad</b> (9:25-9:43) Encourages listeners to click "support" button online
Week 2	NO PODCAST				
Week 3 3/23/2010	14:21 min.	<b>Austria</b> (0:00-0:12) "WNYC is supported by..."	<b>Self-support ad</b> (0:13-0:37) Encourages listeners to click "support" button online	<b>National Science Foundation &amp; Sloan Foundation</b> (13:50-14:00) "founded in part by..."	<b>Self-support ad</b> (14:06-14:21) Encourages listeners to click "support" button online
Week 4	NO PODCAST				
Week 5 4/5/2010	1:03:01 min.	<b>Self-support ad</b> (0:03-0:28) Encourages listeners to click "support" button online	<b>Self-support ad</b> (1:02:44-1:03:01) Encourages listeners to click "support" button online	-	-



Week 6	NO PODCAST
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The Nerdist					
Date	Podcast Length	Advertisements			
Week 1	1:02:33 min.	-	-	-	-
Week 2 3/16/2010	1:08:07 min.	-	-	-	-
Week 3 3/23/2010	1:12:06 min.	-	-	-	-
Week 4 3/30/2010	1:04:13 min.	-	-	-	-
Week 5 4/6/2010	1:04:25 min.	-	-	-	-
Week 6 4/13/2010	1:47:00 min.	-	-	-	-

The Adam Carolla Podcast					
Date	Podcast Length	Advertisements			
Week 1	59:52 min.	-	-	-	-
Week 2 3/15/2010	49:21 min.	-	-	-	-
Week 3 3/24/2010	1:29:33 min.	-	-	-	-
Week 4 4/1/2010	1:00:43 min.	-	-	-	-
Week 5 4/9/2010	1:00:58 min.	-	-	-	-
Week 6 4/14/2010	1:19:19 min.	-	-	-	-

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Tell 'Em Steve-Dave					
Date	Podcast Length	Advertisements			
Week 1	1:01:45 min.	-	-	-	-
Week 2 3/19/2010	55:17 min.	-	-	-	-
Week 3 3/26/2010	1:01:01 min.	-	-	-	-
Week 4 4/2/2010	1:06:00 min.	-	-	-	-
Week 5 4/9/2010	52:06 min.	-	-	-	-
Week 6 4/16/2010	55:53 min.	-	-	-	-

# Music in the Digital Age: The Emergence of Digital Music and Its Repercussions on the Music Industry

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## Abstract

*The clearly ubiquitous evolution of digital music has created an apparent and drastic shift in the way consumers and producers view and use the music industry. The presence of these music files that have been digitally compressed, thus making them easily attainable to all for a small fee or illegally downloaded for free, has made the music industry reevaluate how they are to make a profit off their art form. Social media web sites have also created a visible demand from consumers for artists to maintain a consumer-artist digital relationship, making the Internet not only a promotional vehicle for artists, but also a necessity for profit. These new means of music distributing and marketing have not only pushed the music industry to new levels, but has created a whirlwind of changes as record labels are losing control, with artists and consumers having the upper hand.*

## I. Introduction

The inspirational Bob Marley once said, "One good thing about music, is that when it hits you, you feel no pain." But in our current state of being in a digital age, it is the music and the people who create this music that seem to be feeling all the pain. As the digital age encroaches on our lives, consumers are demanding the music industry to keep up with these changes, which in turn, has led to financially devastating consequences for this industry. In a world that is full of conflict, economic despair, war and constant turbulence among nations, there is only one entity that few can say they genuinely hate and that is music. Music is an integral part of our society as well as a part of societies throughout the world. It is art that strives to feed the soul and paint a canopy of emotions through song. With this being said, it is important to note that we have reached a time when music has become so easily attainable that anyone who has a computer can potentially become an overnight phenomenon. Much of this shift can be attributed to the digital age and its undeniable presence in the music world. According to Rick Carnes, president of the Songwriters Guild of America, "Digital music has become the ubiquitous soundtrack of American life" (DiMA, 2008). This rapid emergence of new technologies has caused huge alterations in what was once a straightforward business model for success in the music industry, causing many industry leaders to take a second look at how to tackle their art form.

Is the digital age causing the creation and distribution of music to be so simple that the value is diminishing? Does our obsessive Internet usage lend itself towards a shrinking level of respect for music art-

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\* **Keywords:** Digital Age, Music Industry, Social Networking, Interactive Music Marketing, Music Pirating and Sampling

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ists because practically anyone can become a music star? The digital age has created both a luxury and a monster for consumers and producers alike because it has come upon us so rapidly that at times, it seems to get ahead of what we know how to handle. This article will look to analyze the introduction of new technologies in regards to music production through a literature review and expert interviews, as well as investigate the inventive marketing tools artists are now using to promote their music. But the true goal of this research is to see what repercussions this technology has on music artists and their labels and of course, what we can expect for the future of the music industry.

As technology and new media advance and improve, so do the means for marketing and promoting of anything and everything. The music industry is no exception to this ever-changing whirlwind that has scooped up artists and their music and has moved them to an entirely different level of sharing, purchasing, marketing and distributing. The pressure consumers have placed on the music industry to keep up with their demands is enormous. It is expected that record companies and independent artists develop new means of communication and distribution of their music as the Internet and online databases explode with popularity. In this digital age, labels are losing much of their importance and artists are more capable of promoting themselves, granting them more ownership over their own work (Halonen-Akatwijuka and Regner, 2004).

## II. Music Pirating and MP3's

The real growth in emerging technologies began in 1998 with the evolution of the MP3 player. This allowed for a new type of audio-compression that was at the time, a revolutionary means for listening to music. What the creators of MP3 files and music industry experts didn't know was that this technology that they thought would help them, would actually hurt them in the long run. By developing a type of music file that is so compressed it takes up less space yet maintains the integrity of the audio quality, music personnel predicted that this technology would make it much easier to distribute and enjoy music across many outlets (computers, iPods, MP3 players, etc.). But this creation actually led to the development of the infamous online file sharing sites such as Napster and KaZaa, inspiring the birth of peer-to-peer (P2P) transfers of music free of charge. From the introduction of these file-sharing sites, pirated music (or music downloaded illegally) skyrocketed. In attempts to combat this music "stealing", this inadvertently led to the development of online music stores such as iTunes in 2000 (Gopal, Lertwachara, Marsden & Telang, 2007). Because of these rising technologies, not only are record labels looking at new means of music distribution, but artists are also looking at innovative and original ways to market themselves online.

Before all this though, it is important to look into how the digital world has made a splash in the lives of musicians and labels in terms of P2P file sharing. The main concern is not "how we play the music, but where it comes from and what we do with it." (What's the Controversy, [whatsthe download.com](http://whatsthe download.com)). According to Jeffery Valisno of *Business World*, many believe that, "online music has led to illegal sharing of music files to the detriment of the industry" (Valisno, 2009). These technologies have led to a decline in cost of music for consumers as well as an increase in their knowledge of artists, which are two of the reasons why this P2P file sharing has blossomed so quickly (Gopal, Lertwachara, Marsden & Telang, 2007). So although services such as iTunes are completely legal and actually promoted, it is what happens to the music after it lands in the hands of the purchaser that music aficionados are worried about. Once that music leaves the hand of its owner in the form of a burned CD, on an iPod player or through a flash drive, it is considered stolen music and the artist will not receive a cent of profit. The individuals downloading these music files are many times referred to as "free-riders", who are "individuals who consume a public good without actually paying for it [which can] undermine the market efficiencies" (Gopal and Bhattacharjee, 2006).

This illegal file sharing is not a minute problem, it is one that presents an incredible concern to many musicians and labels alike. According to the Digital Music Report 2009, "40 billion music files were illegally shared worldwide last year" (Valisno, 2009). This number is of course astounding, but when one looks at the financial backlash of these downloads, it is even more devastating to the music industry. According to the Recording Industry Association of America (RIAA), two kinds of losses were attributed to piracy, "losses from street piracy- the manufacture and sale of counterfeit CDs- and losses from online piracy" (RIAA Web Site FAQ). RIAA also obtained a report from the Institute for Policy Innovation that does a breakdown of how drastic the economic losses have been from these forms of piracy. According to the site:

Global music piracy causes \$12.5 billion of economic losses every year, 71,060 U.S. jobs

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lost, a loss of \$2.7 billion in workers' earnings, and a loss of \$422 million in tax revenues, \$291 million in personal income tax and \$131 million in lost corporate income and production taxes (RIAA Web Site FAQ).

### III. The Power of Music Sampling and Sharing

Due to music pirating, record companies are losing money and many artists believe that this is indirectly forcing record companies to be more hesitant to take on new talent, preferring to stick with the talent they have to dodge their losses (Valisno, 2009). Research done in the *Chicago Journal* titled *Do Artists Benefit from Online Music Sharing* concluded that "consumers are more likely to sample first rather than directly purchase" (Gopal and Bhattacharjee, 2006). This implies that sampling is the future to music sales and can be used as a "truth-revelation mechanism" to determine how a consumer values a piece of music. It was found that the more the consumer valued the artist, the more beneficial music sampling of that artist becomes for them. If the consumer has relatively little vested interest in the artist though, that sampling can turn into decreased revenues for that particular artist and label because of pirating.

The gravity of this music stealing has forced the authorities to become involved in attempts to bring a stop to this uncontrollable theft. Organizations like the Recording Industry Association of America (RIAA), the Digital Media Association (DiMA) and the National Music Publishers' Association (NMPA) are actively searching for ways to combat this threat to the music industry. For example, in the RIAA mission statement they mention that they "work to protect intellectual property rights worldwide and the First Amendment rights of artists" (DiMA Press Release, 2008). In attempts to act upon their promises, RIAA has begun to initiate lawsuits against people that are illegally downloading music. The association stresses the fact that if you steal music online, you might as well just go to the store and steal an actual CD because the difference between these two choices is nonexistent.

Another interesting aspect of music sharing and illegal downloading is how it has affected a song's survival time on the music charts. A study done by four college professors called *The Effect of Digital Sharing Technologies on Music Markets* looked into this very topic. They predicted that with the emergence of file sharing, well-known artists would decrease in popularity (which they refer to as "the dilution of the superstar effect") and newer artists would emerge from below to produce chart hits. What they found was slightly different than what they expected. The study showed that sharing has relatively little effect on top albums and their survival on the charts. Smaller, lesser-known artists on the other hand, are hurt from this sharing and experience less sales than before P2P sharing was developed. Because of this, minor labels are looking for ways to use file sharing as a beneficial tool to "popularize their albums" as opposed to hurt their sales with pirated music downloads (Gopal, Lertwachara, Marsden and Telang 2007). This love-hate relationship, along with artists' desire to enhance their "digital relationships" with consumers is all part of the new age of music, something that is just on the verge of being explored.

### IV. What the Musicians Think

Speaking of artists, it is interesting to note where they stand on this issue of illegal digital downloading because it is them who are inevitably the ones affected by this issue. Obviously, a majority of the artists are opposed to this form of music listening because, "the more illegal downloading is taking off, the more the record companies are suffering, the more that they're only concentrating on the big artists" (Artist Buzz, [www.whatstheardownload.com](http://www.whatstheardownload.com)). Bigger artists like John Legend believe that many people illegally download because consumers feel that artists as successful as Legend, Madonna or the Beatles don't need more money so they don't see the big deal in downloading a few of their songs free of charge. But Legend points out that "there's a whole industry that thrives off of those 99 cents you pay for your download" (Artist Buzz, [www.whatstheardownload.com](http://www.whatstheardownload.com)).

Before all of this digital music existed, it was pretty common for children and young people to make mix tapes for their friends, but as Sarah McLachlan puts it, "It's one thing when we were kids and we made tapes for our friends of songs. But it went to five people and now it goes to an infinite amount of people"

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(Artist Buzz, [www.whatsthe download.com](http://www.whatsthe download.com)). So the concern is not that people are sharing one song with a few people; the problem is that once music files get online, there are an endless number of people who can access them, which is just what people do. The RIAA clearly states on their Web site that, “we have embraced the technological advances that have allowed millions upon millions of people around the world to enjoy the music we create. We want fans to enjoy their iPods, CD burners, and other devices, but we want them to do so responsibly, respectfully, and within the law.”

Surprisingly enough, there are also artists who feel that this illegal downloading is somewhat of a good thing and are completely supportive of the digital era of music. Piracy acts as promotion for an artist because once the consumer has downloaded an unknown song, it is said that they are more likely to purchase something from that artist in the future (Gopal and Bhattacharjee, 2006). The Black Eyed Peas for example believe that downloading music is a good way for newer artists to get their music out there if they don’t have a big record company backing them. The band feels that if people download a portion of an unknown bands music and enjoy it, they will eventually purchase the whole CD or download their music legally to further enjoy it. Jason Mraz also shares this same appreciation for illegal downloading in the sense that he can see some of the benefits it serves. “I can’t yet complain about downloading because of my fan base,” says Mraz. “I would probably say half of my fan base that comes to our concerts, heard about me because of illegal downloading” (Artist Buzz, [www.whatsthe download.com](http://www.whatsthe download.com)).

## V. The Digital Epidemic

It is also interesting to note who the most frequent perpetrators of music piracy are because once those individuals and motives behind why people steal music are discovered, it makes the industry that much closer to putting an end to this epidemic. The *Chicago Journal* did an in-depth study of online music sharing and looked into these statistics. They found that the people least likely to illegally download music are females, older people and “individuals with an ethical predisposition toward legal justice” (Gopal and Bhattacharjee, 2006). It was also found that an individual’s income has a relatively insignificant effect on whether they decide to illegally download music. Many believed that a lower income individual would be more likely to steal music than one more well off because they lacked the superfluous funds for purchasing that particular song or CD. But according to research, it suggested that the true value of the music is solely established by the listener and how much loyalty they have to that artist. In turn, this directly affects how much money they are willing to spend on that artist. This is beneficial research because now the industries are charged with ways to target those specific demographics when looking for ways to encourage legal music purchasing.

The goal of the music industry is to simply “make buying music easier than stealing music” (Gopal and Bhattacharjee, 2006), which is something that is far from solved. The only hypothesis that industry experts have is that if music sample costs are lowered, then more people will be inclined to buy that music as well as subsequent music from an artist. “This has major implications for the music industry, in that the industry can potentially reverse the effects of online audio piracy by providing more legal and efficient sampling techniques that consumers could use” (Gopal and Bhattacharjee, 2006). The Internet can be a wonderful tool if the music industry could just learn how to maximize their profits via music sampling because that is where the bulk of music is now being obtained. As of 2008, Atlantic Records was the first major record company to have over half of their income attributed to digital sales (51% of sales). This was a huge milestone for the company, which is owned by Warner Music Group, because it made them realize that the digital world is rapidly taking over the familiar world of CDs. This is something that newspapers and television stations have already noticed in the sense that much of their viewers look at their content via the Web, as opposed to on TV or in the papers. Now the music industry is realizing that they are no exception to this digital transition. It was originally believed that when digital sales surpassed the sale of CDs, that revenue would make up for lost revenue in stores. But according to Forrester Research, music sales are expected to fall from \$10.1 billion in 2008 to \$9.2 billion in 2013, implying that digital sales will be incapable of making up for this deficit in CD sales (Arango, 2008).

## VI. Social Networking Influences and the Role of Music Labels

Music piracy and illegal downloading are not the only challenges that the digital age has brought upon music artists and their labels. The explosive popularity of social networking sites has made a huge splash in the lives of musicians and has greatly altered the way marketing teams work towards promoting artists. In a time where terms like Facebook and MySpace are everyday lingo, social media and online marketing have never been so vital. Livia Tortella, the Executive Vice President of Marketing at Atlantic Records says that although they once viewed the Internet as a “promotional vehicle to highlight new artists and albums, they now see artist sites as a way to generate online advertising revenues and sell tickets, t-shirts and even music” (Holahan, 2008). The online pre-sale of music is becoming a huge source of revenue for companies like Atlantic Records because fans know now to go straight to the artists personal Web page to get their music first, sometimes before it is even out in stores.

The success of an artist is no longer measured in how much money they make on their albums or during a tour. Today, artists are expected to have not only a presence in the real world but in the online world as well. Fans are now demanding relationships with their favorite bands because of these social networking sites. The goal that labels and artists now have in tackling the new means of marketing “is embracing the use of technologies to brand and reach out to potential customers” (Shih Ray Ku, 2002). Today, labels are beginning to lose their importance, as artists are able to promote themselves online. Because of this increased artist power, “there is reduced ownership of music copyrights by labels and more by the artists themselves” (Halonen-Akatwijuka and Regner, 2004).

The old model for the music industry was to allow the artists to make the music and then pass that music off to their respective label to promote them and distribute their work to the masses. But as artists become more technologically savvy and recording studios can be purchased for a small fee via your Mac computer, are labels really going to be necessary in the future? Before the development of social media sites, there were really only a few different ways to discover new artists as well as follow artists that you were already a fan of. Music was discovered through the radio, through television such as MTV and VH1, or your friends and family would inform you of a new band or artist they thought you might like and you could then borrow a CD or pick up a copy of your own at the nearest Best Buy. But now with social media sites, discovering new music is easier than ever.

There are four basic ways in which music can be discovered and artists and labels alike are beginning to realize the potential these methods of artist promotion could have in the future of their success. One way consumers are discovering an artist is through simply browsing on the Internet and finding artists through links or genre categories that sort out popular artists. Then there is the “stumble-upon” method of discovering an artist, which simply means you accidentally encounter an artist you like via the Internet and the sites you visit. Of course there is also the peer-to-peer way of discovering music in which a friend can send you music suggestions that they perhaps received through other friends. And lastly, there are the social media and networking sites that open up endless possibilities for sharing, blogging and promoting of favorite artists or bands to anyone and everyone on the Web.

These four different options for discovering music provide countless opportunities for artists to capitalize on if they are intelligent and know how to use the Internet to their advantage. What artists and labels are beginning to see as the most beneficial means of promotion is in establishing a community around the artist through drawing in listeners and fans via popular social media sites (Peters, 2008). With sites like upcoming.org, last.fm, MySpace.com and Facebook.com, artists have an unlimited number of fans they can reach out to and pull in without ever leaving their computers for a performance. The ease that these networks have created for artists to share their music with anyone who is willing to listen is incredible. Not only are the artists and labels promoting their music, but fans are also promoting artists through user-generated content. Once a fan posts a link to a video on their Facebook page, blog, MySpace, or whatever social media site they choose, that automatically generates content and directly promotes the artist without that artist or label spending a penny.

There is also the creation of sites such as MySpace Music, which was created in 2008 in partnership with three of the top labels, Sony BMG, Universal Music Group, and Warner Music Group as a new way to combine music labels with social media sites. The goals of this partnership was to create an outlet for the artists represented by these labels as well as generate ad revenue on the artist’s home page. This makes it a win-win situation for MySpace and the labels that are both capitalizing on the deal. “The idea behind

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MySpace Music is that it can help generate revenue for artists everyday, not just around an album's release" (Holahan, 2008). But although this revenue is expected to help the continuing deficit of CD sales by bringing in an estimated \$1 billion in revenue by 2012, the anticipated monetary loss from CD sales at that point is expected to be at \$3 billion a year. This means that although digital sales will help the revenue generated from music sales, they still won't make up for the revenue lost from the CD sale deficit.

This ease in marketing and promotion does not come without a cost. Because it is now so easy to put your work out there for millions to see, the competition in the music industry is tougher than ever. Although labels are beginning to lose their importance, they haven't disappeared quite yet because once you are signed to that label, the chances of your band "making it" generally increases greatly. The financial backing and publicity you receive through a label deal are still highly valuable in this cut-throat market and will continue to be until someone comes up with an alternative way to make yourself known to the public.

## **VII. Interactive Music Marketing**

With that being said, it is not too far from the time when other artists will act as a type of "label" for newer, up and coming artists. We are already seeing this type of promotional model with mentors and third party promoters forming a partnership. This means that an "established, already famous artist can provide the newcomer with exposure and funds" (Halonen-Akatwijuka and Regner, 2004). In doing this, there is no record company that owns the copyright privileges to the newer artist and the more established artist is like a sort of "venture capitalist" investing in an artist they believe in. There are also services such as the one developed by Clear Channel Radio and Front Line Management called artist personal experience radio or a.p.e. This service allows individual artists to create a radio channel that features close to 1,000 songs of their choice, which are then mixed with their commentary and personal stories. This type of radio station is intended to be a marketing tool for both the artist themselves and the music that they are in a way, endorsing by putting on their personal playlists (Reuters, 2009).

These types of marketing are only the beginning of what we are starting to see in attempts to get coverage of an artist. Through an interview with Rob Beatty, Product Development Coordinator in the Digital Media Department at Atlantic Records, Online presence is key in the digital age. Artist placement on the Internet is a cornerstone to their success in the music industry. For example, blog placement is a major factor in online marketing of artists as well as the different viral placements of contests and competitions that exist online for each artist. Consumers will register for contest after contest to get entered in a chance to win free concert tickets, backstage passes, t-shirts and anything else you can imagine. Once they enter that contest, the record company or marketing department has that individuals email address and will begin sending them email after email promoting that artist, or any other similar artists for that matter. So labels and artists use these contests to promote their music and draw in more listeners to their fan base.

The newest forefront of music in the digital age is interactive music. We have all heard of interactive media and seen the rapid growth of this form of marketing in the past few years, but music is just now becoming a part of this interactivity. Music was always an art form that was created by the artist and then enjoyed by the listener. But now we are beginning to see the listener becoming involved in the actual music because of interactive technologies such as Romplr. This cell phone application allows listeners to rearrange their favorite songs by taking certain parts of the song apart and then rearranging those pieces to their liking to create a whole new piece of music. Then they are able to share their new creation with friends, inadvertently stirring up publicity and promotion for that band. "Fans can now connect to artists' music in a whole new personal way by creating their own versions of a song and being part of the creative process"(Biotech Business Week, 2009).

Bands such as Radiohead are aggressively tackling this type of interactivity and are being recognized for it throughout the media, giving them even more publicity. What Radiohead did was similar to Romplr in that they created a remix competition with their single "Nude". They began by selling five different parts of "Nude" on iTunes for .99 cents, vocals, guitar, bass, strings/fx and drums. Then listeners could mix each part of that song however they wanted to create their own remix of the song via radioheadremix.com. After their personal mix was created and uploaded, other users could then listen to those remixes and vote for their favorite one, which in turn, allowed fans to be involved with their music on a whole other level. What this did was give listeners a greater appreciation for the music production process, which is thought to possibly reduce levels of piracy and encourage fans to purchase their music instead of stealing it. Radiohead is also flourishing in the

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digital age because they released their most recent album on iTunes with a “pay what you want” deal, as well as allowed fans to create a music video from a song of their choice and then submit it for a competition. All of these new media approaches are things that are just being explored by labels and artists together. But at times, the inventiveness of each new outlet is overwhelming for producers who cling to the old music business model.

## VIII. Conclusions

It is quite apparent that we live in a society that cherishes their new technology, constantly searching for and stumbling upon new and improved ways to do even the simplest things. We also are a culture that values our music and are surrounded by this medium in our everyday lives. The challenge that we now face is how to combine these two deep loves in a way that compliments one another as opposed to hampering the success of each other. This is a difficult forefront that music artists and record labels must aggressively tackle, because if they ignore these technological advances, the music industry could end up in a detrimental place. Unfortunately, our culture is one that values one thing above all else and that thing is money. Although many say that money is not the end all and be all, it cannot be argued that money plays a huge role in the decisions that corporate America as well as all other people of this nation make. Because of this, it is important to understand how technology is affecting the music world so we can continue to allow this art form to thrive financially. Without money, artists can no longer produce their genius and without the artists, there would be no music. Bottom line, there exists a constant battle between consumer and producer; the consumer wants their purchase to be cheap but the producer needs to make a profit. So this tug-a-war creates the very familiar cycle that we see on a daily basis, all of which goes back to the basic principle of capitalism.

So what will music do next? Will we reach an age where live concerts no longer exist because we can simply watch a live feed of them on our computers while we have a discussion board open on our screen? Will CDs be the equivalent to vinyl records in that they are a collector's item because they are an item of the past? And where will the bulk of an artist's revenue come from five, ten years down the road? These are all questions that both the small and large record labels are asking themselves right now because they know that if they do not acknowledge and adapt to these changes, they too may one day become obsolete. So although I do not have all the answers, I can say one thing: the only thing record labels, artists, music publishers and consumers can do is embrace the new technologies and allow the digital age to work to the advantage of everyone with hopes that the wonderful art which we call music, keeps its integrity for all of eternity.

*“Music is enough for a lifetime, but a lifetime is not enough for music”*

*- Sergei Rachmaninov.*

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# Merging Through Media: Analyzing Public Relations Framing and Ethics through the 2010 Ticketmaster-Live Nation Merger

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## Abstract

*This research article analyzes the 2010 Ticketmaster-Live Nation merger, evaluating the companies' public relations tactics during the merger, the merger's ethical implications, and the impact on the music industry. Through a content analysis comparison of language from both company-generated and major news publication writings about the merger, this research highlights the contradiction between the companies' framed message and public perception of the merger. While the companies' writings portray the merger as innovative, beneficial, visionary, and fan focused, news outlets write in themes of domination, worrisome predictions, and monopoly, with limited positivity. This paper concludes that the public relations tactics employed by Ticketmaster and Live Nation during the merger did not influence public opinion. The merger will have a major impact on the concert industry, possibly trampling independent promoters and continuing to raise ticket prices by cornering the market on major concert venues, tickets, and performers.*

## I. Introduction

As modern businesses continue to streamline services to boost stock and cut back on resources, mergers have become common and powerful in America. Within the concert industry, two giants have struck a deal and engaged in a vertical merger. Ticketmaster, the world's largest entertainment ticketing and marketing company, is joining forces as of February of 2010 with Live Nation, the world's top producer of live concerts. This collaboration is now known as Live Nation Entertainment Inc., "the world's first artist-to-fan vertically integrated live entertainment platform... improving the fan experience and driving major innovations in ticketing technology, marketing and service" (Live Nation). But Bruce Springsteen is claiming, "the one thing that would make the current ticket situation even worse for the fan than it is now would be Ticketmaster and Live Nation coming up with a single system, thereby returning us to a near monopoly situation in music ticketing" ("Bruce"). Although the Department of Justice has approved this merger, some are crying, "Monopoly!"

This paper will examine the Live Nation Ticketmaster merger's communications tactics. Not only how the companies' frame the merger, but also how it aligns with the media response. While exploring the tactics of these giants, this paper will also uncover the ethical implications of this merger and its public portrayal in the media.

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\* **Keywords:** Live Nation, Ticketmaster, corporate merger communications, public relations framing, music industry

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## **II. Literature Review**

The Literature Review explores the basic topics of the study including the process of content analysis, methodology, public relations framing, and the current status of the concert industry. Due to the uniqueness of this study, there are few similar studies to review, but the study can be established by building a foundation with these topics.

### ***Content Analysis***

Content Analysis is a unique research method that allows researchers to take qualitative information and break it down into a categorized and measurable group of data. By selecting a topic of study and conducting background research, the researcher can develop hypotheses for the analysis. From these hypotheses, the researcher can decide how to categorize information based on the specific information in question (Berelson). Finally, in preparation the researcher must select the population to code. This collection of materials should be reliable and relevant (Higgins). By collecting the materials selected for analysis, the researcher will be prepared to begin coding (Berelson). Coding must be precise and reliable. Each instance of coding must be consistent with the other instances in order to have steadfast results (Higgins). Finally, the data must be fully analyzed and compiled to understand the implications.

Although there are benefits to this form of research, challenges come with content analysis methodology. Because content analysis is more abstract than an experiment or a census, results can often be interpreted in different ways, making the report subjective (Higgins). This is why specific and consistent coding is important, to maintain objective and applicable results. Another disadvantage to content analysis research is that while informative, this type of research can not prove cause and effect. Content analysis will provide an overall message from a population, but it will not explain that message's effect on its recipients (Higgins).

### ***Public Relations***

One of the first lessons of public relations is framing a topic. By establishing a specific frame that the desired audience will see, the gatekeeper can interpret the message for the audience. All public relations tactics take on a specific frame, shaping each message to fit a specific point and accomplishing an exact task. Framing is what gives public relations professionals power to change opinions, mould ideas, and sometimes even deceive readers. In Kirk Hallahan's study of the Seven Models of Framing, he discusses structures that develop specific frames. Tools like semantic framing, thematic structure, rhetorical structure, valence framing, and story framing. Semantic frames utilize phrasing to direct a message in the preferred direction for the audience. Thematic structures insert words like "because," "since," and "so" to explain a relationship. Similes, metaphors and illustrations can be considered rhetorical structures to aid in framing a topic. When wanting to omit or highlight information, valence framing is to shed light on the topic within the preferred frame. Story framing draws the audience into a narrative that encompasses an overall theme (Hallahan). These subtle practices can greatly influence one's interpretation of media. With this power to control a message, framing becomes a stronghold for any public relations objective.

### ***Music Industry***

The music industry has become a major commodity in America. With new technology, music is more widespread and diverse than any other time in history. Although the music industry is so influential and profitable, it has become quite concentrated. The two sectors of the music industry have become the recording industry and the concert industry. While each has its own entities, giants in each realm have risen and taken over. Due to multiple factors, the music industry has seen a shift in profits in recent years. Before 1996, the recording industry was where most artists made more money, which kept concert prices low in order to hopefully attract more fans to buy recorded music. But with the steady decline of the recording industry, concert ticket prices have sky rocketed to compensate (Kruger). With the concert industry becoming a power player in the music industry overall, concert promoters, ticketing, and venues are becoming more powerful.

Alan Kruger's study of ticket price increase reveals startling ticket inflation. He reports that "[f]rom 1996 to 2003, for example, the average concert price increased by 82%, while the Consumer Price Index increased by 17%." He hypothesizes that this could be caused by multiple factors including the "crowding out of the secondary ticket market" and "increased concentration of promoters" (Kruger). Part of this reasoning

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comes from the Clear Channel dominance in the music industry; owning over 1,200 radio stations, amphitheaters, billboards, TV stations, and SFX Entertainment. Kruger states, "Many critics have accused Clear Channel of using its vertical and horizontal concentration to monopolize the concert industry." This one example of a possible monopoly could lead to more in the concentrated concert industry.

By using content analysis to evaluate the public relations framing utilized by Ticketmaster and Live Nation, this study will discuss the communications tactics of a major merger and its ethical implications in the concert business. The concert industry has been changing dramatically over the past ten years, but it is about to transform due to the Ticketmaster Live Nation merger. In order to better understand the impact of this union, it is important to discuss the companies' histories.

### **III. Background**

In order to fully understand the context of this analysis, it is important to understand the history of Live Nation, Ticketmaster, the recent merger between the two, and the public opposition to the merger. These brief histories will explain the company services, prominence, and success as well as the details and conditions of the merger and the public response.

#### ***Live Nation***

In 2005, Live Nation was spawned from Clear Channel Communications as a live event promotion company. Live Nation promotes and produces major events on an international scale including concerts, comedians, theatrical performances, and festivals. Live Nation is present in over 50 countries and owns and operates over 100 venues including House of Blues and Fillmore locations. In addition to their live performance prevalence, Live Nation also has signed artists such as Madonna, Nickelback, and Jay-Z to the Live Nation Artists division, managing album releases, merchandise, touring, and sponsorship. Live Nation reports that in 2009 it "sold 140 million tickets, promoted 21,000 concerts, partnered with 850 sponsors and averaged 25 million unique monthly users of its e-commerce sites" (Live Nation). In 2008 Live Nation discussed the possibility of starting a record label that would outsource to an established infrastructure for marketing and distribution, allowing Live Nation to maintain license privileges without building full service label. The label has not been established yet. In 2009, the company reported 4,181 billion dollars in revenue. The CEO of ten years was reported by Forbes to have received \$8,504,881.00 in overall compensation for the year of 2008 ("Profile"). The Live Nation giant is considered the biggest concert promoter in the business worldwide, practically eliminating the competition for concert promoters that can promote on the same level. In addition to its domination of the promotion industry, Live Nation has grown to become multifaceted, combining many services that could be considered monopolistic.

#### ***Ticketmaster Entertainment, Inc.***

Ticketmaster is a ticketing sales and distribution company that was formed in 1976 in New Mexico. Ticketmaster quickly grew to sign major clients spanning from event venues, professional sports teams, and performers internationally. In its first ten years of existence, Ticketmaster established offices in London, Toronto, and Australia. In the 1990's, Ticketmaster introduced concert industry innovations on a large scale such as barcode ticketing, ticket scanning systems and online ticket sales, quickly making it the biggest ticket sales company worldwide. In the 2000's, Ticketmaster began auctioning tickets on their TicketsNow website for high demand events, reselling tickets for upwards of triple the face value with additional service fees. These tickets are sold on the resale website by individuals as well as ticket brokers. Ticketmaster is now present in over 15 countries making profit from service fees and exclusive ticket sales contracts with primarily high profile venues and sports teams ("Ticketmaster"). Ticket service fees can be anywhere between ten to fifty percent of the ticket value. Due to its high service fees and ticket sales industry dominance, Ticketmaster has become the victim of criticism and several lawsuits accusing the company of monopolistic practices (Segal). In addition to the ticket market, Ticketmaster also owns an artist management group called Front Line Management. Front Line has over 200 clients including the Miley Cyrus and the Eagles. This is just one more way that Ticketmaster has grown into an entertainment heavyweight.

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## **2010 Ticketmaster Live Nation**

In February of 2009, Live Nation and Ticketmaster revealed to the public that the two concert industry leaders would be entering into a merger. The proposal projected that the vertical integration would result in one company, Live Nation Entertainment. The mega company would then own “more than 140 concert venues globally, sell around 140 million tickets a year and promote 22,000 concerts annually. This concert industry dream collaboration not only combines two great forces, but it streamlines concert services into one company providing concert promotion and venue operations, sponsorship, ticketing solutions, e-commerce and artist management. This proposal sought approval in the UK first. Although the United Kingdom’s Competition Commission originally rejected the proposed merger, in December of 2009 the merger was passed. In the United States the Department of Justice passed the merger in January of 2010 with the companies’ agreement to specific conditions. Ticketmaster has provided the license for its ticketing software to AEG Live, Live Nation’s primary competitor. In addition to aiding the growth of AEG Live’s ticket sales software, Ticketmaster agreed to sell its Paciolan Inc. ticketing unit, which provides venues with infrastructure needed to ticket large events. A sports and entertainment company, Comcast Spectacor, has purchased the ticketing unit (Margolies). These stipulations were put in place by the Department of Justice to adhere to anti-trust laws and maintain a competitive live event market. Even with these conditions in place, many still believe that this merger is a monopoly.

The merger is facing harsh criticism from consumer rights groups, celebrities, and peer music industry professionals who expect higher prices and a limited market for competitors. “Now that [Live Nation is] united with Ticketmaster, the sky will be the limit when it comes to fees,” Sally Greenberg, executive director of the National Consumers League commented. “It’s not enough to say ‘If you don’t like the high prices, don’t go to the show.’ We need a concert market that has real and robust competition” (Segal). Others agree with Springsteen’s accusation and spoke out during the United States Department of Justice investigation. Jam Productions co-founder Jerry Mickelson testified against the merger calling it a “vertical integration on steroids.” Mickelson pointed out that the first anti-trust ruling in the Paramount Pictures U.S. Supreme Court case of 1948, demanded that Paramount disband its theatres. Mickelson suggested that Ticketmaster should have had to sell Frontline Management because it gives the merger too much industry power. Bloggers, music industry news, and columnists continue to discuss the impact that is to come from this massive merger.

## **IV. Findings and Discussion**

In order to better understand the use of framing in the public relations writing during a merger, this study chose five merger related, company generated writings as a sample for content analysis. During the coding of these documents, the language was categorized into framing themes. The company-generated themes include innovation, beneficial, visionary, and fan focused. After recognizing themes in the company’s language, analysis was conducted to compare the company-generated language to the language of the media coverage. Five merger related articles were selected from major publications. The articles were coded for language that expressed support of opposition to the merger to gain a perspective on media generated themes. The media generated themes include: domination, prediction, monopoly, and positivity.

### ***Public Relations Framing***

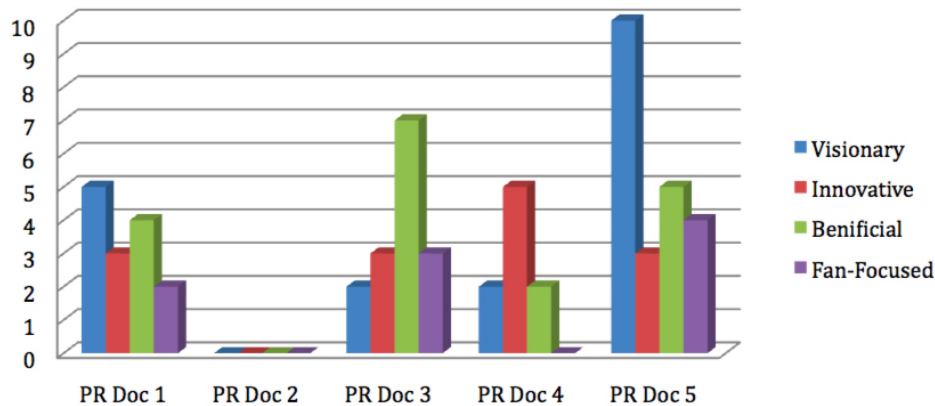
The documents that were analyzed in the company produced public relations sample included a letter to stockholders about the proposed merger, a press release about the stockholders approval of the merger, a press release about the UK Competition Commission granting clearance for the merger, a press release about the U.S. Department of Justice granting clearance for the merger, and the “About Us” information from Live Nation Entertainment Inc.’s website. These documents had over-arching themes that presented a strong, confident, and unified front from both Live Nation and Ticketmaster. The writing was primarily targeted towards investors, focusing on the financial benefits of the merger for stockholders and the future of the corporation.

The most prevalent theme that this study found was Visionary language, as shown in Figures 1 and 2. (32 percent, 19 out of 60 occurrences). By utilizing visionary language such as “paving the way” and “ultimate concert destination,” Live Nation Entertainment Inc. conveys a sense of luxury with its company. The merger

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promises to produce a concert experience of the highest standards.

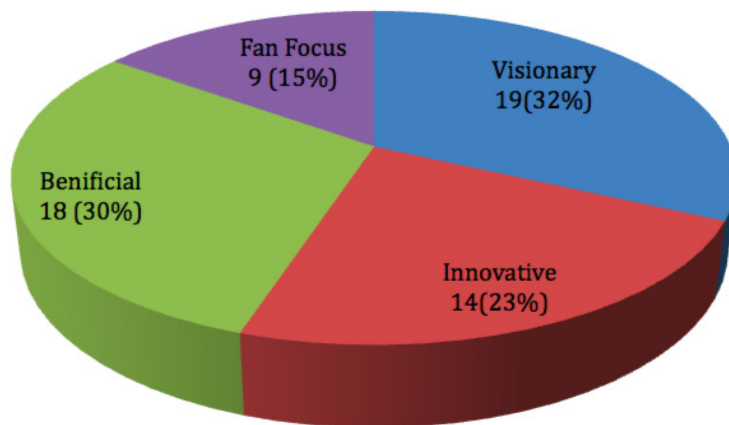
**Figure 1. PR Language Occurrences per Document**



Relative to this category is the Innovative language theme, which was expressed in 14 instances (23%). The writings excessively described how the merger would be the first of its kind, an “innovation,” the “industry’s first ever,” a “multi-dimensional” partnership. These terms established an air of notoriety, framing the merger to seem like an ingenious creation.

To guarantee that the merger would be seen as favorable for both companies, the writings highlight the benefits of the merger

**Figure 2. Merger PR Language Overall**



through descriptive language in 18 instances (30%). Using vague, promising words like “optimistic,” “successful,” “meaningful,” and “improvement,” the explanation was offered of the specific benefits of the merger, but emitted a positive outlook.

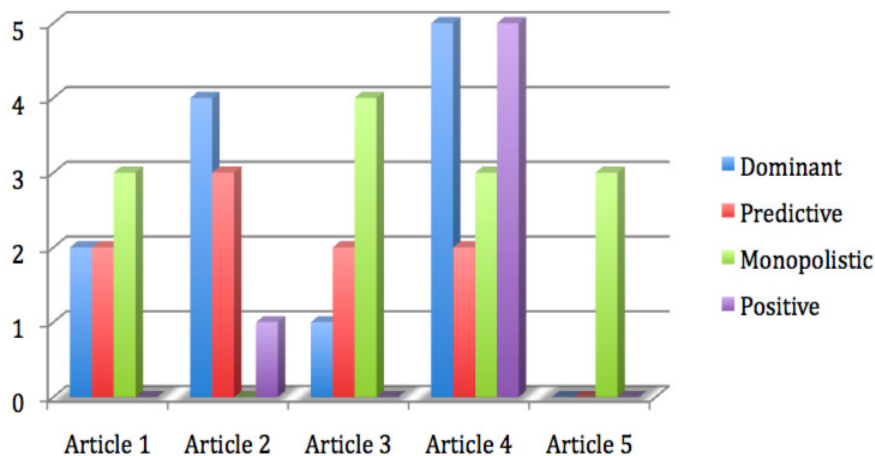
Finally, the last framing theme in the study of public relations documents from the merger is Fan-Focused language (15%). For any other business, a company would address its clients or consumers, but Live Nation Entertainment Inc. addresses its public as “fans.” By creating a specific audience persona, the “fan” gains recognition as an entertainment connoisseur,

rather than just a generic participant. This theme, while less common, gave the merger a direct beneficiary. The other themes of vision, innovation, and benefits are directed toward enhancing the fan’s Live Nation Entertainment Inc. experience. These themes ultimately empowered the merger, highlighting its successful steps to becoming a “high-profile,” “word-class” company.

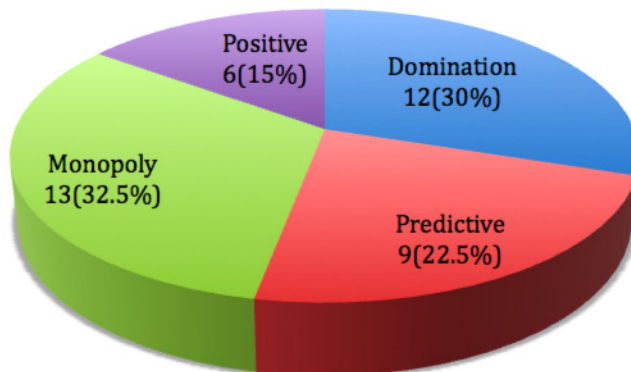
One element of the study that was not factored into the categories of language themes, was the framing technique of downplaying topics. PR Doc 1 in Figure 1 did not contain any of the themes previously discussed, but did have repetitive language about the awaited “regulatory” approvals from the Department of Justice. The Department of Justice evaluated the mergers merit based on anti-trust laws, and only granted clearance with the agreement of concessions from the companies. While the documents mentioned the approval and the review, the writings never used the words “anti-trust” or “investigation.” The words that were commonly used were “regulatory” and “customary,” politely dismissing the review as a simple part of the process.

These framing themes could be applied to any merger communications campaign. The Ticketmaster-Live Nation merger showcased the benefits of the innovative merger and its unique vision that would enhance the target audience’s relationship with the product. Finally, by using simple language to mention, but not elaborate on possibly negative events, the merger’s successes can shine over the logistics.

**Figure 3. Language Overall in Media Articles**



**Figure 4. Language Overall in Media Coverage**



### Media Response

In order to assess the merger's public relations framing, the study analyzed the language used in five articles about the merger from major publications. This analysis revealed very different language used in association with the merger. The four major themes that surfaced were Dominant, Predictive, Monopolistic, and Positive. The articles, aside for instances under a minor category of Positive, presented the merger in a negative light.

As shown in Figures 3 and 4, an overwhelming presence of Dominant language (30% of 40 instances) crowded the articles using words like "dominate," "giant," and "juggernaut." These words emphasized the magnitude of the merger and its power.

But other writers went as far as to point out not only the colossal merger, but the "monopolistic" merger. This category, Monopolistic, was the largest group of media responses to the merger (32.5%). Many of the writings suggested that the Department of Justice was too easy on the music tycoons and should have taken it to court or enforces greater concessions. One article recalled when Pearl Jam attempted to boycott Ticketmaster, failing to do so because too many venues had long term, exclusive contracts with

Ticketmaster, making it impossible to avoid using their services.

Because this is the first corporation of its kind in the music industry, many articles (22.5%) relayed predictions of the giant's reign over the concert industry. These instances utilized language such as "worry," "worrisome," and "leap of faith." Some quoted individuals predicted that the merger "won't help consumers," "put competitors out of business at every level of the music industry and lead to increased ticket prices for consumers."

The last, less frequently used category was Positive (15%). These instances pointed out the success of the merger passing through the Department of Justice, claiming it was a "victory" and could be seen as "revolutionary." While these sentiments are true, the other categories shed light on major issues that the company generated writings never discussed. The visionary company that hoped to innovate the music industry is being accused by the press of potentially tearing it apart.

Other observations that did not fit into the merger language were some reflections about the companies prior to the merger. One article noted that, "For years, neither promoter nor ticketer has considered fans as the first priority" (Segal). This explanation contradicts the fan-focused language that was found in the public relations writings. This two-sided story that is developed in public relations is common but should be consistent if possible. These inconsistencies give witness to the controversial nature of this merger and its future in the music industry.

## **Limitations**

This study had several limitations because of its narrow sample and timing. The sample size was small due to the consolidation of press releases on behalf of Ticketmaster and Live Nation. Shortly after my selection of a study subject, Ticketmaster closed its investor relations information including press releases on [www.ticketmaster.com](http://www.ticketmaster.com), directing any investor relations inquiries to [www.livenation.com](http://www.livenation.com). These press releases and documents about the merger were few, but still very informative. Also, due to the timeliness of this study, there are few statistics or writings that can assess the ethical practice of this merger. While some news articles raised contradictory concerns that the public relations writings exempted, the concerns are still projections. As the time passes, there will be more data to assess whether Live Nation Entertainment Inc. has kept its initial merger promises to favor fans and maintain reasonable ticket prices.

## **V. Conclusion**

In conclusion, the study revealed that the Ticketmaster-Live Nation merger used public relations framing to instill a sense of beneficial innovation associated with the merger into its shareholders, while exempting the possible negative influence it would have on the music industry. On the other hand, major media sources primarily focused on the overpowering, monopolistic characteristics of the merger, barely mentioning in their coverage the innovation that Live Nation Entertainment Inc. promised. This contradiction between the company generated documents and the general media coverage proves that the press release effort to frame the situation did not affect the media coverage. Although the press releases are targeted toward stockholders, the press releases are also meant to carry the message into the general media coverage. But more importantly, the contradictions in media raise ethical questions about the Ticketmaster-Live Nation merger and the Department of Justice's ruling on the matter. Anti-trust law is being challenged with vertical integration and bundling major services to wipe out the more focused competition. This merger could have set standards for future mergers, maintaining fair commerce in the music industry, but many feel the merger was passed too easily with too few concessions. This merger could result in a monopoly of the music industry that raises ticket prices, grows into a recording company, controls high-demand artists through exclusive contracts, and proceeds to crush the independent music industry professionals on a global level.

## **Acknowledgements**

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