FOR AND OF THE PEOPLE:
A CASE STUDY OF HOW ONLINE PLATFORMS IMPACT U.S. CIVIC DUTIES

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ABSTRACT

Today, online communication is a major tool in the development of public policy. It is used both by the federal government to express opinions and to inform and persuade the public, and by the public to express opinions and to inform and persuade the federal government. However, is the growing number of online platforms providing a better way for citizens to fulfill their civic duties?

First, this thesis establishes a theoretical definition of a virtuous citizen, using the Federalist Papers as a guide. The theoretical rule for virtuous citizens that is established is threefold. The citizen must: 1) acknowledge the greater good of respecting the commons; 2) acknowledge an elected representative’s ability to represent his interest (while deferring to the representative about matters of public good); and 3) elect virtuous statesmen. This definition will be examined alongside the practical interpretation of that definition in the late 18th and early 19th Century, which highlights love of both competition and perceived equality as hallmarks of the American citizen. These hallmarks influenced how Americans fulfilled the role of the theoretical virtuous citizen.
The focus then turns to the role that the media has played in affecting the way that citizens fulfill the three rules of virtuous citizenship. Using the proposed Stop Online Piracy Act, or SOPA (as introduced by the House of Representatives) and its Senate equivalent, the PROTECT IP Act, or PIPA, as a case study, this thesis aims to capture a snapshot of what place the Internet currently has in political discourse and to show how that compares to and contrasts with early political discourse.

This thesis has found that the love of both competition and perceived equality are still hallmarks of American citizens and still influence how citizens fulfill the role of the theoretical virtuous citizen. Based on the defined role of the virtuous citizen, the conclusions of this thesis are that the Internet: erodes the trust needed to allow for removed representation; has a mixed impact on a citizen’s ability to recognize the commons; and positively impacts a citizen’s ability to fulfill his obligation to elect a virtuous statesman.
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INTRODUCTION

The way in which citizens receive information from and about the U.S. government and its activities has evolved along with the evolution of media. Today, online communications are major tools in the development of public policy, used both by the federal government to express opinions and to inform and persuade the public, and by the public to express opinions and to inform and persuade the federal government.

Congressional offices, for example, all have .GOV websites that contain representatives’ committee positions, the laws that they have worked on, their stances on issues, and biographies. Many have Facebook pages, YouTube channels, and Twitter accounts. Some are so attuned to the online world that they even worry about identity squatting in other top-level domains such as .COM. According to a 2010 study conducted by the Coalition Against Domain Name Abuse, “48 percent of senators and 40 percent of representatives own their FullName.com domain names; 32 percent of senators and 22 percent of representatives own their FullName.org domain names” (The Coalition Against Domain Name Abuse 2010). This shows an awareness of the fact that political battles are not just fought in debates on TV – pitching their message is just as important online. When the eponymous representative doesn’t own his domain name – Senator John Doe not owning JohnDoe.com, for example—he leaves himself vulnerable. In 2010, BobMenendez.com didn’t point to content about Senator Robert Menendez of New Jersey, chairman of the Democratic Senatorial Campaign Committee. Instead, it was
owned by Sharron Angle, the then-Republican candidate for the Senate in Nevada, and was used by her campaign to bash Democrats (Lacey 2010).

In the case of the average citizen, the Internet provides a new opportunity to express his opinions. Consider that in 2011 and early 2012, the Stop Online Piracy Act (SOPA) was discussed in blogs and shouted down from Facebook statuses. A click of a button can sign a person’s name to an electronic petition, express approval of a position in the form of a “Like” on Facebook, or share an opinion piece written by their favorite columnist on a number of social networks. It is clear that the government is using the Internet to communicate its messages, and it is also clear that U.S. citizens are actively commenting and opining on federal public policy online. But what impact does the Internet really have on public policy? Is the growing number of online platforms providing a new way for citizens to fulfill their civic duties?

Answering these questions requires establishing answers for several others. What are the civic duties of a citizen in the U.S.? What behavior does this entail? Does this interaction translate into the online world? The first step to answering these questions is to examine the theoretical and practical application of the U.S. model of a representative democracy.

The Role of a Citizen

The role of the citizen is integral to any examination of the U.S. public policy. The U.S. was, after all, created as a government of the people and for the people; one cannot discuss the actions of the nation’s government and statesmen without discussing
the average citizen. When the ideal behavior of a citizen is discussed, it will be under the term “virtuous citizen.” This was a term used by Plato in his philosophical works, and while his writings will not be examined, it serves as an appropriate term for our purposes.

The definition of a virtuous citizen can be constructed from several schools of thought (such as the aforementioned Platonic definition), but the definition that is the focus here is that which is particular to the U.S. representative democracy. It is understood that even with this focus there are still a few different lenses that could inform the way that the definition is examined. For example, the citizen envisioned under the Articles of Confederation is different from the citizen envisioned under the Constitution. Additionally, there is a difference between a definition as it exists in theory and the way that the definition is interpreted in practice. One can even argue that the definition evolved over time. Here, the starting point will be the theoretical definition of a virtuous citizen that was envisioned in the formation of the U.S. Constitution that was ratified in 1789. This definition will be examined alongside the practical interpretation of that definition in the late 18th and early 19th Century. The theory will provide as close to a universally acknowledged “rule” for citizens’ civic duty as can be expected, and the initial interpretation for that rule will provide a starting point for the trajectory of interpretation that will end in 2011. Then the focus will shift to the role that communications and media played in interpreting that rule.

It is important to note here, that the “definition of a virtuous citizen” that is to be examined will remain focused on the prescriptive and descriptive behavior for those who
fall under the legal definition of citizenship and could exercise their rights as citizens to impact public policy – it will not focus on the examination of legal citizenship itself. For example, when discussing the impact of “all men are created equal” on citizen behavior in the late 18th Century, it is understood that there was actually inequality amongst those who owned land and those who did not, between men and women, and the atrocity of slavery. What will be the focus in that discussion is how the sentiment of “all men are created equal” affected those who were considered full citizens and could impact public policy. It is understood that the groups of people who are expected to follow the prescribed behavior for citizens has changed over time. However, the purpose of this research is to examine the descriptive and prescriptive behavior of a virtuous citizen, not the actual people engaged in that behavior.

The theoretical definition of a virtuous citizen that was envisioned in the formation of the U.S. Constitution will be examined using texts from the Philadelphia Conventions and other writings of the time, with a special emphasis on the Federalist papers. The Federalist papers were an elegant form of propaganda, which is a form that not only allows for analysis of what its authors wished for the U.S., but also sheds some light on sentiments already in the general public that the authors were hoping to speak to. Furthermore, the Federalist papers discuss practical applications of the theory behind the Constitution that can then be compared against the reality. The analysis of prescriptive and descriptive behavior will focus on the tension between competition and cooperation, aggregate interests and personal interests.
In a representative democracy, there is a constant tension between the needs of the individual and the needs of the country as a whole. On the one hand, citizens trust that their interests will be properly represented in the federal government through elected officials. On the other, those elected officials are expected to, at times, make concessions on those interests in order to serve the greater good of the nation. On the one hand, U.S. citizens held the belief that, through work, one could aspire to any great heights of wealth and felt proud that they belonged to a country that extolled freedom; on the other hand, being a part of such a nation required a social contract by which they would cede some freedoms for the greater benefit of the protection of a nation. These dueling priorities have shaped public policy from the very beginning of the nation through today—priorities on the public policy agenda continue to be set according to factors such as how high the level of competition was relative to the level of cooperation apparent in society, and how vocal a population is about their policy preferences. By examining the theory of civic duty and the implementation of that duty, both in the late 17th and early 18th centuries and today, several “rules” and “norms” can be defined. This is necessary to establish, in order to then examine how the Internet has provided a platform for civic duties today.

It should be noted that in this work, discussions of “American values” or “American behavior” are not meant to be discussions of values or behavior that are uniquely American. It is understood that there are other countries and citizens that have undergone similar circumstances and arrived at similar beliefs and behaviors. The focus
of this work is to examine the American situation alone, without comparison to other countries.

**The Role of the Government**

The expected behavior of a citizen must necessarily be examined in tandem with an examination of the expected role of the government to which that citizen belongs. Thus, along with an examination of the arch of the citizen from the past into present, we will examine the arch of the government. How has the role of the government changed from the country’s founding? Has the level of involvement that the government has in the daily lives of U.S. citizens changed drastically over the years? Have citizens expressed their desire for more or less involvement of the government? Or is much of it largely unchanged?

Once this is examined, both in theory and in initial implementation, it will be examined in the context of the current day. From this examination, it will be possible to further refine the defined “rules” for proper civic behavior that were considered in the examination of the role of the citizen.

**The Role of the Media**

The way in which the media has impacted citizens’ ability to perform their civic duties is the focal question to be answered here. As such, we will examine how integral successful communication – both between citizens and between citizens and the government – was in the theory of the U.S. representative democracy. Was it considered a necessity? Should citizens spend time educating themselves on the issues and debating
them? Should the debates be left to the elected representatives? Did the government have a responsibility to communicate its activities to the public? Should communications flow freely or should there be regulations?

In examining communications, we see how U.S. citizens approached the tricky balance of petitioning for their own personal interests while acknowledging that the social contract that binds their representative democracy requires the consideration of aggregate interests. As mentioned, a representative democracy maintains a tension between a citizen’s ability to have his or her interests represented to the delegate; likewise, there is a tension between the delegate's need to vote on behalf of the citizens he represents while at the same time maintaining the ability vote and act on his ability to see the needs of the country as a whole.

This has been called the communication age, an age that has been significantly impacted by the advent of the Internet. Though communication has grown by leaps and bounds with other major pieces of technology – the phone, the radio, the television – the potential for interactive communication offered by the Internet has allowed it to have a particularly profound impact on the way the public’s relationship with information.

As the Miller Center for Public Affairs states, “[i]n less than a generation, the Internet has altered the daily lives of individuals in ways few would have conceived in its nascent stages. Initially a playground for the computer savvy, the world of blogs and tweets has given equal voice to anyone with a computer and a web connection.” The organization continues on to point out that not only has the Internet changed social
interactions, it has also changed the way we learn, stating that the Internet “is also where Americans increasingly look for news and information—according to the Pew Research Center for the People and the Press, [in 2009] the Internet surpassed newspapers as the source of national and international news, nearly doubling from the year before” (National Debate on the Internet and Democracy).

It is clear that the Internet has an impact on American’s daily lives, and scholarship continues to crop up around the issue of the Internet’s role in political discourse. So, to better understand how the Internet impacts public policy, we will examine this scholarship and include an overview of the evolution of media and communication in the world of politics. This will allow us to see if there has been a steady progression of changes brought upon by media and which issues are unique to online media. We will also be able to see how both the government and the general public have adapted to the media over time, and therefore consider how Americans can adapt to the Internet.

Each type of communication technology or media comes with its own set of advantages and disadvantages – for example, photography provides an image that might not have been accessible to citizens otherwise, but at the same time does not allow for context. Text can be descriptive, but may be more limited than a photograph in creating a lasting impression. The Internet provides citizens with the opportunity to communicate with other citizens at great distances, but may at the same time provide such a multitude of voices that no one is heard.
A Case Study

The practical examination of one issue will allow us to draw some concrete conclusions about how the Internet has impacted the discourse surrounding that topic and whether that discourse has allowed the “resolution” of that issue to be a testament to a more perfect (American) representative democracy. In other words, whereas the first two chapters established the rules of civic duties and a theory of how the Internet impacts a citizen’s ability to fulfill his civic duties, this will be the practical examination of civic action.

Through the examination of the proposed Stop Online Piracy Act, or SOPA (as introduced by the House of Representatives) and its Senate equivalent, the PROTECT IP Act, or PIPA, the intention of this work is to capture a snapshot of what place the Internet currently has in political discourse and show how that compares to and contrasts with early political discourse.
CHAPTER 1

DEMOCRACY

The Theory of U.S. Democracy

To examine the blueprint of the American nation and its corresponding ideal citizens, we turn to the Federalist papers, written by James Madison, Alexander Hamilton and John Jay under the collective pseudonym of Publius. The Federalist was written to persuade the citizens of the loose confederacy of states that had formed after the American Revolution to adopt a new prescriptive view of a republic. At the time, the confederacy that existed balked at the idea of submitting to the Federalist idea of a stronger cohesion so soon after it had thrown off the yoke of foreign rule, even as it lilted along, ineffective.

Even though the Federalist is considered to have had little impact on the ratification of the constitution (as it exists today), the work remains a guidebook for the American political system and the people that comprise it. The American philosophy of the ideal government, the virtuous citizen, and the virtuous statesman had been set down in the Federalist.

The Founding Fathers had a particular vision of a democracy for the fledgling nation - they envisioned the federal government of the United States bringing together the fracturing colonies and local politics into a system where citizens could trust statesmen to represent their interest, while at the same time acknowledging that those representatives would make decisions according to a bigger picture. In other words, this new system
would require citizens to accept that their representatives would ultimately make decisions based on what would be in the interest of the general public. When James Madison presented his Virginia Plan at the Constitutional Convention, a plan that the final Constitution drew heavily on, he envisioned the federal government as a sort of overarching judge of public interest. Madison also believed that factions, a natural tendency for a fracturing of interest, would resolve themselves in society and then that would leave “rational men” to figure out “questions of the public good” (Wood 2009, 33).

Among citizens, the great concern for the preservation of both the “public good” and the “private rights” that Publius writes of in Essay 10 is actually the source of a fundamental struggle in the United States (Carey and McClellan 2001, 45). However, Publius writes that it is the government’s role to secure both the public good and private rights. So, if one faction of citizens would seek to augment the latter in a way that would detriment the former, Publius writes that it is the “task of modern legislation” to regulate “various and interfering interests” and ensure that the right balance is struck. (Carey and McClellan 2001, 44).

According to Publius, the head of a democratic republic can successfully control factions first because of its representative form of government. The broad public will elect virtuous individuals who will be able to represent the interests and private rights of their constituents when forming policy, while at the same time ensuring that that policy will likewise ultimately preserve the public good. Second, a republic with a large number
of citizens will ensure that not only will there be a great number of factions that will operate to keep each other in check, but it will also increase the probability that a virtuous statesmen will be among the citizens of that republic. Before examining how this wisdom has played out today, a bit of unraveling of the language is in order. It is in this language that we can further refine the definition of Publius’ virtuous citizen.

To reiterate, Publius writes that in a representative government, the representative body will refine the public’s views in such a way that will allow it to legislate with the “true interest of their country” (Carey and McClellan 2001, 46). It should be noted that Publius often speaks of the representative government’s obligation to its constituents. Indeed, in Essay 55, Publius writes that he is unable to conceive that those in the legislature would “either desire or dare…to betray the solemn trust committed to them” (Carey and McClellan 2001, 289).

If one looks at the essays of the Federalist, not only is there a running thread regarding the obligation of the representative government to its people, there is also a running thread regarding what Publius refers to as “a will independent of the society itself” (Carey and McClellan 2001, 271). This seemingly paradoxical idea of a representative government that is beholden to its constituents and has a will independent of the society that it represents can be understood with a particular definition of what it means for a government to fulfill the interests of its constituents. In Essay 62, it is written that a good government is one that stays true to the object of government, “which is the happiness of the people” (Carey and McClellan 2001, 322). It is important to define just
what is meant by true interest and “happiness” of the people. We must define Publius’ philosophy regarding the role of the government in order to determine his philosophy on the role of the citizen in that government. After all, one cannot actually know how to best play the game without first setting down the rules.

Rather than being concerned with fulfilling each expressed need of its constituents, the ultimate *raison d’être* of government is to protect “justice and the general good”, and it is because of this higher goal that government must at times act by a “will independent of the society” (Carey and McClellan 2001, 271). After all, while constituents are able to express immediate needs, statesmen should be able to recognize the needs of the nation as a whole. Publius writes that “in a single republic, all the power surrendered by the people, is submitted to the administration of a single government” (Carey and McClellan 2001, 270).

First of all, in order to voluntarily surrender power to government, a citizen must acknowledge that there is some greater good to a government collectively protecting the rights of many men, rather than simply leaving each man to protect his own. On a very basic level, this is a belief that the pooling of resources can yield a greater overall benefit for those involved, and therefore it is an acknowledgement of an existing communion of interests between men. A proper citizen, therefore, understands the importance of the commons.

Second, to surrender power to a representative government in particular, a citizen must acknowledge that it is possible to entrust the protection of their private rights to a
fellow citizen. This has two important implications. First, it reinforces the acknowledgment of a communion of interests between men that was discussed above. Understanding that a representative actually represents a group of private interests, the citizen acknowledges that the private interests are aligned in such a way that makes representation by one person possible. The second implication is that the citizen believes in the operation of the system—that the institution to which the representative has been elected will allow said representative to perform his duty to protect the private rights of his constituents as well as the common good of the public.

Third of all, Publius’ assertion that the representatives who will be “objects of popular choice” will be the citizen whose “merit recommend him to the esteem and confidence of his country” (the virtuous statesmen) implies that the citizens will be able to recognize and elect virtue. In fact, in Essay 57, Publius outright states that “there is in every breast a sensibility to marks of honour, of favour, of esteem, and of confidence” (Carey and McClellan 2001, 296). It is apparent, then, that there is believed to be a common definition of virtue, one which can be recognized on an intuitive level.

To reiterate, based on these observations, Publius’ virtuous citizen is one who acknowledges the importance of the commons; allows himself to be represented by other, virtuous citizens; and recognizes some common definition of morality and virtue. Of course, Publius does not suggest that all people will act virtuously at every opportunity; after all, “if men were angels, no government would be necessary” (Carey and McClellan 2001, 269). In Essay 6, it is also written that "men are ambitious, vindictive, and
rapacious.” (Carey and McClellan 2001, 21). Publius acknowledges the need for
government to be the “guardians of the people” in order to prevent these ambitions from
taking the nation (Carey and McClellan 2001, 291).

The theoretical rule for virtuous citizens, therefore is threefold. The citizen must:
acknowledge the greater good of respecting the commons; elect virtuous statesmen; and
acknowledge an elected representative’s ability to represent his interest (while deferring
to the representative about matters of public good).

The Reality – Competition and Cooperation

There are several characteristics that are emblematic of American citizens at the
time of the country’s founding. First and foremost, Americans were fiercely proud of
their independence, taking great pride that they were no longer subjects but citizens.
Though the political theory of the Constitution was based in this belief that all men are
created equal, it is also important to remember the role that the Declaration of
Independence and fighting the Revolution played in solidifying the reverence of equality
and the pride that the citizens felt in their (in their eyes) progressive nation. There was no
hierarchy based on birth or family, and no citizen could claim inherent superiority.
Tellingly, in a New York Times article about social mobility that was published on
January 4, 2012, reporter Jason DeParle wrote that “Benjamin Franklin did it. Henry Ford
did it. And American life is built around the faith that others can do it, too: rise from
humble origins to economic heights. ‘Movin’ on up,’ George Jefferson-style, is not only a
sitcom song but a civil religion” (DeParle 2012).
Thomas Lee Shippen, who accompanied Thomas Jefferson on his trip to Versailles in 1788, wrote that, seeing the grand dress and customs of his hosts, “he rejoiced that he was not the subject of such a monarchy but the citizen of a republic – ‘more great because more virtuous’ – where there were no hereditary distinctions, no ‘empty ornament and unmeaning grandeur.’” He went on, musing “that a certain degree of equality is essential to human bliss. Happy above all Countries is our Country where that equality is found, without destroying the necessary subordination” (Wood 2009, 6). The phrase “necessary subordination” seems to echo the balance demonstrated in the Federalist papers – citizens are equal and free, but at the same time cede some freedom to be united under one government. For now, however, the focus is Shippen’s patriotic pride in equality, which was a defining characteristic of citizens in the young nation.

“By throwing off monarchy and becoming republics, declared South Carolina physician and historian David Ramsey, Americans had ‘changed from subjects to citizens,’ and ‘the difference is immense’” (Wood 2009, 7). Citizenship entitled its holder to a feeling of superiority that went beyond pride of one’s personal status. This was a sense of pride in one’s nation, and in every individual’s ability to establish a high status for himself. As mentioned earlier, we will not attempt to explain away the obvious limitations of this, such as the existence of slavery; we are examining the role of the citizen, rather than who would fall into that category. Because of this, we can look seriously at the words of wealthy slaveholder William Byrd, who wrote that “the principal difference between one people and another proceeds only from the differing
opportunities of improvement,” rather than any inherent greater worth (Wood 2009, 10). It was a feeling that enveloped the nation—“ordinary Americans developed a keen sense of their own worth – a sense that, living in the freest nation in the world, they were anybody’s equal” (Wood 2009, 3).

Toqueville likewise observed in his visit to America that, “There is indeed a manly and legitimate passion for equality which rouses in all men a desire to be strong and respected,” which can frequently spur man to climb in status; “this passion [for equality] tends to elevate the little man to the rank of the great” (de Tocqueville 1969, 57).

As moving as this sentiment of equality was at the time, from the beginning a new hierarchy was envisioned, a hierarchy that was not determined by birth, but rather on ability. Publius believed that the role of the citizen was to elect virtuous statesmen to the helm, and they would be able to do this because of a natural predilection towards virtue. A citizen would be able to recognize virtue in a candidate and would vote him into office – once again, all men are equal in their ability to intuit and implement this responsibility. The Founding Fathers even had a particular faith in the purity of the common man’s virtue over the more learned men of their circles. “‘State a moral case to a ploughman and a professor,’ said Jefferson; ‘the former will decide it as well, and often better than the latter, because he has not been led astray by artificial rules’” (Wood 2009, 10).

However, this faith was limited to recognizing and electing virtue, not actual governance. Actual governance needed a learned mind. While the Federalists “believed in popular
sovereignty and republican government, they did not believe that ordinary people had a direct role to play in ruling the society” (Wood 2009, 276).

This was not an uncommon opinion of the time. “The rights of mankind are simple,” said Benjamin Rush in 1787, “they require no learning to unfold them. They are better felt, than explained. Hence in matters that relate to liberty, the mechanic and the philosopher, the farmer and the scholar, are all upon a footing.” However, actually participating in the government is a whole other matter. Of government, he writes, “It is a complicated science, and requires abilities and knowledge of a variety of other subjects, to understand it” (Wood 2009, 21).

Americans were attuned to the fact that, despite the lack of official hierarchy and rhetoric of equality, there were still differences among them. The lack of hierarchy based on birth, after all, does not mean that all citizens were equal in money, property, and influence. There was also no guarantee of future money, property, and influence. The equality that U.S. citizens believed in flattened the playing field in terms of ability only. As a result, the pleasure and comfort of equality quickly gave way to competition. The realization that there is economic and social mobility meant that if one works hard enough, then one can achieve anything. Likewise, there was the sense that if one works hard, and still does not achieve, it is a failure. This had the effect of mobilizing citizens to work towards business and monetary opportunities that would allow them to compete for places in the new hierarchy based on ability.
So, while U.S. citizens prided themselves on the equality that their nation fostered, citizens also had a competitive spirit that drove their actions. Wood calls ambition a “popular characteristic of American culture” (Wood 2009, 325). “Federalist literati and others were appalled by what seemed to be the sudden emergence of thousands upon thousands of hustling ‘businessmen’... ‘[E]nterprise,’ ‘improvement,’ and ‘getting ahead’ were everywhere extolled in the press” (Wood 2009, 322). Many of these Federalists felt that the “American democracy, driven by the most intense competitiveness, especially for the making of money” was comprised of “too many of the American people [who] seemed absorbed in the selfish pursuit of their own interests, buying and selling like no other people in the world” (Wood 2009, 322). “‘The voice of the people and their government is loud and unanimous for commerce,’” said Dr. Samuel Mitchill, a natural history professor at Columbia College in 1800. “‘Their inclination and habits are adapted to trade and traffic’” (Wood 2009, 322).

Outlets for this ambition also cropped up in the form of county fairs, where people competed for the awards for the best crops, and biggest livestock. Women would compete in crafts of lace, cloth, and hats, displaying their certificates in their homes, where “they excite[d] the envy of a whole neighborhood” (Wood 2009, 325). In the South, the outlets for ambition and competition took the form of gambling, dueling, and horse racing. Southern planters “valued hierarchy but, being uncertain of their position in it, were always eager to assert their abilities and status” through competitive games (Wood 2009, 327). Even children were brought up on this idea of competition – students
were pitted against each other in academic tests and games where awards, prizes, and
tsometimes simply the title of “best” served as motivation.

This provides some problems for the representative democracy as it was
evisioned by the Founding Fathers, considering one of the tenets of a virtuous citizen
that was discussed at the beginning of this chapter. To reiterate, in order for a citizen to
voluntarily surrender power to government, that citizen must acknowledge the
importance of the commons. However, “with self-interested behavior becoming so
common…it became increasingly clear that society could no longer expect men to
sacrifice their time and money – their private interests – for the sake of the public”
(Wood 2009, 329). As French political thinker Alexis de Tocqueville observed in his
travels through the United States in the mid-19th Century, perhaps citizens dedicated to
competition could work towards the public good because of a vague understanding that it
would contribute to their interests. According to him, citizens “understood the influence
of the general prosperity on his own happiness, [which was] an idea so simple but
nevertheless so little understood by the people” (de Tocqueville 1969, 236-237). It is
possible that, even if a citizen does see “the public fortune as his own” and “works for the
good of the state, not only from duty or from pride, but…from greed,” the behavior could
be of a virtuous citizen – even if the motivation is not. Generally speaking, though,
because interests tend to fragment along special groups or local needs, it is unlikely that
working for one’s own interest promotes national cohesion and a “public good.” It more
likely leads to groups fighting for a finite set of public resources. Thus, it appears as
though the level of competition in the early days of the nation created the faction and locality that would keep them from fulfilling the duties of a virtuous citizen as outlined in the Federalist. The rule of recognizing and yielding to the public good had fallen victim to the reality of private interests.

Another one of the tenets of a virtuous citizen required that citizens take the time to elect virtuous statesmen. Considering the time and thought that necessarily go into “forming an exact notion of the character of a single man,” Tocqueville wondered how “are the masses to succeed? The people never can find time or means to devote themselves to such work. They are bound always to make hasty judgments and to seize on the most prominent characteristics” (de Tocqueville 1969, 197-198). Publius noted that the virtuous citizen was supposed to trust their natural inclinations, and perhaps Tocqueville’s concern about time was unnecessary, though we will see later that citizens at least took some pleasure in debating issues. However, given the size of the country, national figures were rarely well known on a personal level. As we will see, the media provided much of the information for citizens, and it could contribute to citizens seizing “on the most prominent characteristics” of candidates. So, the rule of electing a virtuous statesmen is in jeopardy - as we will see with the changing Role of the Government, the rule is further strained when citizens begin petitioning Congress directly, showing that citizens either did not elect statesmen that can be trusted with the task of representing them, or they lack faith in representation in general. Furthermore, the section that examines the Role of the Media will show that the media has potentially had the effect of
clouding whatever natural ability to detect virtue that the Federalist hoped would bring virtuous statesmen to the helm as frequently as possible.

The Role of the Government

In Federalist Essay 10, Publius writes that “liberty is to faction, what air is to fire, an aliment, without which it instantly expires” (Carey and McClellan 2001, 43). According to Publius, a union’s strength is in its “tendency to break and control the violence of faction” (Carey and McClellan 2001, 42). It is then government’s role to either prevent or cure a country overrun by “a majority or minority of the whole, who are united and actuated by some common impulse of passion, or of interest, adverse to the rights of other citizens, or to the permanent and aggregate interests of the community” (Carey and McClellan 2001, 43).

Publius writes that to eliminate liberty in order to prevent faction would be worse than the disease of faction. A government can likewise never hope to eliminate a disparity in interests and opinions. Therefore, hope for a society homogenous enough to eliminate faction would be an exercise in futility. The American system therefore appears to be destined (or perhaps doomed) to deal with factions that aim to better their own lot without consideration for how it will affect the nation as a whole; the nation seems destined for a struggle between fights for private rights and the maintenance of the public good.

To reiterate, Publius writes that in a representative government, the representative body will refine the public’s views in such a way that will allow it to legislate with the
“true interest of their country” (Carey and McClellan 2001, 46). It is important to note that there came a point where the Federalists were no longer with the tide of popular sentiment – as the definition of citizen shifted to be more inclusive, the Federalists “became heretics opposed to the developing democratic faith” (Wood 2009, 329).

Many Americans of the early Republic, with varying degrees of reluctance or enthusiasm, came to believe that what they once thought was true was no longer true. Government officials were no longer to play the role of umpires, standing above the competing interests of the marketplace and making impartial judgments about what was good for the whole society. (Wood 2009, 329)

At the time of the nation’s founding, citizens were testing the waters of their new representative democracy, setting benchmarks on how responsive the government needed to be to its constituents and, by comparison, how much power was “surrendered to the people” as Publius envisioned. Using the institutions and types of communication that were at their disposal, citizens appeared to be keenly interested in directly impacting public policy. Some did this by entering into the political field, which they had previously had no hope of participation.

This brings to mind another tenet of the virtuous citizen that was discussed at the beginning of this chapter. A citizen must also acknowledge that it is possible trust the protection of their private rights to a fellow citizen. He must allow said representative to perform his duty to protect the private rights of his constituents as well as the common good of the public.

When one enters the House of Representatives at Washington, one is struck by the demeanor of that great assembly. One can often look in vain for a single famous man. Almost all the members are
obscure people whose names form no picture in one’s mind. They are mostly village lawyers, tradesmen, or even men of the lowest class. (de Tocqueville 1969, 200)

Tocqueville notes that this was more common with the House of Representatives than it was with the Senate. One could see similar changes locally, where there was an increase in the variety of men elected to state assemblies. In New Hampshire, for example, the 1765 colonial assembly had 34 members, mostly from the elite class. By 1786, the assembly had 88 members, and most were farmers or “men of moderate wealth” (Wood 2009, 17).

Even if citizens were not interested in becoming part of the government themselves, many were enthusiastic to find other ways to participate. “More than six hundred petitions were presented to the First Congress” by its constituents (Wood 2009, 59). The House of Representatives received three thousand petitions within its first 12 years, and sometimes individuals paid personal visits to the capital in order to “make personal claims for different sorts of congressional action” (Wood 2009, 59). Sometimes these trips were made to request action on policy matters, and other times citizens were looking for the government to impact their lives more directly. Some visitors, for example, were “veterans requesting pensions and military contractors seeking payment of old debts” (Wood 2009, 59).

The fact that the public generally had high expectations of the responsiveness of their government is also evidenced in how the public began creating new tools with which to communicate with their government. In the new nation, there was a rapid
proliferation of advocates who proclaimed to be dedicated to promoting special interests. “Everywhere self-appointed leaders, speaking for newly aroused groups and localities, had taken advantage of the expanded suffrage and the annual elections to seek membership in the assemblies,” and “the word ‘lobbyist ‘dates to at least the late 1820s” (Woods 2009, 17; Rauch 1999, 39).

If there was a question about how the government was reacting to this active citizenship, the level of turnover in legislatures provides some insight. Faced with vocal citizens and the possibility of being quickly thrown out of office, annual elections for state legislatures “were often replacing half or more of the representatives every year” in the 1780s. It quickly became clear that the government would have to, at least to some extent, provide citizens with transparency and act according to their wishes. There were large, organized efforts to garner public support, which is another indication that statesmen were far more beholden to public interests than the Federalists had envisioned. “As republicans, Americans shared at least some of Benjamin Rush’s enthusiasm for reform, and their leaders enlisted every kind of media to change people’s opinions, prejudices, and habits,” writes Wood (Wood 2009, 475). Informing the public was expected – one could argue about the veracity of the information (since much of it was framed in a way that would sway opinion), but what is important to note here is that the public expected that the information would be presented.

However, it was still difficult for the average citizen to know precisely what the government was working on.
There was no Congressional Record as yet and no verbatim reporting. The newspaper reporters who had access to the debates of the House of Representatives took down only what they thought might be interesting to readers. It was not until 1834 that all the early reports and fragments of congressional debates were compiled and published as the Annals of Congress. (Wood 2009, 60)

As mentioned before, there is a distinction to be made between the House of Representatives and the Senate. Closer to the public from the outset, the House “took seriously the belief that it was the more democratic branch of the legislature, much closer to the people than the supposedly aristocratic Senate” (Wood 2009, 58). So, the activities of the House were somewhat better communicated than those of the Senate. From the beginning, the House decided to open its debates to public viewings, and publicly considered 146 bills to the Senate’s 24 (Wood 2009, 58).

Feeling the pressure to appear close to the “everyman”, political candidates began presenting themselves as one of the masses. One example is Daniel Tompkins, lawyer and Columbia graduate, who campaigned as a “Farmer’s Boy”. The public was also warned by campaigns not to elect “men whose aristocratic doctrine teaches that the rights and representative authority of the people are vested in a few proud elites” (Wood 2009, 330).

Competing with the demands and the participation of citizens was the citizen’s sense that, overall, “the government should be small and limited” (Schick 2007, 10). Having just fought a war to gain independence from an overly meddlesome, monarchical regime, American citizens were wary of too much government power. It was also
generally “accepted that each year’s spending should not exceed that year’s revenues...[T]he balanced budget norm was adhered to in two thirds of the years from 1789 to 1916.” Noted exceptions were during wartime, but even then the “deficits were small and short-lived; when the war ended, budgetary balance was restored” (Schick 1999, 10). A small and limited government with a balanced budget was evidence of a desire to have freedom from government. There was a distance established between the government and citizens.

As mentioned earlier, this reality of directly petitioning Congress and high turnover of representatives shows that the rule of electing virtuous statesmen had given way to a more direct form of civic participation. It also shows that citizens were less able to trust the protection of their private rights to a fellow citizen than the theory of the representative democracy had envisioned.

The Roles of Citizen and the Media

In the early days of the democracy, amidst the new excitement and pride over their new social order, citizens found company and conversation in a multitude of establishments that cropped up across the country. “Everywhere in eighteenth-century [sic] America there was evidence of this natural conviviality and sociability – in coffeehouses, clubs, assemblies, and salons,” where citizens would exchange information and ideas (Wood 2009, 13). Fighting a revolutionary war to throw off the station of “subject”, establishing that all citizens were each other’s equals, and rejecting the idea of
a natural aristocracy required a strong feeling of community, common cause and camaraderie that then trickled into the daily life of the citizens of the new nation.

Citizens sought out opportunities to socialize with their fellow citizens, whom they fought alongside and for. “From physician Alexander Hamilton’s Tuesday Club in Maryland to John Trumbull’s Friendly Club in Connecticut, groups of gentlemen up and down the North American continent gathered together periodically to discuss issues, write poetry, and share in each other’s company” (Wood 2009, 13). These social institutions provided an excellent opportunity for citizens to spread news, pick apart ideas and arguments, and form opinions on what was occurring in their new country. It also necessarily served as a way that one could get to know his neighbor and what he stood for. It was a reminder that, no matter your differences, he too had an opinion, interests in the legislation of the country, and a stake in a successful experiment in democracy. Rather harshly put, when “an American should be reduced to occupying himself with his own affairs [alone], at that moment half his existence would be snatched from him; he would feel it as a vast void in his life and would become incredibly unhappy” (de Tocqueville 1969, 243).

While writing of how American citizens, even the wealthier ones, made a point to socialize locally, Tocqueville also writes of the power of the local government to create bonds between citizens and involve them in such a way that makes them aware of their interconnectedness. Tocqueville notes that “the free institutions of the United States and the political rights enjoyed there provide a thousand continual reminders to every citizen
that he lives in a society” and that it is through the “dint of working for the good of his fellow citizens, [that a citizen] in the end acquires a habit and taste for serving them” (de Tocqueville 1969, 512, 513). These informal, social institutions, should foster a feeling of communal interest and cooperation, of working towards a common goal. This, at least, would help citizens be more sensitive to the “public good,” though a more local one than the national “public good” envisioned by the Federalists.

In Federalist Essay 6, writing of the causes of the hostility of nations, Publius cites “the love of power or the desire of preeminence and dominion,” as well as the “impulses of rage, resentment, jealousy, avarice and…other irregular and violent propensities” (Carey and McClellan 2001, 21, 23). Publius singles out the appetite of a commercial nation for wealth, which is “as domineering and enterprising a passion as that of power or glory” (Carey and McClellan 2001, 23). The dangers of these appetites, which cause strife between societies within a nation (as well as between nations themselves) can only be kept in check if the common weakness of a society “forces them to league in a confederate republic and their constitution prevents the differences that their neighbourhood occasions” (Carey and McClellan 2001, 26). In other words, in order for a society to function properly, it must congeal along a communion of interests.

However while camaraderie may be growing on a local level, it does not necessarily translate to the national level. For example, Wood writes that the Constitution was created for something beyond fixing the weaknesses of the Articles of Confederation, which were drafted as the country declared its independence, employed
during the Revolutionary war and governed the 13 colonies until it was replaced by the
Constitution in 1789. “To James Madison, the putative father of the Constitution, the
document of 1787 became the solution for the ‘multiplicity’, ‘mutability,’ and injustice’
of state legislation over the previous decade, what were often referred to as the ‘excesses
of democracy’” (Woods 2009, 16). In his eyes, national “public good” was at times
sacrificed when local “public good” thrived.

By the 1780s it was obvious to many, including Madison, that a
“spirit of locality” was destroying “the aggregate interests of the
community. Everywhere the gentry leaders complained of popular
legislative practices that today are taken for granted – logrolling,
horse trading, and pork barrelin that benefited special and local
interest groups. (Wood 2009, 17)

Those interests, as mentioned previously, were ultimately tied to commerce and
competition.

While these social establishments served as a source of republican freedom and
local camaraderie, they also provide the average citizen with a place to cultivate a certain
respect and a status. Again, without a hereditary aristocracy, there was a sense that there
was a chance for any citizen to distinguish himself under a more modern definition. In the
late 18th and early 19th Century, “most Americans now believed that anything that helped
the spread of learning was good for their republic, for an informed citizenry was the
source of republican freedom and security” (Wood 2009, 476). A man with education
could consider himself part of the new elite in a country that claimed to have no
distinction between men. It is for this reason that “every occasion demanded a lengthy
speech and republican oratory was now celebrated as a peculiarly American form of communication” (de Tocqueville 1969, 475).

Tocqueville observed this readiness to express opinion and wrote of it as having a rather combative tone. “An American does not know how to converse, but he argues,” he wrote. “He does not talk, but expatiates. He always speaks to you as if addressing a meeting, and if he happens to get excited, he will say ‘Gentlemen’ when addressing an audience of one” (de Tocqueville 1969, 243).

Freemasonry, which “brought people together in new ways and helped fulfill the republican dream of reorganizing social relationships,” was another way that allowed for sociability and for “thousands of Americans [to] think of themselves as especially enlightened” (Wood 2009, 50). George Washington referred to Masonic lodges as lodges “for the virtues.” They were places where members could “all meet amicably, and converse sociably together,” and the organization “came to see itself principally as an educational instrument for promoting morality” (Wood 2009, 51, 477). Masonic lodges and social clubs provided an outlet for citizens to opine on and exchange information gathered from other sources; citizens could test their oratory skills on facts taken from the pages of newspapers, which were fast becoming ubiquitous.

The number of newspapers made readily available in the late 18th and early 19th Century began to skyrocket. Congress’s Post Office Act of 1792 “allowed for the dispersal of newspapers to the most remote areas of the country” (Woods 2009, 479). By 1820, the postal service was transmitting 6 million newspapers per year. As news
organizations began disseminating papers more easily, the number of news organizations available rose as well. While there were only 92 newspapers in 1790, there were 235 newspapers in the country by 1800, with Americans buying over twenty-two million copies of 376 newspapers annually by 1810 (Woods 2009, 479).

So, while the federal government was not very forthcoming with information (as mentioned before, there was no Congressional record or verbatim reporting from Congress in the beginning) citizens were keenly interested in information and sharing opinions. This foreshadowed the more direct communication citizens would have with their government, and perhaps even the more direct role that the government would have in their lives. Again, there was a shift in the theoretical rules that citizens should recognize the importance of the commons and allow their interests to be represented by virtuous statesmen who they would elect and refine the public’s views in such a way that will allow it to regulate with the “true interest of their country” (Carey and McClellan 2001, 46). Citizens almost immediately became more vocal and ready to petition their government directly.

A Recasting of Roles

As can be expected, the way in which U.S. citizens viewed their role and the role of the government, changed over time. Take, for example, the aforementioned belief that government should be small and that the year’s spending should not exceed. “Spending exceeded revenues in 11 of the 17 years from 1894 to 1910,” and to control these deficits, the government introduced a national income tax and an executive budget process,
expanding the role of the government (Schick 2007, 14). The tax amendment was ratified in 1913, and then, after several years of delay due to the outbreak of World War I, the Budget and Accounting Act of 1921 was established. This act gave the president a formal role in the process of creating a budget, and it established the Bureau of the Budget (renamed the Office of Management and Budget, the OMB, in 1970), in order to provide the president with guidance on appropriations allocations – again, major steps in expanding the role of the government (Schick 2007).

In fact, the expansion of the presidential powers that began with the establishment of the (now renamed) OMB was the beginning of five decades of relative presidential dominance. While the size of the government did not always change, it is notable that the power of a single individual was allowed to grow. Consider how wary U.S. citizens were of such a thing in the late 18th and early 19th Centuries. Yet, conditions allowed presidents to gather steam. “Throughout the 1920s, the president’s eager budget controllers maintained a tight grip on agency spending, demanded efficiency, and insisted that agencies make do with either less or no more than they had the previous year” (Schick 2007, 16).

The 1930s brought with it even greater government expansion, with the Depression and the resulting New Deal, which created new legislation and new agencies such as the Social Security Act and Home Owners Loan Corporation (HOLC) (Franklin D. Roosevelt American Heritage Center Museum). The New deal was a “vast permanent expansion in the scope, scale and cost of government” (Schick 2007, 16). Expenditures
tripled, and revenues failed to keep pace until WWII. New revenue coming in from the war and immediately after (due to taxes implemented during the war) allowed Congress to produce budgets that were balanced and “transformed the president’s budget role from spending controller to program planner. During the 1950s and 1960s, it became customary for the president to prepare a legislative program in tandem with the annual budget” (Schick 2007, 17).

As a result, the 50s and 60s were known as the “age of ‘imperial presidency,’” a term coined by scholars to characterize the extent to which the president dominated national policy” – with the increase in revenue and spending as a proportion of the GDP, the president used the budget to steer the economy to adjust employment and inflation (Schick 2007, 17). “The notion that the budget should balance the economy superseded the balanced budget norm,” which meant that the government had the role of intervening directly in the lives of citizens (Schick 2007, 17). There was another “burst of government expansion that culminated in the Great Society legislation enacted in 1964 and 1965,” where President Johnson oversaw the introduction of legislation that would create vehicles for the federal government to become more directly responsible for the well-being and personal growth of the public (Schick 2007, 17). There was the Economic Opportunity Act of 1964, which created the Office of Economic Opportunity “aimed at attacking the roots of American poverty” and a Jobs Corp that was established to provide citizens with vocational training (Independence Hall Association 2012). There were school programs aimed at providing public schools with greater funding and helping
disadvantaged children get the extra help that they needed to get on equal footing with their wealthier peers. There was the Omnibus Housing Act that drove the construction of low-income housing. Again, “[a]s long as the economy was booming, small deficits were seen as prudent means of promoting national wellbeing” (Schick 2007, 17).

However, there was not a linear progression of the role of the government—the United States’ involvement in the Vietnam War changed this march towards greater involvement. Unhappy with the war, citizens began to view the federal government’s deficits as evidence of fiscal irresponsibility and “policy distortions brought about by the war” (Schick 2007, 17).

It is important to note here that, though costs were increasing from entitlement programs and the war, Congress, attuned to the public’s dissatisfaction with the war, was reluctant to vote in the tax increase that President Johnson requested. The tax, which would have helped the U.S. government meet its fiscal obligations, was delayed and eventually only about half of what President Johnson requested. As a result of increased spending and an unequal rise in revenue, “[the surplus in 1969 fiscal year] was the last surplus the government achieved for nearly three decades” (Schick 2007, 17). Here, we see that the public has a strong power to impact the behavior of the government in fiscal matters. In the next chapter, we will examine the role that the media played in creating this power.

With citizens able to impact policy, it is telling that entitlement programs continued to be a large part of the federal budget. Payments to individuals were 17.5
percent of federal outlays in 1940, that number would increase to 26.25 percent in 1960, 47.1 percent in 1980, 58.9 percent in 2000, and 66.2 percent in 2010 (Office of Management and Budget). Quite different from the original belief that “the government should be small and limited” and that its deficits were to be avoided, it appears as though the current milieu expects direct involvement from the government and does not seem to mind the size of the government, so long as their needs are met. It is true that in the political party system, at least Republicans are expected to trumpet small government, but entitlements are rarely on the table in that discussion. Take President Reagan, who is held up as an exemplary Republican by the party itself. Under his administration, he did cut taxes. However, he did little to reduce that section of federal outlays that serves as payments to individuals. The percentage of the GDP that went to payments to individuals steadily increased over the years, regardless of who was in office. So, the “chronic deficits have been a recent phenomenon fueled in large part by the requirement that the government pay for entitlements regardless of its financial condition”—quite telling of the priorities of citizens and their government (Schick 2007, 9).

As mentioned before, the word “lobbyist” dates back to the 1820s, and it has been a part of public policy development ever since. When handing over the reigns, President Calvin Coolidge warned President Herbert Hoover that “you have to stand, every day, three or four hours of visitors…nine-tenths of them want something they ought not have” (Rauch 1999, 2). According to an article in the Washington Post from 2005, the number of registered lobbyists in Washington doubled since 2000, reaching 34,750 in number
(Birnbaum 2005). The article goes on to report that the amount that the amount of money that those lobbyist charge their clients has increased by as much as 100 percent. In 2011, $2.47 billion dollars was spent on lobbying efforts (OpenSecrets.org 2012).

In other words, with the boom in number and cost, there is clearly a demand for lobbyists from the general public, whether from individuals or corporations, and this demand is a result of a self-fulfilling prophecy. Believing that everyone hires a lobbyist for their interest leads more people to scramble to hire a lobbyist, in order to ensure that they are not left out of the game. This increases the number of lobbyists, which makes it appear that everyone hires a lobbyist. And so on.

Indeed, lobbyists operate to protect or promote a particular issue rather than being concerned with the common good; they represent and perpetuate a fracture of interest rather than a communal interest; and finally, by their mere existence, lobbyists undermine the perception that a statesman can be entrusted to represent his constituent’s interests. Instead, the statesman puts together his agenda based on what he hears from lobbyists.

Lobbying has taken on a bit of a stigma, which is understandable given the fact that it is now such an important form of petitioning representatives, and it is something only people (or organizations) with money can access. According to a recent report by William R. Kerr, William F. Lincoln and Prachi Mishra of the National Bureau of Economic Research, it was mainly large, rich firms that handled lobbying, and an established reputation provided a major advantage over other interests that could crop up – “lobbying status is … persistent over time: ‘[T]he probability that a firm lobbies in the
current year given that it lobbied in the previous year is 92%,” (Kerr 2011). It is because of this stigma that taking a stand against “special interests” has become a popular mantra. President Harry Truman called his 1948 campaign “a crusade of the people against special interests” (Rauch 1999, 2). President George W. Bush, in a reelection campaign against Democratic opponent Senator John Kerry, aired a commercial that cast Senator Kerry as “Brought to you by the special interests. Millions from executives at HMOs, telecoms, drug companies. Ka-Ching!” President Barack Obama, discussing the 2010 mid-term elections, told Republicans, “Don’t let [special interests] hijack your agenda. The American people deserve to know who’s trying to sway their elections, and you can’t stand by and let the special interests drown out the voices of the American people” (Baker 2010).

However, special interests are a powerful voice, and the voices of the American people that Presidents Truman and Obama spoke of likewise have a powerful ability to sway public policy. David Stockman, who became Ronald Reagan’s budget director only to retire “embittered and disappointed” after five years, has observed that “conservatives and liberals alike channeled social spending, not to those who most needed it or to the places where it would do the most good, but to all 435 congressional districts, in a rain of political manna” (Rauch 1999, 3, 4).

The Citizens Against Government Waste’s annual Pig Book keeps track of all the pork projects that can be found in the Congressional appropriations. The projects listed must meet at least one of CAGW’s seven criteria, but most satisfy at least two: 1-
Requested by only one chamber of Congress; 2- Not specifically authorized; 3- Not competitively awarded; 4- Not requested by the President; 5- Greatly exceeds the President’s budget request or the previous year’s funding; 6- Not the subject of congressional hearings; or 7- Serves only a local or special interest.

In 2008 congressional appropriations set aside $1,648,850 for the Shedd Aquarium, despite the fact that the aquarium’s website says the facility was a “gift to the people of Chicago from John Graves Shedd, president and chairman of the board of Marshall Fields & Company,” and the fact that this aquarium receives 2 million visitors per year and has 36 corporate benefactors, putting its fund balance at about $200 million. In the defense appropriations for 2008, the CAGW found $4.8 million of defense appropriations going towards the Jamaica Bay Unit of the Gateway National Recreation Area (in Jamaica Queens in New York City), which according to its website is “a wealth of history, nature and recreation.” There was also $3 million in defense appropriations going towards The First Tee, whose purpose, according to its website, is “to impact the lives of young people by providing learning facilities and educational programs that promote character development and life-enhancing values through the game of golf.” One representative who supports this program told CNBC on November 27, 2007 that the program would help “make generals and colonels” (Citizens Against Government Waste 2012). Whether or not one agrees with these appropriations is not the point – the point is that these earmarks represent specific projects that were aimed at garnering favor among constituents.
With an idea of how the role of the government has changed and having touched upon the role that citizens have played in the process, we can dive further into the role that the media has played in a citizen’s civic duties. According to the Pew Research center, 40 percent of the US population relies on the Internet for political news (Gibson, Oates, and Owen 2006, 24). There are campaigns dedicated to acclimating voters to online politics: “one example during the 2004 presidential election was Freedom’s Answer, a web-based campaign to engage high school students in get-out-the-vote drives that involved over 1 million students” (Gibson, Oates, and Owen 2006, 21). To better understand why this is happening and what sort of an impact it has, it is important to view the arch of the media in politics.
CHAPTER 2
MEDIA AND POLITICS

The impact that the media has had on public policy is based in three levels of communications: 1) the communication from the government and statesmen to the public, 2) the communication from the public to the government and statesmen, and 3) the communication between citizens. While the ultimate goal is to examine major advantages and disadvantages that the Internet established for all three levels of communication and how that, in turn, affects citizens’ three obligations, there will first be a general examination of newspapers, photography, radio and television. Understanding these media is important because the Internet has a tendency to amplify the strengths and weaknesses of other media. Establishing a trajectory across media will also allow us to see any overall trends in the three levels of communication.

Newspapers and Photography

As mentioned above, in the early days of the U.S., citizens relied on a growing number of newspapers to learn about current issues, as well as social clubs to exchange ideas, and “media involvement in early presidential elections was limited to newspapers and debates by surrogates” (Jones 2005, 3). At this time, all three levels of communication were in person or through print, which provided a distance between citizens and their statesmen. This distance helped citizens to trust their statesman to represent their interests, while the statesman was, at the same time, removed enough to take into account the greater public interest. Communication between citizens happened
in person, which meant that real relationships were formed, real conversations were held, and real interactions occurred, promoting respect and thoughtful conversation. It should also be noted that communication between citizens was limited to a local level. Finally, communicating directly with government was difficult and costly for citizens. As a result citizens relied on their votes to express their opinions to statesmen.

It was photography that began to close the distance between people, their government, and U.S. policy. This was largely due to the fact that photography allowed readers to have a more visceral reaction to the news that they were seeing. While words can describe a situation, photographs have a different ability to draw out emotions. In a Technology Entertainment Design (TED) presentation titled “How Photographers Connect Us”, National Geographic photographer David Griffen recounted how he had, years ago, saved his son from a riptide, and to this day could picture it clearly in his mind. It is in this way that “photographs emulate the way that our mind freezes a significant moment.” This type of memory, “flashbulb memory, as it’s called, is when all the elements came together to define not just the event, but [one’s] emotional connection to it… this is what a photograph taps into when it makes its own powerful connection to a viewer” (Technology Entertainment Design 2008).

Jacob Riis, a New York City police reporter who published “Studies Among the Tenements of New York - How the Other Half Lives” in 1890, used photography with the hopes of creating such a powerful connection and indeed, used photography to great effect. Using newly developed magnesium flash powder photography that was invented
in Germany in 1887, he was able to capture images from inside the dark rooms and corridors of some of New York City’s most crowded tenements. The photographs of slums and was a part of his success as “a famous campaigner against slum housing” (National Public Radio 2008). He was at once “c and confidante of President Theodore Roosevelt,” and a strong believer “that Protestant philanthropy and the self-restraint of ethical landlords was the best remedy — not the government,” which meant that the intended audience for his books was the general public (National Public Radio 2008).

Specifically, Riis believed that the public, seeing these photographs, could be so moved by the conditions that their fellow citizens were living in that they would then 1) attempt to change living conditions in these slums, or 2) urge the owners of the tenements to make significant changes. In other words, Riis used photography as a policy tool to motivate citizens.

By provoking emotional reactions, photographs such as those Riis employed can make people aware of needs other than their own and spur citizens into either taking action or supporting such efforts. There are well-known, iconic images that can capture the essence of a struggle or the energy of a decade in a country, and they are so powerful that they can easily be remembered. Referring to a recent photograph that has become iconic of the Occupy movement – a police officer pepper-spraying a group of students protesting income inequality – a reporter for The Atlantic recalled that “self-control they show, while being assaulted, reminds me of grainy TV footage I saw as a kid, of black civil rights protestors being fire-hosed by Bull Connor's policemen in Alabama. Or of
course the Tank Man in Tiananmen Square. Such images can have tremendous, lasting power” (Fallows 2011). Photographs also bring a feeling of absolute understanding of a situation – it is hard to argue with what one sees in a snapshot. There are, of course, camera angles and the photographer’s own agenda, but for the most part, photographs capture a truth (if not the whole truth) in addition to emotion.

**Self-Regulation**

Photography and print were largely unregulated, relying instead on pacts made by photographers and reporters. This meant that these professions had a great amount of power in shaping citizens’ image of statesmen, the government, and the nation as a whole. Consider that “millions of Americans never knew [President Franklin Delano Roosevelt] was a paraplegic in a wheelchair” (Howard Hughes Medical Institute). Citizens knew that he had polio – the New York Times ran a front page story on his struggle with the disease, and in a radio address about assistance programs for the disabled, President Roosevelt said “as some of you know, I walk around with a cane and with the aid of someone's arm myself” (Howard Hughes Medical Institute 2012). However, the public did not know the extent of his disability, as they “rarely saw him sitting in a wheelchair or using the steel braces he needed to walk. By common, unspoken consent, the press almost never photographed Roosevelt while he was in motion” (Howard Hughes Medical Institute 2012). These sort of self-imposed regulations of the media kept the distance between the government or statesmen and citizens wider that it could have been and would be in the future.
While there are laws against libel, which is a written defamation, much of the content of print media remains self-regulated. According to the Society of Professional Journalists (SPJ), a journalist’s goals are to 1) “seek truth and report it;” 2) “minimize harm” to the subjects of their investigations and to anyone else who might be affected by the report; 3) “act independently” so that they are working “free of obligation to any interest other than the public's right to know;” and 4) “be accountable,” which includes admitting “mistakes and correct them promptly,” exposing “unethical practices of journalists and the news media,” and abiding “by the same high standards to which they hold others” (Society of Professional Journalists 2012). However, SPJ also notes that “the SPJ Code of Ethics is voluntarily embraced by thousands of writers, editors and other news professionals” (Society of Professional Journalists 2012, emphasis mine).

Within the “golden era” of journalism, which is defined as spanning from the 1930s to the 1950s, another medium emerged, which began narrowing the distance between citizens and their government.

The Radio

One of the first radio stations of just a handful at the time started with a chief technician at Westinghouse in East Pittsburgh. In the spring of 1920, Frank Conrad “began to transmit music from phonograph records,” though the only people that could listen in to his broadcasts were those who had the technical knowledge to assemble the necessary equipment (Smith, Ostroff and Wright II 1998, 22). Despite this hurdle, Conrad’s broadcasts became popular, and on “September 29, 1920, the Pittsburgh Sun
carried an advertisement for a local department store, noting that receiving sets for those who wished to listen to the Conrad radio concerts were available for purchase in the store's west basement” (Smith, Ostroff and Wright II 1998, 22). Westinghouse vice-president Harry P. Davis saw this advertisement, and he “realized that the Conrad transmission pattern had marketing potential.” To take advantage of this, he quickly began advertising consumer radio receivers that were based on a prototype used in the military, installed a transmitter on a shack, and connected the transmitter to wires strung up on roofs and smokestacks (Smith, Ostroff and Wright II 1998, 24). His goal was to have the system running for the next presidential election, which was held just 33 days later on November 2, 1920, and he succeeded. On the evening of November 2nd, “[election] returns were telephoned to the station,” and a “recruit from the [Westinghouse] plant’s information office read them over the air. Between returns, the microphone was pushed up to the speaker horn of a hand-wound telegraph” to broadcast music (Smith, Ostroff and Wright II 1998, 24). This began narrowing the distance between statesmen and citizens at the statesman-to-citizen communications level.

Americans quickly came to depend on their radios. In 1925, 10 percent of U.S. homes had radio receivers; by 1930, that number was up to 46 percent, and despite the Great Depression, the popularity of radios continued to rise. After the initial investment and some periodic maintenance, the radio provided free entertainment. So, it is not surprising that by 1935, 65 percent of American homes had at least one working radio receiver (Smith, Ostroff and Wright II 1998, 37). In addition to entertainment, the radio
provided a faster, more direct way to receive the news, which was especially desirable when global events brought on World War II. The radio “reported these events, often with on-the-spot coverage…the public listened to and relied on radio for the latest news,” and the percentage of U.S. homes with radios continued to increase (Smith, Ostroff and Wright II 1998, 37). By 1950, 95% of all U.S. homes had at least one working radio receiver (Smith, Ostroff and Wright II 1998, 37).

In addition to news, the radio also provided citizens with the voice of their representatives and statesmen. Most famously, President Franklin Delano Roosevelt used radio broadcasting to discuss “issues of public concern” (National Archives 2012), using the radio as a medium “throughout his presidency to address the fears and concerns of the American people as well as to inform them of the positions and actions taken by the U.S. government” (National Archives 2012).

This access to “on the spot” coverage of events and the voice of the president allowed American citizens more direct and raw information about their government, its policies, and its actions than ever before. Whether or not it is a filtered message or an accurate message, citizens came to expect such direct access.

Just as the radio became ubiquitous, "television began its meteoric rise in popularity in 1948. People bought television receivers and deserted radio in droves" (Smith, Ostroff and Wright II 1998, 56). Radios did adapt in some ways; for example, many stations became specialized, targeting particular audiences instead of trying to compete with televisions for a general audience. Stations also adjusted to “audience's
tune-in/tune-out areas of interest” by delivering information in short, concise bursts.
Nevertheless, the television still became a major part of American’s lives and further
reduced the distance between government and its citizens. The number of homes with
television sets quickly rose from 1.6 million in 1949 to 17.3 million in 1952 (Smith,
Ostroff and Wright II 1998, 81).

Government Regulation

Considering the relative lack of regulation of print and photographic media, it is
interesting to track the level of involvement that Americans and their government both
had in the regulation of radio. The conferences that were held and laws that were passed
from the 1920s and leading into the 2000s show a trend towards a more hands-off
government, which is curious when compared to the higher level of government
involvement that was found at the end of Chapter 1. As noted above, the percentage of
government spending that goes to individuals has been steadily increasing in recent
decades. Here, we see that the level of government regulation of radio content is
declining.

Commerce Secretary Herbert Hoover, seeing the need to do something about the
chaos of radio, which included multiple stations attempting to broadcast on the same
radio waves, called four conferences that were attended by the government and leaders of
the radio industry – one each in 1922, 1923, 1924 and 1925 (Smith, Ostroff and Wright II
1998, 25-26). Finally, after some indecision, the Radio Act of 1927 was passed, creating
the Federal Radio Commission (FRC) (Smith, Ostroff and Wright II 1998, 35). The FRC
assigned stations frequencies and contained language about the regulation of content. This is the first reference to the granting and transferring of broadcast licenses based on the "public interest, convenience, and necessity" (Smith, Ostroff and Wright II 1998, 35). So, in 1927, the government began to stake a claim in regulating what media delivered to citizens.

Citizens looked to the government to regulate content for the first few decades of the radio, and at times “filed fairness doctrine complaints about commercials and other aspects of broadcast programming” (Smith, Ostroff and Wright II 1998, 102). In 1949, the FCC (which replaced the FRC as a result of the 1934 Communications Act) required that “a broadcast licensee whose station aired one side of a controversial public issue had to ensure that the other side was presented too” (Smith, Ostroff and Wright II 1998, 102). This was what was referred to as the “fairness doctrine” and was an expansion of the 1927 Radio Act.

In the 1970s, however, regulations for public interest began to wane. As President Carter lifted regulations on transportation businesses, "the FCC, in turn, started proceedings to do the same for communications media" (Smith, Ostroff and Wright II 1998, 102). The fairness doctrine was lifted in 1987, since it was the widespread belief that "under the marketplace concept, electronic mass media outlets were simply businesses" (Smith, Ostroff and Wright II 1998, 103). Gone was the belief that “an agency of the ‘government of the people’” should “ask licensees what programming, in addition to that designed primarily to make money, would they provide solely to
enlighten and inform the public. Those days had passed" (Smith, Ostroff and Wright II 1998, 103). As the communication distance between government and citizens was narrowing, regulation of communication also began to wane. The public, it seems, desired progress towards raw, direct information. Television, the next medium to sweep the nation, saw a similar decline in regulation, which we will review in the following section about television.

In the present day, the FCC, which is directed by five commissioners appointed by the president and confirmed by the Senate for 5-year terms, is “charged with regulating interstate and international communications by radio, television, wire, satellite and cable” (Federal Communications Commission). In terms of radio program content, the FCC states that it is their responsibility to prevent “the broadcast of obscene, indecent and profane programming,” but otherwise “broadcasters are responsible for deciding what their stations present to the public” (Federal Communications Commission).

In general, broadcasters have wide discretion in choosing their programming. The First Amendment to the Constitution and the Communications Act prohibit the FCC from becoming involved in selecting the content of specific programs or otherwise engaging in activities that might be regarded as censorship. (Federal Communications Commission 2012)

As we will also see in the following section, the FCC is careful to note that it has a very limited role in controlling content. Instead, the onus of content decisions falls on the broadcasting companies, which vests the media with the same great power that it had when all that was available was print and
The number of U.S. homes with television went from 1.6 million in 1949 to 17.3 million in 1952, and with this quick increase came access to television has likewise had a dramatic impact on American politics (Smith, Ostroff and Wright II 1998, 81). The first televised U.S. presidential debate was in 1960, featuring Democratic candidate John F. Kennedy and Republican candidate Richard Nixon. The much talked about debate is often held up as an example of the power of television. Kennedy himself credited much of his win to the televised debate, noting on November 12, 1960 that, “it was the TV more than anything else that turned the tide” (Webley 2010).

“As the story goes, those who listened to the debate on the radio thought Nixon had won…those that watched the debate on TV thought Kennedy was the winner” (Webley 2010). Many think that because the public was able to see the candidates’ debate, there was a new set of criteria by which the candidates were evaluated. It is true that a voice can convey a personality and confidence. Perhaps a steady, deep voice would inspire more confidence than a shaky voice would. However, the television included a greater number of variables tied to aesthetics and behavior. Before television, “the candidates’ platform and ideas were widely discussed without the candidate ever having met most of the general public,” and his “personal style remained largely unknown” (Jones 2005, 3). However, with television, attributes such as attractiveness began to matter for the first time. Television allowed the public to see how a candidate carried
himself, how he spoke, and whether he looked confident.

As acknowledged by Kennedy himself, it was his presence on television that recommended him to the esteem and confidence of his country, resulting in his election to the presidency. The handsome, young and charismatic Kennedy established himself as quite the sight against Nixon, who had recently had surgery and looked pale in comparison. Televising the debate had such an impact that “candidates became wary” of the influence, and the next televised debate was not until 1976 (Webley 2010).

To a certain extent, there is little that you can hide on television, especially in debates. One cannot change one’s voice; candidates that know their issues will be able to stay on message and confidently explain their decisions; body language can be very clear; and comparative attractiveness will be obvious. Whereas citizens used to rely on print or surrogates alone, citizens could now watch the very person whom they would be charging with their interests. In this sense, television drew from the power of photography – statesmen could better connect with citizens on a more emotional level.

Another advantage of television is that even illiterate or otherwise uninformed citizens can at least make a judgment based on personality. In that way, the television can be a great equalizer over varying degrees of research ability. Finally, because it takes less active effort, the television has the potential to attract a wider audience for politics and policy. In 1993, 60 percent of Americans reported that they regularly watched the CBS, ABC or NBC evening news (Public Broadcast Radio 2012).
Watching a representative deliver speeches, meet with constituents, and going about their daily lives is a powerful way to be in the homes and minds of Americans. Referring to Rick Perry’s chance of being reelected for governor, reporter Melinda Henneberger wrote that “a fourth term as governor isn’t out of the question in a state the size of France, where races are mainly run and won with expensive TV ads” (Henneberger 2012). Expensive airtime is still a big reason that campaigns raise money. In the 2008 presidential campaign, the campaigns themselves spent $195 million dollars on political television advertising across the country; another $8 million was spent on television advertising by interest groups (Carnevale 2008). It is no wonder – it is important for a candidate to do what he can to garner favor where he can. “The communication of ‘warm feelings’ is three to four times more powerful than traditional candidate preference criteria such as party identification or issues,” and sometimes “citizens may be forced to ‘vote by feeling because they feel they lack adequate information in an atomized political system and the search for “truth” becomes a search for ‘trust’” (Jones 2005, 5).

Beyond elections, television can be a powerful medium for introducing citizens to government policies. Policy priorities are outlined in State of the Union addresses, but the execution and results of policies (both foreign and domestic) are reported over the news. "As far back as 1963, biennial national polls began to show that people mentioned television more than any other medium as one of their main sources of news,” and it became common practice for families to watch the evening news, just as it had become
common for family to spend time listening to radio programs years before; television simply “became the principle medium for news in the United States” (Smith, Ostroff and Wright II 1998, 244, 735). Early television users could watch live coverage of events such as national political conventions, the Kefauver Crime Committee Hearings in 1951 and the Army-McCarthy Hearings in 1954" (Smith, Ostroff and Wright II 1998, 93). Later, citizens would watch such memorable events as the Vietnam War. On April 1, 1968, President Lyndon Johnson told a meeting of the National Association of Broadcasters, that he “thought of the many times each week when television brings the war into the American home. …Historians must only guess at the effect that television would have had during earlier conflicts on the future of this Nation” (Mandelbaum 1982, 157). This spoke to television’s power to sway opinion. Here, President Johnson was referring to the fact that watching events unfold in the Vietnam War was likely turning the public’s opinion against U.S. involvement in the conflict.

It is with television that many of the advantages and disadvantages of the Internet began to arise. Without a doubt, the radio and television made more information more readily available for audiences. However, in the case of the television, access to more information also came with less focus. By the 1960s, surveys of American television habits show that Americans watched “a great deal of television. Or rather, that many American televisions were playing much of the day. This did not necessarily mean…their owners were paying close attention to them” (Mandelbaum 1982, 159). Furthermore, while Americans were getting most of their news from televisions, “reading requires a
higher quality of attention….Americans may have received less, not more, information about current affairs” from watching the television. (Mandelbaum 1982, 159). Nowadays, consider the impact of CNN’s constant coverage of government activities, the now 24-hour news cycle, and the number of political pundits that are available for viewing.

Another issue with television is that, though television has the potential to attract a wider audience for events such as the debates, and “even though several million viewers watch televised debates, the telecasts tend only to attract those voters who are already involved in the campaign. Those individuals who could benefit most from the debates are least likely to watch” (Public Broadcasting Station). We must also consider the ease with which television broadcasts can be manipulated. Debates, for example, have become something akin to theater, with staging, scripts, and rehearsed gestures. There are indeed “verbal and visual cues” that create a set of data that “audiences respond to in formulating their images of the candidates. …Even the camera angles, types of shots and other choices of television producers contribute to the creation of a rich text for study” (Jones 2005, ix). This ability to manipulate what the audience sees can be used to create the idea that conflict was there when it was not, for example, cutting to reactions of candidates when the other candidate made an ad-hominem attack (Jones 2005, 55). The level to which debate is like theater extends to the entertainment component that debates are expected to contain. There is a sort of sport mentality that makes people tune in; “the televised debate format provides the ‘arena’ where the voter can watch their ‘gladiator’ engage in combat and emerge the victor” (Jones 2005, 15).
So, while television was closing the distance between government-to-citizen communication, it was also changing the way that people absorbed information.

**Government Regulation**

Many of the regulations that applied to radio and were discussed in the previous section also applied to television. In the 1960s, "there was to be a new approach to regulation; the public interest would come before the broadcasters private interest” (Smith, Ostroff and Wright II 1998, 98). The FCC issued the 1960 Programming Policy Statement, which defined “what was needed in programming to meet the public interest,” and television networks were “particularly wary of running afoul of the federal government,” because they were subject to oversight of the FCC (Smith, Ostroff and Wright II 1998, 98; Mandelbaum 1982, 160). At that time, broadcast was “a government-regulated business in a way that newspaper and magazine publishing [were] not” (Mandelbaum 1982, 160). Recall that in the past, newspapers and magazine had self-regulated practices, such as the practice of protecting the image of President Roosevelt.

However, just as with radio (since both were under the oversight of the FCC), the content regulations began to relax. Once again, it was in the 1970s that the regulations for public interest began to wane, and by 1987, the fairness doctrine was largely repealed or redefined to suit a more capitalistic, competitive view of broadcasting. This is the same embrace of competition that the nation had at its founding – recall the various outlets for competition that existed in the late 18th and early 19th Century, and the motivation towards capitalism that citizens exhibited under the banner of equality.
Political programming continued into deregulation as the Telecommunications 
Act of 1996 further “lowered the amount of restrictions on a number of regulated services 
and allowed everybody to get into everybody's business.” (Smith, Ostroff and Wright II 
1998, 380). The 1996 law did set up some regulations such as a rating system for violent 
programing, but it generally reduced regulations in a way that would “impact broadcast 
TV by strengthening and encouraging competing video programmers” (Smith, Ostroff 
and Wright II 1998, 117).

The FCC continues to exercise some control of content today. For example, the 
FCC has the ability to rein in broadcasting that could incite “imminent lawless action” 
and “rigging or slanting the news is a most heinous act against the public interest” 
(Federal Communications Commission 2012). However, the language is, for the most 
part, careful to state that content is largely unregulated. For example, while the 
Commission states that it will “investigate a station for news distortion,” it notes that it 
will do so “if it receives documented evidence that…individuals with direct personal 
knowledge that a licensee or its management engaged in the intentional falsification of 
the news” (Federal Communications Commission 2012). The inclusion of the word 
“intentional” is a particular barrier, since it would likely not cover programs that simply 
have not done their due diligence in research and accidently broadcast false information. 
This is especially important since, with the 24-hour news cycle and the rush to break 
news, the risk of false or incomplete information is high.
The FCC also states its limitations in the following clause:

In light of the fundamental importance of the free flow of information to our democracy, the First Amendment and the Communications Act bar the FCC from telling station licensees how to select material for news programs, or prohibiting the broadcast of an opinion on any subject. We also do not review anyone’s qualifications to gather, edit, announce, or comment on the news; these decisions are the station licensee’s responsibility. (Federal Communications Commission 2012)

As with radio, the country appeared to be moving towards more raw and direct information, when in fact citizens and the government were ceding more control to broadcasters. Because of this, the media gained a greater power in shaping the nation. After all, broadcasters decided on what their audiences saw, in what order, and how frequently. This is an interesting point to remember when we move into the section on the impact of the Internet. We will see that the ongoing move towards deregulation did not bring more control to the citizens, as perhaps was originally believed or hoped.

Currently, the nightly viewership for evening news is decreasing. In 2010, an average of “21.6 million people watched one of the three commercial broadcast evening news programs each night on ABC, CBS or NBC” (Pew Research Center 2012). This is after a steady a 30-year decline, which began in 1980 with an evening news audience viewership at over 50 million (Pew Research Center 2012). However, televised events still have a major impact on citizens and statesmen as they work to navigate American democracy.
Consider Governor Rick Perry’s debate gaffe, where he was unable to name the three agencies that he would terminate if he were elected president, a Washington Post reporter wrote the following in a January 27th assessment of Perry’s political power (eight days after he suspended his presidential campaign):

Yes, to the non-Texan eye, it looks like Republican Gov. Rick Perry has slunk home from his last rodeo, having humiliated himself and his home state with a presidential run that will go down in history as one big “Oops.” (Henneberger 2012)

This refers to a televised event, where, pressed on which governmental agencies he would eliminate upon being elected president, Governor Perry had trouble naming them all. Faced with the question he said "the third agency of government I would do away with – the Education, the Commerce. And let's see. I can't. The third one, I can't. Oops" (Ward 2011). The word choice in Henneberger’s article assumes a general knowledge of the event. But how much of this being general knowledge was due to the Internet – due to the reposting of the debate, or the online news outlets? Of the gaffe, the Washington Post noted “Perry’s lack of knowledge about his own political platform was awkward on the stage and immediately raised eyebrows in the Twitterverse, and could possibly be a pivot point in his campaign with longer-lasting implications for the race” (Blake 2011).

**Notable Trends in Media**

To sum up, the government-to-citizen level of communication has been changed in a way that has citizens receiving more direct information. In some
cases, this information is coming from the government (for example, presidential debates or state of the union addresses), and sometimes it is about the government in its policies (for example, media coverage of wars or social issues). Citizens started reading about these issues, and gradually became more emotionally involve through pictures. Then, radio allowed quick reporting, and the television allowed quick reporting with powerful images. This has all had a significant impact on the three citizen obligations that we have been examining.

**Recognizing the Commons**

By being able to see photographs of situations across the country, citizens are exposed to the needs of others in their nation, and therefore, better recognize the need for statesmen to consider the commons. Photographs became a way for citizens to sympathize beyond their local interests on an emotional level – more powerful than intellectually understanding that there are other, national needs.

Radio and television likewise provided citizens with exposure to the needs of others - the radio by providing more real-time reports, and the television by combining the emotional power of images with the same real-time access as radio. By having on the spot coverage, citizens could feel a bit closer to national events such as the Vietnam War, and in turn citizens, could feel united in the country’s efforts. This would all contribute to the recognition of the commons.
Trusting Statesmen to Represent Interests While Upholding Public Interest

The emotions evoked by a photograph can also provoke citizens to get more involved in politics. Rather than allowing their representative to properly represent their interests, citizens could be so moved that they could protest, lobby, petition and engage any number of demonstrations or direct communication with their government.

Once again, radio and television had similar impacts on this obligation, as citizens could quickly and then visually show the differences in opinion, living conditions, and style that made up the country. Citizens could feel moved to action by what they heard and saw via radio and television, whether it was protesting the Vietnam War or fighting for social causes. Even if, as mentioned, citizens are too busy to pay attention to all the information coming their way or too busy to mobilize into real action, there is still a possible erosion of trust that is occurring every time a citizen catches a snippet of information about a policy that they do not agree with.

At the very least, the constant flow of information coming into citizens’ homes through the radio and television creates an expectation that the government should be providing such information and that citizens should be intimately familiar with all that the government does. This expectation of complete transparency, in and of itself, is contrary to the obligation of trusting that a representative can remove himself from his community enough to represent both the community and the public good.
Early photography did not have a significant impact on this obligation, in part because it was not the first time people could see whom they were voting for, and in part because cameras were not initially so omnipresent that candidates had to worry about being caught off guard. Radio began making an impact by allowing citizens the opportunity to hear their statesmen directly, but it was the television that truly brought in a new number of criteria that citizens could use to evaluate candidates.

Once citizens were able to see their candidates on television before the post-primary elections, the importance of some post-primary presidential debates became questionable. For example, “voter intention was the strongest predictor of who won the 1980 presidential debate between Carter and Reagan among decided voters” (Jones 2005, 55). The fact is, because of that exposure to candidates in the primary season, post-primary “debates do reinforce the dispositions of those who have already decided how to vote… [I]n the typical election, about two-thirds of the electorate has decided its November vote by the end of the party conventions” (Jones 2009, 29).

However, especially if a candidate has not had much national television exposure, televised primary debates can have a heavy hand in swaying public opinion. As mentioned before, Governor Perry quickly lost steam after his now famous “oops” gaffe. While there were other bumps along the road in his campaign, this particular debate gaffe came to be one of the defining moments of his run.
As mentioned in Chapter 1, Publius believed that “there is in every breast a sensibility to marks of honour, of favour, of esteem, and of confidence” (Carey and McClellan 2001, 296). As long as citizens access this natural ability to recognize virtue, they will elect virtuous statesmen. The representatives who are “objects of popular choice” will be examples of citizens whose “merit recommend him to the esteem and confidence of his country” (Carey and McClellan 2001, 296). With television, citizens could rely more on their instinct than ever before. While it is a concern for some that, with televised debates, “candidate image quickly overshadowed even the most important campaign issues,” this is not a concern that addresses the obligation we are examining. Because Publius’ other obligations involve some level of disconnect between citizens and the activities of the government, it is clear that knowing the issues is secondary to an instinctive reaction to the candidate. The two criteria are not entirely separate – one can get a better feeling for a candidate by what he says and where he stands on issues. Overall, if subscribing to Publius’ belief that a virtuous citizen has within him the ability to elect a virtuous statesman and that it is within their civic duty to do so, seeing a statesman on television will provide citizens with a medium through which they can better fulfill this obligation.

We will now examine the impact of the Internet – what it has in common with the impact of the television and the radio on politics, and what the Internet brings that is unique.
CHAPTER 3

THE POWER OF THE INTERNET

The studies that have focused on the impact of the Internet are numerous and often contradictory. Many were “exuberant in its hopes for a betterment of society” and “saw the new digital technologies as key to the renewal of direct democracy and citizen empowerment.” (Gibson, Oates, and Owen 2006, 3). This belief stems from the hope that new public forums and easier access to information would result in a more engaged public, which would in turn result in a better governmental system. Some go further and think that new online technologies can replace current institutions and democratic functions. Others believe that the Internet can be dangerous to democracy, “reducing the possibility for collective action,” “eroding social capital and community ties,” and “reduce[ing] both the quality of political debate and discourse…and the accountability of the government” (Gibson, Oates, and Owen 2006, 3). Still others came to the conclusion that the Internet “was neither the agent of the glorious revolution nor apocalypse now, but a reinforcer of the status quo” (Gibson, Oates, and Owen 2006, 3, 4).

Here, we will examine how the Internet has impacted the three levels of communication and how those changes, in turn, impacted how well a citizen can fulfill his obligations of acknowledging the commons; electing a virtuous statesman; and allowing that statesman to properly represent his interests while taking into account the public good. The Internet has some components that are unique – in particular, the incredible ability to archive and search written, visual, and video content. However, the
growing access to these components has not only impacted the three obligations of citizens by changing citizen behavior, it has also done so by amplifying the effects of the media that came before – photography, radio and television. We will see that this has resulted in some significant benefits and pitfalls for fulfilling citizen obligations. While the details of that reality are new, the values behind that reality are familiarly American; competition reigns, and freedom is sacrosanct, just as in the nation’s founding. This is especially apparent when looking at the progressive deregulation of radio and television, and the relatively unregulated Internet.

In the early 2000s, the “digital divide” for the Internet, which refers to inequality in access to and knowledge of the technology, was closing “as Internet facilities [were] made increasingly available in schools, libraries, and other public spaces” (Jones 2005, 23). Because of Clinton-Gore era initiatives, “98 percent of school-aged children had Internet access by 2001.” By 2003, it was reported that “Americans spend an average of over 11 hours online per week” (Jones 2005, 23). According to data provided by the research of Pew Internet and American Life, “approximately 128 million adults, or 63 percent of the US population, were online in 2004, with 68 million daily users” (Jones 2005, 23). Furthermore, a large portion of the population was going online specifically for political news in 2004: “40 per cent of the US population rely on the Internet for political news” (Jones 2005, 24).

The percentage of the population that has used the Internet and mobile technologies to engage in politics has continued to increase. According to Pew Internet
research, “in total, 46% of all adults [were] using the internet, email, or phone text messaging for political purposes in [the 2008] election” (Cornfield 2005,4).

The number of Americans visiting presidential campaign Web sites…rose sharply for the cycle: from 9 million going to Bush 2000 to 16 million to Bush 2004, and from 7 million going to Gore 2000 to 20 million going to Kerry 2004. More people saw the ads produced by the anti-Kerry advocacy group Swift Boat Veterans for Truth as a result of them becoming a political hot topic through the internet than through their paid placement in television markets. Americans Coming Together (ACT), a Democratic advocacy group launched a web video featuring comedian Will Ferrell impersonating the president; it was downloaded more than a million times, with more than 30,000 viewers clicking through to the site to enroll as volunteers in ACT’s grassroots campaign (Cornfield 2005,4).

“All told, 85 million Americans did something online pertinent to the 2004 elections,” and as we will see shortly, the 2008 Presidential campaign was considered the most Internet-focused campaign yet (Cornfield, 2005a).

In the last chapter, we identified three levels of communication: 1) communication from the government and statesmen to the public, 2) communication from the public to the government and statesmen, and 3) communication between citizens. Whereas other media largely impacted the first level of communications, the Internet has significantly impacted all three.

**Government to Citizen**

Congressmen have tried to adapt a multitude of Internet tools, from their own .GOV websites to social media campaigns, in order to better reach their constituents, and as a result, citizens have become involved in government in a more direct way and impact the way that Congress operates. Congressmen “arrive in office as a result of success at
personalized media campaigns,” using the platforms available to them online and bypassing the need to use the platforms made available by their political party. As a result, Congressmen owe their seats in Congress largely to “the disaggregated demands and claims of constituents.” Thus, “435 Representatives and 100 Senators are just that, 535 self-interests in search of momentary aggregation, rather than an institutional embodiment of public regardingness” (Gibson, Nixon and Ward 2003, 42). The Internet’s impact on presidential campaigns, however, is a slightly different matter.

As the above quote implies, the archiving and search function of the Internet has had a great impact on the communications trajectory that presidential campaigns follow. Generally, the standard communications trajectory starts off with small message for local supporters and constituents. As the candidate makes it further along the campaign trail, that message has to adapt to reach “more diverse constituencies…in an ever greater variety of formats” (Jones 2005, xii). Now, however, any outreach effort will quickly extend beyond local supporters as a result of the Internet – information will spread through either more traditional content providers (news sites, for example) or through Internet users themselves. Usually, it is a combination of both. Take, for example, President Barack Obama’s now well-known comment about small towns in Pennsylvania from his campaign for the 2008 Democratic presidential primary election. While touring small towns in Pennsylvania, many of which had been hit with the burden of disappearing jobs, President Obama received standing ovations for speeches containing his promise to restore the Constitution. At a later local event, a fundraiser where he spoke
to “a group of his wealthier Golden State backers” in San Francisco, he referred to the people of these Pennsylvania small towns. President Obama stated that in these small Pennsylvania towns, where “the jobs have been gone now for 25 years” and there is little faith that an administration could regenerate what has been lost, “it’s not surprising [that] then they get bitter, they cling to guns or religion or antipathy to people who aren’t like them or anti-immigrant sentiment or anti-trade sentiment as a way to explain their frustrations” (Fowler 2008). These remarks, of which there was only an audio recording, quickly got picked up by television programs, were responded to in televised speeches by his opponents, and swept through online news outlets. Here, we see the impact of the radio and television amplified by the way that the Internet facilitates the spread of and commentary on information. The televised segments remain on YouTube as of this writing, an example of the other power of the Internet – its power to archive information.

Because the Internet makes information infinitely archivable and searchable, it has made the segmentation of messaging somewhat impossible. The advantage of this is that candidates, to some extent, must consider the nation as a whole. This is not a new message; presidential candidates try to garner support by rallying the public under a unifying banner, at least past the primary season when they have to extend beyond their base for support. President Obama himself knew the power of this, delivering a speech about “A More Perfect Union.”

This time we want to talk about the men and women of every color and creed who serve together, and fight together, and bleed together under the same proud flag…I would not be running for President if I didn’t believe
with all my heart that this is what the vast majority of Americans want for this country. (Wall Street Journal, 2008)

President Obama went on say that where a young white girl and an elderly black man can come together under a common banner is “where our union grows stronger. And as so many generations have come to realize over the course of the two-hundred and twenty one years since a band of patriots signed that document in Philadelphia, that is where the perfection begins” (Wall Street Journal, 2008). However, the Internet has made it more crucial that this message is not simply rhetoric. President Obama’s comment about small town Pennsylvanians is an example of how a national statesman now has greater difficulty promoting national rhetoric, while at the same time still playing to local interests. Election results from 2008 show that while President Obama won the state of Pennsylvania by 54 percent, it was the districts in and around Pennsylvania’s major cities that cinched the victory. Philadelphia and Pittsburgh voted for President Obama; Allentown and Erie, though they are are two among the “small towns” referred to above, likewise voted for him. (New York Times, 2008). The rest of the state leaned towards Senator McCain, the Republican candidate. We cannot know how much of this was based on the primary comment, because Democratic presidential candidates won the state of Pennsylvania in 2004, 2000, 1996, and 1992 as well, with a breakdown of support similar to that of 2008. However, the widespread comments at the very least have proven to do nothing to break the cycle of traditional partisan support (New York Times, 2008).

Also evidenced by the above example, the new level of transparency that the Internet necessitates in a campaign creates a requirement for a higher level of
consistency, if not honesty, from candidates. While “personality sometimes gets put aside once elected to deal within the political system,” at which point “the public feels betrayed by them and the process,” having a high level of accountability can give citizens a greater chance to eliminate candidates that they feel are prone to inconsistency in rhetoric or action before the candidate makes it into office (Jones 2005, 5). As with television, there is plenty of opportunity for candidates to follow scripts and rhetoric, but there is at least some protection against pandering. With their campaigning views on record and easily searchable online, it is easier for citizens to hold statesmen accountable for the positions they take and the promises that they make. Because of this, the level to which a statesman adheres to the priorities announced in his campaign has a great impact in how the public reacts, and ultimately, whether the public deems him trustworthy enough to continue in his role. In this way, the Internet especially helps the public with its obligation to elect virtuous statesmen. When the public sees that a candidate is consistent throughout a campaign and consistent when elected, that inspires a level of confidence in the candidate. The opposite is also true. Inconsistencies and pivoting on policies will inspire suspicion that could prevent the statesman from being elected or reelected. Consider John Kerry, the Democratic candidate that had difficulty shaking his reputation as a “flip-flopper” – one who changed opinions and positions on political issues and government policies to be the opposite of their original opinion or position.

By 2004, it was clear that there were new tools that were available to the candidate, and campaigning on the Internet really “took a great leap forward with former
Vermont Governor Howard Dean’s long-shot bid for the Democratic nomination for the presidency” (Cornfield 2005, 1). At this point we can examine how statesmen began to adapt to the Internet.

Governor Dean’s campaign publicized short-term goals online to galvanize support, such as his challenge to match the amount raised by Vice-President Dick Cheney’s fundraising luncheon in July of 2003. Asking his supporters to help him raise more money than the $2,000-a-plate luncheon, the result was double of what Vice-President Cheney was able to raise. Vice President Cheney came away with $250,000 from 125 guests – Governor Dean came away with $500,000 from 9,700 people, establishing a larger base of supporters in that one event (Cornfield 2005, 2).

Governor Dean’s campaign also used the Internet to bring together people with common social and political interests, using a website on the domain name MeetUp.com. This allowed people to connect online and meet in person, and it eventually boasted a membership with several hundred thousand people (Cornfield 2005, 2). This is reminiscent of the social clubs that existed at the country’s founding. Both served to allow people to stay informed, exchange ideas, and form bonds.

But where the social clubs at the nation’s founding could only bring together locals, the Internet allowed citizens to make connections that stretched across the country. Furthermore, citizens’ thoughts and ideas had a wider reach than ever before, even without making a personal connection; thoughts posted on a website can achieve a wider audience for ideas. Consider that in 2003, the Dean campaign “posted 2,910 entries on its
‘Blog for America’ and received 314,121 comments, which were also posted there” (Cornfield 2005, 2). In the case of the Dean campaign, this was a great boost to the mobilization of citizens: “as the result of one of those comments, 115,632 handwritten letters were sent from supporters to eligible voters in the upcoming Iowa caucuses and New Hampshire primary” (Cornfield 2005, 2).

The Dean campaign operated under the slogan “You have the power,” which was especially fitting given the fact that beyond setting up the tools of communication discussed above (the Blog for America, MeetUp.com), the campaign followed a decentralized approach to its work and allowed its local supporters to “campaign as they saw fit” (Cornfield 2005, 4). However, as Governor Dean failed to make it past the Democratic primaries for the 2004 presidential election, there remained some question as to where other campaigns could improve upon the Dean campaign’s model. The issue was likely in the decentralized nature of the campaign, but what was certain is that the Dean campaign failed to capitalize on the enthusiasm started online.

Picking up where the Dean campaign left off, President George W. Bush, who was the Republican nominee in the 2004 election, focused his online campaign on grassroots organization and mobilization, whereas his Democratic opponent, Senator John Kerry, focused on fundraising (Cornfield 2005, 4). The Bush campaign quickly learned to take advantage of the ease with which one can share content online. “Between March 1 and November 19, 2004, 78% of Bush campaign emails featured a box to forward the message to a friend (Kerry 5%), and 22% had a box to create or contact an online team of
supporters (Kerry 0%),” which buttressed the overall strategy of relying on “the stronger ties inherent to local congregations, neighborhoods, and …employer-employee and business–stakeholder relations” (Cornfield 2005, 4). The emails being sent from Kerry’s campaign, meanwhile, focused heavily on getting donations online. President Bush’s online strategy was successful, because it retained the power of a local campaign (allowing personal connections to motivate others) and added to it the power of a centralized campaign (one with concrete messaging and action items). Again, while not decisive, President Bush’s online strategy complemented and progressed his overall strategy, contributing to his victory on Election Day.

While President Bush was likely helped by his online campaign, the Internet was considered an undeniable serious benefit to the 2008 Obama campaign. Wired Magazine ran the headline “Propelled by Internet, Barack Obama Wins Presidency” (Stirland 2008). What seemed to be the key to President Obama’s online success was the same thing that propelled President Bush’s campaign and where Governor Dean’s campaigned failed: translating online enthusiasm into real action. Not only that, but there was a balance to be struck between centralized campaign methods and localized methods.

Supporters created more than 35,000 groups clumped by affinities like geographical proximity and shared pop-cultural interests. By the end of the campaign, myBarackObama.com chalked up some 1.5 million accounts. …The campaign also launched web pages and online action groups to fight the underground, e-mail whisper campaigns and robo-calls that surfaced in battleground states. (Stirland 2008)

Obama’s campaign also set up a website that allowed supporters to sign up with email addresses to receive facts that they could send to friends and family – especially
when an “unfounded attack surface[d]” (Attack Watch). Obama supporters developed mobile applications that “enabled owners to mobilize their friends and contacts in battleground states through the Apple devices” (Stirland 2008). Ralph Benko, a principal of the political consulting firm Capital City Partners, in Washington, DC, was quoted in Wired as saying that there “was a peer-to-peer, bottom-up, open-source kind of ethos that infused this campaign. Clearly, there was a vision to this” (Stirland 2008).

While Senator McCain had a robust website, he did not have as much social networking capabilities built into it as Obama did. Also, according to BrandChannel, on one “McCain Issues page there is a callout to Download, Print, and Share. In a digital, carbon footprint world this could be seen as outdated behavior” (Cottingham 2008). Given BrandChannel’s assessment, it is clear that nowadays, appearing Internet savvy; providing ways to bring in the voices of the public; and getting citizens directly involved, sharing, and communicating is seen as a necessary goal. It is frequently touted that “in a new media landscape everyday people define and increasingly have impact on campaigns rather than the news media giants” (Cottingham 2008). This is true, to some extent, but we will return to this particular point later in the chapter.

President Obama’s 2008 campaign benefitted greatly from being able to use the Internet as a tool, but the Internet remains a difficult place for campaigns to navigate even for the most savvy. Even as recently as the 2004 campaign, YouTube did not exist, but in 2008, the Obama campaign had to contend with a YouTube video of a sermon by Reverend Jeremiah Wright. Reverend Wright was a former pastor for President Obama,
who delivered a sermon that contained inflammatory and controversial language – “at last count the Reverend Jeremiah Wright videos have numbered over 9,291,112 views, evidence the power the Internet has in creating brand perceptions” (Cottingham 2008). The difficulty with such videos is the same as with other major tools of the Internet. “[C]ampaigns have had to constantly keep their balance in a world of real time fact finding [and] live blogging,” dealing with content that is filled with sound bites that are archived, searchable, and possibly misleading when taken out of context (Cottingham 2008).

Citizen to Citizen and Citizen to Government

While other media had impacted the government-to-citizen level of communication, the Internet is the first medium to significantly impact the other two levels of communication: citizen-to-government and citizen-to-citizen communication. Citizens are able to interact with their statesmen and fellow citizens on social networks such as Facebook and Twitter and in online forums. Some interaction remains physical, through phone calls, protests and petitions, but the Internet has left its mark on that as well, increasing the coordination, speed and ease with which such real-world actions can be taken.

For statesmen, successful use of the Internet involved translating the motivation sparked online to concrete action in the physical world. For citizens, the same is true, although what precisely constitutes “concrete action” is a bit more difficult to define. We will focus on the use of three online platforms: two that are primarily insular and largely
citizen-to-citizen focused (Facebook and Twitter), and one that facilitates action in the physical world and citizen to government focused (Change.org). While these platforms have various capabilities, we will focus on the ones that are most pertinent for our purposes.

Facebook is currently the most popular social networking site – “a recent study by Forrester found that of U.S. adults who use social networking sites, 96% of them are on Facebook” (Banks 2011). Facebook allows its users to have “profiles” that list things such as date of birth, occupation, and various interests. It also gives users the capability of posted pictures, videos, and “status updates” that allow users to share what they are thinking. Users can also share articles, engage in back and forth discussions on each others’ walls, and create groups to link with those who have similar beliefs. Its mission, according to its own profile page, “is to give people the power to share and make the world more open and connected” (Facebook 2012).

On Twitter, users select a “handle”, which is an identifiable Twitter username, and put together a shorter profile – name, location, and a short bio. However, its main purpose is to serve as “a real-time information network that connects you to the latest stories, ideas, opinions and news about what you find interesting” (Twitter 2012). In short, it provides a quick, limited (no more than 140 characters) way for users to post news, thoughts and opinions. Sometimes these sentences stand alone, a statement for others to see; sometimes these sentences are put out as a part of a global conversation, filed under a topic by placing “#TOPIC” in the post; sometimes these sentences are
posted as part of a conversation with another individual, calling the post to their attention by placing @HANDLE in the post. According to Twitter, “whether you tweet 100 times a day or never, you still have access to the voices and information surrounding all that interests you. You can contribute, or just listen in and retrieve up-to-the-second information” (Twitter 2012).

Both Facebook and Twitter are modern platforms that are fulfilling the same functions that social clubs and newspapers were fulfilling in the beginning of the nation – places to find and share information. There are opportunities for differences of opinion and ideas to be discussed. However, also much like social clubs, Facebook and Twitter do not result in any policy changes.

Change.org, however, provides citizens with the opportunity to “start a petition, mobilize support, and win change” (Change.org 2012). To start a petition, just three questions need to be answered – “who do you want to petition,” “what do you want them to do,” and “why is this important.” Petitions are posted, providing browsers with a summary, and making it easy for people to put their name on it. Petitions are submitted to the various businesses and government representatives that they were designed to target, and Change.org boasts a number of self-assessed victories on its website. For example, the fact that an Ohio judge granted clemency to a woman arrested for falsifying records in order to get her children into a different school district. Change.org is the modern day equivalent of the petitioning that was happening at the founding of the nation – citizens moving beyond personal conversations and trying to directly petition for change. With
this online tool, petitioning becomes less time-consuming and less expensive. While this opens up the activities to a wider range of people, it also requires less thought and persistence than petitions in the past. In aggregate, this means a greater number of petitions will likely be filed.

We see here that citizens have not changed their behavior – they have simply changed the medium that they use to execute that behavior. It has also meaningfully impacted whom they connect with. Citizens used to connect only with others on a local level, but now they can connect with people that they have never met on websites such as Change.org, Facebook, or Twitter. But what causes two people to have never met to interact? Usually, a shared interest.

Vint Cerf, “widely known as one of the ‘Fathers of the Internet’” as he was a “co-designer of the TCP/IP protocols and the architecture of the Internet,” was a panelist on “The Future of the Internet”, held by Bisnow on November 4, 2010. At one point in the event, he mentioned the power of connecting people with the same interests, and noted that one of the first things that was done at the inception of the Internet was to create a listserv around a specific interest. This sort of segmentation is an important hallmark of online interaction. Whereas it seems like the Internet has the potential to open people up to new ideas and opinions, people choose to interact with like-minded individuals and groups.

The same behavior is apparent in political involvement online, as “voters make choices through a ‘drunkard’s search,’” a search among obvious differences” (Swanson
Like the inebriate searching under a street lamp for a lost house key, voters look in unlikely places for clues as to how to choose between obvious differences. Asked why he didn’t look for the house key where he had dropped it, rather than under the street lamp where he had not even been, a voter might reply as did the drunkard, “Because the light is better there.” (Swanson and Mancini 1996, 92)

Here again, citizens are not searching for facts that challenge their beliefs; they are looking for facts that confirm what they already know. Citizens are not looking for nuanced differences or perhaps even common ground with conflicting opinions; they are seeing the obvious divergences and simplifying the situation. Not only is this due to the segmentation that the Internet makes possible through forums, groups, and listservs. It is also due to the way that individuals interact with information online.

The way that individuals engage with information through media has changed, starting with television. In 2002, it was reported that “ever on the lookout for engaging content, most online viewers spend less than 60 seconds at an average site” (BBC, Sci/Tech). Even if looking for specific content, there are “other digital distractions, like e-mail or instant messaging, are also vying for our attention” (BBC 2002). According to Ted Selker, “an expert in the online equivalent of body language at the Massachusetts Institute of Technology,” a person’s attention span will get affected by that person’s habits. So, “if we spend our time flitting from one thing to another on the web, we can get into a habit of not concentrating" (BBC 2002).

Just shy of 70 years after the U.S. Constitution, Alexis de Tocqueville noted in his work *Democracy in America*, that the American people are not ones to take time for
philosophy. He writes that “less attention…is paid to philosophy in the United States than in any other country in the civilized world” (de Tocqueville 1969, 429). The constant industriousness and movement of the citizens of the United States also makes it “easy for a man to lose track of his ancestors’ conceptions or not to bother about them” (de Tocqueville 1969, 430). It seems as though not much has changed. In a world of Twittering where thoughts are limited to 140 characters, in a world of Blackberries and the 24-hour news and business cycle, there is even more to occupy a citizen’s waking hours. As mentioned earlier, television requires less concentration than reading, and with the quick 24-hour news cycles and news tickers, it is no wonder that “while the media may provide exposure for a candidate, that exposure is limited to sound bites and video clips, none of which provide any substance regarding a candidate’s platform” (Jones 2005, 31). Furthermore, when considering the quality of interaction on social networks, it is important to note the possible social behaviors that result from online activity. One study by Nie and Erbring in 2000 found that “the levels of sociability of individuals actually dropped and their feelings of alienation and disconnection to society increased with high use of the Internet” (Gibson, Oates, and Owen 2006, 4). Similarly, a 2002 study by “Cummings et al. discovered that computer-mediated communications and particularly email were inferior means of building close social relationships when compared with physical interaction or even the telephone” (Gibson, Oates, and Owen 2006, 4). Other studies noted that “social ‘balkanization’ and isolation were more likely results’ of new media than any semblance of community building” and discussed the
“dehumanizing effects of sitting at a computer all day long” (Gibson, Oates, and Owen 2006, 4).

The Role of Content Providers

Here, we come back to the issue of whether or not “in a new media landscape, everyday people define and increasingly have impact on campaigns rather than the news media giants” (Cottingham 2008). One advantage frequently credited to the Internet is the way that it provides a voice to citizens. Another is the opportunity to be completely informed and to arrive at decisions on one’s own.

Business Insider ran an article on November 30, 2011, that listed the top 50 political pundits, which included television personalities, reporters, and activists to follow, noting that “if you program these people into your bookmarks, DVR, and Twitter client, you'll be the most knowledgeable and witty pundit among your own friends” (Dougherty 2011). In it, the reporter noted that “nowadays things are a lot messier and a whole lot more fun. And for better or worse very few of the old standards and definitions apply” (Dougherty 2011). Gone are the days of “cigar smoke-filled backroom journalists like Walter Lippmann,” who “told you what to think while you drank your morning coffee. And then Edward R. Murrow told you what to think while you ate a T.V. dinner” (Dougherty 2011).

As a result, citizens frequently express the desire to “maintain” a free, unregulated Internet. However, as we will see in the next section, the Internet is more regulated than people might know. Regulation comes not from the government and not from the people,
but from the content providers themselves. This is consistent with what we have seen with other types of media.

**Considerations**

Examining the way that the Internet has changed the three levels of communication: government/statesmen-to-citizen, citizen-to-government/statesmen and citizen to citizen, has made it clear that while the trajectory of media has followed certain trends, the Internet has had the most dramatic impact. As a result of the Internet, the distance between citizens and between citizens and their government seems to be narrowing in all levels of communication, not in the sense that all information is really raw and unprocessed, but that, through communication, the activities and opinions of the government and statesmen are almost entirely transparent to citizens, and vice-versa. Whereas other media can be credited with narrowing the distance in the government-to-citizen level of communication and establishing expectations for transparency, the Internet has impacted all three levels of communication.

As a result of this impact, citizens have become more directly involved in their government, and their government more directly responsive than ever before. This is apparent in election campaigns, the direct channels that citizens now have to their statesmen, and, as we will see in the next section, the way the public can directly impact policy agenda. In all the levels of communication, there are now a greater multitude of voices, which has its advantages (more information, greater freedom to form one’s own opinion) and disadvantages (more confusion, fractured messaging, and possible
desensitization to information). It is clear, though, that it is a priority to maintain this multitude of voices. Despite its disadvantages, citizens are embracing the Internet, and, as we will see in the next section, citizens are signaling their desire for a free and unfettered space for communication. Again, this is unsurprising, given the general trend of deregulation in media.

After this examination, we will discuss the impact that this has all had on U.S. citizens’ three obligations.
CHAPTER 4
CASE STUDY

To understand the dynamics of the Internet, one has to examine it at its inception.

While the Internet was originally created by the U.S. government for its defense program, it was commercialized and then placed under the regulation of the Internet Corporation for Assigned Names and Numbers (ICANN) in 1998 during the presidency of Bill Clinton. There are two powers that allow the Internet to function: the power to develop and implement regulatory policy; and the power to run the technical functions of the Internet through the IANA contract. Currently, ICANN has both powers.

The power to develop and implement policy began with the first Memorandum of Understanding (MOU), which placed ICANN, a not-profit-corporation based in California, under the jurisdiction of the U.S. Department of Commerce (DOC). ICANN, however, was created to “privatize the management of the domain name system (DNS) in a manner that increases competition and facilitates international participation in its management” (ICANN 1998). From the beginning, importance was placed on competition and the independence and global nature of the Internet.

The DOC was charged with overseeing the development of ICANN along four principles: 1) stability, or ensuring the technical functionality of the Internet; 2) competition, or ensuring that market mechanisms will be allowed to determine the entities that will successfully be a part of the technical management of the DNS, in order to promote “lower costs, promote innovation, and enhance user choice and satisfaction”;

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3) private, bottom-up coordination, or ensuring that Internet stakeholders have a say in the policies that govern the Internet; and 4) representation, or ensuring that the technical management of the DNS “reflects the global and functional diversity of Internet users and their needs” (ICANN 1998). The end goal, it would seem, would be to make ICANN completely independent. The MOU states that, “before making a transition to private sector DNS management, the DOC requires assurances that the private sector has the capability and resources to assume the important responsibilities related to the technical management of the DNS” (ICANN 1998). The phrase “before making a transition to private DNS management” is an indication that private management is indeed an end goal.

Consider this model in terms of both the founding of the American democracy and the regulation trajectory of other forms of media discussed in Chapter 2. The principles of competition, bottom-up coordination, and representation are all very familiar; they reflect the tenets of a representative democracy and American values. The emphasized importance of having policies that reflect the needs of stakeholders hearkens back to the radio and television requirements that were in place before deregulation, which required broadcasters to take into account the public interest.

The MOU was renewed and amended until it was replaced with the Joint Project Agreement in 2006, changed with, once again, developing “mechanisms, methods, and procedures necessary to effect the transition of Internet domain names and addressing system (DNS) to the private sector” (ICANN 2006).
On September 30, 2009, the JPA was replaced by the Affirmation of Commitments (AOC), which stated that a “private coordinating process, the outcomes of which reflect the public interest, is best able to flexibly meet the changing needs of the Internet and of Internet users” (ICANN 2009). It served as a step towards ICANN’s independence and a step away from U.S. government oversight. The last remaining impact that the U.S. government retains on the policy side of ICANN through the AOC is a seat on the Government Advisory Committee (GAC). The technical functions are likewise awarded by the DOC, and ICANN has held that contract since the inception of the commercialized Internet.

ICANN is a unique organization. It regulates a global resource, but it is also a California-based not-for-profit, which puts it under California and U.S. federal law. Though under U.S. law, the AOC is phrased in such a way that ICANN has little accountability outside of the organization. The GAC that is charged with reviewing ICANN and providing recommendations, but ICANN is under no obligation to implement those recommendations.

One major service that ICANN provides, both from a policy and a technical side, is the introduction and maintenance of generic Top-Level Domains (gTLDs) such as .COM, .EDU, and .INFO. ICANN awards contracts to companies called registries, who are charged with running gTLDs. These registries, in turn, award contracts to companies called registrars, who sell domain names within those gTLDs. Domain names are “alpha-numeric strings separated by dots at each level,” which translate “long IP numbers into
easier-to-remember labels. It is the basis of websites, email, and other Internet related functions” (FairWinds Partners 2012). An example of a domain name is “whitehouse.gov” – in this example “whitehouse” would be the root of the domain name, and “.GOV” would be the gTLD.

ICANN has been clear that, as an organization, regulating content is outside of their jurisdiction. In 2010, “ICANN declined to meet with White House Intellectual Property Enforcement Coordinator Victoria Espinel to discuss ways to crack down on illegal online pharmacies” (Coalition Against Domain Name Abuse 2010a). ICANN claimed that it would “not be appropriate” to attend such a meeting because it is “outside the scope of [its] role as the technical coordinator of the Internet’s unique identifiers” (Coalition Against Domain Name Abuse 2010a). ICANN has also come under scrutiny in recent years for being hands-off on the enforcement of its own regulations. When an individual registers a domain name, that person is required to provide some identifying information in what is called a WHOIS record. The WHOIS record includes their name and contact information, such as their physical address and their email address. However, many individuals are providing false information. In a 2009 study, ICANN examined WHOIS records according to the following criteria:

1. Was the address of the registrant a valid mailing address?

2. Was the registrant named associated in some way with the given address?

3. When contacted, would the named registrant acknowledge that they were indeed the registrant of the domain name, and confirm all details given as correct and current? (ICANN 2012)
According to ICANN’s analysis, “using strict application of the criteria, only 23 percent of records were fully accurate” (ICANN 2012). It is also important to note that the WHOIS issue has been a problem for years. CADNA identified it as a key problem at the Coalition’s launch in 2007. Concerned with the potential harm for Internet users who may happen upon websites that deposit malware or sell counterfeit goods, CADNA noted in 2007 that “with no check for legitimacy and WHOIS privacy services acting as roadblocks to accountability, the Internet provides criminals not only with lucrative opportunities for exploitation, but also with a place to hide” (CADNA 2012). Today, in 2012, there are still working groups gathering within ICANN to discuss the WHOIS issue.

This speaks volumes about the reality ICANN’s approach to Internet regulation. Whatever its motivations, ICANN is creating a standard of a relative lack of content control online. In this vacuum of oversight, governments attempt to implement laws that regulate the Internet according to their nation’s media standards. For some, this requires blocking access to much of the web; for some, like the U.S., there is a tricky balance between protecting its citizens from harmful sites, protecting American businesses from infringement, and still allowing for the high level of freedom of speech that American citizens expect.

One major piece of Internet content legislation is the Digital Millennium Copyright Act (DMCA) of 1998. Much of the purpose of the DMCA is to provide copyright owners with protection, but the legislation was careful to maintain freedom of
use for citizens. “Distinction was employed to assure that the public will have the continued ability to make fair use of copyrighted work” (Copyright.gov 2012). In this legislation, it is important to ensure that some individuals are able to copy content. For example, “nonprofit educational institutions” are considered a special case. This is reminiscent of the laws that were established for radio and television by the FTC. Then, as in 1998, it was considered important to allow education to flourish. However, in this case, it is a negative freedom. In other words, it is a good provided through freedom from regulation, rather than a good provided through regulation.

Another important piece of legislation that tried to establish regulation over content was the Anti-Cybersquatting Consumer Protection Act (ACPA) of 1999, which was added to the 1946 Lanham Act that establishes a “national system of trademark registration and protects the owner of a federally registered mark against the use of similar marks if such use is likely to result in consumer confusion, or if the dilution of a famous mark is likely to occur” (Cornell Law School 2010). The Anti-cybersquatting Consumer Protection Act (ACPA) provides recourse for businesses that find that a third-party has registered a domain name that is confusingly similar to their trademark and is using that domain name in bad faith. An example of using a domain name in bad faith is selling counterfeit Nike shoes on the misspelled domain name Nikke.com if one is not an accredited reseller of Nike products.

Since the implementation of these two laws relating to digital regulation, several other bills have been introduced – the Anti-Phishing Consumer Protection Act (APCPA)
was introducing in February of 2008, and the Combating Online Infringements and Counterfeits Act (COICA) was introduced in September of 2010 (The Library of Congress – THOMAS 2012). Both bills intended to authorize legal action against domain names that facilitated trademark and copyright infringing activities. Both failed to become law. Similarly, in 2011, two bills aimed at addressing infringement problems online were introduced and quickly dismissed. We will use these two bills – the Senate’s Preventing Real Online Threats to Economic Creativity and Theft of Intellectual Property Act (sometimes referred to as PROTECT IP or PIPA), and the House of Representatives’ Stop Online Piracy Act (SOPA) – as a case study that will provide information on 1) how citizens interact with their government using the Internet; and 2) how citizens view the medium of the Internet.

Senator Leahy, the Chairman of the Senate Judiciary Committee, introduce PIPA on May 12, 2011. The bill attempts to, as its title implies, protect U.S. intellectual property rights, and one of its major powers would be as follows:

...issue a temporary restraining order or injunction against a domain name, registrant, owner, or operator to cease and desist further ISDIA [Internet site dedicated to infringing activities] activity of the domain name. (The Library of Congress – THOMAS 2012)

It is important to note at this point that an offending site is defined as follows:

(1) has no significant use other than engaging in or facilitating copyright infringement, circumventing technology controlling access to copyrighted works, or selling or promoting counterfeit goods or services; or (2) is designed, operated, or marketed and used to engage in such activities. (The Library of Congress – THOMAS 2012)
After the bill was introduced, it was placed on the Senate Legislative Calendar, and the Judiciary Committee held a hearing on the bill on June 22, 2011. On December 17, 2011, Senator Reid scheduled a cloture motion on the bill for January 23, 2012, essentially, forcing a vote on the bill without further consideration of amending the bill. On January 23, 2012, the cloture motion was withdrawn by unanimous consent in the Senate (The Library of Congress – THOMAS 2012).

What is especially important about this timeline is the fact that in December, Senator Reid scheduled a cloture vote that would take place more than a month later. This is an indication that the Senate Majority leader felt that this was a strong bill that was likely to pass as it was. However, the cloture ended up being withdrawn, and the legislation tabled. More than that, any bill touching upon cybersecurity or regulating content is being reviewed with extreme caution in the Senate.

The House of Representatives experienced a similar string of events when it introduced its version of the PROTECT IP ACT – the Stop Online Piracy Act, or SOPA – on October 26, 2011. It should be noted that SOPA was, for a time, named the E-PARASITES bill. According to a Congressional Research Services (CRS) summary, the SOPA bill:

Authorsizes the Attorney General (AG) to seek a court order against a U.S.-directed foreign Internet site committing or facilitating online piracy to require the owner, operator, or domain name registrant, or the site or
domain name itself if such persons are unable to be found, to cease and desist further activities. (The Library of Congress – THOMAS 2012)

After the bill was introduced, committee hearings were held on November 16, 2011, and two mark-up sessions were held in December. Since that time, no action has been taken.

To better understand the turning point for both of these bills it is necessary to examine the ground swell of media outlets and content providers that raised concerns about the reach of both PIPA and SOPA. TechDirt, a blog devoted to using “a proven economic framework to analyze and offer insight into news stories about changes in government policy, technology and legal issues that affect companies’ ability to innovate and grow” was a major opponent of both bills throughout the process, publishing articles about its opposition to SOPA on October 26, 2011, the same day SOPA was introduced (TechDirt 2012). The outlet published its first article opposing PIPA two days before the bill was officially introduced.

TechDirt’s summaries of its concerns surrounding PIPA and SOPA are emblematic of the concerns expressed by publications and citizens throughout the rest of the year. Headlined “Son Of COICA: PROTECT IP Act Will Allow For Broad Censorship Powers, Even Granted To Copyright Holders”, the May 10th article about PIPA stated that it is “a terrible bill that provides for broad censorship power not just to the government, but potentially to private companies as well, against sites which they accuse of being dedicated to infringement”
(Masnick 2011). Headlined “PROTECT IP Renamed E-PARASITES ACT; Would Create the Great Firewall Of America” the October 26th article about SOPA stated that “the bill would require service providers to block access to certain websites, very much contrary to US official positions on censorship and internet freedom, and almost certainly in violation of the First Amendment” (Masnick 2011a). Consider that the outlet received between 16,000 and 250,000 unique visitors per month over the course of 2011, making it a significant online source of information (Compete Analytics 2012).

Furor began filtering into social media sites – Facebook groups formed largely to protest PIPA and SOPA, and status updates were posted over several months mentioning opinions or petitions signed. Conversations on Twitter use “#PIPA” and “#SOPA” to express opinions, and sometimes it is a simple comment, such as one tweeted by Twitter handle Anonymous - “Save the Internet, save the world. #ActAgainstACTA #StopC11#SOPA #PIPA #OPEN #PCIP.” Other times, it is an action item, such as “Over 2 million say no to the #SOPA #PIPA Internet #Censorship bills. Sign the petition, and RT,” followed by a link to a petition (Twitter 2012).

Online content providers organized a “blackout” day on January 18 to protest PIPA and SOPA. Wikipedia, an open-source, online encyclopedia that gets between about 80 million and 90 million unique visitors per month was one of the biggest driving forces behind the protest, using its access to a large volume of monthly traffic that visits its English-language site to educate the public about the issue, motivate the public to
express their desires to Congress, and gather more support for the blackout from other providers.

The day before the blackout, Wikipedia’s homepage contained the message “Please note: In less than 16 hours, the English Wikipedia will be blacked out globally to protest SOPA and PIPA” (Wikipedia 2012). Beneath that, there was a list of action items for visitors to take. One link stated “If you’re in the US: Take action and tell your elected officials you oppose SOPA/PIPA;” another stated “Blackout your own website on January 18;” a third stated “spread the word on social networks;” and a fourth link offered more information about the topic and some common questions and answers (Wikipedia 2012).

On January 18, Wikipedia did not allow visitors to access any information other than information about their PIPA/SOPA protest, and other websites joined the protest in various ways. Google, for example, simply placed a black bar over their logo, which would provide their 145 million to 175 million unique monthly visitors with information about their PIPA/SOPA protest (Compete Analytics 2012). Pinterest, an online bulletin board that allows people to save recipes, pictures, and craft project instructions to “plan their vacations, redecorate their homes, and create menus for holiday dinners,” placed a note about PIPA/SOPA on their landing page, noting that “SOPA and PIPA are bills that will censor the Internet in the United States. Like millions of Americans, we think these bills threaten our freedom” (Pinterest 2012). Beneath this note was a button labeled “Please, Take Action Now,” which helped visitors to find out how they could contact
their Congressmen, and a smaller link beneath that labeled “No Thanks,” which allowed visitors to move forward to the Pinterest website. By the beginning of 2012, Pinterest was getting over 11 million unique monthly visitors (Compete Analytics 2012). Craigslist, a website that posts classifieds for jobs, housing, furniture and other items (72 million to 175 million unique monthly visitors) and Mozilla, a web browser, (4 million to 25 million unique monthly visitors) also had campaigns that announced their protest to their visitors (Compete Analytics 2012).

It was noted earlier that when it comes to political involvement online, visitors tend to look in places that confirm information that they already know. However, what made this January 18th protest so powerful was the fact that the websites that participated are generally apolitical. Like the broadcasters that came before, these online content providers are being viewed as independent and unbiased sources of information. Citizens do not go to Pinterest to discuss politics. There are innumerable reasons that one could go Wikipedia to get information, and that information is rarely one-sided. Therefore, citizens happened upon this protest without seeking them out due to predisposed political opinions.

Secondly, the success of this campaign was aided by turning online information and enthusiasm into real-world action. Websites urged citizens to contact their Congressmen, and in some cases, they provided electronic forms and language that would facilitate that process. According to a Washington Post report, “more than 4.5 million people signed their names to the Google petition and 300,000 people emailed or called
their lawmakers, according to the protest organizers” (Tsukayama and Halzack 2012). As noted earlier, this motivation of real-world action is also the hallmark of successful election campaigns.

Thirdly, this campaign spoke not only to classic Internet values, but classic American values – freedom, equality and competition. So much so, that Congress believed that the conversation had veered away from the facts of the legislation: Sen. Patrick Leahy (D-Vt.), the Senate bill’s “lead sponsor” argued “that the Web firms involved in the protests were overreacting” (Tsukayama and Halzack 2012). He insisted that, “much of what has been claimed about the bills is ‘flatly wrong and seems intended more to stoke fear and concern than to shed light or foster workable solutions’” (Tsukayama and Halzack 2012).

It does seem that opponents ignored certain key provisions of the bill, namely the aforementioned definition, limiting the offending sites to those with “no significant use other than engaging in or facilitating copyright infringement, circumventing technology controlling access to copyrighted works, or selling or promoting counterfeit goods or services.” Unfortunately, with the short attention span with which people interact with information online and the sound-bite structure that citizens share information in (140 characters, sentence-long Facebook status updates), there is little room for nuance. Furthermore, the trust that people had in the content providers who did not otherwise have a clear political stance made it less likely that people would do their own research.
In this case, content providers and, to some extent, certain media providers were viewed as trustworthy opinion formers.

Thus, the citizen’s message was the cohesive message formed by major content providers. According to PIPA/SOPA opponents, the bills would allow the government to exercise too much control over content, whereas the Internet needs freedom from government control to allow for the proper, free exchange of information. This free exchange of information allows all citizens the ability to speak from the equal platforms, and competition of online providers will provide citizens with choices, allowing them to determine the market.

“By the evening” of January 18th, “a number of lawmakers had done an about-face on the legislation. …The senate version of the bill lost four of its co-sponsors” (Tsukayama and Halzack 2012). Such was the power of the protests, and, as mentioned earlier, PIPA has stalled in the Senate, and SOPA is undergoing further scrutiny. The protests could rightly be considered a success on the part of the protestors, though many continue their quest and look to remain vigilant about future legislation aimed at Internet regulation. Most recently, concerns have been raised about the Anti-Counterfeiting Trade Agreement (ACTA), a multi-national treaty that aims to address counterfeiting online.
CONCLUSIONS

The case study confirms several conclusions about how citizens use and view the Internet in the context of politics and policy. Firstly, citizens have become fiercely protective of the medium and its ability to provide such a multitude of information and connections. Secondly, it is clear that online content providers have a major role to play in this new political system. Thirdly, we see how the current system is, in part, the culmination of past media advancement – consider that deregulation and the growing power of content providers has been a trend across radio and television and now is a hallmark of the Internet.

Finally, we see that the Internet has indeed, as discussed earlier, narrowed the distance between citizens and their government and between citizens themselves – again, not in the sense that all information is really raw and unprocessed, but that, through communication, the activities and opinions of the government and statesmen are almost entirely transparent to citizens, and vice-versa. However, in this case study, it is clear that the Internet has empowered citizens and content providers to impact the government more so than the government’s ability to impact the public. The protests had the quick impact of causing the PIPA bill to lose sponsors, whereas the statesmen that sponsored the bill initially were not able to dispel the misconceptions that they saw about the bill. It is possible that this is due to the fact that statesmen have not found a way to effectively employ the interactive tools that the Internet provides to address present policy information in an appealing way. The relative impotence of the government is probably at
least in part due to the sheer multitude of voices that exist on the web and some belief on the part of citizens that a government position will be biased. In the PIPA/SOPA protests, we see third parties stepping in and taking control of the conversation, and as mentioned earlier, these parties enjoyed the advantage of not being seen as overtly political organizations. To be sure, Google is actively interested in Internet regulation, but the addition of websites such as Pinterest and Wikipedia made the protest seem to be bigger than political interests. The combined power of information being posted on major content provider websites and then shared online by citizens was able not only to change the bills they targeted, but change the conversation about Internet bills in general.

In terms of what all this means for our three criteria for virtuous citizen, there are some concrete conclusions to be drawn. First of all, consider the obligation of recognizing the commons. In this case, on the one hand, it appears as though citizens gathered around this recognition of a collective need – freedom online. On the other hand, citizens were likely mobilized by the thought of how the law would impact them as individuals. The blackout of Wikipedia counted on the reaction that an Internet user would have when personally faced with the possibility of restricted behavior. Citizens were likely making the decision to protest the bill at least partially for personal reasons, calling congressional offices out anger at the thought of their blog being shut down or not being able to share online content with friends. While the Internet may make citizens more aware of the commons, it might not be as effective as showing the citizen how the commons impacts him as an individual.
Second, the fact that citizens protested and petitioned Congress shows a breakdown in the belief that representatives can take their interests into account, while at the same time making decisions that take into consideration the greater good of the nation. Presumably, PIPA and SOPA aimed at protecting copyright and intellectual property interests that have a dramatic impact on the U.S. economy. There are two possibilities at play here: 1) if citizens were in fact using the protests to congregate around the commons, then they felt as though the government was not properly weighing the greater collective need for Internet freedom against the lesser collective need for IP protection; 2) if citizens were simply protesting to protect their own interests, then they felt as though statesmen should better represent their interests instead of concerning themselves with a broader interest such as IP protection. The case study shows, as we saw earlier, that closing the distance between citizens and government erodes at the trust needed to allow for removed representation.

Finally, because citizens made it clear that they would hold their representatives responsible for how they voted on PIPA/SOPA, they indicated that they elect statesmen for their responsiveness to their needs, not virtue. This is less clear when looking beyond the case study to the 2004 and 2008 elections. While most polls showed President Bush’s approval rating just under 50 percent (10 percent less than when he was elected in 2000) on election day in 2004, he still defeated Democratic presidential hopeful Senator Kerry. As discussed, many of Senator Kerry’s issues could be blamed on the power of the Internet – “more people saw the ads produced by the anti-Kerry advocacy group Swift
Boat Veterans for Truth as a result of them becoming a political hot topic through the internet than through their paid placement in television markets,” and a search of his stances on issues revealed significant reversals. Furthermore, some people thought that Senator Kerry had an image issue that has plagued and continues to plague a number of politicians (Cornfield 2005, 4). He was, in a way, a version “of the same political type. Statuesque, handsome, from privileged backgrounds and impeccably credentialed, they have no log-cabin stories to humanize and ground them” (Weisberg 2012). President Obama won the 2008 presidential campaign at least partially on the image he cultivated and solidified online – the cosmopolitan alternative to the Republican “everyman” that was his predecessor. A carefully cultivated image is not a new tactic, but it is certainly a more complicated endeavor with the Internet. It seems as though due to the sheer volume of information, citizens have a better idea about the complex individuals that they are voting into office, or, at the very least, are so overwhelmed by the information available that undecided voters are forced to use a “gut feeling”. In either of these cases, the Internet positively impacts a citizen’s ability to fulfill his obligation to elect a virtuous statesman.

From the examination of the media and the three levels of communication, it is clear that U.S. citizens are now at a point where they are intertwined with their government’s activities, and as a result, are having trouble recognizing the commons and allowing their statesmen to be removed enough to both represent their interests and consider public interest. While this is contrary to Publius’s hopes for the nation, it is
similar to the way that citizens acted at the founding of the nation, and citizens likewise continue to prioritize freedom of content and competition. The only difference is that now, citizens are able to do things faster and more easily.

The nostalgia for the founding of the nation is frequently evoked as a gold standard in speeches, such as with President Obama’s speech discussed earlier, noting that common ground is “where our union grows stronger. And as so many generations have come to realize over the course of the two-hundred and twenty one years since a band of patriots signed that document in Philadelphia, that is where the perfection begins” (Wall Street Journal 2012). However, the distinction between the theoretical founding and the practical founding must be recognized, and the country must decide which should be its legacy. We are further down the road from the practical founding, one that saw an involved citizenship, a responsive government, and idealized freedom and competition. If the theoretical founding is the nation we seek to build – a nation of statesmen removed from citizens and one where the commons is of utmost importance – then much needs to be changed.
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