In 1969, a unanimous Supreme Court told the American public that “[t]he purpose of the First Amendment to preserve an uninhibited marketplace of ideas in which the truth will ultimately prevail, rather than to countenance monopolization of that market, whether it be by the Government or a private licensee.” In 1996, a divided Congress told us that the 25 percent national ownership cap, which restricted the audience reach of national broadcasters, was unnecessary. They raised it to 35 percent. In 2003, by a 3-2 vote, the Federal Communications Commission told us that one broadcast network could be allowed to reach almost half of the national audience, without threatening the marketplace of ideas. Later that year, Congress and the Court of Appeals for the Third Circuit told the FCC to hold its horses.

The FCC’s media ownership regulations were designed to protect the diversity of voices, to foster competition, and to ensure local accountability in the media. The regulations proceed from a basic understanding: that the ownership of a media outlet often determines the range of viewpoints that can be expressed. The not-so-recent, but recently accelerated, trend of relaxing national ownership and cross-ownership restrictions across a wide variety of media is believed by some to threaten the vitality of the marketplace of ideas and, as a result, democracy itself.

The Symposium examines the relaxation of ownership at three levels. First, the Symposium examines whether the FCC may, consistent with its mandate and internal regulations, further relax ownership restrictions. The first Panel is thus a technical discussion of media policy and law. Second, the Symposium examines the broader question of whether ownership restrictions are good or bad for social, political, and cultural debate. Integral to this second filter is the development of a coherent view of the role of the First Amendment in media regulation. Third, the Symposium examines the repercussions of media (de)regulation on women and minorities. These groups have historically been vastly under-represented in the media industry, though they are no less influenced by media in their daily lives.

We have drawn from the ranks of academics, regulators, and practitioners to assemble a group of speakers who will discuss the legitimacy and wisdom of contemporary media regulation. Our hope is to generate possible conclusions and compromises, and generally to deepen the community’s understanding of this vital issue.

Symposium Location
University of Michigan Law School
Hutchins Hall – Room 350
625 South State Street
Ann Arbor, Michigan
Ph: 734.763.6100 Fax: 734.764.6043

From M-14:
Downtown Ann Arbor exit (Main Street). Main Street to Hill Street. Left onto Hill Street, then left onto State Street. The Law School is one block on the right, between Monroe Street and South University Avenue.

From US-22:
Exit 37B (Washtenaw/Ann Arbor). Right onto Washtenaw Avenue. Left onto Hill Street, then right onto State Street. The Law School is one block on the right, between Monroe Street and South University Avenue.

From I-94:
Exit 177 (State Street). From Detroit: turn right. From Chicago: turn left. Approximately 2 miles on State Street. The Law School is one block on the right, between Monroe Street and South University Avenue.

Parking
There is parking in a lot on Thompson Street between Madison and Jefferson Streets (two blocks west of the Law School). Limited on-street metered parking is available.

Banquet Location
The Dahlmann Campus Inn
615 East Huron Street
Ann Arbor, Michigan 48104
Ph: 734.769.2200

Accommodations
A list of local hotels and inns is available by fax or e-mail. Please contact Maureen Bishop at 734.763.6100 or maureena@umich.edu

March 18-19, 2005

Symposium Overview

Sponsored by:
University of Michigan Law School
University of Michigan Department of Communication Studies
University of Michigan Horace H. Rackham School of Graduate Studies
University of Michigan Office of the President
University of Michigan Office of the Provost and Executive Vice President for Academic Affairs
University of Michigan Gerald R. Ford School of Public Policy
Westlaw
Panel I: A Perfect Storm: The Battle Over Media Concentration

Media ownership continues to be at the forefront of the nation’s political consciousness. The debate over the necessity and legality of recent FCC regulatory decisions stumps within all three branches of government. This panel consists of a discussion between various regulatory experts who will comment upon the FCC’s 2003 changes, the resulting litigation and political strife, and the future of media concentration.

Panel II: Media and Free Speech: The Right Balance for Democracy

“The media is a huge non-democratically organized force that has major power over politics, public discourse, and culture. As such, it is not a surprise that media concentration receives great attention” (panelist C. Edwin Baker). This panel focuses on the repercussions of media and its (de)regulation upon democracy, placing special emphasis on the role of the First Amendment in media regulation.

Panel III: Media at the Margins

Media ownership among women and minorities is, and always has been, disproportionately low. At the same time, the CEO of one of the largest media empires is of color, and diversity has returned as a compelling interest (at least in education). This panel analyzes the effect of (de)regulation and localism on the historically marginalized. In particular, the panel will scrutinize the ability of a free market to promote diversity of viewpoints, and suggest possible reforms looking forward.

C. Edwin Baker, Professor of Law
University of Pennsylvania Law School

Leonard M. Baynes, Professor of Law
St. John’s University School of Law

Robert Corn-Revere, Partner
Davis Wright Tremaine LLP

Susan Douglas, Catherine Neale Kellogg Professor and Chair
Department of Communication Studies
University of Michigan

Michael E. Good, Professor of Political Science
California State University – Hayward

W. Russell Neuman, John Derby Evans Professor of Media Technology
University of Michigan

Sonia R. Jarvis, Esq., The Lillie & Nathan Ackerman Visiting Distinguished Professor of Equality and Justice in America
School of Public Affairs, Baruch College
City University of New York

Martin H. Redish, Louis and Harriet Anceel Professor of Law and Public Policy
Northwestern University School of Law

Andrew Jay Schwartzman, President and CEO
Media Access Project

Anthony E. Varona, Associate Professor of Law
Pace University School of Law

Jonathan Weinberg, Professor of Law
Wayne State University Law School

Eric Alterman is the media columnist for The Nation, the “Alterca- tion” weblogger for MSNBC.com, and a senior fellow at the Center for American Progress. The author of several bestselling books on media, Mr. Alterman has been a contributor to virtually every significant national publication in the United States and many in Europe. A media, Mr. Alterman has been a contributor to virtually every significant national publication in the United States and many in Europe. A senior fellow of the World Policy Institute at New School University, Mr. Alterman received his B.A. in History and Government from Cornell, his M.A. in International Relations from Yale, and his Ph.D. in U.S. History from Stanford.

Jonathan S. Adelstein was sworn in as a member of the Federal Communications Commission on December 3, 2002. Before joining the FCC, Commissioner Adelstein served for fifteen years as a staff member in the United States Senate. For the last of those seven years, he was a senior legislative aide to Senator Tom Daschle (D-SD), where he advised Senator Daschle on telecommunications, financial services, transportation, and other key issues. Commissioner Adelstein received his B.A. with Distinction in Political Science from Stanford University, and his M.A. in History from Stanford University.

Friday, March 18, 2005
4:00 p.m. Registration
5:00 p.m. Welcome and Keynote Introduction
5:15 p.m. Opening Keynote Address: Eric Alterman

Saturday, March 19, 2005
9:00 a.m. Late Registration and Breakfast
9:45 a.m. Opening Remarks: Evan Caminker, Dean
University of Michigan Law School
10:00 a.m. Panel I: A Perfect Storm: The Battle Over Media Concentration
12:00 p.m. Lunch
1:30 p.m. Panel II: Media and Free Speech: The Right Balance for Democracy
3:30 p.m. Panel III: Media at the Margins
5:30 p.m. Closing Remarks
7:00 p.m. Dinner Banquet (Campus Inn)
Closing Keynote Address: Jonathan Adelstein

Symposium Panels

Panelists

Eric Alterman, Ph.D. in U.S. History from Stanford. Cornell, his M.A. in International Relations from Yale, and his Alterman received his B.A. in History and Government from Adelstein received his B.A. with Distinction in Political Science...