In light of the growing influence of the media in Mexico today, one of the central questions in the national academic and political debate is how to guarantee freedom of expression and the right to information without detriment to the notion of public responsibility as a basic coordinate of the action of public and private forces in a democratic order.

More than 25 years after the first attempts to modernize the legal framework for radio and television operations, in the Senate, Mexico's political class is once again discussing a bill aimed at reducing discretionary powers and increasing society’s participation and accountability in the handling of the media.

This warrants looking into the causes of the prolonged legislative paralysis that has shown, perhaps as in no other case, the inconsistency between the intentions of reform explicitly espoused by a good part of the political elite and its inability to come up with specific agreements.

In this sense, it seems necessary to understand the reasons behind the actions of those involved in the process (parties, administration, media entrepreneurs and civic bodies) from the point of view of their interests and their ideological convictions, as well as the socio-political effects derived from the lack of democratic “rules of the game” vis-à-vis communications. We need to refer, then, to two fundamental factors that have blocked the reforms. The first is the existence of a political culture deeply rooted among the Mexican elites in which pragmatism and specific,
short-term objectives constantly subordinate strategic aims linked to structural reforms that do not have sufficient incentives to be agreed upon and implemented. Parallel to this and complementing it is the de facto power of the owners of the electronic media, capable of pressuring and blackmailing the entire political class enough to block the reforms.

The combined strength of both these factors has been proven at many different political moments, but the power of the media owners is constantly on the rise. In effect, what could have been a virtual circle of legislative reform, the acceptance of responsibilities and discipline by those legally involved and the generation of positive socio-cultural effects from the point of view of constructing citizenship became a pernicious downward spiral in which the weakness of the regulatory framework facilitated the progressive economic and political empowerment of the pressure group in the National Radio and Television Chamber of Commerce and the degradation of national political culture. Certainly, the uninterrupted increase in this power unleashed a multiplicity of negative effects for the functioning of the political system and for the quality and pluralism of the messages broadcast to society.

In fact, time has shown that the media subordination to the government has changed to complicity and then to government subordination to the media. In that context, the events that followed the alternation in office that began with Vicente Fox’s 2000 victory are crucial for weighing the magnitude of the change in that relationship. The agreements between Fox and the sector’s entrepreneurs embodied in the decree about the payment of taxes “in kind” and the changes to the regulatory legislation for the Federal Radio and Television Law showed, both in their content and in the way they were processed, that the relationship between the government and the media was already qualitatively different from before: the media had gone from a defensive stance to setting the rules according to their strategic perspective.¹

Thus, without democratic rules to limit the media, in recent years—but especially in 2004—political life in Mexico has been a constant, growing example of how the way the media deals with information and editorializes about different political processes and events has become a matter for discussion, clashes and even political persecution. Thus we have phenomena as distinct as information leaks from one institution, organization, actor or another to the media with a specific intention (the famous “video scandals” have been one of the most pernicious examples of this)² and the media’s setting itself up as the legal authority responsible for deciding the culpability or innocence of a public figure or the popularity or unpopularity of different political initiatives. The hegemony of this kind of discourse has become a practically generalized, permanent component of media activity.

One of the central questions in the national debate is how to guarantee freedom of expression and the right to information without detriment to the notion of public responsibility.

As Edmundo Berumen writes, “Every day we hear on the radio, we see on television, we read in newspapers, magazines or report the results of the most recent poll about the most diverse issues. Based on that, institutions, bodies, administrations, programs, projects, officials, groups, political parties, public figures or entire societies are compared, praised, defended, justified, reproached or attacked.”³ All of this goes on, of course, with pretensions of representativeness that are seldom founded on acceptable methodologies.

The licentious way that the media has tended to present and disseminate its messages, opinions and intentions shows the margin of discretionary power with which it acts. At the same time this is capitalized on opportunistically by one or the other of the competing forces which, as has been clearly seen in recent months, can also become the victims of media condemnation, depending on the circumstances and interests at play which, of course, are always evaluated by the media itself.

From this point of view, the fact that the media enjoys a privileged, legally exceptional status should actually be a reason for concern for all political actors and sufficient reason to foster a modern productive regulatory framework. On this level as on many others, having that framework would make it possible to considerably increase the margins of certainty, predictability and trust so necessary for political dealings and competition.

In effect, in a scenario such as the one that has predominated in recent years in this country, strongly stamped with competition, tension and political convulsions, as well as the fragility of the democratic values inherited from the dynamic of the post-Revolutionary
state, we cannot help but point out that the communications media has played a role that is not altogether civilizing and co-responsible. Finally, it is through the media that much of the information and social judgements about politics and politicians are constructed and consolidated. And although undoubtedly the trivialization and schematic treatment of what is really at stake in political discussion, competition and decisions can frequently be attributed to the irresponsibility of the elites themselves, it is also true that the media contribute effectively to modeling an unclear and unfounded vision of this in society.

Just like a large part of the political class, acting in the interest of short-term success, media apparatuses tend to turn public activity into a spectacle in which strident discourses and scandalous news predominate over analysis and informed comparison of available options. Perhaps we should insist that the role of the media with regard to processes of political socialization is inherent in its own logic, permanently strained because of the public function they have as privileged agents in the spread of information and analysis and because of the quest for profits derived from their nature as private businesses. For these businesses, the obsession with novelties and the extraordinary as crucial factors for attracting an audience point away from the “normalization” that democracy aspires to. This dimension is the one which, from my point of view, has had the greatest weight in the general dynamic of the media, a phenomenon linked, of course, to the lack of a modern regulatory framework.

It is not surprising, then, that the interpretations constructed by the media are entirely faithful to the logic of spectacle or entertainment. That is, they are based on a dramatic structure in which polarization, moralizing, personalization and simplification play a determinant role. The conflicts, leaderships, alliances and aims of the actors are most often systematized within that structure. The political spectacle we have witnessed in Mexico in recent months represents a media product that emphasizes the emotional over the cognitive. Illusions, frustrations, expectations, fears, uncritical sure things and recognition displace arguments (by definition complex and finely shaded) and promote simple, primary political identities. What is more, the “successful” functioning of this spectacle is anchored in the audience’s primordial need for being situated, understanding and recognition. The structure of the spectacle produces a clear demarcation between its active pole (its actors) and a passive expectant audience.

Based on the implications of this iron-clad structure of the relationship between the senders and the receivers of ideological and political messages, it is not difficult to understand why the “spontaneous” functioning of the media runs headlong up against the cultural requirements of a democratic political system. It promotes, rather, the reinforcement of conceptions inspired in the classic “friend-enemy” dichotomy proffered by Schmitt, as well as the effective distancing of the citizenry from a sphere of strident, vilified activity through simplified scandals which, therefore, do not encourage direct participation. Even though this is not solely the responsibility of the media, it is relevant to remember here how disreputable political activity is and how scant interest is in participating in it.

On the other hand, it cannot be ignored that, as the most recent media scandals have reminded us, what is sought in the logic of spectacle is to establish a conflict in which the polarities between friends and enemies, the just and the unjust, or, in general, good and evil, can be easily perceived. In this style of political communication, the incessant search for scapegoats and the disagreements and criticisms about the form or content of public administration are frequently presented dressed up with a moral connotation that operates to justify rapid condemnations and value judgements not open to discussion. There are always exceptions, of course, but we should make a note of it in order to cushion its effects.

Evidently, the phenomenon popularly known as sensationalism operates based on this mechanism, which because of its own internal coherence is not easily deconstructed. The attempt to introduce a different rationality in communications has to begin by understanding the magnitude and nature of the problem we are facing, taking on board the fact that we are swimming against the current of a powerful cultural inertia which is also backed up and stimulated by extremely versatile power groups with notable capacity for manoeuvre and adaptation.
In fact, it is precisely this diagnosis that makes it possible to situate the importance of the existing proposals for regulation in two senses: on the one hand, the one that touches on the promotion and generation of substantive alternative contents, and on the other hand, the one linked to the modification of the structure of the communications media industry to make it pluralistic. Although for the purposes of clarifying the remaining tasks along the road to making the media socially responsible it is important to distinguish the two issues, obviously they are intimately linked.

In the first case, we should emphasize that in Mexico the absence of guidelines (not the censorship and surveillance of non-democratic systems) promoting the dissemination of content that is constructive and contributory to civilization has blocked the possibilities of consolidating forms of public perception of social and political reality based on the components of democratic culture. In that sense, undisputedly there have been efforts to introduce legal and institutional formulas that contribute to stimulating the construction of social identities based on an appreciation for tolerance, respect for the law, co-responsibility, informed citizens' participation and a rejection of discrimination and the violation of human rights.

It seems evident, then, that because of the intensity of society's relationship with the media, particularly television and radio, the meaning of its messages is of capital importance. In many ways, their quality and intentions will determine whether the media becomes part of the country's process of democratic construction or not, contributing to the consolidation of the culture that should accompany it.

In the interest of objectivity, it would be desirable to reduce doubts about the veracity and objective nature of information, that what happens in the public sphere be treated in a more balanced plural way and that violence and intolerance, values pertinent to socio-political relations, be eliminated from media messages.

In summary, faced with the pernicious effects of making public life a spectacle through the media, with the industry's growing participation in partisan competition and fixing the public agenda, and, in general, in the cognitive, value-based and emotional construction of reality, it would be a great achievement if we could move forward in legally regulating the matter, since on this will depend to a great extent the future quality of Mexican democracy.

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NOTES
1 In Mexico, the electronic media pay their taxes in kind, that is, providing air time to different government agencies that use it to publicize their activities and for different campaigns like getting out the vote, in favor of a democratic culture, against discrimination, in favor of transparency and to promote respect for human rights, among many others. [Editor's Note.]
2 The “video scandals” refer to the broadcasting of videotape of flagrant cases of corruption that have affected different political figures and organizations, but particularly the Party of the Democratic Revolution. Far from putting these events into their proper context and explaining them, the media has used them sensationally to boost ratings and besmirch politics in general.
4 Recent reports show that the business of electronic communications in Mexico is controlled by Televisa, which operates 306 television stations, 50 percent of the country's total. Televisión Azteca has 180 stations, giving it control of one-third of all of Mexico's broadcasters. In commercial radio, 76 percent of the licenses are held by 14 families, while four big chains group half the stations. María Osterroth, “Crisis en las ondas hertzianas,” Telecommunicación, a supplement of Reforma (Mexico City), February 18, 2003, p. 8. Obviously the concentration of the electronic media impedes competition.
5 Rosa María Alponte has written a good appraisal of how the emotional is exalted in television programs. See her “La oferta noticiosa: celebración de simulacros y cofradía de emociones por televisión,” Versión no. 10 (Mexico City), 2000.
7 According to the World Survey of Values coordinated by Ronald Inglehart, trust in the government, political parties, the Chamber of Deputies and the judiciary only rates 53 percent, 40 percent, 38 percent and 38 percent respectively, not to mention the vision the public has of the police or the state bureaucracy. This survey also states that 75 percent of Mexicans feel little or no interest in politics, in contrast with the apparently overwhelming presence in the media of campaigns, candidates and the shuffling of cabinet ministers. With regard to this, it is impossible to overlook that one of the basic differences between the “subject culture” characteristic of authoritarian regimes and the civic culture that should be a part of democracies lies precisely in the degree and quality of public involvement in the different decisions made throughout the socio-political fabric of a community. This means that Mexicans' low participation in different types of organizations is also not very encouraging, as shown by the following figures: only 4 percent say they belong to a political party; 6 percent to a union; 8 percent to artistic or cultural organizations; 9 percent to sports or recreational groups; and 23 percent to religious organizations. These figures were published by Reforma from May 9 to 13, 2000 (the data about political issues was published on May 13).
8 The importance of the media in the population's daily life is shown by the fact that the television is on an average of seven hours a day; every Mexican watches it four hours a day; and nine million children do their homework while watching television. Sergio Aguayo, El almanaque mexicano (Mexico City: Grijalbo, 2000), p. 218.