

The Murdoch Media Empire and the Spectacle of Scandal ¹

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The press, designed for freedom's best defence,
And learning, morals, wisdom to dispense,
Perverted, poisoned, lost to honor's rules,
Is made the sport of knaves, to govern fools.

~ Philadelphia *Public Ledger*, 1839

In July 2011, dramatic revelations concerning misdeeds by Rupert Murdoch's *News of the World* (*NOTW*), one of the most successful tabloid newspapers in history, erupted, creating a vast media spectacle that was compared to Watergate and that threatened the existence of Murdoch's global media empire (Bernstein, 2011). Richard Nixon's Watergate crisis implicated the president in a series of scandals that led to the famous Senate Watergate Hearings, a major media spectacle of 1973, followed by his resignation from office, a first for a U.S. president. The cascading scandals in Rupert Murdoch's media empire were thus referred to in some circles as "Murdochgate" (see Bernstein, 2011), a series of outrages and crimes that are continuing to undermine his media power and empire in 2012 and the foreseeable future.

For years, there had been accusations that employees of Murdoch's various tabloid newspapers had hacked telephones to gain information and pay police and other informers for news stories. In 2007, a *News of the World* reporter, Clive Goodman, and a convicted hacker, Glenn Mulcaire, were sent to jail for hacking the cell phones of members of the Royal Family, and reports surfaced in subsequent years that celebrities like Hugh Grant, Sienna Miller, and Jude Law were also hacked, as well as figures connected to sports, always an important domain of the spectacle. At the time, Murdoch and his minions claimed that the hacking was the work of a single rogue reporter and police and government inquiries accepted these claims.

¹ This text is extracted and expanded from my forthcoming book, *Media Spectacle and Insurrection*, 2011: *From the Arab Uprisings to Occupy Everywhere!* (Kellner, in press), which traces the major media spectacles of 2011 from the North African Arab Uprisings through the Occupy movements. Thanks to Richard Keeble for sending me a PDF of his coedited book, *The Phone Hacking scandal. Journalism on Trial*, on the Murdoch scandal and making useful comments on an earlier version of the study, and to Larry Gross and Arlene Luck for their constant support of my work over the years.

On July 4, 2011, however, a British *Guardian* reporter, Nick Davies, who had been pursuing the hacking stories for years, broke the sensational revelations, with colleague Amelia Hill, that Murdoch's tabloid *News of the World* had hacked the cell phone messages of Milly Dowler, a 13-year-old missing girl whose disappearance was a media sensation in 2002 (Davies & Hill, 2011). *The Guardian* reported that a *NOTW* employee had apparently hacked into Dowler's voice-message system, deleted messages, which gave her family and police hope that she was still alive, and used hacked material to write stories about this missing girl.² Dowler was found murdered, and the revelation that *NOTW* had hacked the murdered girl's phone and interfered with the police investigation created a British and global media spectacle in summer 2011.³

Furthermore, *Guardian* investigative reporting revealed that London police had indicated that more than 4,000 allegations of phone hacking of celebrities, politicians, the Royals, and ordinary people had been gleaned from convicted hacker Mulcaire's notebook, which contained over 11,000 pages of notes. Allegations that *NOTW* reporters hacked into cell phone voice-mail systems belonging to families of UK soldiers killed in Iraq and Afghanistan and to families of victims of London terrorist attacks were especially explosive. Outrage grew from day to day as additional major figures in the Murdoch media empire were arrested, and Murdochgate became one of the major media spectacles of the moment, with far-reaching consequences.⁴

In the wildly successful *Harry Potter* films, the last of which was released just as the Murdochgate scandal was breaking in summer 2011, the *Daily Prophet* news tabloid provided a satire of a Murdoch tabloid, and one could see Murdoch himself as a figure for Voldemort, the evil villain whom Harry Potter was to vanquish. In any case, Rupert Murdoch's media empire has long been a major source of right-wing power throughout the English-speaking world. Differently branded as News International (UK) and News

² Questions were later raised concerning whether it was indeed Mulcaire, the Murdoch-employed private investigator who admittedly hacked Milly Dowler's e-mail, who had also deleted the e-mails, as evidence suggested that messages had been deleted from Milly's cell phone before Mulcaire got on the case, leading the British government to call for a specific investigation into this issue (see Leigh, 2011).

³ Davies and Hill's (2011) article, "Missing Milly Dowler's voicemail was hacked by News of the World," revealed how the Dowler family lawyer described the Dowlers' anguish at the revelation, stating:

It is distress heaped upon tragedy to learn that the *News of the World* had no humanity at such a terrible time. The fact that they were prepared to act in such a heinous way that could have jeopardized the police investigation and give them false hope is despicable.

⁴ The daily unfolding of the Murdoch scandal was registered and archived on a daily blog by the *Guardian*; see, for example, the "Live blog" coverage at <http://www.guardian.co.uk/media/blog/2011/aug/16/phone-hacking-scandal-live>. The *Guardian* has continued its intensive coverage and blogs on the Murdoch scandal through the Winter of 2011 and into 2012.

Corp. (United States), Murdoch's global media empire was said to have a market value of around \$46 billion, with properties including some 175 newspapers worldwide, HarperCollins publishing, 20th Century Fox and other movie studios, and television interests in China, Italy, Australia, and elsewhere, including major cable channels and distribution systems.⁵ Murdoch was alleged to have a personal net worth of more than \$7.6 billion dollars, and was rated on the 2011 list of *Forbes'* richest Americans as the 38th richest person in the United States and the 117th richest person in the world.⁶

Rupert Murdoch had thus been at the center of the construction of global media companies using new technologies to create cable-satellite broadcasting empires and global news and information conglomerates. In the UK alone, Murdoch media properties comprise several leading newspapers, including UK establishment papers *The Times* and *The Sunday Times*, popular tabloids *NOTW* and *The Sun*, and control of Sky TV, along with a major stake in BSkyB, the two largest cable-satellite franchises in the UK. At the time that the hacking scandal broke out, Murdoch had been seeking permission from the British government to purchase majority shares in the UK cable system BSkyB so he could effectively control cable television in the UK. Although it appeared that the Cameron government was going to support Murdoch's bid to control British cable-satellite systems, on July 13, the Murdoch corporation dropped its \$12 billion takeover bid as parliamentary opposition began to intensify after revelations of the hacking scandals.

In the United States, Murdoch owns many newspapers, including *The New York Post* and the *Wall Street Journal*, which he purchased in 2007 just before the newspaper industry went into economic free fall, losing millions in the exchange. Murdoch also controls 20th Century Fox films in the United States, as well as Fox Television and *Fox News*, two of the most popular, profitable, and in the case of *Fox News*, powerful television channels in the world.

Murdoch's media empire contributed massively to the tabloidization of news and information in newspapers and journalism from the 1960s to the present and in broadcasting from the 1990s to the present. His *Sky TV* and *Fox News* television channels highlighted sensationalistic stories with glitzy presentations, large graphics that tell people what to think, and the collapse of codes of news and entertainment—all framed from a right-wing conservative position. Murdoch's newspapers as well featured giant sensational headlines, short stories with gobs of tabloid trash and scandal, and pictures galore,

⁵ On the scale of Murdoch's media empire, see Wolff (2010). The first critical account of Murdoch's growing media and political influence and its nefarious effects on journalism and democracy is found in Thomas Kiernan's *Citizen Murdoch* (1986). For a detailed account of the rise of the Murdoch media empire up until 1992, see Shawcross (1992). Chenoweth (2001) provides a much more in-depth and revealing analysis of Murdoch's questionable financial transactions, the constant crises of his media empire as it relentlessly expanded and how Murdoch responded to various stages of new media changes in media ownership patterns and technological revolutions of the era to increase the size and influence of his media empire. Chenoweth also provides detailed accounts of how Murdoch's practices have flirted with illegality and criminality for decades.

⁶ See Rupert Murdoch profile in *Forbes* at <http://www.forbes.com/profile/ruPERT-murdoch>

including naked women in his Brit tabs.⁷ Thus, not only was Murdoch the major purveyor of an aggressively right-wing political slant on the news, but he also degraded journalism and helped create the tabloidization of both news and information.

Indeed, it is ironic and fitting that Murdoch's media empire would be put in question and seriously undermined by media spectacle, as his newspapers, television channels, and Internet sites have been major forces since the 1980s in the tabloidization of news and information, highlighting scandals and wrongdoing of the rich, the famous, and the political class. In the United States, Murdoch's media had brought tabloid stories like the O.J. Simpson murder trial and Bill Clinton sex scandals into the center of news and journalism in the mid-1990s,⁸ while importing codes of entertainment into journalism and, for some, seriously undermining traditional standards. His *Fox News* network became infamous as the voice of the right wing of the Republican Party, and in the UK, Murdoch had the power to make and break politicians and even to choose governments, as will be discussed further.

The following sections describe the Murdoch scandal, the ethical issues involved in Murdoch media corporation journalistic practices, and the threats to democracy residing in its power and ability to corrupt politicians and the state. Next, however, this article comments on the role of the media in democracies as conceived by theorists of democratic revolutions and Republics in Western modernity, and how the corruption of journalism contributes to crises of democracy.

Journalistic Ethics and the Corruption of Democracy

A popular government without popular information or the means of acquiring it, is but a Prologue to a Farce or a Tragedy or perhaps both. Knowledge will forever govern ignorance, and a people who mean to be their own Governors, must arm themselves with the power, which knowledge gives.

~ James Madison, 1822

A democratic social order, as was conceived in Western democratic revolutions in England, the United States, France, and other countries, requires a separation of powers so that no one institution or social force dominates the society and polity. The French philosopher Montesquieu called for emerging democratic polities to separate powers between branches of government as the English revolution of 1688

⁷ On the history and development of Murdoch's tabloid aesthetic and politics, see Chippindale and Horrie (1999) and Chenoweth (2001). On the *Fox News* aesthetics and politics, see Amann and Breuer (2007). In this study, I am focusing on the UK Murdoch scandal, where revelations and investigations of his media empire began in summer 2011. Murdoch's American media empire involves other sets of scandals, and it is hoped that government, our legal system, journalists, and scholars will investigate and uncover the slimy underbelly and crimes of Murdoch's global media empire.

⁸ On how the O.J. Simpson murder trial and Bill Clinton sex scandals became media spectacles that contributed to the tabloidization of news and information during the decade in which Murdoch established his *Fox News* channel, see Kellner (2003).

had done. The U.S. Constitution, developed after the American Revolution of 1776, in turn, separated the political system into the Presidency, Congress, and the Judiciary so that there would be a division and balance of powers among the major political institutions.

Yet democracy also requires an informed electorate that can participate in political affairs. Genuine democracy consists of the sovereignty of the people and thus government by, for, and of the people. For a free people to govern themselves, they must be adequately informed and able to participate in public debate, elections, and political activity. Freedom of the Press was therefore guaranteed by a Bill of Rights in the American, French, and other democratic revolutions of the 18th century order to assure that the press would be free from domination by any political force so that it could criticize the government and promote vigorous debate on issues of public concern, thus enabling the public to participate in political affairs.

Consequently, the dual democratic functions of the press in the United States were to provide a check against excessive power and inform the people concerning the major issues of public interest in the U.S. constitutional order constructed after the American Revolution. A free press was thus vitally necessary to maintain a democratic society, and it is often claimed by champions of democracy that freedom of the press is one of the features that defines the superiority of democratic societies over competing social systems. This concept of a free press was also extended to the broadcast media, which were assigned a series of democratic responsibilities in the United States by the Federal Communications Act of 1934 and by subsequent legislation and court decisions (Kellner, 1990). The democratic functions of the press and then the broadcast media were to provide information, ideas, and debate concerning issues of public significance to promote a democratic public sphere. Broadcasting was conceived as a public utility, with the airwaves established as part of the public domain, subject to regulation by the government to assure that broadcasting would meet its democratic responsibilities.⁹

In the 1980s, during both the Reagan administration in the United States and the Thatcher government in the UK, much of this regulatory apparatus was dismantled, and giant corporations took over the major broadcast media, including television networks and the technological-institutional apparatus of cable and satellite broadcasting, which greatly expanded the reach of powerful cable news channels and gave entrepreneurs who owned and controlled them tremendous media power. Indeed, the consequences for democracy of the conservative deregulation policies in the United States, UK and elsewhere indicated that the result is an overwhelming concentration of power in the hands of corporate groups that now own powerful media empires, which they use to promote their own interests and agendas.¹⁰ If media corporations, such as the Murdoch empire, utilize their powerful instruments of

⁹. See the discussion in Kellner (1990), Chapters 2 and 3.

¹⁰. For how media deregulation in the 1980s undermined democracy and made the media more subservient to megacorporations and conservative politics, see Bagdikian (1990) and Schiller (1990). *Television and the Crisis of Democracy* (Kellner, 1990) documented the ways that television promoted the agenda of the Reagan administration, championed George H.W. Bush in the 1988 election, and was generally supportive of Bush Sr. during the first years of his presidency, showing corporate media bias in

communication and information to advance their own corporate interests and those of politicians and policies that they favor, then the media have lost their democratic functions of serving to debate issues of sociopolitical interest and to serve as a check against powerful institutions like the state and corporation. When corporations like the Murdoch media empire choose which political party and government they prefer, the media loses its functions to serve as a critical watchdog against excessive government and corporate power and questionable government policies and corporate actions and instead serves its own partisan and commercial interests, as the Murdoch cabal has done for decades.

This article argues that the frightening media power accrued by the Murdoch media conglomerates has corrupted democracy and journalistic ethics and created a crisis of democracy in English-language countries in which the Murdoch media empire is especially influential. The following analysis describes how the Murdoch media empire came to corrupt democratic societies, focusing on the role of Murdoch's conglomerates in the UK where scandals have unfolded concerning computer and telephone hacking by the Murdoch conglomerate to get stories, buying stories from the police and other official sources, putting government and police figures on the corporation's payroll to obtain information and favors, and controlling political parties and governments through their significant media power. This situation constitutes a crisis of democracy in the UK, which involves some important political battles of the contemporary era that are described in the following sections.

Scandals of the Murdoch Media Empire

Behind the highly rehearsed faux candour of Murdoch senior and the bland evasions of his son, lies a story in which democracy—not just in the UK, but in the U.S., Australia and elsewhere—has been consistently and willfully undermined in pursuit, not simply of profit, but far more corrosively, of power.

For the past 30 years, the Murdoch empire has sought to undermine and destabilise elected governments, and independent regulators, in pursuit of a political agenda that, while hiding behind a smokescreen of free market orthodoxy, is in the end nothing less than a sophisticated attempt to optimise the power and influence of News Corporation and its populist, rightwing agenda.

~Lord David Putnam (cited in Putnam, 2012)

the United States toward conservative Republican administrations, which advanced the corporate interests of the media conglomerates that controlled mainstream media in this country. In the UK, as this study documents, the crisis of the media and democracy was due to excessive media power and political influence of the Murdoch media empire that arguably corrupted British democracy. For a series of studies of the corruption of journalism and democracy in the UK in the Murdoch scandals, see Keeble and Mair, (Eds.) (2012).

With the unfolding of the hacking scandal concerning the Murdoch press in the UK in July 2011, old allegations circulated widely that staff from Murdoch's tabloid paper *News of the World* regularly hacked into cell phones, used private detectives, and bribed police officers so they could illegally obtain sources for stories, supplemented by daily stories of other wrongdoing. In 2007, there was a scandal involving the Murdoch media corporation, which hacked the Royal Family, sending one of its reporters and phone hacking operatives to jail. The Murdoch corporation insisted that this was a lone incident of illegal phone hacking, and the UK government and police accepted this account and failed to follow up with further investigations.

From July 2011 into 2012, however, there were almost daily revelations of various scandals uncovered in which the Murdoch corporation produced its news stories through phone and computer hacking, paying off police and other authorities for stories, and involving itself in a wealth of illegal techniques of news gathering and associated crimes. The British government soon became deeply involved in the scandal when it was revealed that former *NOTW* editor Andy Coulson had been hired as Director of Communication by David Cameron and the ruling Conservative Party in 2007, despite his resignation after the Royal Family hacking political scandal, and helped run its media communications unit during the 2010 general election in which the Conservatives won, thus bringing a Murdoch fox into the British Government henhouse.

Coulson's involvement in the hacking scandal had been alleged for some time and he had resigned in disgrace as *NOTW* editor in 2007 due to the resulting fall-out from the hacking of the British royals, but such a criminal past did not deter Cameron from hiring Coulson, who was long implicated in the foul practices of the Murdoch empire; obviously, Cameron and the Tories wanted to curry favor with the Murdoch media whose support they sought in the 2010 general election.¹¹ Yet when Coulson was formally arrested for his role in the hacking and in other illegal activities in July 2011, Cameron's Conservative Party government was threatened by its associations with the Murdoch gang.

As the Murdoch phone hacking scandal unfolded, focus centered on the media mogul Rupert and his son, James Murdoch, now Chairman and Chief Executive of News Corporation, and the current *NOTW* editor Rebekah Brooks,¹² a fiery redhead and the youngest woman ever to edit a major UK periodical. In what appeared as a desperate attempt to limit damage, James Murdoch announced on July 7 that the 168-year-old *NOTW* tabloid would be shut down, as advertisers were abandoning the paper in droves and the uproar was growing. As noted, the Murdoch media colossus was currently involved in an effort that was being evaluated by the British government to gain full control of BSkyB cable/satellite system, and the Labor party insisted that the issue be debated in the British Parliament, in the light of recent Murdoch corporation scandals. On July 13, Murdoch announced that News Corporation was withdrawing its

¹¹ On Coulson and the Murdoch relations, see Hopkins (2012) and other articles in *The Phone Hacking Scandal. Journalism on Trial*, (Keeble & Mair, 2012)

¹² For an illuminating portrait of Rebekha Brooks, see Andrews (2011). Wolff presents some amusing accounts of the once Rebekha Wade's wilder and crazier sides that endeared her to the old rogue Rupert (2010, pp. 210ff).

proposal to take full control of BSkyB, and the same day UK Prime Minister David Cameron announced that a public government inquiry would be formed to investigate the affair under the charge of Lord Justice Brian Leveson, which will be discussed below.

When the scandal erupted in July 2011, Rupert Murdoch flew to London from a conference/vacation in Sun Valley, Idaho, and found himself at the center of a media circus of the type which his own press had long orchestrated. While he initially claimed he had returned to protect Brooks, who many in the British establishment were suggesting should resign as editor of *NOTW*, he was soon summoned to appear at a hearing in Parliament, along with his son James and Brooks. After first hesitating, they agreed to appear, as scandals were appearing daily, and one after another major *NOTW* figure, including Brooks, was arrested and charged in the criminal inquiry.

Accusations multiplied concerning police corruption and too cozy relations with the Murdoch empire, and Paul Stephenson, the head of London's Metropolitan Police Service (a.k.a. Scotland Yard) resigned as uproar mounted over his failure to investigate alleged phone hacking by the Murdoch corporation and other wrongdoing after the 2007 convictions of some of Murdoch's employees. That under Stephenson's leadership, one of Andy Coulson's closest assistants at *NOTW*, Neil Wallis, was hired as public relations advisor to the police also put Stephenson's judgment in question.¹³ Wallis had a colorful background in tabloid journalism, hired by Murdoch's *Sun* at the time that they were waging all-out tabloid war against Elton John, a story which ended up with a record £1 million lawsuit paid out by Murdoch's paper.¹⁴ Wallis went on to work with Murdoch's *NOTW* and had been implicated in hacking and other journalistic scandals at the paper, which critics felt should have disqualified him for a top London police P.R. position, but he was hired anyway, confirming again the incestuous and poisonous relation among the Murdoch corporation, the London police, and the British government.

Stephenson's resignation was followed by that of another high ranking Scotland Yard cop, John Yates (a.k.a. "Yates of the Yard"), the UK's counter-terrorism chief, who had worked and socialized with Wallis, and had apparently recommended that Wallis' daughter be given a job with the police. Both Wallis

¹³ It later came out that Dick Fedorcio, London Metropolitan Police P.R. Chief and one of the most powerful people in the British police establishment, had hired Wallis to do public relations work for the London police over more qualified firms that had bid for the job. In the Leveson Inquiry, it was also revealed that Fedrico's own son was hired by Murdoch's tabloid *The Sun* around this time, before getting a job with the London police, further revealing the corruption of the London police establishment. Fedorcio, on extended leave while under investigation by the Independent Police Complaints Commission looking into his award of the P.R. contract to Wallis and other actions, had apparently gone so far as to allow a *NOTW* crime reporter, Lucy Panton, to use his office computer in police headquarters and his e-mail to send in a story concerning London police. See O'Carroll (2012). On Fedorcio's testimony in the Leveson Inquiry, see O'Carroll and Baird (2012). On March 29, Fedorcio resigned as the scandal mounted; see Laville (2012).

¹⁴ See Chippindale and Horrie (1999), who note that "by the time the Elton John saga was over he [i.e., Wallis] had collected so many writs [i.e., documents with threats of legal action from law firms] that the 'Wallis Collection' had become a stock office joke" (pp. 310–311).

and Yates regularly socialized with employees of the Murdoch organization, giving their media empire access to the highest ranks of the police department and its media and public relations apparatus.

It was clear that the Murdoch corporation had corrupted the British media, the political system, and now the police and legal system, all of which had failed to investigate and prosecute its earlier wrongdoings. Murdoch's media were employing the vilest methods to get stories and were kingmakers in the British system while the state, police, and legal system were complicit in the Murdoch media empire amassing media and political power wielded in their own partisan and corporate interests, often operating outside the law.

In the 1980s, Murdoch's strong conservative inclinations led him to support Margaret Thatcher, and the all-out and vehement campaign against the British Labor Party, in the eyes of many, tipped the balance of political power to Thatcher and the conservatives.¹⁵ While Murdoch had supported Thatcher and the conservatives in the 1980s, he broke with her successor, John Major, and supported Labor Party candidate Tony Blair, who enthusiastically pushed Murdoch's interests and socialized with the Murdoch family.¹⁶ Although Murdoch reportedly liked Blair's successor Gordon Brown, by contrast, other major News Corporation figures, and apparently Rupert himself, came to prefer David Cameron, who the Murdoch papers ultimately supported and who beat Brown and the Labor Party in the 2010 General Election.¹⁷

¹⁵ On the role of Murdoch's media in supporting Thatcher and attacking Labor, see Chippindale and Horrie (1999). Recently, it was revealed that Murdoch had a secret meeting with Thatcher before the 1979 election in which he told her of his resolve to bust unions, introduce new technologies, and reduce the work force at his media enterprises. Murdoch also, according to minutes of the meeting, discussed his resolve to take over *The Times of London* and other papers and his approval of Reagan's presidency and Thatcher's conservative policies. Murdoch was able to take over *The Times* and other affiliated papers, and the Thatcher government supported his activities. Both sides had long denied that any meetings had taken place between the Iron Lady and Murdoch before the election, but memos released from Thatcher's government records detailed the meeting with Murdoch. See Travis (2012). This article also has the text summary of the Murdoch-Thatcher meeting.

¹⁶ See Chippindale and Horrie (1999) who tell how Murdoch and his media initially supported John Major in the 1992 General Election and viciously attacked the Labor Party, which was mounting a spirited campaign against the Tories, crowing at the end of the election on a front page that "IT WAS THE SUN WOT WON IT" (pp. 432-434, 438). Chippindale and Horrie then recount how Murdoch and his media turned fiercely critical of John Major and his allies, had a well-known meeting with Tony Blair in 1995, and turned to support Blair in the 1997 election; Blair won and his government allowed Murdoch to expand his media empire, to avoid meaningful regulation, and to have access to government and Blair personally, disclosing the tremendous political power that Murdoch had accrued (438ff).

¹⁷ See Wolff (2010). Wolff's interviews on the Keith Olbermann *Counterdown!* TV show from July 8-18 discuss the connections among Coulson, the Murdoch media, and Cameron, and the embarrassment of Cameron and the Conservatives when it was revealed that Coulson was a major figure in the *NOTW* hacking scandals. For a YouTube collection of Wolff's interviews with Olbermann in July 2011 when the Murdoch scandal broke, see <http://www.youtube.com/watch?v=E7WiRPHzPvk>. Over the years, Olbermann

Thus, it appeared that England was suffering a major "legitimation crisis" at the time of the Murdoch media scandal and the English Riots of 2011, which I have discussed elsewhere.¹⁸ In the 1960s, the United States was said to have suffered a legitimation crisis" during the era of the Vietnam War when there was also heavy-handed police repression to deal with anti-war protestors, upheavals in ghettos and poorer areas, growing divisions between rich and poor, and the scandals of the Nixon administration, resulting in Richard Nixon's resignation in the Watergate affair.¹⁹ The British government was now in full-scale legitimation crisis mode, as the Cameron government was soiled by its tawdry association with the Murdoch media empire. Further, Cameron's conservatives had carried out a right-wing agenda that cut social programs, education, and programs for youth, as well as a deficit-spending cuts agenda that benefitted the rich while harming the working and middle classes—all the while spending lavishly on expensive wars in Afghanistan and Libya.

The televised parliamentary hearing on July 19 was a global media spectacle of the highest order, as Murdoch, his son James, and Brooks were grilled by a British parliamentary committee. Although Murdoch injected near the opening of the hearing that this was the "most humble day of his life," he refused to take responsibility for the crimes of his corporation, and his answers ranged from doddering and vague, revealing his age and growing infirmity, to belligerent denials of any responsibility. James occasionally interrupted to try to answer questions, but provided long technocratic and sometimes evasive answers, which later would be called into question. As the testimony was nearing its close, a British activist and comedian emerged to attempt to hit Murdoch with a shaving foam pie, but was diverted by a quick reaction from Murdoch's wife Wendi, some 37 years younger than her husband. Mrs. Murdoch body blocked the pie thrower, then picked up the messy shaving-foam plate and smashed it into the assailant's face, producing a minor piece of theater that received global media attention.

Following the British parliamentary inquiry, members of the Murdoch corporation questioned in public some of James Murdoch's answers, leading the once-heir-apparent to presumably be resummoned

pursued Murdoch and especially his *Fox News* network with intense critical passion. Thus, it was with sadness that I turned on my telly to watch Keith on March 30 and found out that his show was no longer airing, having been replaced by a new show with Elliott Spizer; after a quick look at the Internet, I discovered that earlier in the day Keith had been fired by Current TV (Al Gore's left-liberal alternative to *Fox*), and that Olbermann was threatening to sue, marking a sad moment for progressive media in the United States; see Stelter (2012).

¹⁸ See Kellner (in press).

¹⁹ The term "legitimation crisis" was introduced by Jurgen Habermas (1975) in his book *Legitimation Crisis*. Habermas distinguished, on an abstract level, among "legitimation crises," "rationality crises," and "economic crises." In his book, *The Fiscal Crisis of the State* (1973), James O'Connor used the term "legitimation crisis" to explain part of what he saw as a crisis of the state in the United States during the 1970s. Following these analyses, I am suggesting that the term "legitimation crisis" can be concretized through analysis of specific societies, such as U.S. society in the 1960s and 1970s when Habermas developed his analyses and contemporary British society, which Murdochgate is propelling in a legitimation crisis.

to the British Parliament when it returned in the fall (Hill, 2011). James Murdoch was especially under fire for authorizing a 1 million pound-plus payoff to Gordon Taylor, Chief Executive of the Professional Footballers Association and a major figure in British sports, who had allegedly been hacked by *NOTW*, retaliated with a lawsuit, and was subsequently paid a large out-of-court settlement that British parliamentary questioners suggested was a bribe and hush money. James Murdoch also denied knowing details of a brief put out by a law firm, Harbottle and Lewis, working for News Corp., which, James claimed, confirmed that the hacking was limited to one rogue reporter, whereas other executives in News Corporation claimed that Murdoch Jr. was familiar with details of the hacking brief and other company e-mails discussing widespread hacking problems in the company; moreover, Harbottle and Lewis claimed that the Murdochs misrepresented their work for the corporation.²⁰

Meanwhile, there were announcements that the FBI and Justice Department were opening inquiries into possible illegal activities of Murdoch's media corporation in the United States, and rumors circulated concerning the possible hacking of U.S. 9/11 families and dirty business deals done in the United States by Murdoch businesses. Indeed, by August 2011, there were reports that Murdoch employees had also engaged in computer hacking and even had a drone at their disposal in the United States—allegedly capable of taking pictures and hacking into telephone frequencies—that possibly violated U.S. navigation laws (the latter was reported on Keith Olbermann's August 3, 2011 *Countdown* TV show).

While the UK government had announced a commission of inquiry into activities of Murdoch's media empire and other media industries that may have employed similar criminal tactics, U.S. congressmen called for investigations into whether Murdoch's U.S. connections had engaged in similar tactics and whether Murdoch's corporations have broken other laws, as his media empire is rooted in the United States and Murdoch has obtained U.S. citizenship, making his businesses vulnerable to investigation through the U.S. Foreign Corrupt Practices Act. In Murdoch's native Australia, on September 13, the government announced a formal inquiry into the behavior of Murdoch's and other Australian media companies, generating investigation throughout the English-speaking world into Murdoch's heinous journalistic practices.

On August 1, London police arrested the former managing editor of *NOTW*, Stuart Kuttner, on suspicion of conspiring to hack cell phones and pay police officers. In a summary by Becker and Somaiya (2011):

Mr. Kuttner, who is the 11th former News of the World employee arrested in the scandal surrounding the tabloid, personally authorized cash expenses until his retirement two years ago in his role as managing editor, said multiple current and former company employees, who, like most people interviewed spoke on the condition of anonymity

²⁰ The charges that Murdoch company former employees questioned James Murdoch's parliamentary testimony and that the law firm of Harbottle and Lewis questioned both father and son's testimony was extensively discussed in *The Guardian* from August 10–16 and on the *BBC*; it was summarized in Lyall, Somaiya, and Cowell (2011).

because of the continuing police investigations and to avoid jeopardizing their ties with the company. Mr. Kuttner did not respond to requests for comment.

A person familiar with the company's internal investigation said the regular infusions of cash, usually also authorized by newsroom editors as well as Mr. Kuttner, contributed to the newsroom's "wild West" atmosphere. The funds were used as advances on expenses and also to pay sources for articles, said the former journalists. So far a search by the company of the cash records has found more than \$200,000 in payments to police officers from The News of the World, according to two people with knowledge of the documents.

The investigation of payoffs to the police is one part of what has become a three-pronged inquiry that began by focusing on the hacking of cellphone voice messages and has also expanded to the hacking of e-mails. (Becker & Somaiya, 2011, #3-#5)

Members of Murdoch's media organizations were thus involved in complex cases of bribing police for information, hacking computers and cell phones, and corrupting government and police. In Murdochgate, we see media spectacle turn on one of its own major producers with unpredictable results, as through the Fall and Winter of 2011 and into 2012, allegations continued to emerge concerning knowledge of systematic wrongdoing throughout the Murdoch media empire. Individuals within the Murdoch corporation questioned the parliamentary testimony that James Murdoch gave, and on August 16, 2011, Clive Goodman, the only *NOTW* reporter to actually go to jail, published a letter claiming that knowledge of hacking was widespread in the Murdoch organization and discussed frequently at editorial meetings until editor Andy Coulson warned against public discussion of such illegal activity, which, in turn, created another media uproar and calls for new British parliamentary hearings (Lyll, 2011). And on August 23, it was revealed that Coulson continued receiving large payments from the Murdoch corporation after he went to work for David Cameron, as part of the Tory media team, which created even more scandals for the reigning British government.²¹

James Murdoch was called back to testify again before a British parliamentary committee on November 10, 2011, when two major figures in News International, the British Murdoch media conglomerate, contested his earlier testimony, indicating that he was unaware of widespread hacking at Murdoch companies.²² James again denied knowledge of criminal activity at the family company, but British Parliament member Tom Watson argued that James and his staff were "all bound together by secrecy," and called Rupert Murdoch "the first Mafia boss in history not to know he is running a criminal enterprise" to which James Murdoch replied, "Mr. Watson, that's inappropriate." Yet the same month,

²¹ See Sabbagh (2012). It was later revealed that *NOTW* editor Rebekah Brooks had received a £1.7 million payoff after she was forced to resign when the scandal erupted; she was arrested and forced to testify before the British Parliament. See Boffey (2011).

²² The Murdoch corporation employees who contradicted James Murdoch's testimony were Colin Myler, the former editor of the tabloid *NOTW*, and Tom Crone, the former News International legal manager. See Becker and Van Natta (2011).

there were revelations that Murdoch's media organizations had hired private investigators to conduct surveillance of two lawyers representing phone hacking victims (see following), and stories continued to emerge concerning payoffs to police officers for information and other scandals concerning Murdoch and his media empire.

The Leveson Inquiry and Crimes of the Murdoch Media Empire

First it was the son, then it was his ministerial "cheerleader," and finally the father. The name in the Leveson frame has kept shifting all week, but, at the start of his evidence, Murdoch senior dropped an oblique hint that the spotlight could have further to shift. He recalled how he had slipped in through a back door at No 10 to see the new prime minister immediately after the election. He then volunteered—apropos nothing—that "Andy Coulson was there."

No one asked why a press officer was required at a secretive meeting, but this little offering was perhaps designed to encourage the thought that this NoW-editor-turned-spinner had been hand-picked to formalise the link between the heart of democratic power and the empire of the Sun. Last night Lord Justice Leveson made clear his displeasure at the way his judicial inquiry is being misappropriated for political ends, and the trail of destruction which the Murdochs have wrought in court this week is getting closer to Downing Street. (Editorial, 2012, April 27, *The Guardian*)

Following the uproar over the Murdoch hacking scandal, on July 6, 2011, British Prime Minister David Cameron announced to Parliament that a government commission would be established to further investigate the Murdoch scandal. Although initially Cameron resisted calls to investigate Murdoch's media after Andy Coulson was arrested "on suspicion of corruption allegations," Cameron ordered parliamentary inquiries into the scandals. On July 13, Cameron appointed Lord Justice Brian Leveson as Chairman of the Inquiry, with a mandate to look into (a) the specific claims about phone hacking at the *NOTW*, (b) the initial police investigation and allegations of illicit payments to police by the press, and (c) a further inquiry to review the general culture and ethics of the British media. The Leveson Inquiry began hearings on November 14 and planned first of all to call scores of individuals who claimed to have been hacked and abused in multiple ways by the British press. The promising, sensational revelations into Murdoch's media empire and other media scandals for months to come would generate serious debates over ethics and journalism in the UK and indeed globally. The Inquiry, held at the Royal Courts of Justice in London, opened by calling the Dowler family, who recounted the painful story of how the hacking into their missing teenage daughter Milly's telephone and the deletion of messages so the Murdoch's tabloid *NOTW* newspaper could access new ones when her voice mail was full, provided false hopes that their daughter was still alive. The family's hopes were eventually crushed when her murdered body was found.²³

²³ A consensus of opinion was growing, however, that the deleted messages were occurring not because a Murdoch hacker was deleting them, but because the system automatically deleted messages when it was full; see Leigh (2011).

The Leveson Inquiry continued with movie stars and celebrities Hugh Grant and Steve Coogan, who both recounted harassment by tabloid media and anger at having their phones hacked and conversations reported in the Murdoch media. The two were followed by sports figures and other celebrities with similar stories. In the weeks to come, the Dowler's lawyer, Mark Lewis, who was representing other victims of phone hacking as well, reported his consternation at finding out his phone was hacked, as were those of other lawyers who had investigated or defended clients against the Murdoch empire. The Leveson Inquiry brought in a panorama of celebrities who had been abused by the Murdoch and other media corporations, as well as an ordinary British family, the McCanns, who recounted their torment by tabloid media when their 3-year-old daughter went missing during a trip to Portugal. British tabloids went into a feeding frenzy of sensationalism about the case, including allegations that the parents were involved in their daughter's death, a libelous charge that cost the offending tabloids vast amounts of cash.

Actress Sienna Miller told the Leveson Inquiry on November 14, 2011, of her distress when confidential details of her private life were published in the tabloid media, and she blamed those around her for leaking to the media, when, in fact, she learned later that the Murdoch and other tabloid media had systematically hacked her phones. *Harry Potter* author J. K. Rowling told the Inquiry (the same day) of the systematic harassment directed at her by the media over the years, constantly invading her privacy, even to the extent that notes from the media to facilitate interviews were put in her daughter's backpack. Formula One boss Max Mosley, the McCann family, Hugh Grant, and others recounted the pain of reading outright lies about them in the tabloid media and their inability to get the tabloids to retract the story or to get the public media regulatory body, the Press Complaints Commission (PCC), to respond to their complaints.

As the Leveson Inquiry hearings continued through December 2011 and into 2012, they were opening fascinating windows into the practices of British journalism, ranging from the tabloids to *The Guardian* and the BBC, providing rare insight into the production of news stories, journalism and ethics, the relationship between government, police, and the media, and issues of journalistic malpractices and the public interest. Murdoch corporation employees were grilled on how their tabloid stories were produced, how private detectives and phone/computer hacking were deployed, and how the Murdoch corporation related to the police, government regulatory agencies, and public criticism of their media. (As many of those interrogated were under criminal investigation for telephone hacking, this theme was off-limits to the Leveson Inquiry for those facing criminal charges in the police investigations). Lawyers representing victims of hacking and other invasions of privacy or libel related their experiences of being hacked, being followed by private investigators, and being intimidated by members of the Murdoch media mafia while representing their clients in potential lawsuits against the Murdoch corporation. Government regulators were grilled about how they had failed to prosecute or even publically rebuke any members of the media establishment when complaints were brought to them, and rare public discussions were taking place concerning the failures of media regulation and how to better regulate the media.²⁴ There were also

²⁴ For complete audio, video, and transcripts of the Leveson Inquiry, see <http://www.levesoninquiry.org.uk/hearings>. There have also been daily blogs on the hearings in the *Guardian*, which has also published many articles on the Leveson Inquiry and continues to follow the

daily discussions of proper journalistic ethics and responsibilities to the "public interest," a term that meant quite different things to different journalists, public officials, and academics; former *NOTW* Features Editor Paul McMullan testified before the Leveson Inquiry that in the Murdoch media world the "public interest" was whatever interested the public and that "circulation defines what is in the public interest" (Rolle, 2012, #4).

After a break following the December 21 hearings, the Leveson Inquiry resumed activities on January 9, 2012. The year would, no doubt, see other scandalous revelations concerning Murdoch media wrongdoing and might be the year of judgment for Murdoch's media empire. Reports continued to surface in early 2012 concerning payments to victims of the Murdoch corporation hacking scandals. On January 19, 2012, a UK high court judge announced that Murdoch's *NOTW* had agreed to pay 37 phone-hacking victims—ranging from actor Jude Law to ordinary people—thousands of pounds in settlements, with estimates that settling the many other outstanding hacking legal suits would cost the company over £10 million (Sabbagh & Hill, 2011). This estimate may have been modest, as reports surfaced that many more were planning lawsuits including Cherie Blair, former Prime Minister Tony Blair's wife, and estimates emerged that the Murdoch corporation might have to pay more than \$1 billion to hacking victims (Chozick, 2012).

Reports circulated that police were concerned that Murdoch corporation employees had destroyed e-mails that would serve as evidence in criminal proceedings, but there were also indications that a Data Pool 3 allegedly contained several hundred million of e-mails, possibly including ones that had been deleted and were of interest to criminal investigations. In Nick Davies' (2012) summary,

For News International, Data Pool 3 is a nightmare. Firstly, no one know [*sic*] what is in there. All they can do is wait and see how bad it gets.

Second, the police clearly believe it may yield new evidence of the crimes they set out to investigate—the "blagging" of confidential data from phone companies, banks, tax offices etc; the interception of voicemails and emails; the payment of bribes to police officers.

Third—and most nightmarish—Data Pool 3 could yield evidence of attempts to destroy evidence that the high court and police were seeking. Data Pool 3 itself was apparently deliberately deleted from News International's servers. Stories of scandals and crimes continued to mushroom during 2012 as three separate police commissions investigated the wrongdoings of the Murdoch corporation: Operation Weeting investigating phone

Inquiry and the Murdoch media scandals with close attention into 2012. In 2012, *Guardian* reporter Nick Davies, who had earlier broken hacking stories concerning the Murdoch media empire and who broke the Milly Dowler story that helped generate the media spectacle over the corporation's crimes, was given the Paul Foot Award for his investigative journalism; see Sabbagh (2012). Shortly thereafter, it was announced that *Guardian* Senior Editor Alan Rusbridger was awarded the prestigious Harvard Kennedy Government School journalism prize; see Pilkington (2012, March 6).

hacking scandals; Operation Tuleta examining cases of computer hacking; and Operation Elveden, investigating allegations of inappropriate payments to police. By February 2012, there were 17 arrests under the Operation Weeting investigation, including top members of Murdoch's News Corp. empire. (2012, #8-#10)

On February 11, 2012, the BBC reported that eight journalists were arrested under Operation Elveden over alleged corrupt payments to police and public servants, including five from Murdoch's most powerful British tabloid *The Sun*. Police officers and members of the British defense establishment also had been arrested and charged with corruption (BBC, 2012, February 11).²⁵ British police continued to arrest Murdoch organization journalists, and his employees were becoming angry that the Murdoch organization was providing information to police that were leading to the arrests (Sabbagh & O'Carroll, 2012). As the anger from the press room continued to mount, Rupert Murdoch himself visited *The Sun* offices on February 17, announced that 10 suspended journalists who had been arrested would be reinstated, and that a *Sun on Sunday* would be soon be inaugurated. Its first edition was indeed published on Sunday, February 26, and the British media establishment cheered that the daring Murdoch had opened a new British tabloid Sunday newspaper when his newspaper empire was under attack, yet its publication seemed more like rearranging deck chairs on the Titanic, as scandals continued to multiply.

The next day, fresh allegations originated from police investigators that Murdoch's daily *Sun* tabloid had systematically paid large sums of money to "a network of corrupted officials" in the British police, military, and government (Lyll, 2012). Sue Akers, a Deputy Assistant Commissioner for the London Metropolitan Police, which is leading the criminal investigation into the Murdoch scandals, informed the Leveson Inquiry that hundreds of thousands of dollars had been paid out for news stories and salacious gossip and that payments had been authorized "at a very senior level within the newspaper." Strongly condemning the Murdoch organization, Akers testified that: "There appears to have been a culture at *The Sun* of illegal payments, and systems have been created to facilitate such payments whilst hiding the identity of the officials receiving the money" (#5).²⁶

Then, on February 29, 2012, it was announced that James Murdoch was stepping down as Executive Chairman of Murdoch's News International to focus on the corporation's global television business in New York, generating speculation that the Murdoch mafia was unraveling at the top and might well be reorganized without the Murdochs.²⁷ Amy Chozick (2012) reported in *The New York Times* that

²⁵ For a highly entertaining history of Murdoch's beloved British tabloid *The Sun*, see Chippindale and Horrie (1999).

²⁶ Akers added:

The cases we are investigating are not ones involving the odd drink, or meal, to police officers or other public officials. Instead, these are cases in which arrests have been made involving the delivery of regular, frequent and sometimes significant sums of money to small numbers of public officials by journalists" (Lyll, 2012, #14).

²⁷ James White, Michael Seamark, and Rob Cooper note: "James Murdoch should lose his BSkyB job after quitting as boss of his dad's scandal-hit British newspaper empire, MP demands." Available at *MailOnline*

Chase Carey, News Corporation's chief operating officer, said at a Deutsche Bank media conference in Palm Beach, Fla., that within the company "certainly there are a number of parties who feel— would push to looking at a way to spin the publishing business separate from the rest." Murdoch insiders insisted that Rupert himself would not happily divest his beloved London newspaper from his media corporation, but there were growing pressures from members of Murdoch's News Corp. Board of Directors to do so. Criticism of the Murdoch scandal continued to intensify. Chris Bryant, a Labor Party MP who had been paid £30,000 in damages by the Murdoch corporation in January to settle his *NOTW* phone-hacking claims, "told a Westminster Hall private members debate on media regulation on Tuesday that his 'poor researcher' had counted 486 lies told to parliament by News International, the police and other organisations about phone hacking and related investigations" (Deans, 2012, #2), speculating that the "phone-hacking scandal could turn out to be the biggest case of corporate corruption in the UK for more than 250 years" (#1). Bryant also noted that "Scotland Yard had been 'suborned' and effectively become a subsidiary of News International" (#4), highlighting my point about how the Murdoch scandals had led to a crisis of democracy in the UK.

Indeed, testimony in the Leveson Inquiry during March 2012 continued to highlight the corruption of the British police, government, and media by the Murdoch media mafia. Jeff Edwards, head of the UK Crime Reporters' Association, asserted that while working on the British tabloid, the *Daily Mirror*, there was "no culture of bribing public officials"; by contrast, he claimed that he was fired from Murdoch's *NOTW* for refusing to bribe officials. In a *Guardian* summary of Edward's background on the day of his testimony to the Leveson Inquiry, we read:

Last month, Edwards told [BBC] *Newsnight* that while he was at the *Mirror* there was no culture of bribing public officials.

However, he claimed that while he worked for the *News of the World* between 1980 and 1985 he was removed from his post as crime correspondent because of his refusal to pay police officers. He alleged:

Between 1980 and 1985 I was employed at the *News of the World* as their crime correspondent and I was removed from my post because of my complete and reluctant and refusal to pay police officers. I was told so and someone else was put into it who was prepared to take that action.

There was always, I thought, at the *News of the World* a culture of underhandness [*sic*], or corrupt practice. (O'Carroll, Halliday, & Baird, 2012, #6-#9)

Even Murdoch's prestigious London *Times* was implicated in the scandal when it came out that a *Times* reporter had hacked into the e-mail account of an anonymous police blogger ("NightJack") and when he was outed, Murdoch's *Times*' reporter attempted to cover over the incident when it became a legal issue (Leigh, 2012). Not only were Murdoch's most prestigious UK newspapers like the *Times* getting implicated in the scandal, so too was the UK government. While initially, British Prime Minister David Cameron and his Conservative Party government had managed to slip out of the scandal despite the close relations between some of Cameron's top advisors, and the resignation of top police officials who had been too cozy with the Murdoch empire as 2012 unfolded, the Murdoch media scandals began to relentlessly implicate Cameron and his Conservatives. One amusing story revealed that *NOTW* editor Rebekah Brooks, twice arrested in the Murdoch scandals, had requested the loan of a retired horse from the London Metropolitan Police in 2007, and during the two years she had the loaner, Prime Minister David Cameron, among others, had ridden the horse (Hope, 2012).

While the episode might not involve criminal issues, after first dissembling, Cameron was forced to concede that he had indeed visited Brooks at *her* home and ridden the horse in question when Brooks was editor of Murdoch's *NOTW*. The incident rather clearly points to the cozy relation between the Murdoch syndicate, the London police, and the Cameron government. Yet when Cameron came to the United States for meetings with President Obama during the second week in March 2012, the U.S. media failed to confront Cameron with his egregious connections with the Murdoch corporation and how he had brought in one of its major and heavily-indicted thugs, Andy Coulson, to run his political communications operation.²⁸

Urgency for government investigations into Murdoch media empire scandals intensified again in late March 2012 after revelations emerged through an investigation by *The Australian Financial Review* that a Murdoch company, NDS, which produced

²⁸ In a disgraceful performance, NBC's Brian Williams had a long interview with Cameron and failed to ask him any questions about his connections with the Murdoch scandals. In portions of the interview—broadcast on *NBC Nightly News* on March 14 and an extended interview segment on *Rock Center with Brian Williams* later in the evening—the NBC anchor asked Cameron his opinions of Hollywood representations of British royalty and politicians, as well as his personal feelings about Margaret Thatcher, Cameron's beloved inspiration, rather than probe the Prime Minister's connections with some of the major British media/political scandals of the era, confirming again the collapse of the news standards of U.S. TV network news organizations. On March 27, PBS' *Frontline* partially redeemed the honor of American television news broadcasting with an episode on "Murdoch's Scandals" that for the first time systematically laid out the extent of the wrongdoing, corruption of journalism, and crimes of the Murdoch media empire for U.S. audiences. Video of the episode is available online at <http://video.pbs.org/video/2204235161>. Further, a segment on Jon Stewart's *Daily Show* also nailed Cameron on his U.S. visit. Explaining how David Cameron used his son-in-law's plane to call on Murdoch vacationing on his yacht, Stewart noted with incredulity, "In the States, we're not even allowed to give congress people T-shirts and hats, and our country's corrupt as shit!" (cited in Hyde, 2012).

. . . smart cards” that enabled customers to access cable television, had “employed a unit of ex-police officers—dubbed ‘Operational Security’—in the mid-1990s to pirate the smart cards of rival broadcasters Austar, Optus, and Foxtel in a bid to clear the way for News Corp to control Australia’s lucrative pay-TV market. (Halliday, 2012, #3)

The pirated cards were made readily available through a website of a hacker allegedly employed by NDS, and the availability of these cards to access its competitors’ pay-cable services without paying damaged these broadcasters and helped Murdoch dominate cable television in Australia (Chenoweth, 2012).

The previous day, BBC’s *Panorama* broadcast a show claiming that the same Murdoch company (NDS) cracked the code of a competing ONdigital provider of cable channels in the UK and made its source codes available for pirating—an action that undermined its rival.²⁹ The Murdoch corporation vehemently denied both allegations, but the scandals elicited the possibility of further government investigation of Murdoch corporation rogue business practices that could lead to fines and jail for Murdoch henchmen and that certainly would involve more bad publicity and legal aggravations.

In April 2012, Murdoch media scandals continued to multiply. On April 5, there were widespread reports that Murdoch’s *Sky News* admitted that its reporters had hacked into e-mails while pursuing news stories, marking the first time that Murdoch’s hacking scandal has spilled into television news. This bombshell came only two days after Murdoch’s son, James, had resigned as the chairman of Sky’s parent company, British Sky Broadcasting (BSkyB), pointing to growing chaos in the Murdoch media empire and suggesting that James was further weakened in his position in the family media colossus (Lyll & Somaiya, 2012). And news that lawyer, Mark Lewis, who has been at the forefront of efforts to expose the Murdoch media empire scandals, was travelling to New York to begin discussions about lawsuits in the United States widened the global ramifications of the scandal (Pilkington, 2012, March 28).

But one of the most dramatic spectacles of the Leveson Inquiry so far took place on April 24, 2012, with James Murdoch’s appearance, followed by two days of testimony by Rupert Murdoch. Once again, James Murdoch blamed all of his associates for not informing him concerning the seriousness of the hacking scandals, and he denied again any knowledge or responsibility for the hacking and other scandals. But in the course of questions, e-mails were released that indicated that the office of the Cameron government culture minister and associates of the Minister Jeremy Hunt were sending e-mails to the Murdochs indicating support for the Murdochs’ full takeover of BSyKB, which would give the family control over British cable television and the digital future. Before the day was over, Hunt relieved an assistant, Adam Smith, of his job; Smith had evidently been chosen as go-between for the Cameron government and Murdoch mafia and had sent fawning e-mails to the Murdoch corporation, assuring them that their takeover was getting Hunt’s and the Cameron government’s support. This scandal, still unfolding, could have serious implications for the survival of the Cameron government.

²⁹ For more on the BBC *Panorama* program and the global nature of the mushrooming Murdoch cable code hacking scandal, see Pilkington (2012, March 28).

Rupert Murdoch's two-day testimony at the Leveson Inquiry was the crowning event of the whole procedure. On Murdoch's first day of testimony, he blustered on how he knew nothing of the hacking at *NOTW*, didn't really have much to do with the paper, didn't use his media and his political connections to promote his commercial interests, and didn't really have much political influence at all—claims that were generally scoffed at by commentators.³⁰ In another newsworthy story, Murdoch claimed that when he told British Labor Party leader Gordon Brown that he was switching his allegiance from Labor to the Conservative Party in the 2010 election, Brown told him; "Well, your company has declared war on my government, and we have no alternative but to make war on your company"—a claim that Gordon Brown immediately told the BBC was "wholly wrong" (Burns, 2012).

During his second day of testimony on April 25, Murdoch conceded to Robert Jay, the lead government questioner for the Leveson Inquiry, that there was indeed a cover-up of the extent of the hacking scandal at his News Corp. and that he and James were among the victims. Patiently and quietly pushed by Jay to elaborate, Rupert revealed:

I think from within the *News of the World* and—there were one or two very strong characters there, who I think had been there many, many, many years and were friends with the journalists. . . . the person I'm thinking of was a friend of the journalists, drinking pal, and was a clever lawyer, and forbade them to go and see the evidence—or there had been statements reporting that this person forbade people to go and report to Mrs Brooks or to James. (cited in Rayner, 2012, April 26)

The "clever lawyer" was apparently Tom Crone, the former legal manager of *NOTW*, who immediately sent out a press release indicating that Murdoch's allegations that a "lawyer" had "forebade" journalists on the paper to take evidence of wrongdoing to Rebekah Brooks or James Murdoch was a "shameful lie" (O'Carroll, 2012). Another of the "two strong characters" whom Murdoch suspected of leading the cover-up was apparently the editor of *NOTW*, Colin Myler, who Murdoch suggested in his Leveson testimony, was part of the cover-up of the hacking scandal. Curiously, Rupert Murdoch suggested the cover-up was carried out by precisely the two men in his own organization who had disputed James Murdoch's claim that he had not been told about the extent of the phone hacking scandal at *NOTW* and who both insisted that they had explained the problem to James and had an e-mail to prove it (which James forgets seeing).³¹ Distancing himself from Myler when pushed by Jay, Murdoch said that his right-hand man, Les Hinton, had hired Myler, as if the miscreant had been forced on the innocent Murdochs.³²

³⁰ For the first day of Murdoch's Leveson Inquiry testimony, see Halliday and Plunkett (2012).

³¹ These events suggest that a war is now raging between Myler and Crone on the one side and the Murdoch family mafia centered on Rupert, James, and their henchmen—a war that could be both entertaining and instructive, albeit destructive for those concerned. Earlier in the week, a story circulated about Myler claiming that he had commanded the *NOTW* staff to collect all the dirt they could on all British politicians, as if a Murdoch newspaper were J. Edgar Hoover (Pilkington & Rusche, 2012).

³² Murdoch's Day Two testimony was collected on the *Guardian* blog (Halliday & Plunkett, 2012) and generated a global firestorm of news stories.

Political bombshells exploded on May 1, 2012, when a British parliamentary committee to which Murdoch had previously testified released a report claiming that Murdoch was “not a fit person” to run a global media empire.³³ The key paragraph reads:

229. On the basis of the facts and evidence before the Committee, we conclude that, if at all relevant times Rupert Murdoch did not take steps to become fully informed about phone-hacking, he turned a blind eye and exhibited wilful blindness to what was going on in his companies and publications. This culture, we consider, permeated from the top throughout the organisation and speaks volumes about the lack of effective corporate governance at News Corporation and News International. We conclude, therefore, that Rupert Murdoch is not a fit person to exercise the stewardship of a major international company.

The report was arguably aimed in part at another British government investigation by Ofcom, the UK’s media regulatory board, as to whether News International was a “fit and proper proprietor” of its media assets. A negative report by Oxcom could lead to calls for the Murdoch family to lose their lucrative license in BSkyB, their subscription service offering television, movies, sports, news and broadband, and telephone services. Further, as Bowers and Rusche (2012), suggest, the term “willful blindness,” used several times in the parliamentary report to describe both James and Rupert Murdoch’s behavior in the media scandals, “carries weight in US anti-corruption legislation,” reflecting language in the U.S. Foreign Corrupt Practices Act and suggesting that, from a corporate governance perspective, those accused of “willful blindness” have not fulfilled their fiduciary duties and can be disciplined or removed from office (#13).

In particular, the Parliamentary report accused James Murdoch of “a lack of curiosity [*sic*] . . . wilful ignorance even” of *News of the World* business practices that he was supposed to be in charge of. The report also accused Murdoch’s key henchmen Les Hinton, Colin Myler, and Tom Crone of misleading the parliamentary committee in their testimony to it, and charging that Hinton was “complicit” in a cover-up of wrongdoing by the Murdoch corporation. The Parliamentary report story was immediately headlined on *The New York Times*, *The Washington Post*, *the Los Angeles Times*, *Al-Jazeera*, and other global websites and evoked global outrage at the Murdoch empire. There were increased calls in the United States for further investigations of Murdoch’s business practices in that country and for the FCC to investigate whether Murdoch was fit to broadcast in the United States. (see Pilkington & Rushe, 2012). As mentioned above, the U.S. Foreign Corrupt Practices Act dictates that if a U.S.-based corporation like the Murdoch media empire is located in the United States, it is liable for crimes committed in foreign countries like the UK. Thus, the report and renewed controversy concerning the Murdoch empire further

³³ The Full Report by the House of Commons Culture, Media and Sport Committee, News International and Phone-hacking. Eleventh Report of Session 2010–2012. Volume 1 is available at <http://www.publications.parliament.uk/pa/cm201012/cmselect/cmcmds/903/903i.pdf>

imperiled Murdoch's control over the media giant. As for who was fundamentally responsible for the scandal, British MP Tom Watson, who was on the parliamentary committee issuing the report and for years had been leading the charge to get the British government to properly investigate the Murdoch media empire, asserted:

Everybody in the world knows who is responsible for the wrong-doing at News Corporation. Rupert Murdoch. More than any individual alive, he is to blame, morally the deeds are his, he paid the piper and called the tune. It is his company, his culture, his people, his business, his failures, his crimes, the price of profits and his power. (cited in Deans & Plunkett, 2012, May 1, #40)

As evidence it was panicking from the prospects of more testimony revealing the cozy relationships between the Conservative Party and the Murdoch corporation, the Cameron government requested that it receive advance access to Leveson written inquiry evidence in the days to come (O'Carroll, 2012, May 4a).³⁴ In the coming week (as of this writing), Andy Coulson and Rebekah Brooks have been summoned to testify at the Leveson Inquiry, followed by testimony of major political leaders such as David Cameron, Tony Blair, and Gordon Brown, promising that the Murdoch media scandal spectacle would continue for the foreseeable future.

While the Leveson Inquiry continues to hold hearings and generate stories concerning malpractices and worse of the Murdoch media empire, I would like to draw some preliminary conclusions concerning the Murdoch media scandals, journalistic practices and ethics, and the crisis of democracy.

Preliminary Conclusions and Concluding Comments

Sir, your newspapers for two decades have engaged in the degradation of the proper feelings of our people. What is vile they offer to gloating eyes, what is vindictive they applaud. You have done more harm to this country than any of its external enemies. (Shawcross, 1990, p. 58)³⁵

By November 2011, the number of hacking victims in the Murdoch media empire scandal had been expanded to over 5,800, of which 638 had been contacted by the police (O'Carroll, 2011). These numbers suggest that Scotland Yard's phone-hacking investigation, Operation Weeting, running since January 2011 and staffed by 45 full-time detectives, is only at a beginning stage and will be active for months, perhaps years to come. In addition to Operation Weeting, British police are carrying out

³⁴ The same day it was announced that Cameron and other major figures in his coalition would receive advance access to Leveson inquiry witness statements (O'Carroll, May 4b)

³⁵ When asked to comment on Rupert Murdoch and journalism in 1991, Sir James Darling, who had been Murdoch's headmaster at Geelong Grammar in Australia and helped get him into Oxford, quoted from *Lucinda Brayford*, the 1946 novel by Martin Boyd, to express his negative sentiments toward his former pupil providing an apt commentary on Murdoch's newspapers and their baleful effects.

Operation Elveden to investigate illicit payments to police officers and Operation Tuleta to investigate allegations of computer hacking, both of which have begun arresting suspects as I noted previously. U.S. Justice Department investigations are also ongoing into whether the Murdoch corporation has violated the Foreign Corrupt Practices Act, which would include the Murdoch corporation's crimes in the UK. These investigations are accompanied by the Levenson Inquiry that has been holding hearings on unethical behavior by the Murdoch media empire and other members of the UK press and produced a wealth of information on the malfeasance of the Murdoch and other British journalistic corporations.

Although official investigations of the Murdoch media scandal and ethical journalistic violations by the British press are continuing to unfold at the time that I am concluding this study in early May 2012, it is still possible to draw preliminary conclusions concerning crises in democracy, journalism, and the Murdoch empire, as well as the legacy being shaped by the Murdoch media scandals. To begin, the extent of hacking of public and private citizens by the Murdoch media is truly shocking, as is its bribing police and other authorities for stories, and its slandering and spreading libelous falsehoods about individuals. Clearly, the Murdoch media empire is one of the most unethical media corporations in history, and its astounding violations of journalistic ethics and the law are currently under multiple investigations. Yet the failure in the UK of the Press Complaints Commission (PCC), which is supposed to regulate the media and respond to complaints by citizens of mistreatment by the media, suggests that stricter regulatory legislation is necessary in the UK and in other countries where the Murdoch media have been running amok to provide regulatory bodies and laws to safeguard the public from media abuse.

Further, the vulgarization and tabloidization of the media is among Murdoch's most noxious legacies. This sentiment is expressed in the passage from the 1946 novel *Lucinda Brayford* quoted by Murdoch's school tutor to express his sentiments about Murdoch as a journalist and cited as the epigram for this section. From his beginnings as a newspaper publisher in Australia in the 1950s through his acquiring of media properties in the UK, the United States and throughout the world—newspapers, broadcasting, and new media—Murdoch has engaged in sensationalist tabloid journalism of the lowest common denominator, subverting established journalistic standards, ethics, and traditions. Of course, the Murdoch media empire assault on journalistic news-gathering standards now has Murdoch and his family and minions involved in serious criminal investigations, so the courts, governments, and future publics will ultimately provide the most serious critique of Murdoch's journalistic practices over the past decades.

In addition, and perhaps most worrisome, is the excessive political power accrued by the Murdoch media empire, which has intensified crises of democracy in the UK, the United States and other areas of the world where the Murdoch media have unduly influenced politics. Earlier in this article, it is noted that a robust democracy requires separation of powers between arenas of government and the media. While excessive state control of media in many countries has made democracy impossible or has severely undermined it, in the United States, as I have argued since the 1980s, corporate media have been biased in favor of conservative political parties like the Republicans and have advanced their corporate interests, thus undermining U.S. democracy.³⁶ In the UK, by contrast, British democracy has

³⁶ See Kellner (1990, 2005).

been subverted by the vast power that the Murdoch corporation had amassed and used its influence to shape British public opinion and state policy, as this study has argued.

During Rupert Murdoch's testimony to the Leveson Commission in April 2012, demonstrators outside of the proceedings wielded giant puppets of Murdoch as Puppet Master, dangling Tony Blair and David Cameron on his strings. Yet it appears that Murdoch's days as the most powerful media mogul in the UK are over as his media empire faces accelerating lawsuits and criminal investigations, government inquiries, and media investigative reporting that have been for months undermining his credibility and reputation. Already Murdoch's media empire has paid out millions in lawsuits by hacking victims and faces scores of further lawsuits. A British government communication board, Ofcom, is "stepping up" its investigation whether Murdoch's news corporation is "fit and proper" to keep its broadcasting license, which could lead to revoking of the Murdoch empire's lucrative broadcasting licenses (Halliday, 2012). These investigations could have especially serious consequences for the Murdochs in the U.S. where there are investigations by the FBI, Justice Department and Senate into the Murdoch media scandals which are prosecutable in the United States under the Foreign Corrupt Practices act since Murdoch's News International is headquartered in the U.S. Indeed, after Rupert Murdoch's Leveson inquiry appearance, *The Guardian* reported that U.S. News Corporation stockholders are concerned over the ever-proliferating Murdoch corporation scandals and the possibilities that U.S. investigations could uncover similar scandals in the United States.³⁷ Further, on May 1, it was revealed that Senator Jay Rockefeller (D-W.V.) has written to Lord Justice Leveson to inquire whether it has uncovered evidence that News Corporation has broken American laws.

Yet, the possibility of a Murdoch dynasty seems ever more unlikely. Rupert watchers like Michael Wolff note that for years, Murdoch has been obsessed with perpetuating a family dynasty and passing down his media empire to his family, (Wolff, 2010, pp. 1ff, 351ff), which has created many family tensions and conflicts. But with James Murdoch having been expelled from the chairmanships of News International and Britain's leading satellite television network BSkyB, and with the board having oversight of London's two prestigious papers, *The Times* and *Sunday Times*, the apparently heir apparent is heir no more. Murdoch's children, Lachlan and Elisabeth, who have had major media responsibilities in the past, have been sidelined, but most crucially, the Murdoch family name—once signifying wealth, power, and immense success—has become toxic, and as the criminal proceedings unfold, the family could be expelled from its empire.³⁸

³⁷ See Rushe and Treanor (2012). Michael Moore predicts that such government and criminal investigations will unfold in the United States (see Child, 2012).

³⁸ During the annual U.S. Press Club roasting of political and media celebrities on April 30, 2012, broadcast live on CNN, host Jimmy Kimmel's roasting of Murdoch and Fox News was especially pungent, showing how a family name associated with great political and media family and feared for its possibilities of retaliation is now the butt of celebrity roasts and late night comic jokes, as well as riveting British government hearings and criminal proceedings. Similarly, in the UK, the media roasted the Murdochs after their Leveson Inquiry testimony, with Peter Preston (2012) concluding:

In conclusion, the Murdoch media empire scandals provide a singular example of how excessive control of media across the spectrum of press, broadcasting, and new media have given the Murdoch empire overwhelming political power and the ability to corrupt journalism, police, and governments, as well as intensify crises of democracy. The Murdoch scandals show the danger of allowing media corporations to develop giant conglomerates and to amass tremendous power that can easily be abused. During the past decades in the U.S., the UK, and globally, there have been tendencies toward allowing media corporations to buy competitors and develop mergers, producing gigantic media conglomerates in a deregulatory political environment.³⁹ The Murdoch scandals show the dangers to democracy in allowing powerful media conglomerates to emerge and to use their power without regulatory constraint to promote their own corporate interests and the interests and ideology of the political party which shares their corporate agenda, thus producing a crisis of democracy.

The current investigations into the scandals of the Murdoch media empire may well curtail the power of its corporations in specific countries and even globally, and the future of democracy in the UK and other sites of Murdoch power may be decided in the current investigations of Murdoch media scandals now ongoing. Hence, the ultimate resolution of the crimes and journalistic wrongdoing of the Murdoch media empire will have momentous consequences for the future of media and democracy in our time.

Some absolutely lousy things happened at the *News of the World*, and inside News International, during the last 10 years (at least). Management, perhaps because the ageing boss over the water couldn't cope any longer, was murky, going on vestigial. Trusted servants betrayed that trust. A re-energised Yard is finally on that case. The power of Rupert—real or alleged—is broken. He's a blot and a chump. His prospects of handing over to his kids are gone. Full BSkyB ownership is beyond News Corp.'s grasp now. The back door to Downing Street is closed forever. (#9)

³⁹ In the UK, there are already conclusions that the Murdoch media scandals show that strict regulation of media ownership and practice is needed (Enders & Goodall, 2012).

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