

“My Voice Needs to Be Heard”: Cultural Challengers in the Regulatory Arena

EFRAT DASKAL¹

The Open University of Israel, Israel

This article proposes the concept of cultural challengers, viewers whose dissatisfaction with popular culture prompts them to initiate a dialogue with media organizations. The article explores the textual dimensions that may cause such discontent and identifies three tracks for conducting the dialogue: civic, economic, and regulatory. The regulatory track is explored through three methodologies: a quantitative content analysis of 817 complaints filed to the Israeli regulatory authority (SATR) between 2005 and 2010, and of the SATR's responses to them; participatory observation within the SATR; and an online survey of 58 viewers who had filed a complaint with the SATR. The article highlights the differing stances of the regulator and the cultural challengers and analyzes the social and cultural implications of the dialogue.

Keywords: entertainment broadcast, regulation, public complaints, civic engagement, dialogue

The rendering of the world around us by entertainment television is widely known to affect and shape our perceptions of ourselves and our social and political lives (Hinck, 2015; McGiugan, 2005; Raz, 1991). It is no wonder, therefore, that entertainment shows can also trigger criticism on the part of their different audiences (Fahey, 1991; Jhally & Lewis, 2002; Lockyer & Attwood, 2009). In the past, such criticism did not always prompt media organizations (broadcasters and regulators) to comply with the viewers' demands—or for that matter to react at all. In recent years, however, as media critics have noted, these organizations have started responding to such criticism both rhetorically and practically (Duca, 2015). This change has enabled a dialogue between dissatisfied audiences and broadcasting organizations over the nature and characteristics of the cultural sphere, a phenomenon that has been steadily gaining ground. This dialogue is the focus of the present study.

Yet, it is not only the growing scale of the dialogue among broadcasters, regulators, and viewers that warrants exploration and analysis. Such research is essential because it sheds light on the interaction between audiences and media organizations in general, which is crucial for understanding the role citizens play, or might play, in the construction of a society's cultural sphere. Thus, by analyzing the media-

Efrat Daskal: efrat.daskal@mail.huji.ac.il

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audience interaction, this study seeks to contribute to a growing literature linking two seemingly different areas of expertise, namely, audience studies and media policy (Livingstone & Lunt, 2011).

This study demonstrates the nature of the above-discussed dialogue by analyzing in depth one of the channels through which it is carried out: the regulatory track. The data comprise textual interaction, over a five-year period, between Israeli viewers filing complaints about entertainment content with the Israeli regulator of commercial television channels (the SATR) and the regulatory apparatus responding to those complaints.

The structure of this article will be outlined in due course. First, however, it is important to point out its three practical and theoretical contributions. The first is a new conceptualization of viewers who engage in the interaction with the media organizations, broadcasting, and regulation bodies alike. The second is a deeper and more comprehensive understanding of the nature of the debate over the cultural sphere that takes place between viewers and media organizations and of the different tracks through which it is channeled. The third is a new perspective on the concept of dialogue through the regulatory track and on its implications for the legitimacy of the media regulatory authorities in a democratic society.

The next section addresses the grounds for audiences' criticisms of entertainment content, elaborates textual dimensions that have been found to trigger resentment, and surveys the characteristics of irate audiences identified in the literature. The section that follows is devoted to the analysis of the different tracks in which such audiences operate and of the media organizations' actions in response to public criticism. Examples are presented next to demonstrate this dialogue on the Israeli viewers' interaction with their country's regulator of television channels. The meaning and implications of these examples are discussed in the concluding section.

Television Viewers' Criticism: Reasons for Resentment

Scholars who have analyzed audiences' emotional interaction with cultural texts often have focused on the enjoyment that it can afford (Green, Brock, & Kaufman, 2004; Livingstone, 1988; Radway, 1984). Negative feelings resulting from exposure to such textual products only recently have received attention in media studies (Alters, 2003; Gilbert, 2013; Johnson, 2007). Thus, Gray (2005) defined four textual dimensions, sometimes intertwined, that can elicit such negative feelings vis-à-vis media content: moral, political, aesthetic, and realist-rational.

The *moral dimension* propels audiences to criticize television shows for either presenting values that are perceived as immoral or encouraging behavior regarded as inappropriate (Alasuutari, 1992; Heuvelman, Peeters, & van Dijk, 2005). Studies exploring discontent on such grounds have analyzed moral concerns raised by parents about sexual and excessively violent images that appear on television, the possible influence of such content on children, and the measures families take to protect the young minds (Hoover, Clark, Alters, & Champ, 2004). However, it is not only sex and violence that the public sees as morally prohibitive. Indeed, Gray (2005) discussed audiences' critical remarks against the reality show *The Swan* on the grounds that it morally abuses its participants.

The *political dimension* relates to television shows' conveying certain ideological or political (in the broader sense of this term) messages that viewers perceive as biased or otherwise unacceptable. Although most entertainment shows refrain from overtly promoting political messages, studies have shown that audiences are well attuned to implicit political content and are quick to respond to it, not always favorably. For example, Jhally and Lewis (2002) described the resentment of the African American community against *The Cosby Show* for allegedly ignoring racial discrimination. Gray (2008) investigated viewers' criticisms of *Grey's Anatomy* for what they saw as stereotypical presentations of gender.

The *aesthetic dimension* has to do with resentment triggered by artistic choices such as illogical plot twists, insertion of implausible characters, sudden out-of-character behavior of established characters, and so forth. Studies analyzing such debates have focused on viewers' criticism of such cultural texts as *Buffy the Vampire Slayer*, *Star Wars*, and the *Twilight* series (Brooker, 2002; Johnson, 2007; Sheffield & Merlo, 2010). Even though these viewers are not professional television critics, the aesthetic arguments they raise offer meaningful insights into the function of certain cultural texts and genres in our society and culture (Mittell, 2004).

The *realist-rational dimension* relates to misleading presentation of factual information (Gray, 2005). Although entertainment television content is not designed to provide accurate information, in reality, people often rely on it to acquire knowledge about the world. Research into this dimension thus far has tended to document negative influences of such misrepresentations without placing much focus on viewers' resentment. It has been shown, for example, that unrealistic representations of the health system have influenced patients' expectations and perceptions concerning it, and police dramas have created what is known as the "CSI effect," which sways the judgments of juries, as well as judges, in the real-world judiciary system (Harris & Willoughby, 2009; Quick, 2009).

Following the Feelings: From Words to Actions

Emotional engagement with television shows is typical not only of viewers who enjoy them, but also of those who resent such programs. It has been shown, for example, that feeling annoyed after watching a show can lead to various behavioral outcomes. Thus, audience members may change their viewing habits, write negative reviews of the show, or debate against it on various websites. It can also encourage viewers to initiate a dialogue with media organizations concerning the cultural sphere in an attempt to persuade the broadcaster to modify the program, to refrain from airing a specific episode, or in extreme cases, to take the program off the air altogether (Alters, 2007; Fahey, 1991; Johnson, 2007).

To the extent that such behavior is not related to any political or civic engagement, it is not regarded as traditional civic activity as defined by scholars of political science. However, as the literature of social activism informs us, the definition of civic engagement has changed drastically over the past years (Bennett, 2008; Dahlgren, 2009). It has been argued that, today, an action designed to effect a change in a community or an institution outside of one's private domain can be legitimately considered as civic (Gordon, 2013). In the case in point, viewers try to change the cultural sphere as constructed by media organizations and can therefore be said to engage in civic action.

No single definition for the activities of these viewers has been formulated in the current literature. One option is to call them *media activists* (Meikle, 2002), but this concept is too wide, as it is used to refer to all activities in the interface of social movement and media studies (e.g., hacking political institutions, Internet-based campaigns for various civic causes, the phenomenon of the Occupy movement, etc.). Other media scholars have approached the analysis from a different perspective and have coined the term *antifans*. This expression designates individuals who dislike a given text or genre and decide to act against it. However, similar to *media activists*, the term *antifans* has been applied to a wide array of activities, ranging from monitoring television viewing in one's home, to participating in online forums, to creating fan fiction (Alters, 2007; Chin, 2013; Sheffield & Merlo, 2010). Individuals conducting a dialogue with media organizations to produce a change in the cultural sphere constitute but a subset of the antifan population.

Thus, a more concrete definition is in order, and I suggest conceptualizing these people as *cultural challengers*. Although their actions may be prompted by different motives, they are all willing and eager to stand up for the quality of the cultural world in which they live. Some operate alone, whereas others opt for a more organized action (Fahey, 1991; O'Neill, 2000). Regardless of the modus operandi chosen, these activists engage in a dialogue with media organizations in an attempt to challenge their decisions, which ultimately forge the shared cultural sphere. *Cultural challengers* is a defining label that unifies these individuals and groups into a single distinctive set of active audiences with shared attitudes and strategies, including taste preferences, an emotional involvement with cultural texts, modes of civic participation, and a unique relationship with media organizations.²

Initiating a Dialogue: Three Tracks for Achieving One Goal

Based on previous literature analyzing the interaction between offended viewers and media organizations, I distinguish three tracks that enable cultural challengers to conduct a direct dialogue with media organizations: civic, economic, and regulatory.

The *civic track* allows cultural challengers to campaign against shows by negotiating directly with broadcasting organizations through writing letters or filing petitions requesting changes in the show. The civic track does not involve financial or regulatory pressure against broadcasting companies and may therefore fail to yield the desired result. Nevertheless, on certain occasions, viewers have achieved their objectives. In these cases, the challengers usually manage to obtain the support of other viewers or even public figures such as journalists and media critics, among others, often with the help of the social media. Such strategies, in turn, have frequently turned the campaign into a public scandal, compelling media organizations at the very least to acknowledge and respond to the criticism and often also to comply with viewers' demands (Daskal & Kampf, 2015). An example of such a successful campaign is the controversy surrounding an episode of *Seinfeld* that mocks Puerto Rico and its population. The episode triggered a plethora of complaints to NBC from irate Puerto Ricans; in response, the broadcasting network issued a

² They differ from the so-called *cultural jammers* in that they do not rise against the consumer culture. Cultural jamming is the act of resisting and reforming commercial culture to transform society (Atkinson, 2003; Sandlin & Milam, 2008). Cultural challengers, on the other hand, operate within the conventions of the capitalist culture and do not defy it.

formal apology and withdrew the episode not only from the rerun schedule but also, for several years, from syndication (Kiang, 2014).

The *economic track* involves applying financial pressure on broadcasting organizations, usually by pressure groups and civil organizations with economic power. One strategy is to threaten to not purchase products from advertisers that sponsor the offending shows. Another is to pressure the affiliated stations to not broadcast these programs (Gray, 2008). For example, in the 1980s, succumbing to financial pressure, ABC decided to not rerun episodes from *Thirtysomething* and *China Beach* that dealt with the controversial issues of homosexuality and abortion, respectively (Fahey, 1991).

The *regulatory track* is available in countries with a regulatory broadcasting regime, in which any programming is subject to the rules set down by the regulator (Doyle & Vick, 2005; Wright, 2009). These formal rules entitle a citizen to lodge a complaint with the regulator against entertainment content, asking for regulatory intervention. The regulator is obligated to investigate each case, weighing the viewers' claims and taking into consideration the cultural and social implications of their demands and to respond to them (Cole & Oettinger, 1978; Machet, 2010; O'Neill, 2000). A recent example of such regulatory intervention is the Federal Communications Commission imposing a fine on a Virginia TV station in March 2015 in response to complaints against the airing of an erotic video clip in a news broadcast (Calvert, 2015).

Irrespective of the track chosen, in the dialogue between cultural challengers and media organizations, the sides are not on equal footing. Following the rationale of Ganesh and Zoller (2012), the most fitting classification for this kind of dialogue would be as *co-optation*, inasmuch as the rules are set by the stronger party. Cultural challengers can make demands, but the decision whether to respond to them rests with the media organization. A dialogue can take place only if the organization is willing and ready to cooperate.

The motivations that propel organizations to comply with the demands of cultural challengers are different in each of the tracks. Responses to complaints lodged within the first two tracks are stimulated mainly by fear, whether of losing a profit or jeopardizing the public image and reputation. Thus, Gray (2008) notes,

The fear of offending possible audiences plays a role in dictating all sorts of decisions within the television industry. . . . [This] can turn into the two ton gorilla in the room around which producers and programming decisions must operate. (p. 61)

The regulatory track is different, as the law obligates the regulator to heed and respond to viewers' claims. Studies analyzing the regulator's handling of public complaints demonstrate the tendency for it to assume the role of a mediator seeking to bridge the gap between the expectations and interests of the offended viewers, on the one hand, and the broadcasting organizations, on the other (Daskal, 2015). Thus, that track allows for, as it were, a more genuine interaction between both parties and ostensibly gives the cultural challengers more room and power in negotiating with media organizations.

To elucidate the workings of the regulatory track, I analyzed the dialogue between the Israeli regulator of the commercial television channels (SATR) and Israeli cultural challengers. Three research questions were at the center of the inquiry: (a) How do viewers interact with the regulator regarding entertainment content? (b) How does the regulator respond to their complaints? and (c) How do viewers respond to the regulator's decisions?

Method

Three complementary research methods were employed. The first was a qualitative content analysis of viewers' complaints filed to the SATR against entertainment shows perceived as offensive. I collected all the complaints filed to the SATR concerning offensive entertainment content between the years 2005 and 2010, which added up to a corpus of 3,317 complaints against 1,634 shows. From this corpus, I sampled 25% of the complaints ($n = 817$) that addressed 50% of such broadcastings, based on a combination of stratified and random sampling methods. Stratified sampling resulted in a sample that represented reliably the entire corpus (Weber, 1990), in case in point, the range of arguments and topics raised by the complaining viewers regarding the different shows. Because some shows tend to attract more complaints from the viewers, the strata were genre-based (satire, reality, talk, game, and scripted shows). In addition, I created another, year-based stratum to ensure that the number of complaints included in the sample for each year was proportionate to the overall number of complaints during that year. Then, I randomly sampled the complaints to be analyzed from each stratum—different genres and different years—according to their ratio in the entire corpus. The coding of the complaints was based on the following items³: Why did the cultural text trigger resentment? What persuasive techniques did the complainants use? What were their demands to the regulator?⁴ The regulator's responses to these complaints were subsequently analyzed as well.

³ An intercoder reliability test was performed on 10% of the coding units, yielding Krippendorff's alpha reliability no lower than .90.

⁴ Pritchard (2000) identified three general components of a complaint: naming (what transgression triggered the complaint?), blaming (who was responsible for the transgression?), and claiming (what compensation did the complainant seek?). In the present work, I adjusted this scheme to fit an analysis of complaints filed to regulatory agencies about entertainment content. It included the components of naming, persuading, and demanding. The naming of the transgression was based on Gray's (2005) conceptualization of textual dimensions: Which textual dimension triggered resentment? The dimensions could be moral (e.g., the show takes advantage of its participants, harms children, or encourages immoral behavior), political (the show is politically biased), aesthetic (the show is low quality), or realist-rational (the information presented in the show is not accurate). I did not focus on the target (Pritchard's blaming) because the complaints were all filed to the regulator; therefore, the blame was implicitly directed against that body. Rather, based on my experience at the SATR, I added an analysis of persuasive techniques (persuading), which affords a better characterization of the dialogue between the viewers and the regulator. I analyzed these arguments based on the Aristotelian framework (Gottweis, 2006; Tausig, 2015), which distinguishes three rhetoric proofs: *logos* (the use of facts, evidence, or logic, by invoking, e.g., genre conventions, state rules, television regulations or precedent rulings and judgments), *ethos* (the use of the complaining viewer's traits, identity, and expertise), and *pathos* (the use of emotive expressions). Finally, I analyzed the viewers' demands (claiming): tightening regulatory supervision,

The second method used in this investigation was participatory observation, which I carried out during the four years (2009–2013) of my working for the SATR ombudsman. The observation helped me understand in depth the nature of the regulatory mechanism, especially the processing of public complaints.⁵

Lastly, I used a semiopen online survey of complainants after they had received the regulator's response. I randomly picked 1,000 complainants from the corpus of 3,317 and invited them, via e-mail, to participate in a survey. Only 200 people replied in the affirmative, and of these, only 58 completed and returned the questionnaire. Most of the latter group were men (52%), and the average age of the sample was 47 years ($SD = 13.011$). The sample is not representative, but rather complements the two other methods in that the participants' answers reveal their beliefs and attitudes regarding the regulatory arena, thereby offering another perspective on the research questions. The findings are presented in two subparts: complaints to the regulator and complaints about the regulator.

Results

Complaining to the Regulator: Resenting, Persuading, Demanding

The viewers' complaints are analyzed from three angles: reasons for resentment, persuasive techniques used, and demands addressed to the regulator.⁶

Reasons for resentment. As discussed above, a cultural text can trigger resentment in four textual dimensions: moral, political, aesthetic, and realist-rational (Gray, 2005). The reasons complainants provided for their dissatisfaction with a certain cultural text can be classified accordingly.

The moral dimension of entertainment content gave rise to most of the complaints ($n = 721$, 88%). The concerns were raised over (a) exposing children to unsuitable material, (b) exploiting participants in reality shows, (c) encouraging offensive behavior, and (d) offending vulnerable societal sectors and individuals. A typical example is a complaint regarding the Israeli version of the reality show *Big Brother*: "This show encourages rape. [One of the participants] explained how to rape drunken women in clubs. . . . This show should be taken off the air. It sets a bad example to children and youth" (January 6, 2011). The author argues that the above utterances might encourage unseemly conduct among the younger generation and demands that the regulator cancel the show.

The next most salient domain has to do with politics ($n = 287$, 35%). The claims categorized in this dimension blamed shows for promoting either stereotypical perceptions of social-political groups or

demanding an apology, fining the broadcaster, or intervening in the broadcast. As for the responses made by the SATR, I analyzed the complaints based on the ruling: whether or not the complaint was deemed justified.

⁵ This research was approved by the Hebrew University of Jerusalem ethical committee and by the SATR.

⁶ A single complaint sometimes involved several textual dimensions and persuasive techniques; consequently, the overall coding results list the total number of viewers as more than 817.

biased political views. One viewer criticized a sketch in the satirical show *A Wonderful Country (Eretz Nehederet)* for a tongue-in-cheek portrayal of a typical right-wing settler family:

The writers and the actors who created and played out the sketch are known as being leftist activists, and under the pretense of satire they expressed their hostility, hatred and contempt towards settlers. . . . The producers must apologize and broadcast a contrasting sketch to offset the effect. (February 20, 2009)

The viewer accuses the producers of taking advantage of the show to express their political opinions, and requires as a compensation for the offence not only an apology, but also the airing of another sketch to restore the show's political balance.

Only a minority of complaints pertained to the aesthetic dimension ($n = 51$, 6%). The concerns focused exclusively on the role of entertainment shows in lowering the quality of Israeli culture. One complainant deplored the allegedly detrimental influence of cooking shows: "[These shows offer] no cultural enrichment, no educational enrichment, no intellectual enrichment. . . . Instead, you [the regulator] should broadcast more fine cinema, musical performances . . . not just cooking shows" (January 20, 2010). According to this complaint, the proliferation of cooking shows on Israeli television is troubling as it reduces the cultural level of society as a whole.

Lastly, as few as 3% of the complainants ($n = 23$) addressed the realist-rational dimension of entertainment shows, accusing the producers of failing to provide accurate factual information. A viewer wrote, "In the show a homeopath recommended no vaccinations. . . . His words were presented as scientific truth. . . . The show presented misleading information. . . . The homeopath was presented as an authorized doctor. . . . This is totally irresponsible" (July 20, 2007). The concern over the presentation of inaccurate information reflects an ongoing public debate in Israeli society over the effectiveness and reliability of alternative medicine. Thus, the viewer argues, it is the regulator's obligation to ensure that such controversial issues are delivered to the public accurately and responsibly.

Persuasive techniques. Because the complainants called for a regulatory intervention, most of them ($n = 719$, 88%) resorted to persuasive techniques to enhance the effectiveness of their demands (Henry & Ho, 2010; Tatsuki, 2000). Based on argumentation style, these strategies can be divided into three rhetorical categories, labeled *logos*, *pathos*, and *ethos* (Gottweis, 2006).

The rational technique (*logos*) involves the use of facts, evidence, or logic in support of a claim (Gottweis, 2006). In the context investigated here, the complainant appeals to regulatory and other professional media rules, such as genre conventions, state rules, and precedent rulings and judgments. This technique was used by 61% ($n = 502$) of the complainants. A telling example is the following letter:

On 26 May, 2008, an episode from the drama series *Telenovella Inc.* was aired on Channel 10. The show was broadcast at 6:00 pm. According to classification rules [of the SATR], the show is not intended for children under the age of eight. Yet it featured two men hugging and kissing. In the next scene, these two men are seen naked in bed,

touching each other. Thus, the show should have been broadcast at a later hour. (May 26, 2008)

In appealing to the regulator, the viewer uses his knowledge of the TV show classification system to point out the problem with the broadcast. In confronting the regulator, he avoids any emotive language or appeal to his personal credentials, but assumes an ostensibly neutral stance.

The emotive technique (pathos) appeals to the target audience's feelings (Gottweis, 2006; Tausig, 2015), that is, those of the regulator. It was used by more than a third of the complainants ($n = 273$, 33%), who did not provide any logical explanation as to why the regulator should intervene in the broadcastings. Rather, they expressed their resentment in the hope that, by sharing their own perceptions and feelings, they would induce the regulator to take action. For example, this is how a viewer responded to the sitcom *Traffic Light (Ramzor)* in which one of the characters insulted a parking inspector by calling him a Nazi:

It is unacceptable that, in an entertainment show, an inspector should be called a Nazi! It is inconceivable that, for the sake of entertainment, the broadcasting organization would desecrate the memory of the victims of Nazi atrocities!!!! What a stupid comparison: How can one compare the diabolical actions of the Nazis to issuing a parking ticket???? What's the matter with you people? Have you lost your mind? This is a disgrace! Not a single person in the whole world deserves to be called a Nazi! . . . (May 19, 2008)

The viewer criticizes the use of the designation "Nazi" as a humoristic nickname, describing this practice as "inconceivable." The emotion is expressed lexically: "stupid" "disgrace," "lost your mind," as well as through multiple punctuation marks. In this case, the complainant's resentment stemmed from a social taboo: In Israel, it is culturally unacceptable to call anyone a "Nazi." This may be the reason that the viewer did not feel it necessary to come up with logical reasons to support his claims.

The credibility technique (ethos) rests on invoking one's traits, identity, and expertise to enhance one's credibility and authority and thereby to gain the listener's trust (Tausig, 2015). It was used by 28% ($n = 230$) of the complainants. For example, this is what a viewer wrote to the regulator after watching the Israeli version of the reality show *Super Nanny*:

I am an expert in children's medicine and child development. My complaint is leveled at your [the regulator's] inadequate inspection of the television show *Super Nanny*. It is my duty as a citizen and as a specialist to alert you to the dangers of the show and to stress your professional and medical responsibility for the well-being of the child and the parents. (May 19, 2010)

In this case, the viewer's complaint is devoid of any emotive language; to substantiate his claims, he appeals exclusively to his personal and professional experience.

Demands for compensation. After presenting reasons for their resentment and attempting to convince the regulator of the validity of their claims through various persuasive techniques, most of the complainants demanded concrete action ($n = 515$, 63%). Three types of compensatory strategies were suggested: tightening regulatory supervision, penalizing the broadcasting organizations either by demanding an apology or by setting a fine, and intervening in the broadcast.

The most prevalent request ($n = 225$, 28%) was that the regulator intervene by censoring or altering future broadcasts. The second most common appeal was for tightening the monitoring of broadcasts ($n = 216$, 26%). Lastly, a minority of the complainants ($n = 74$, 9%) demanded that the regulator punish the broadcasting organization. Tightening supervision and punishing the broadcasting organizations are both considered to be legitimate regulatory measures; intervening in broadcasts, on the other hand, is an extremely rare sanction, hardly used by regulatory authorities in liberal democratic societies because of its social and political implications. It thus appears that, in the eyes of the majority of the complainants who demanded intervention, the SATR should be functioning as a censor and not just as a regulator.

Complaining About the Regulator: Rulings and Disappointments

The following findings focus on the complaints: I elaborate on the SATR's procedure for processing complaints, its rulings regarding them, and the complainants' responses to the SATR decisions.

The SATR's procedure for handling complaints. Before addressing the regulator's rulings, a short explanation, based on my participatory observation at the SATR, is in order regarding the procedure for handling complaints at the SATR. All complaints received are first forwarded to the SATR ombudsman, who is obligated by the law to respond to each and every one. The ombudsman decides, on a case-by-case basis, if the situation described does indeed constitute a regulatory violation. If so, the complaint is handled by the television department, which can sanction the broadcaster by issuing a warning or a fine. If the complaint does not address a regulatory breach, the ombudsman handles it independently. In these cases, if the ombudsman perceives some sort of an ethical violation and deems the complaint justified, he will pass his recommendations to the television department, the director general, and the chair of the SATR, as well as to the broadcasting organization. As far as the broadcaster is concerned, the ombudsman's judgment in these matters is not binding, but serves only as an ethical guideline, and the broadcaster is free to decide whether to implement the recommendation.

The rulings of the SATR. Only in 16 cases of the 817 that were sampled did the television department rule in favor of the complainants. Most of these rulings (15 of 16) were regarding texts that had triggered complainants' moral resentment. In seven cases, the television department issued a warning to the broadcasting organizations, in seven other cases it set a fine, and in only three cases was there an extreme regulatory intervention (in one of the three, in addition to a financial fine). In the event of an extreme regulatory intervention, the regulator exerted pressure on the broadcaster to change either the content of the show or the broadcasting schedule.

As for the ombudsman's decisions, he ruled in favor of the complainants in only 20% ($n = 163$) of the 817 cases. Again, most of these complaints ($n = 133$, 82%) concerned moral outrage, and the rest

pertained to the political ($n = 18$, 11%), the realist-rational ($n = 9$, 6%), and the aesthetic ($n = 3$, 2%) dimensions. In all of these cases, there was no indication that the ombudsman's recommendations to the broadcasting organization were implemented.

Overall, despite some divergences between the judgments of the ombudsman and the television department, the results indicate that the complainants and the SATR tended to be at cross-purposes. In most cases, the SATR (the ombudsman and the television department) ruled in favor of the broadcasting organizations. In their responses to the complaining viewers, the ombudsman as well as the television department justified their decision to decline the complaints by prioritizing freedom of speech and creation over the sensibilities of the public.

The complainants' responses to the SATR rulings. The above-outlined tendency for the SATR to reject viewers' complaints affected the complainants' evaluations of the regulatory arena in the survey. Only 16% ($n = 9$) of the complainants were satisfied with the regulator's response to their appeals. It seems, moreover, that some of these were appeased even though these responses did not lead to any palpable change on screen. Apparently, the mere admission, on the part of a media organization, that it had committed a mistake was sufficient. However, 62% of the complainants surveyed ($n = 36$) were disappointed with the regulator's response.⁷ Not all complainants were willing to state the reason for their discontent, but those who did dwelled on the following three aspects:

The nature of the content. The first reason concerns the definition of offensive content. As one of the complainants put it, "Everything I thought was offensive was presented [in the response letter from the ombudsman] as if it were funny and entertaining." This viewer intimates that the ombudsman had failed to understand why the content was seen as offensive. The same claim recurred in another response: "Their [the SATR] reply informed me that the show was not offensive. I expected more sensitivity . . . it was indeed offensive."

The responsibility of the regulator. The second reason for viewers' sense of having been let down by the regulator had to do with their perceptions of its responsibilities. One of the complainants declared,

[I was] outraged by the [ombudsman's] lack of appreciation of the causal relation between exposing children to sexual content and the consequences, of which we hear about in the news. . . . I believe in parental authority and the responsibility of adults [i.e., the SATR] for the content which is broadcast on television and for exposing children only to appropriate programming.

According to this viewer, the regulator lacked understanding on two counts. The first was the direct influence of allegedly problematic media content on viewers, especially the young generation; the second was the regulator's responsibility to prevent the broadcasting of such content because of its negative effects. This attitude was also apparent in the following response by another viewer: "I was deeply disappointed by the answer. . . . The values of our society continue to deteriorate. . . . [The

⁷ The rest of the viewers' evaluations of the SATR were neutral ($n = 13$, 22%).

ombudsman] hides behind the excuse of freedom of speech, claiming that teenagers are already exposed to alcohol and violence." The viewer rejected the ombudsman's claim that allowing broadcasting organizations the freedom of speech and creation outweighs the possible harm that can be caused by offensive content.

The lack of visible solution. Some complainants expressed disappointment with the SATR even though the ruling was in their favor. The criticism centered on their perception that the ruling had not led to any palpable change in the programming. This is what a complainant wrote when his expectations were foiled: "I realized that the power of the ombudsman is limited—nay, practically non-existent." Another viewer observed in a similar vein that, although the response was sympathetic, it was not followed by any action. The most intense reaction, however, was the following: "I naïvely thought that the ombudsman represents the public interest vis-a-vis media organizations and that it has the authority, the will, and the ability to change things or even to remove unworthy shows from our screens."

Nevertheless, most of the respondents ($n = 37$, 64%) reported that, despite their disappointment, they would probably file complaints in the future. The motive, some wrote, was to assert their right to appeal even if they did not entertain any hope for real change. As one viewer put it, "I know I can't change the world, but my voice needs to be heard." Others went as far as to claim that they would not give up on filing complaints because "this is [their] right as citizens in a democratic country." Yet another viewer contended that "in a democratic country's civil society, filing complaints is a must . . . the SATR provides us with a tool, and it is up to us to make use of it." It appears, therefore, that these viewers regarded filing complaints as a form of civic action, akin to participating in protests, signing petitions, or even voting.

The second reason disappointed complainants gave for their resolve to persist is the belief in the power of complaints to change reality. Thus, two of the viewers wrote, "I think that only viewers' complaints can affect the quality of the shows" and "If I don't complain, I am giving up on a chance, however slight, of influencing [the broadcasting organizations] and improving [the quality of shows]." Yet other complainants assumed, in default of any evidence, that their complaints had made a difference: "Maybe because of my complaints, broadcasters are actually doing something." Thus, despite their disappointment, these viewers were still convinced that the cause is worth fighting for in the regulatory arena. "After all," claimed one viewer, "if many people complain about something . . . it cannot be ignored [by the broadcasting organizations]." It is worth noting that this discourse regarding the power of complaints, and especially multiple complaints, echoes a similar debate that, in recent years, has been taking place among Israeli citizens: whether the act voting has the ability to influence the political system (Fillipov, 2013).

The remaining 36% of the respondents ($n = 21$) thought it unlikely that they would complain again. One such respondent did not believe that a dialogue with the SATR is at all possible: "It is useless . . . there is no one there to talk to." Others had decided to direct their activity elsewhere, for example, to the private sphere. They said they would concentrate their efforts on self-regulation: "[I] choose the television channels suitable only for children. . . . [I] record programs and delete from them disturbing commercials or promos. . . . The control over what to watch is in my hands." Others felt that social media might be a more promising arena to tackle media organizations, as "there is no point in complaining alone

. . . it is better to do this through social media.” None of these viewers, however, elaborated on the advantages of this latter strategy for bringing about change.

Concluding Remarks: Dialogue as a Ritual

In June 2015, the movie director Cameron Crowe was criticized heavily for casting Emma Stone as an Asian character in his movie *Aloha*. In response to the criticism, Crow issued the following statement in his blog:

From the many voices, loud and small, I have learned something very inspiring. So many of us are hungry for stories with more racial diversity, more truth in representation, and I am anxious to help tell those stories in the future. (Duboff, 2015)

In this statement, Crowe seems to be grateful for the dialogue that had evolved between him and the audience concerning the issue; he even intimates that he is prepared to change his ways. Only the future will tell, of course, whether Crowe was genuinely influenced by the dialogue he was forced to conduct with resentful audiences. Nevertheless, his statement indicates that, today, not only television, but even movie directors are acknowledging the importance of a dialogue with their viewers and are, themselves, engaging in such interaction. The present article has demonstrated this tendency on the dialogue between complaining viewers and the regulator within the Israeli framework.

The viewers' complaints reflect a variety of normative perspectives regarding entertainment content, including moral, aesthetic, political, and realist-rational. The majority of complainants required the shows to be what they perceived as more balanced, either morally (88%) or politically (35%). Their attempts to convince the regulator to intervene involved three persuasive techniques, termed here following Aristotle as *logos* (61%), *ethos* (28%), and *pathos* (33%). Despite the viewers' efforts, only 2% of their complaints were ruled as justified by the television department and 20% by the ombudsman. None of these rulings led to any significant change either on the screen or in the media organizations' conduct. In view of the differences in the ideological and normative stance between the SATR and the complaining viewers, concerning what constitutes a problematic content and the role of the regulator, it is not surprising that at least some of the viewers (36%) decided to refrain from any future interaction with the latter. Those who resolved to continue filing complaints will do so because they feel this to be the only way to participate in the construction of the cultural sphere, but not necessarily because they believe in the power of their complaint. Previous investigations on the interface of media policy and audience studies have shown how media policy can either preserve or weaken democratic engagement (Livingstone & Lunt, 2011). In light of these conclusions, this research demonstrates how a policy-related decision, namely, creating a complaint mechanism designed to encourage public participation, can be counterproductive.

All in all, it seems that the dialogue between the regulator and the audience is largely unidirectional and is, consequently, doomed to failure. Notwithstanding the effort invested, the voices of the complaining viewers are barely heard in the regulatory arena, and their opinions carry no weight in decisions regarding entertainment content. Yet, the dialogue carries on, which raises questions as to its nature. To probe this issue, it is necessary to understand the position of each side within the regulatory framework. The complaining viewers, who as a rule lack any political or economic power, choose to

negotiate the boundaries of appropriate entertainment content with media organizations via the regulatory track, but their complaints are usually rejected. Insofar as, in their understanding, there is no other viable channel for conducting a one-on-one dialogue with media organizations, such viewers can be conceived of as a *captured audience*. True, as already mentioned, there are two other options available—the civic and the economic tracks—albeit through the social media rather than by filing individual complaints. Yet, in the survey, only one person mentioned the use of social media as a possible avenue for interacting with media organizations. Similarly, only a few individuals referred to this forum in their written complaints as a possible step they might consider if their complaints were rejected. In reality, however, none of them resorted to this measure. Thus, from the complainants' perspective, the social media do not seem to be a viable solution for their problems.

For the regulator, the viewers' complaints constitute one of the main sources of feedback from the public regarding the acceptable boundaries and norms in the cultural sphere. Paradoxically, it is the constant interaction with the public that protects the regulator from becoming "captured"⁸ and allows it to enjoy public legitimacy. However, dealing with public complaints puts the regulator in a difficult position: It has to choose either to placate the offended viewers or to uphold the broadcasting organizations' claims to freedom of creation. A democratic society limits the power of the media channels regulator. Media organizations, as well as the court of law, may perceive and criticize any attempt to tighten the monitoring of broadcasting as censorship. Moreover, from the regulator's perspective, the public interest involves upholding the freedom of creation and speech, not just protecting viewers' sensibilities. Faced with such a dilemma, the regulator will likely choose to defend the broadcasting organizations, despite entreaties from outraged audiences, as this study amply demonstrates.

Thus, although, from an emic point of view, both parties are genuine in their efforts to conduct a meaningful dialogue, from an etic perspective, such a dialogue cannot possibly evolve and prosper in view of the basic principles behind the democratic regulatory framework. Ultimately, therefore, the dialogue loses its vitality, and the routine cycle of complaints and rejections is eventually transformed into a ritual.

According to Boltanski (2011), the shift from a routine to a ritual usually takes place when the process is prioritized over its functional consequences. In this case, for reasons outlined above, both parties assign paramount importance to keeping the dialogue alive—through filing and handling complaints—and not necessarily to the outcomes of this process. This ritual should not be underestimated, as it enables the exchange of opinions, ideas, and perceptions regarding the characteristics and nature of the cultural sphere and the importance of freedom of creation and speech, as well as the role of the regulator in a democratic society. Ultimately, however, it also serves to reaffirm and reinforce the existing boundaries and to preserve the character of the cultural sphere as dictated by the media organizations and the current role of the regulator. Thus, it also blocks the possibility of genuine engagement and participation on the part of the viewers. These outcomes defy the purpose of a dialogue as a concept. The object of the interaction between the cultural challengers and media organizations is not just to allow an exchange of ideas, but also to bring about development: the evolvement of a cultural sphere interfacing between audiences and media organizations.

⁸ "Regulatory capture" occurs when the *regulatory* agency promotes only the interests of the broadcasters at the expense of the public interest (Stigler, 1971).

As Livingstone and Lunt (2011) suggested, the linkage between audience studies and media policy can shed light on such issues as taste, offence, public interest, and more. This study has demonstrated the divergent perspectives of the viewers and the regulator concerning these issues. These divergences highlight the need to discuss the broader questions regarding these issues from the normative angle: What should be the definition of a cultural offence? Which regulatory action can serve the public interest in the best way? Shouldn't viewers (and not just media organizations) be entitled to some rights? These questions can be answered only within the framework of a more substantial and profound dialogue between media organizations and their audiences. Yet, for such a dialogue to exist, the SATR should consider changing the rules for public participation in the regulatory arena. This can be done in a number of ways: (a) by initiating public consultations in which viewers can send suggestions and recommendations concerning specific issues, (b) by creating voluntary civic frames in which citizens can participate and express their opinions, or (c) by establishing media literacy programs enabling the public to gain more knowledge and understanding of media organizations' operating practices. Such programs can be instituted, in cooperation with the Ministry of Education and civic society organizations, in various venues, including schools, academic centers, community centers, and so forth. All of these initiatives would allow the public and the regulator to interact through discussions in less adversarial settings. The outcome could be a more constructive and productive exchange about entertainment content and the cultural sphere at large.

Future studies would do well to explore avenues through which the dialogue between viewers and media organizations is currently taking place, whether this dialogue is genuine and productive, and whether the results differ depending on the framework. A different line of research can investigate more systematically the construction of this dialogue over time and in cross-cultural contexts. Only by analyzing various frameworks can we assess the power of cultural challengers, the ways in which they can build a dialogue with organizations, and directions for improvement. After all, establishing and developing productive tracks for dialogue between citizens and organizations are crucial for the construction, not just of a mutually acceptable cultural sphere, but of a better society as a whole.

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