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TO: FCC Commissioners

FROM:

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RE: GN Docket No. 10-25, FCC Launches Examination of the Future of Media and Information Needs of Communities in a Digital Age

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Executive Summary:

This docket submission regards the future of public media, which we define as media for public knowledge and engagement. We address questions 21-30 of the Future of Media docket in general, with an emphasis on policy strategies for transitioning from a fragmented, broadcast-oriented approach to a networked, multiplatform public media system. This analysis also addresses questions 1, 3, 4, 5, 11, 19, 32, 34, and 38. We argue that this moment of profound paradigm shift in media practice, economics and culture creates an opportunity to innovate a strong, flexible and accountable public media, whose core mission is to provision members of our democracy with the information, tools and platforms needed to jointly address complex issues. Innovative public policies will be needed to nurture civic life in this way; a continuation of today’s public media policies and practices would be counterproductive.

We recommend that:

• public media be treated by policymakers in the future as a distributed, open and constantly evolving phenomenon, identified as such by common standards and metrics;

• media entities, both commercial and noncommercial, be required to file information with the FCC on total amount and kind of news, public affairs and documentary production; staff composition and functions; budget information; and related online and offline engagement activities.

• federal cultural and knowledge-building agencies including the CPB/CPM, National Endowments for the Arts and Humanities, the National Science Foundation and the Institute for Museum and Library Services receive a federal mandate and incentives to
support public media content and engagement projects and collaborations to accomplish them;

- public media activities draw upon resources located in all federal agencies but also upon dedicated resources for core services;

- funds currently allocated to the Broadcasting Board of Governors be designated at least in part to public media in order to support international news production that is also collaborative and participatory;

- a nationally networked structure of local media centers be funded by and held to a standard of public engagement with locally relevant content by a Corporation for Public Broadcasting (CPB) with a changed mandate and a new name of Corporation for Public Media (CPM). Such centers could be based at local public broadcasting stations, perhaps in partnership with existing local media arts and public access centers, but these stations would need a new mandate and additional funds.

**Public media and public culture**

A healthy democracy includes spaces and tools for members of the public to have informed conversations about issues of public significance and what to do about them. Public culture is the part of daily life that supports the capacity of people to find one another in order to discuss common issues related to some kind of private or governmental action, whether it is health care policy, climate change or community development; crime, school curriculum or tree replanting. Such exchanges occasionally take place in town halls, or good-government forums. More often public culture occurs in casual spaces—coffee shops, conversations at work, discussions at a church reception. These conversations can catalyze a range of actions. When they are fed with
well-grounded narratives and data about the issues, these conversations can result in the best kind of democratic engagement, feeding both citizen action and relationships with elected representatives and regulators. Fueled by rancorous partisan and private-interest argument, they can result—as we have seen—in anguished, outraged, divisive and fruitless polarization. We discuss this more fully in our Public Media FAQ, attached.¹

In a nation that has minimized the creation of cultural policy, even acknowledging the existence or validity of public culture is difficult. Nonetheless as American philosophers such as John Dewey, political scientists such as Benjamin Barber and Richard Sennett, and legal theorists such as Yochai Benkler among many others have noted, “strong” democracy depends upon the ability of people to meet and work with others as members of a public—not merely as “informed citizens,” demographic blocs, or activists for a cause. A public is always a social group—formed dynamically by often heterogeneous stakeholders bound together by shared concern about an issue—not a list of individuals added up by a pollster or a political party. The expectation that such behavior is possible is the basis of public culture, and public media is a central location where such work can take place. Media inform, enrich or impoverish such culture by providing not only information but the contextualizing narratives and links that provide meaning. Increasingly, participatory media platforms also provide publics with tools and spaces for engagement, deliberation and civic action.


Public media policy in the mass-media era

This is, sometimes inchoately, the awareness that has driven policymakers again and again to create dedicated resources for public media in an otherwise vigorous, creative, and highly productive commercial media environment. Policymaking for public media has been a recognition that the production and circulation of media inform understanding of the common condition, the nature of engagement with others on shared issues, and ultimately the quality of democracy, and that commercial media do not and cannot make nurturing of democratic culture their priority.

Public broadcasting, public access cable, DBS set-aside channels, low-power radio (LPFM) and were all, in different moments, examples of this impulse in mass media. Public interest obligations imposed upon commercial broadcasters—built into broadcasting legislation in 1934 as described by Robert McChesney in Telecommunications, Mass Media and Democracy, quite robust in the 1960s and 1970s as discussed by Robert Horwitz in The Irony of Regulatory Reform, and all but nonexistent after 1981, as discussed in Aufderheide’s Telecommunications and the Public Interest—also indicated such awareness. With theshriveling of public interest mandates in practice for commercial broadcasters and with no such obligations for cablecasters, an ever heavier burden has fallen on the relatively weak noncommercial media services.

Access to media is another crucial element of policymaking designed to foster public culture. The early nation’s decision to offer postal subsidies to newspapers in the interest of fostering awareness of national identity, and telecommunications regulation promoting universal service have also been indicators of this awareness. The fact that rising and soon-to-be essential telecommunications services such as broadband and mobile have no such requirements, that
universal service has been drastically weakened and in many cases substituted with far weaker measures such as the e-rate demonstrates the fragility of public media policy today, since this lack of requirements affects access at the level of infrastructure.

Indeed, it has been possible for public policy to vacillate so dramatically because the mission or purpose of such legacy public media has never been made clear. Policy-supported public media today are united only by their non-commerciality—a term that has a plethora of definitions. Neither legislative language nor regulatory interpretation has sufficiently clarified mission. Current public media outlets and services are balkanized internally and have poor relationships with each other. This is not a failure of the services themselves. In a way, they are all small miracles of survival. The weaknesses of these services were built into the policy decisions that created them.

Among the range of noncommercial outlets and set-asides, public broadcasting has had the greatest success—prestige, consumer trust, enduring products, and penetration into schools. This is hardly surprising. Public broadcasting obtained the greatest amount of policy support originally and has consistently been better supported than cable access, DBS channels, or LPFM. However, funding for public broadcasting lags well behind that of other leading democracies¹, and its successes are both under constant political threat of being defunded and hamstrung by the system’s balkanized structure. Even now, public broadcasting’s ability to respond to the vast shift in media practice today is hampered by the 1967 legislative decision to create no national body for planning and directing the service. We have described this problem in greater depth in the essay, “Public broadcasting and public affairs: Opportunities and challenges for public

broadcasting’s role in provisioning the public with news and public affairs,” available online\(^3\) and also attached.

Within the legacy model of mass media, some lessons can be learned from the intermittent and partial policy support for public media:

You can’t just reserve space; good policy needs funding for staff, content and national-level capacity-building as well.

Policymakers have routinely acknowledged the need for public culture in media by allocating space to it, abandoning it, and then being surprised by its lack of usefulness. Public radio barely existed from 1938 to 1967, after receiving reserved space on the then-unused FM part of the spectrum. Public television existed, but barely, from 1952 on, with the majority of the slots dark, mostly on low-rent space in UHF. (In 1952, televisions didn’t even have dials that went to UHF.) Only with the passage of the Public Broadcasting Act of 1967— which created the Corporation for Public Broadcasting with ongoing federal funds and out of which stations formed NPR and PBS—did public broadcasting come to have a national presence. Public broadcasting’s ability to execute depends, as the 1967 law envisioned, on a large-majority match from the private sector; this has come with its own drawbacks. Public access cable is successful most in the areas where the local government has won not only channel space but physical space and funds for staff to manage the space. DBS set-aside channels, which are required to be noncommercial but have no funding for staff or content, have marginal audiences, depending either on the organizations that

back them or on the kindness of strangers who donate in response to on-air pleas, to let them limp from year to year. For fuller history and discussion, see Aufderheide’s book chapters⁴, “Public television and the public sphere,” “Access cable TV,” and “The Missing space on satellite TV,” attached. Low-power radio similarly has struggled with an allocation of space but no real way to fund the use of it.

Now, public access and broadcasting stations are struggling to generate online content and services with no dedicated funding for equipment, development, content production or community engagement staff, while promising online public media experiments lack the physical plant, human resources capacities, and operations budget of the stations. Wikipedia is a lovely exception to the general rule that public media experiments do not usually take off without subsidy and even Wikipedia built itself upon the full text of the 1911 Encyclopedia Britannica and has foundation backing.

**Public media need good, durable political heat shields.**

Services that depend on taxpayer dollars, directly or indirectly, are subject to political winds as well. As many scholars and commentators have noted, including James Ledbetter, James Day and James Hoynes, public broadcasting’s three-year authorization process politicizes all programming decisions, and critics have often charged public broadcasting—especially television—with routinely erring on the side of caution. The “heat shield” of the Corporation for Public Broadcasting has sometimes failed, as when CPB board head Kenneth Tomlinson aggressively meddled in content provision.⁵ Public access cable centers exist only to the extent

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that their programming does not alienate city council members or their constituents, since city council members execute the contracts with the cable companies—which in their turn would generally prefer not to have the obligation even to set aside that channel space.

**Public media need definitions and accountability for their public functions.**

The lack of definition around public media’s responsibility to inform and engage the public around civic matters has all too often resulted in substituting the preferences of members for mission, and the availability of programming for engagement. Without a definition of public or civic engagement, mass-media-based public media providers have often counted their job done once programming decisions are made, neglecting the responsibility to connect with users on a national or local level. In the scramble for resources to keep unfunded or underfunded public spaces open and to placate political forces, public broadcasting programmers sometimes make deals that drive the content decisions away from supporting public culture and towards entertainment targeted at the small minority of viewers who are members. Cable access center managers often respond more to demands of entrenched users than to ascertaining, much less meeting needs of communities viewing the service, and by the structure of their operations must focus on providing access while often being unable to affect program quality.

**Public media in the digital era**

Even if public media providers had been well-funded and sheltered from political winds for well-defined media work, they still would have faced (as some have and do) enormous challenges in the structure of mass media. Mass media are poorly designed for public engagement. They are push media that, in the one-to-many model, blast out information to audiences. Suddenly, with the proliferation of cheap production and editing tools, participatory platforms, globally
accessible digital networks, and an explosion of screens ranging from pocket-sized to wall-sized, we find ourselves with the technological possibilities to produce public media that is:

- created in concert with members of the public;
- produced collaboratively and dynamically, by assembling organizations and experts appropriate to emergent issues;
- constructed to engage users directly with stories and information they need when they need it, and to help them connect with others.

Public media projects can now be loosed from traditional broadcast zones, reaching publics through digital, mobile, and gaming platforms. They can make use of a wealth of nonprofit spaces—including but not limited to libraries, museums, schools, and media arts centers—as well as spaces for public culture within for-profit enterprises. They can rely on a range of new user practices, including choice, content creation, collaboration, curation, and conversation. Such a vision of public media depends more upon standards than upon set channels, stations or brands. It is defined not by being, but by doing. It is defined by behaviors articulated by shared standards.

We have documented and analyzed a range of emerging public media projects over the past few years, beginning with the 2008 *Public Media 2.0: Dynamic, Engaged Publics*, attached. In it we examine a wide variety of public media experiments, including citizen journalism sites and practitioners, collaborative knowledge-sharing platforms, data-intensive visual reporting tools,

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issue-focused online communities, and more. We continue to track these participatory public media experiments, including the September 2009 report, *Scan and Analysis of Best Practices in Digital Journalism In and Outside U.S. Public Broadcasting*; and our ongoing Public Media 2.0 Showcase. In each case, our analysis relies on an analytical reframing of the term “public media,” which asserts that the core mission of public media projects is to support the formation of publics around contested issues.

Public media in the digital era escapes the traditional zones of mass-media, and therefore public media is now defined by what it does, not where it is. Public media will be public depending on the degree to which it is useful in promoting public life—engagement with the fundamental issues of the society and its choices for the shared terms of life together. Public media does not necessarily need taxpayer funding to perform this role, but without taxpayer funding, it will be occasional and unreliable. New standards that define the range of behaviors that can be considered public media work will need to be defined, as well as evaluation standards for finished projects. This spring, the Center for Social Media hosted a series of seven “Impact Summits” around the country, designed to ascertain current tools for assessing the impact of public and independent media efforts—we queried attendees on their approaches to measuring reach, inclusion, engagement, influence and relevance of their outlets and projects. Time and again, both media funders and public media leaders expressed a need for better coordination, more information sharing, and a sector-wide effort to redefine impact in the digital, participatory media environment.

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http://www.centerforsocialmedia.org/resources/publications/CPB_journalism_scan.  
8 Public Media 2.0 Showcase, Washington, DC: Center for Social Media.  
For a participatory, public media focused upon enhancing the quality of community networks to address public issues to move beyond experiments, supportive policy is needed. Policymakers of course need to avoid their favorite mistakes of the past, but they are also free to design new structures that can withstand experiment and change as the new field of media emerges.

Public media policy for an era of distributed media needs to consider the layers or levels, as discussed by many analysts of Internet-based media note, that are involved in its creation and dissemination. Rutgers law professor and Center for Social Media fellow Ellen Goodman, with University of Pennsylvania Law School fellow Anne Chen, draws upon this analysis in “Modeling Policy for New Public Media Networks”\(^9\) Goodman and Chen identify four layers relevant to public media: physical infrastructure, creation, curation and connection. We commend their meticulously detailed exposition, and endorse it, as well as its recommendations. We draw upon both for our own recommendations.

None of our recommendations or, we believe, any policy for a participatory, networked public media will succeed if a solid and well-regulated broadband infrastructure is not provided, in addition to and eventually superseding most current uses of broadcast spectrum. Goodman and Chen provided constructive comments in the Commission’s broadband docket, which we endorse and will not duplicate here. For this docket, we presume a viable, universally accessible infrastructure, with the kind of universal service provisions that existed in the past for telephony. The layered functions that Goodman and Chen also call attention to—content, curation and engagement—can all be performed by a multiplicity of agents in a participatory, networked public media era. It will be important for policymakers to ensure access to resources to a broad,

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evolving network of actors, encouraging a proliferation of public media entities and creating incentives to reward such behavior in the service of civic life. It will be equally important to support nodes on that network, to provide stability, credibility, and standards and practices.

Conceptualizing public media as a network rather than a set of isolated, broadcast-based institutions also gives policymakers the opportunity to examine where else federal funds are being dedicated to public media functions, and build innovative collaborations. We also see a rising opportunity for sharing the best practices in engagement and public deliberation being developed via government transparency initiatives with public media projects.

Before providing recommendations, we also offer a general caveat: Policymakers need much better data than they have, than exists in any public database or that they are requiring any media
to provide to them, about how the current media environment actually functions; what gaps in news, information and public engagement exist on both the local and national levels; how much money is being spent on news and information; and how the shifting demographics of the country might affect the ways that citizens interact with public media. Currently, there are huge gaps in the data collection efforts of the Corporation for Public Broadcasting and related public media entities—it’s very difficult to ascertain what activities are taking place at the station level, how widely public broadcasting content is being consumed, or how users are engaging with public media content and platforms.

**Policy recommendations**

*Common standards and metrics*

We recommend that the FCC initiate an inquiry into the definition of public media, grounding its queries in the standards for and measurement of public engagement, and develop standards that can apply to any federal agency engaging in public media work or collaboration with others doing such work. Each agency may develop appropriate metrics, building upon the Commission’s findings. For example, the NEA might develop standards related to the role that arts production plays in engaging publics via media platforms. But the Corporation for Public Media—a redesigned and remandated Corporation for Public Broadcasting—should be required to initiate the process and share its metrics with others.

In order to develop and implement such common standards, the FCC and all agencies involved in creating public media will need information that is currently lacking. The process of developing public engagement standards will therefore be iterative. Policymakers will need to draw upon information about news, public affairs and documentary production available in the media
ecology, at a local, regional, interest-community, national and international level. Such reporting should be entered into a standardized and publicly available database. They will need to know the information resources available in any geographic community, and what locations constitute information hubs. They will need to know the community connections made via public media, a mapping possible through the work of, among others, Prof. Lewis Friedland and Prof. Carmen Siriani.

We believe that such standards, involving both definitions and rubrics for implementation that involve metrics, will mitigate the need to require non-commerciality in public media production. Making media projects noncommercial has not led to clear public benefits. Often private media entities have a non-economic reason to produce public media, such as prestige, awards, or public recognition; meanwhile not all noncommercial media projects serve a clear public function. Collaborative media models are emerging that combine commercial, noncommercial and open source organizations. What matters is whether publics are being engaged around issues.

Funding

Federal funding for public media is crucial at the levels of content, curation and engagement; it also needs to be available to emergent participants, not only incumbents. The experience of public media in the mass-media era clearly demonstrates that opportunity and space are not enough. We believe that federal funding can be decentralized, while also having a focus and shared standards.

We believe that the federal government should rewrite the mandate for the Corporation for Public Broadcasting to create a remanded Corporation for Public Media, and fund it under terms that can facilitate decentralized, participatory and evolutionary public media. Funding
needs to be accountable according to criteria established by the FCC, which can use the metrics developed by CPM or develop its own. The CPM’s achievements, whichever agency creates the metrics, need to be measured against the fundamental goal of creating, curating or developing engagement strategies for media that motivates people to engage with each other on the issues that influence and shape their shared experience.

We also believe that the federal government can leverage existing institutional capacity in the cultural sector to promote civic culture and public life, by providing incentives for the National Endowments for the Arts and Humanities, the National Science Foundation and the Institute for Museum and Library Services and a range of other government agencies with a clear mandate to promote media for public knowledge on issues that affect us all. This would involve amending their mandates. These agencies have a potentially powerful role in providing resources to non-CPM fundees that may be important sites of public media work—museums, universities, arts centers, think tanks, science training programs. These entities might also become valued collaborators with CPM. Former National Endowment for the Arts Chairman Bill Ivey in *Arts, Inc.*\(^{10}\), demonstrates the cost of cultural balkanization.

We believe that the federal government can also provide incentives for every governmental agency to collaborate with organizations in public media networks, so that Americans can understand, discuss, debate and decide on the nature and value of their government services. For instance, requiring an allocation of 10 percent of the public communication budget of any agency be devoted to collaborating with designated public media entities would refocus public communication dollars and effort toward the vitality of civic culture.

Finally, we believe that federal allocations directed to the Broadcasting Board of Governors should be reassessed entirely, as Lee Bollinger suggests in *Uninhibited, Robust and Wide Open.* Some of these funds should be reallocated to the CPM, with the mandate to help Americans better engage with each other on geopolitical issues, and to create international public media.

We understand that some reallocation of spectrum is necessary in order to build capacity for wireless broadband access and could be a valuable contribution to public media, if the profit from sale/lease were to be returned to public media work. It should be invested as an endowment to benefit public media work done by any institutional actors who wish to work in this defined space, not reserved for public broadcasters alone.

**Local media centers**

Public broadcasting has created the only set of interlinked local public media centers in the nation, and that set of stations has unique public presence in virtually every American community. At the same time, those stations currently act primarily as traditional mass media providers, very often of product distributed nationally, either by one of the large public broadcasting brands or by other syndicators. Those stations could become local hubs of public media work, as producers and co-producers of local programming, as curators, and in public engagement, in collaboration with local institutions, with other stations, and with national institutions. They could become a national network of vital public media, the spine of public media 2.0. They could facilitate the public media work of collaborators that may not have the expertise, strategic perspective or resources to do public media work on their own. For them to

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play that role, strong policy incentives and disincentives will be needed. If they do not play such a role, they will become either irrelevant or counter-productive to the goals of a participatory, decentralized public media.

CPM could provide the leadership and the incentive structure for this transformation by using the FCC’s definition of public media in its station grants. They could provide incentives—more matching funds—for content creation, especially for local news, public affairs and documentaries; for curation or participation in curating projects at regional or national level; and for public engagement. Each of these can include a bonus for collaboration with other institutions. Part of the measure of CPM’s effectiveness will be its ability to execute a transformation of the nature and mission of local stations, into local media centers whose central job is using media for civic and community connectedness.

**Conclusion**

We recognize that the overwhelming majority of the changes we recommend are not now within the purview of the Commission, nor are they within the current mandates of the different organizations and agencies, in any way that can ensure success. At the same time, we believe that a reasonable answer to the important questions posed by the Commission needs to go beyond current structures. We welcome further engagement with the Commission on the topic of the future of public media.
About the Future of Public Media Project

The Future of Public Media Project, funded by the Ford Foundation, explores how media for public knowledge and action are changing and growing in a digital era—beyond yesterday’s defined spaces of prestige journalism, public broadcasting, and community media such as public access cable. Social networking and other Web 2.0 tools, do-it-yourself media (DIY), and new shared platforms, such as Wikipedia, are not only creating new opportunities for media to spur public knowledge and action but changing the terms of mass media as well.

What will public media look like around the corner? How will public platforms in mass media adapt? How will new participatory platforms evolve to serve the needs of democratic publics? What resources and what policies are needed to survive? These questions inform the project.

This FAQ anchors our research and discussions by defining a “public” as a role that people in a democratic society play. They play that role using the tools and skills of communication, informed by media projects and outlets. This FAQ was developed through conversation with our peers, in the participatory tradition of the “Frequently Asked Questions” document, an Internet-era literary form. As such, it is the launchpad for discussion that we continue at centerforsocialmedia.org/blogs.
What do public media look like?

Why a special term? Aren’t most media created for public consumption?

Public media are projects and behaviors that address and mobilize publics, within any media. Some media are designed for this purpose (prestige journalism, public broadcasting), while others may do that occasionally (commercial television and radio, blogs).

The right to vibrant public media is an extension of the right to freedom of speech. A healthy democracy includes spaces and tools for members of the public to have informed conversations about issues of public significance and what to do about them.

What makes public media public is the public.

Isn’t “the public” just all of us, collectively?

Not the way we’re using the word (and we’re using the word this way because it helps us understand our shared media needs for democratic life most clearly). The term doesn’t simply refer to a demographic or serve as another word for audiences, but is a concept that draws upon the work of such theorists as John Dewey, Jürgen Habermas, James Carey, Benjamin Barber, Nick Couldry, and Michael Schudson.

We are all, potentially, members of the public when we encounter problems that can only be addressed by common action aimed at our governments and other institutions. Such public issues may emerge spontaneously, such as when epidemics or natural disasters occur, or may be caused by an identifiable actor.

For instance, if a factory pollutes the air, that affects everyone in the neighborhood. But to solve the problem, members of that neighborhood will need to know about it, understand related structures of power, and work to bring a group of neighbors together as members of the public (i.e., the affected people who are also aware of their power in a group). They could demand that their democratic government respond to their needs; they could ask the factory to improve (or run the risk of government regulation); they could mobilize a boycott of the factory’s products; they might discover another way to respond, by brainstorming together and drawing on skills and connections in the group.

A public, then, exists because particular kinds of problems exist. These problems are created, often accidentally, by some private action or by bureaucracies without accountability. They affect lots of people, many of them outside the private firm or governmental body. The public—all of us when we share problems and find each other to help solve them—provides essential accountability in a healthy society. Each
of us may be a member of a number of several publics organized around specific issues, locations, or shared identities. Publics check the natural tendency of people to do what's easiest, cheapest, and in their own private interest—even when it's bad for others in some way (including ways they may not even have recognized or thought about). They are not rigid structures—publics regularly form around issues, problems, and opportunities for improvement—and this informality avoids the inevitable self-serving that happens in any institution.

Publics are served by standing institutions, although they may be oblivious of that service until they encounter them. For instance, nonprofit organizations that employ scientific and social scientific professionals to generate and analyze information; state-supported social and legal services; and commercial and noncommercial media all enable public life from time to time.

Publics did not exist before open and representative government. They were created around the struggle to create these governmental systems and are critical to maintaining them.

Publics are crucial to democracy because they are the social agents that can redistribute power in society.

**So you’re talking about the public interest? Or public opinion?**

Neither of these terms deals with how publics form or act, unfortunately, so they're not very helpful in identifying the critically important relationship among publics, democracy, and media. The phrase “the public interest,” a term of art in U.S. policymaking, sadly begs the question of who the public might be and therefore has become a political football. The term “public opinion”—usually meaning the results of a poll of individuals—refers to aggregated individual opinions but avoids the question of how publics can form and be nurtured. More helpful are terms that describe public life as something that people actively engage in.

British scholar Nick Couldry for instance uses two terms, “public attention” and “public connection.” “Public attention” is focusing on a particular issue, and “public connection” is a precondition of understanding oneself as a potential member of the public—a citizen with access to a shared communication space where issues can and should be addressed.

Another useful term is German philosopher Jurgen Habermas’s “public sphere”—social spaces and practices in which people discover their public aspects and find political mechanisms to resolve them. The public sphere is a set of social relationships created in the course of communication; media platforms are tools for creating it, not the sphere itself.

**Why are media important for the formation of publics?**

Publics create themselves, and they do so with communication. While the forms and outlets for such public communication have changed over time—from the face-to-face meetings of the Roman Forum, to the newspapers sold to members of the emerging middle class in eighteenth-century London coffeehouses and French salons, through the emergence of U.S. broadcast television in the twentieth century, to the internationally available blogs and digital video sites of today—each has served as a central site for social interaction around shared issues and a tool for the construction and maintenance of democratic principles.
Communicating about shared problems—whether it’s traffic congestion in a city; lower wages for women; soldiers not receiving adequate body armor; threats to the business model of public broadcasting; legislation that imperils the environment—builds a group’s awareness of itself as a public. In this context, public media are media that aim to increase public knowledge and cohere and mobilize audience members.

Media, which are synthesized and coherent cultural expressions, have become over the last few centuries critical intermediaries in public communication. When people meet (virtually or not) to discuss what’s important to them, they typically draw upon their experiences with media.

By public media do you mean outlets like PBS and NPR?

“Public broadcasting” got its name in 1967, when Congress passed legislation creating special federal funds to support noncommercial broadcasters. The people who pushed for that law imagined a service that could fuel public life in many ways and deliberately chose a word with strong civic connotations, although the legislation itself studiously avoided any specifics. The end result has always been hobbled by the fact that Congress decided not to pay for most of the services envisioned. Public broadcasters in the United States have been forced from the start to be full-time beggars.

Public radio and television—funded by a mixture of federal, state, and local funds; viewer support; and corporate underwriting—do sometimes feature programs and series that inform and engage the public. However, these outlets also offer programming that caters usefully to individuals outside their public roles—for instance as consumers who need home improvement information or investment advice, as potential entrepreneurs who want to sell antiques at auction, as caregivers who learn skills, and as children who learn basic concepts. They also offer comforting entertainment that often falls into the realm of what broadcasting historian Erik Barnouw has called the “safely splendid.” When public broadcasters address people in their role as members of the public, they’re serving as public media.

Another protected media zone for public projects, public access television—which cable companies provide in localities where officials have bargained for it in the cable franchise or contract—also offers opportunities for public media projects and behaviors. But whether it actually engages them depends on the political savvy and vision of the local access director. Direct broadcast satellite television is required to set aside some channels for nonprofit use, but those channels have suffered from lack of resources for programming.

Some programmers do take the opportunities of these venues and engage publics with them. In public broadcasting, public affairs programs like Now and cultural reporting such as that sometimes featured on This American Life often engage viewers and listeners to act as members of the public. Storycorps, featured on public radio, brings new voices and viewpoints to big issues and also enhances a sense of shared community. Web sites and outreach programs created by pubcasting projects like ITVS and P.O.V. directly engage publics around issues.

Niche media outlets—newsletters, magazines, low-power radio stations—also appeal to and grow social networks of affinity groups that can mobilize as publics. For instance, New America Media, an ethnic media syndication service, extends the capacity of individual niche outlets both to respond to their own publics and to extend their reach to involve larger publics. Independent film, alternative newssweeklies, ’zines, community radio, and other platforms have served as tools and rallying points for social change movements that mobilized publics.
Mass media, especially television, have had to struggle against the very architecture of the medium in order to act as public media. Its one-to-many, top-down architecture makes the interactivity that fosters public life hard. Nonetheless, public broadcasters have long practiced outreach to nonprofits and community groups; talk radio hosts take questions; newspapers have letters to the editor and ombudsmen.

**Are good public media interactive, then?**

Yes—when media create interactivity to address people as members of the public. Scholars such as Yochai Benkler, Henry Jenkins, Mimi Ito, and danah boyd have described a movement to seize media-making tools and use them to create culture and to generate and sustain social life. The same impulses can also fuel interaction with each other as members of the public, when the need arises.

Many mass media forms—book publishing, journalism, personal narrative, filmmaking, musical recording, magazine publishing, videography, photography, and more—have developed interactive capacities as they become digital. The Web has spurred new, many-to-many media, and Web 2.0 technologies like wikis and vlogs expand interactive options.

Public media exist and have flourished in all of these forms, and continue to emerge with each new wave of technology. Wikipedia pages on certain topics—abortion and 9/11 conspiracies are two examples—are good examples of online, interactive public media. They are constantly changing reflections of the existence of a group of people who often disagree with each other about how to understand and share information about something that they all agree is important. Projects like Congresspedia and Citizendium adapt the behaviors developed through the Wikipedia experiment to explicitly public purposes.

Emerging social network and media-sharing sites—from Facebook to Flickr to YouTube and beyond—are also flipping the media distribution equation on its head, detaching content from its original outlets and placing user relationships to the content and one another in the foreground. They are creating platforms for people not only to share their fascination with the latest celebrity but also to share media—their own or others’—about issues ranging from global warming to Darfur. In addition to large commercial sites, more targeted public social networks are emerging. Take oneclimate.net, which provides a media-rich platform for mobilizing around global warming, offering reports and video clips created by OneWorld reporters and partners.

These platforms generate new possibilities for forming publics around media—sharing, rating, and creating media online is much quicker and easier than it was with media in its analog forms. In such an environment, media that were not originally designed for a public purpose can become the center of a movement or an educational campaign. Users are remixing and recontextualizing clips from mainstream sources, for example, to tell new stories and highlight issues. DIY media—usually shut out in the one-to-many broadcast era—can also quickly rise to prominence in such open environments.

Interactivity alone is not the standard for public media, as *American Idol* demonstrates. Instead, it’s about intention and process—interactivity harnessed to mobilize publics.

**Are all public media political?**

Publics mobilize around the problems they encounter, and they usually need to act politically and through or against political institutions to effect change, reform corrupt practices, or bring good new ideas into practice.

Public media have often been associated with educational, documentary, or journalistic approaches. However, personal expression and entertainment can equally serve a public media function if they grab
attention, helping people to recognize, articulate, and act upon a political or social issue. Cultural work often creates conditions for understanding that public affairs cannot. Since the 1990s, personal narrative and opinion have become increasingly popular and lively as sites to animate and aggregate publics; certain blogs (such as DailyKos and Feministing) and memoirs (such as Ishmael Beah’s *A Long Way Gone: Memoirs of a Boy Soldier*) have demonstrated how such expressions can encapsulate and elevate social and political topics. Works such as Byron Hurt’s personal essay film *Hip Hop: Beyond Beats and Rhymes* start from a personal perspective and examine the social ramifications of cultural production.

Art has often served as a site for what cultural historian James Carey called “social conflict over the real.” That is what has happened with the art of Fernando Botero, whose latest work focuses on torture and terrorism, or *The Vagina Monologues*, which has transformed from its original life as a play to a community performance repeated annually on college campuses across the nation.

Commercial entertainment has generally not served as public media, although programs can raise public issues (as happened when the TV sitcom *All in the Family* triggered national conversations about bigotry).

HBO’s recent series *The Wire* suggests how a commercially produced media project might serve as the catalyst for public knowledge and action in the digital age. Over five seasons, the show has spurred media and blogosphere debate about the deep workings of municipal government, policing, and education. Discrete publics have formed around particular aspects of the show’s storyline—for example, the Web site After Ellen is tracking the depiction of gay characters, and sociologist Sudhir Venkatesh has been watching the show with a group of gang members to gauge its accuracy. The last season—centered on the slow disintegration of a city newspaper, based on writer David Simon’s own experiences—has riveted journalists. Group blogs at Salon.com and *The American Prospect* track different writers’ reactions to each episode.

**FIVE PARTICIPATORY MAPS THAT SERVE AS PUBLIC MEDIA**

Here are 5 online maps that demonstrate how communicating about shared concerns can help to unify, inform, and motivate publics:

1) Who is Sick?:  
http://whoissick.org/sickness  
*shared issue*: contagious outbreaks

2) Green Maps:  
http://greenmap.org/greenhouse  
*shared issue*: finding and supporting local resources for sustainability

3) Access Denied:  
http://advocacy.globalvoicesonline.org/maps/  
*shared issue*: international online censorship

4) Money Track:  
http://www.politicalbase.com/money/search  
*shared issue*: campaign finance

5) Cato Institute—Botched Paramilitary Police Raids:  
http://www.cato.org/raidmap/#  
*shared issue*: the militarization of law enforcement
Is there anything that couldn’t be public media?

Some kinds of media are rarely public media—examples include commercial advertising, political campaigns, and promotional and fund-raising materials. Publications, Web sites, and other media created in the course of doing business as a corporation rarely are made as public media, though they may trigger it. Your personal diaries and home movies aren’t public media, but they might become a public media project. If, say, you’re the parent of an autistic child, the daughter of an under-resourced soldier on the front lines, or a person returning to a family after incarceration, you may decide to turn this private material into public media by crafting an expression using it, and sharing that with others who connect with you about the issues you’re raising.

Individual communication, via phone, e-mail or snail mail, isn’t public media, no matter what it addresses. Media are bodies of expression that mediate our understanding and facilitate our communication.

How do I know when I’m creating public media?

There is no union or guild for creators of public media, and new opportunities present themselves every day. Until recently, our public media have always been proxies for the public, involving editors and producers who decide for us all what’s important to know about and how to portray it. Not any more.

Filmmakers are making work—like Judith Helfand and Dan Gold’s Everything’s Cool (about global warming) and Robert Greenwald’s Iraq for Sale (about military contractors)—that spur public action. Advocacy organizations, like the human rights group WITNESS, showcase video both online and in theatrical and small-group settings, to support and encourage human rights work. New platforms, like nonprofit news platform OneWorld.net and international metablog Global Voices, have sprung up. Cell phones, iPods, and other mobile media devices are providing public media makers with new opportunities to reach and inform micropublics as they go about their daily lives.

The limitations of old mass-media-style public media no longer have to constrain our imaginations. Public media are no longer static sites on the media landscape; they are interwoven in a complex, constantly changing media landscape. We can now begin to create public media made by publics, for publics. We can find creative ways to combine the resources, skill, and knowledge base of mass media with the energy, curiosity, and passions of new grassroots media-makers.

So it’s all good?

No, because this is also an unstable and experimental moment, and we don’t have public policies that nurture such experiments in public media. New challenges are emerging along with opportunities. Can you trust that online information? Will your participation invade your privacy? Will the site you’ve helped to build be there tomorrow? Can potential allies and colleagues find and exchange information easily without your software or your kind of broadband access? Will our infrastructure support our connectedness as members of the public?
How should public media work?

What makes for good public media?
High-quality public media make people aware of their role as members of the public, not just consumers of information. We know that the public exists when people act as members of the public—viewers-listeners-readers recommend the piece of media to friends, form an interest group to pressure officials, start a national petition as a result of what they’ve learned, or change their own habits in response to the larger problem and share that change of habits.

The best public media don’t just provide information; they also contribute to helping people understand ongoing and complicated issues. They offer models for respectful and engaging conversation. Public media projects are not the preserve of any particular political party, ideology, social group, or aesthetic style, although they are (implicitly or explicitly) supportive of and conducted according to democratic principles. Public media can be generated via partisan or advocacy organizations and become more than partisan or advocacy media if people use them to fuel their ability to act as members of the public.

Good examples of public media are open, accountable, transparent, and participatory, rather than hegemonic, top-down, cloistered, or cheerleading.

How interested are publics really in creating and consuming public media?
For entertainment and leisure, most people today still like professionally produced commercial media (like Lost). Personal media (your baby’s first steps on YouTube) are important for family and friends. Public media serve a different and crucial function: as a form of communication for assessing and resolving differences and challenging entrenched or unjust power.

You may not always want to make or view or read media for public knowledge and action, but you want them there when you need them. You want reliable sources of information about events and processes that affect your quality of life and political options. You want reliable communication platforms that allow you both to use and make media to contribute to public knowledge and action. You want the opportunity to benefit from public media when you need it.

What behaviors and standards help to mark public media in open environments?
Standards are evolving for making and recognizing public media on digital platforms as we develop practice. It will be important to articulate and share those standards in the public spaces where such media are created. Scholars such as Henry Jenkins and Peter Jaszi have argued that standards and practices are critical resources for governance of participatory media for the public good.

Communities of practice and professionalism have grown up around those forms of media that have traditionally served a public role. For example, through practice and academic training, the field of journalism has developed standards for judging objectivity, vetting and protecting sources, limiting libel and slander, and protecting free speech. Prizes, professional schools, membership organizations, ombudsmen, and trade groups all uphold and reward these journalistic standards, creating an accepted community of
practice. Legacy public media organizations, such as PBS and NPR, stake their reputations on providing evenhanded, informed reporting that prepares audience members to serve as informed citizens.

Standards are easier to monitor in top-down media organizations. Open platforms, which allow users to post content that hasn’t been assessed for accuracy, bias, or malice, raise questions of truth and legitimacy. The community of practice has not yet stabilized. In some cases, the users of these platforms serve as monitors. Through ranking, editing, and feedback tools, sites like Slashdot self-police. Other communities of new media makers—such as political bloggers—have embarked on their own standard-setting efforts, forming online and offline networks to discuss ethical guidelines and sanction bad actors.

Users, academics, membership organizations, media monitors, foundations, and media-makers themselves all have a role to play in determining the behaviors that will mark public media in a digital, participatory era.

In some cases, makers are working collectively to assert commonly held standards. For instance, through national organizations documentary filmmakers have created a Documentary Filmmakers’ Statement of Best Practices in Fair Use (centersocialmedia.org/fairuse), which clarifies when new creators can use copyrighted material without permission or payment. The Statement has changed industry practice. This example has been so persuasive that art teachers, media literacy teachers, dance archivists, cinema scholars, and others have also publicly asserted their commonly held standards for employing fair use.

FIVE WAYS ANY MEDIA BECOME PUBLIC MEDIA

1) Members of the public make and assess the media about shared issues themselves (DIY media, blogs and vlogs, community media, Wikipedia, etc.).

2) Media-makers engage members of the public to co-create media with them (pro-am media like Off the Bus and investigations by Talking Points Memo, participatory filmmaking like The War Tapes).

3) Media products are created or adopted by advocacy groups and activists and incorporated into public outreach campaigns to educate and stir conversations about shared issues (A Lion in the House, WalMart: The High Cost of Low Price).

4) Media-makers incorporate significant feedback and discussion tools that allow publics to form around their projects (Global Voices, Slashdot, call-in radio and TV shows).

5) Media projects become symbolic markers of a particular issue or public, stimulating wider debate in both niche and mainstream outlets (The Wire, The Colbert Report, Sicko, comedy routines by Chris Rock and Margaret Cho).
What does it take to get public media?

Is today’s public broadcasting the base of tomorrow’s public media?

Not solely. Although public broadcasting is an important public resource, into which billions of taxpayer dollars have been sunk and which millions of Americans trust and benefit from, it cannot be the only platform for tomorrow’s public media. In fact, public broadcasters are struggling to adapt to the opportunities presented by an open, digital environment. What public broadcasters can provide is an important service of taxpayer-funded, user-supported, high-end media with a mission to mobilize publics. (In that case, many public broadcasters will have to refocus their daily priorities.) Similarly, today’s leading journalistic operations, such as the New York Times, could be important platforms to grow tomorrow’s public media, benefiting as they do from public trust and experience. They too would have to focus their core-mission efforts to engage and mobilize publics.

Tomorrow’s public media can grow not only from those bases but from many other current and emerging sites of media for public knowledge and action. These include professional and citizen journalism; nonprofits’ databases and tools for public knowledge and action; and Web sites that aggregate, focus, and showcase diffuse knowledge (such as open video platforms like Miro and recommender sites like Reddit and Digg).

How should public media be paid for?

Good question. In the past, public media have depended on a mix of taxpayer dollars, incentive policies, and donations. Even with volunteer knowledge-building projects like Wikipedia, there are real costs, ranging from servers to electricity to computers to your time. They also depend on often-hidden policies that financially support such projects (including taxpayer support for the creation of the Internet!). So figuring out how to pay for public media creation is a real issue.

Increasingly, Web 2.0 social networking has created opportunities for self-funded media projects, including online “tip jars,” micropayments, advertising, and new forms of distribution. But business models for an open, participatory, peer-to-peer environment are all experimental and unstable. No one, including commercial media, knows what emerging business models will look like for any digital media.

Some people envision a future of volunteer public media—publics self-forming through the creation of do-it-yourself media that they volunteer to make and share freely, like what happened with Wikipedia. Others think that taxpayer support, both through direct allocations and through policymaking, will be critical to a stable set of public media practices.

Do public media need a special “zone,” like public broadcasting’s special swatch of broadcast spectrum?

Certainly all commercial media are working hard to create strong brand identification, to channel user interest, and to create zones of activity, whether through partnership or aggregation. Whether employed for profit-making or civil-society purposes, zones and “brands” (such as PBS and NPR) are effective ways to help people find not only what they are looking for but other people who are interested in the same thing.

Participatory public media will need standards, universal access, and shared skills.
Zones and brands can make clear to people where they can find the media that can help them be the best members of the public they can be, and where they can upload their own contributions.

However, today media for public knowledge and action are created far beyond restricted zones, such as public broadcasting. Tomorrow will also bring new opportunities to infuse our media practices with civic culture. Decentralization and disintermediation have typified the growth of digital culture, and if publics are to be nurtured as digital culture grows, they need to use all the tools and platforms they can.

Just as important as zones and brands will be standards and practices—guides to behaviors that help people know how to communicate with each other as members of the public.

**Do we need to restrain big commercial media giants in order to grow public media?**

Commercial media corporations, whether really big (as they were 20 years ago) or super-big (as they are now), have never had mobilizing the public on their agenda. Nonetheless, as the example of *The Wire* and similar experiments shows, it is possible for commercial media to both do well and do good. Commercial media companies, which themselves are struggling to make the transition to a digital era, may yet provide useful examples, tools, and models, as well as shared cultural context, for members of the public. Media consolidation is an issue that may become relevant in some circumstances. Control is an enduring issue.

In order to identify what policies about control are central, you have to know what you want out of media for public knowledge and action. Among the key features are universal access to communication and media platforms and products; freedom to speak, make, and share; and knowledge of both techniques and cultural habits of communication and media for public knowledge and action. What kinds of policies are central, to let makers and users of media for public knowledge and action have control?

In a participatory, digital era, public media practices will need to be sustained at several levels.

At the level of deep infrastructure, public media makers will need equitable, universal access to broadband. Public media projects need to be first-class citizens of the media world, too; such work needs to travel across wired and wireless communication with as high a priority as commercial entertainment.

At the level of platforms, public media makers need identifiable venues, channels, “brands.”

At the level of production, public media makers need resources and tools to make good media. They need best-practices guidelines—ways to understand ethics, culture, and etiquette of media for democratic civil society in a digital era. They need technical training and cultural education—media literacy for a digital era. They need virtual and face-to-face community centers where media can fuel conversation and action. And they need money and help in figuring out how to make their projects sustainable over time.

**What specific policies could foster and support public media?**

Public media will need, not only creative use of existing and emerging platforms, but also protection and support from government. Local, state, and federal governments have done this in the past. For instance, the federal government provided low-cost postal rates to newspapers in 1794 and created a national system of public broadcasting in 1967.
Opportunities to support making public media through policy will continue to emerge as the digital environment grows. A sampler of today’s issues might include:

**At the infrastructure level:**
A national broadband policy that can create “universal service” standards for a digital era.

“Net neutrality”—the need for standards that will prevent second-class status (or worse) for public media as providers prioritize the lucrative.

Privacy and identity security—the need for members of the public to be safe communicating with each other, unafraid of government surveillance or corporate information-harvesting.

**At the level of the platform:**
Taxpayer support for public media venues, channels, and brands.

Congressional support for the development of participatory and interactive digital projects by public broadcasting, which is currently constrained to dedicate taxpayer resources to broadcast.

Community support for public media experiments outside of the pubcasting system.

**At the level of production:**
Taxpayer support for public media training and cultural education both in public education and in community centers such as libraries and caregiver sites.

Taxpayer support for professional or professional-amateur public media production.

Public policies that provide tax incentives and privileges for nonprofits creating information banks and tools for media designed for public knowledge and action.

Expansion of the use of balancing features of copyright, such as fair use, which permit makers to quote freely from their commercial culture in order to comment on it or make a new work.

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**FIVE WAYS TO TRACK THE FUTURE OF PUBLIC MEDIA**

1) Join our conversation at the News from the Future of Public Media blog: [www.centerforsocialmedia.org](http://www.centerforsocialmedia.org), and share your own discoveries about how to track the future of public media.


3) Explore new online trends at the Berkman Center for Internet and Society: [http://cyber.law.harvard.edu/home](http://cyber.law.harvard.edu/home).

4) Follow the reinvention of community news at the MediaShift Idea Lab: [http://www.pbs.org/idealab](http://www.pbs.org/idealab).

5) See how citizens are reshaping media through technology at the MIT Center for Future Civic Media: [http://civic.mit.edu](http://civic.mit.edu).
How would we ever get any of that?

There are plenty of technical mechanisms to raise money from taxpayers and consumers. People have suggested many approaches to raising money, including taxes on durable electronic goods, endowments created by spectrum auctions, and routine appropriations.

The hard part is raising political capital to be able to win battles over policies, regulatory strategies, and enforcement to structure and fund the media environment. Publics will have to mobilize to demand of their elected officials, their regulators, their communications service providers, and their media entities the platforms, services, and opportunities to be able to use and make media for public knowledge and action.

What’s the bottom line for people who think they need public media?

We live in a time when we are connected by information networks as never before. The possibilities are boundless. How will they actually develop? The growth of commercial digital media needs to go hand-in-hand with nurturing of public media opportunities and practices. Public media incentives and practices are investments in the public health of a democratic society.

The Center for Social Media, led by Professor Patricia Aufderheide, showcases and analyzes media for social justice, civil society and democracy, and the public environment that nurtures them. The center is a project of the School of Communication, led by Dean Larry Kirkman, at American University in Washington, D.C.

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PUBLIC BROADCASTING & PUBLIC AFFAIRS:
Opportunities and challenges for public broadcasting's role in provisioning the public with news and public affairs

By Pat Aufderheide & Jessica Clark, with editorial participation by Jake Shapiro
EXECUTIVE SUMMARY

U.S. public broadcasting faces profound challenges as a mass media service entering a disintermediated digital era. It approaches those challenges with both chronic strengths and weaknesses. Its strengths include a clutch of highly visible and trusted brand names (PBS, NPR, Sesame Street), a creative and far-flung talent network, and a highly balkanized structure, which invests funders and audiences in the survival of individual entities, especially local stations. Its weaknesses include an audience that skews old and is getting older, particularly for television; a reputation for elitist programming; and that same highly balkanized structure, which inhibits decision making to respond to the changing environment.

In an increasingly segmented media marketplace, public broadcasters still aim to educate and inform the broadest possible swath of Americans. Radio in particular has succeeded in attracting new listeners in the past decade. But programmers and stations struggle to both maintain current audiences and engage new ones across a quick-shifting array of new platforms and devices.

Public radio and television operate in very different ways, and their record of providing public affairs and news is also very different. Public radio has consistently since 1969 provided high-quality, innovative, daily news programs, which are the backbone of the service and attract the largest proportion of listeners. Competition among public radio program services has helped to increase the diversity of voices and formats. Meanwhile, public television—in part because it has been under much tighter scrutiny politically—has struggled with news provision. Its one daily news program, an hour long, is in a traditionalist format and is produced by an independent production house. Public affairs documentaries and series struggle for placement in a service better recognized and appreciated for its children’s and cultural programming.

News and public affairs provision is a core function of public broadcasting, and garners enormous trust ratings—a feature that is in short supply in participatory news media. However, future news and public affairs programming will require genuine interactivity and listener/viewer choice and participation to remain relevant. This has been a major obstacle for a service that has been rewarded for its feudalistic stability. Efforts to develop nationwide public affairs programming for the emerging digital TV channels have been stymied by a lack of funds and the complications of implementing shared solutions in sharply different local contexts. Public broadcasters have conducted isolated experiments in interactive and participatory media, with mixed results. Tools and funds for reliably measuring the impact of such projects have not materialized, and commercial yardsticks do not track the public benefits of such media. Public broadcasters have also proposed a variety of common digital platforms, without consensus or resolution. Although several organizations are helping stations to coordinate around solutions, no single organization is positioned to lead the full range of public broadcasting entities through digital and online transitions.

Public broadcasting’s resources and assets are valuable today and hold great potential value for tomorrow’s nonprofit online media sector. The sector will have to transform to fulfill that potential—the question is how. Scenarios include going local, going national, partnering up, or fighting it out, each of which offers opportunities to those who care about preserving the public service media.

INTRODUCTION

U.S. public broadcasting is a rare animal internationally; compared to the majority of state or public broadcasters around the world, the government funding it gets is tiny and its role in defining the national news agenda intermittent. Yet it is actively scrutinized as a potential source of liberal bias by conservative legislators and watchdogs, who loudly criticize it as a waste of taxpayer money. U.S. public broadcasting developed in a profoundly bifurcated way, with radio and television evolving separately into highly distinct services. Both, however, were created and exist within the U.S. mass media regulatory regime. Both operate on spectrum reserved by the FCC specifically for noncommercial (not “public”) broadcasting. Both play significant, though different, roles in shaping the American news and public affairs diet, and both provide news and public affairs programming that are rarely matched in the commercial environment.

HISTORY

Public broadcasting has always been a small, niche service in the United States. In fact, it was created as an afterthought. Legislators, helped along by corporate lobbyists, between
1927 and 1934 decided the shape of U.S. electronic media. Commercial enterprises were given permission, through licenses, to use designated parts of the spectrum for profit, by selling advertising time. Other interests—labor unions, religious organizations, educators, private foundations—had warned that such commercial use would eliminate community and educational use of the spectrum. Such warnings proved correct and in 1938, a small part of the FM spectrum—then pioneer territory, and generally regarded as worthless—was reserved for educational broadcasters, as a sop to the most well-organized of the losers. Later, in 1952, educational TV got a similar deal—reserved spectrum, mostly in the UHF band, not through any public petitioning or protest but largely as a result of the concern of one FCC commissioner. The UHF band was then regarded as vastly inferior spectrum, because it was much harder to tune into than VHF.

Spectrum without resources was not much of an opportunity. Many of the available channels stayed dark, and those that attempted to broadcast—usually through a school or university—often carried dull, cheap programs, perhaps talking heads in a classroom.

After World War II and the advent of television, the Ford Foundation became newly aware of the power of media. After failed investments in commercial television, Ford funded a campaign to push for more federal funding for the non-commercial television space that had opened up in 1952. These efforts triggered the interest of other funders and were instrumental in establishing the Carnegie Commission on Public Broadcasting, which in 1966 unveiled an ambitious proposal for a service that could enrich the nation informationally and culturally.

The Commission’s report became the platform on which legislation for a public television service—this was the first use of the phrase “public television”—was then negotiated. The White House took an active role, recruiting leading members of the defense establishment as well as cultural leaders to present the proposal. The proposal was framed within the goals of President Lyndon Johnson’s Great Society, where government programs penetrated deeply into the culture and society. Pres. Johnson’s then-aide, Bill Moyers, who was instrumental in negotiating the legislation, later became a leading public affairs producer on public television.

The legislation was written, until the last moment, about television and not radio; only the active and furtive intervention of a public radio lobbyist succeeded in including radio in the new legislation at all, and even then radio was only allocated a quarter of the federal monies.

The Public Broadcasting Act of 1967 was very different from the Carnegie Commission’s recommendations. Driven by fears of a politically liberal broadcasting service (here the Ford Foundation’s reputation loomed large) and the concerns of commercial rivals, Congress deliberately created a decentralized national service that was anything but a “system.” Congress provided only a small minority of what public broadcasters would need through federal funds, and that through a regular appropriations process. The choice of appropriations, rather than an endowment, guaranteed that public broadcasting’s content would be perpetually under political scrutiny. Congress also banned the agency that handled those funds—the Corporation for Public Broadcasting—from providing “interconnection” (allowing the stations to share programming, in order to provide high-quality national programs). This guaranteed that stations would individually have to struggle to raise the bulk of their own funds to support themselves, and furthermore would have to organize themselves to develop cooperative arrangements to acquire programs and/or co-produce them.

Current policies and assumptions about public broadcasting were shaped by the broadcast realities of the time, and have been slow to change as new transmission technologies have evolved. Legislators, programmers, and advocates have regularly framed free, over-the-air public radio and television as a public good, but there are no guarantees of universal access. Satellite transmission in the 1980s transformed the importance of cable, which was turned from a welter of local services to a national phenomenon. It made possible low-cost transmission of programming, and therefore enabled the rise of national program services. It also transformed the economics of public broadcasting by dramatically lowering costs of transmission for them as well.) “Must-carry” provisions enacted by Congress in 1992 guaranteed that cable companies would continue to carry local public TV stations—a decision upheld by the Supreme Court. Now, the transition to digital TV presents new questions about whether cable and satellite carriers are required to carry the multiple local broadcasts made possible by new spectrum allocations.

Public broadcasting organizations are not poised to protect their long-term interests. If high-speed broadband became the primary distribution mode, then what kinds of investments and agreements would they need to negotiate to
ensure reliable access to their programs by the public? There are considerations all along the chain of transmission—from creators, to stations, to service providers, to end-users—each of which involve various clusters of policymakers, lobbyists, corporations, and activists.

**STRUCTURE**

The structure of U.S. public broadcasting cripples any kind of coherent national planning. It has provided remarkable stability over the years, but this stability at a time of rapid change is itself becoming a liability.

The core institution of public broadcasting is the station, operating through a nonprofit entity, usually a university or nonprofit community organization, but possibly a local or state government or even a religious group. It is run by its board, sometimes with advice (but no authority) from a community advisory board.

About 20 percent of all radio stations in the United States are noncommercial—the FCC notes 2,873 “educational” FM stations as of September 2007. But only about 700 are “public radio” for the purpose of qualifying for federal support; the rest are small, student-run or religious, usually evangelical Christian stations. Public radio reaches an estimated 90 percent of the American population with formats that range from classical music to jazz to long form public affairs. Big cities might receive four or five public radio signals. But public radio also serves small communities and rural areas that no commercial signal reaches, such as Indian reservations and remote parts of Alaska.

About a fifth of the U.S. TV broadcast stations are public—356 local public television stations, out of a total of around 1760 TV stations, are run by 176 licensees (meaning that some licensees have more than one station, often within a state network). Almost all U.S. television viewers have access to at least one public television signal, even when they do not get a commercial signal.

Although most U.S. homes can receive public broadcasting signals, the stations rarely act in unison. This is partly because they respond strongly to their local situation, and partly because there are several kinds of stations, each with their own interests. In radio, some 70 “flagship” stations—the leaders of state and regional public broadcasting networks—tend to dominate both production and policy. Public TV is much more polarized. A few powerful, program-producing stations are extremely important in setting program agendas. A much larger number of small stations produce no programming and simply retransmit packaged programming. In fact, the “big three” stations—in New York (WNET), Boston (WGBH), and Los Angeles (KCET)—produce approximately 60 percent of the programming for all public stations.

There are also powerful national organizations within public broadcasting, each with its own unique interests, limitations and shaping force on the service. The Corporation for Public Broadcasting (CPB) is a nongovernmental entity funded solely by federal tax dollars with a politically appointed board that is balanced along partisan lines. It supports public radio and television stations with grants to improve equipment and services, research and policy development, and since 1980, with limited programming funds. CPB is also a lightning rod for Congressional attacks on public broadcasting. Over the years, Congress has removed much of CPB’s decision-making power, forcing it to act as a simple funnel for tax dollars to stations.

In spite of Congress’ attempts to prevent a national network, public broadcasting does use national programming services that establish a national schedule of sorts.

Since the 1970s, National Public Radio (NPR) has provided, from its base in Washington, D.C., a morning and evening news service to its member stations. Since the mid-1980s, two other radio services—Public Radio International (PRI) and American Public Media (APM)—have become significant rivals to NPR for member dues. These members, to be clear, are all stations; the programming services have almost no income from individuals. (They also aggressively fundraise from private donors; NPR in particular was extremely lucky to receive a $200 million bequest from the widow of the McDonald’s corporation founder.) A new service, Public Radio Exchange (PRX), offers an Internet-based market in which public radio programmers can shop for programs that independent producers upload.

In television, the Public Broadcasting Service (PBS) was created in 1969, with the help of the CPB and member stations, as a subscription service for programming for public stations. Like NPR, PBS is also a membership service; its membership consists of public TV stations. It provides daily prime-time bundles of programming for stations, while less well-known satellite distribution services for public television carry programs that stations can purchase individually. Through these services stations get the benefits of quality
programming—far too expensive to produce locally—without violating the law that banned CPB from distributing programs. Big distributors like NPR and PBS are often synonymous with public broadcasting for most listeners and viewers, and they have sky-high trust ratings. But in fact they are private, nonprofit services that depend on the dues of their member stations for support. Without their member stations’ dues, they collapse. They do, however, have a major role in determining what viewers and listeners receive, because most high-quality programming depends on national distribution to cover costs.

FINANCING

The financing of public broadcasting in the United States is as complex as its structure. Each of the three major sources of funding—government, viewers and corporate donors—comes with its own set of constraints.

According to 2007 estimates from the Association of Public Television Stations, state, local, and federal tax dollars account for less than a third of the $2.2 billion annual pie for public radio and television. Even so, the American taxpayer pays only an estimated $1.50 a year in federal tax contributions for all public TV and radio services—far lower than in most other countries where public service broadcasting exists. Tax money is largely used to pay for infrastructure and technical improvement costs, investments that are extremely difficult to fundraise for.

Public broadcasting’s large and critical dependence on taxpayer dollars—appropriated every three years—also means that it is very vulnerable to political attack. Such attacks have been unremitting, and have made station managers and bureaucrats gun-shy. At the federal level, picking on public broadcasting has become part of the Republican agenda. This tendency started early, with President Richard Nixon, the first president to experience the newborn service, and has continued. The Reagan administration ill-advisedly attempted to cripple the service financially, and discovered the power of local station boards, with many board members who were Republican, monied and older. When the Republicans won the majority of both the House of Representatives and the Senate in 1994, a long-smoldering conservative hostility to public broadcasting resurfaced with a vengeance. Once again, massive response from concerned voters who were listeners and viewers—many also Republican and older—was important in checking the effort. The Bush administration perpetually threatened to chisel the budget but always acceded to pressure from local station boards and public broadcasting’s national lobbyists.

Member dollars, about 25 percent of the budget, constitute the single largest source of funding for public broadcasting and are the most valuable, because the funds are not restricted to particular uses or programs. Only about one in ten viewers and listeners actually donates. Stations dedicate perhaps 10 percent or more of a station’s production resources to fundraising. Online fundraising has complemented but not replaced on-air pledge time.

Corporations provide about 16 percent of public broadcasting funding but unlike other sources, they pay to associate their name with specific programs or to participate in joint ventures. They typically look upon public broadcasting as an opportunity for what Herb Schmertz, the legendary public relations guru who positioned Mobil Oil as the “thinking man’s gasoline” on the basis of its association with public television, called “ambush marketing.” Ambush marketing is reaching people who avoid advertising. Just over 7 percent comes from private foundations, which also typically fund for specific projects.

Stations then spend the money they take in on services. These include programs, which they buy in bundles from large providers such as NPR, PRI, APM, and PBS, from stations (for example, Nova, American Masters, Frontline), from independent vendors (Bill Moyers specials, The NewsHour with Jim Lehrer, P.O.V), or from public broadcasting organizations (Independent Television Service, a CPB-funded service, which provides Independent Lens and other work by independent producers; The National Minority Consortia, a cluster of CPB-funded organizations that commission programs by and about ethnic communities; and PRX, which makes available the work of independent radio producers). Although a limited number of television stations produce their own programs, a substantial subset of radio stations produce local daily and weekly shows. Significant national radio programs also originate from stations such as MPR, WBUR, WNYC, WBEZ, and WXPN.
TYPES OF NEWS AND PUBLIC AFFAIRS PROGRAMS

News and public affairs have fared very differently in radio and television, in part because of the strong conviction of those putting it under surveillance that television was far more persuasive and powerful.

Public radio has benefited, ironically, from the fact that both funders and Congress have historically regarded radio as dowdy in comparison with television. Public radio early developed a deliberately cutting-edge approach to news through National Public Radio, which experimented aggressively with sound imagery, story lengths and story types and set a standard for its competitors. Although in the Reagan years public radio came under political scrutiny and adopted newspaper-like codes of practice as a result, public radio was never forced into retreat from news and public affairs. Rather, public radio has continued to play a vanguard role in developing public affairs formats with wide appeal, including hybrid formats that combine public affairs and entertainment, such as _Wait, Wait, Don’t Tell Me_, a game show, and _StoryCorps_, which contributes to grassroots history. Local public radio stations typically produce a sizeable amount of local programming, much of which is in some sense public affairs or news. Public radio also supports the only left-wing national news service in radio, Pacifica. This syndication, contributed to by four major public radio stations and many listeners, offers a spectrum of news programs including _Democracy Now_, which also offers a TV and online version.

By contrast, public television’s early experiments, the most high-profile of which were funded by the Ford Foundation, suffered close scrutiny from the White House and Congress, and resulted in a devastating and precedent-setting retreat from news and public affairs by 1972 by the stations that took the lead in forming the Public Broadcasting Service. Public television divided spectacle and entertainment ( _The Three Tenors, Masterpiece Theater_ ) from sober news and public affairs ( _Frontline, Nova_ ). The great historian of broadcasting, Erik Barnouw, called public television’s signature programs, none of them public affairs, “safely splendid.” Most public TV stations produce no local programming, and local public TV news is a great rarity—understandable as it universally is expensive and appears to be a negative in pledge drives.

The rise of cable channels has fragmented the audience over time, and to some extent provided rival programming to public broadcasting, especially in the area of children’s, nature, and history programming. Although cable offered new news services such as CNN’s 24-hour news, however, it did not in fact drain audiences from public broadcasters’ news services. The few that existed and exist had a distinctive longer and more in-depth format than anything on cable. The biggest obstacle to the development of national news services on public TV was and continues to be the high political visibility of TV news, and the almost inevitable repercussions both among donors and legislators in response to anything remotely controversial. For instance, _Tongues Untied_, a 1993 _P.O.V._ video essay about growing up African-American and gay, divided almost every station board of directors in the country, and provided the raw meat for Jesse Helms to call for cutting off funding for public broadcasting. _Trade Secrets_, a Bill Moyers special in 2001, caused a furor when the American Chemical Society denounced it, although Moyers’ investigative reporting was solidly grounded in fact.

Public radio has been able to use such close scrutiny as a calling card for membership pledges, while public television has avoided friction wherever possible. Overall, however, neither public radio nor public television has accommodated with any comfort dissident or minority voices (with the exception of Pacifica Radio). Public radio stations only very occasionally indulge in the independent voices that can be found on PRX. Public television stations regularly program independent documentary series such as _Independent Lens_ and _P.O.V._ in the wee hours of the morning or other invidious time slots, if it all (Washington, D.C., still does not receive _P.O.V._).

PHASE-ONE DIGITAL CHALLENGES

In the early 1990s, as Japanese government and industry invested in high-definition television, U.S. television (but not radio) lobbyists succeeded in getting Congress to mandate a high-definition standard for U.S. television, and to authorize new spectrum for broadcasters’ use to make it possible. At the time, it seemed to broadcasters that more spectrum couldn’t help but be better. Many anticipated being able to keep both analog and digital spectrum allocations. However, it now looks
like broadcasters will in fact have to return the analog spectrum, while forcing their customers to buy new equipment or lose access to television. Many offered futuristic visions of clumsily interactive features, not imagining the fully interactive world of the Web that was around the corner. Instead, the costs of upgrading have been enormous, satellite-fed interactivity is a nonstarter, and finding mass-media based viable business models for the newly available electronic real estate has been a challenge.

What for commercial broadcasters is a bad cold is, for public broadcasters, pneumonia. The digital transition has been an enormous drain on resources with bleak prospects for advancement. Physical plant upgrades were extremely expensive, and maintenance costs, including electrical supply, are also substantial. (Public broadcasters won extra funds from federal and state sources for the upgrade.) Then comes the challenge of filling the new space, within the already-strained noncommercial model of begging and currying favor. Because of technological innovation, stations not only have space for high-definition (for which there is little programming, all of it expensive) but for multiple non-HD digital channels. So, in addition to the primary PBS channel, stations could offer secondary (or “multicast”) channels featuring a slate of different programs. Due to lack of funding and the difficulties of coordination, however, PBS has failed to produce promised new national programming blocks, including Public Square—a public affairs multicast channel intended to be interactive, dynamic, international, and innovative, produced with a variety of partners.

There are a few national multicast public TV channels already available to viewers through both digital broadcast and digital cable providers. One all-Spanish channel, V-me, has been picked up in selected locations across the country. A look at the weekly lineup for the World channel, produced by WGBH in conjunction with PBS, provides a preview of 24-7 public TV news that offers little to attract new viewers. Programs include:

- personality-driven analysis and interview shows such as Charlie Rose, McLaughlin Group, and Tavis Smiley;
- signature news programs such as Bill Moyers’ Journal and NewsHour with Jim Lehrer;
- educational programs like Scientific American Frontiers and Wild Chronicles; and
- documentary films from PBS series like Wide Angle and P.O.V.

The World channel announced its national launch in August 2007, but local stations have been slow to pick it up, and most that have are not in major markets. WGBH carries it, as do WLIW in New York and WCET in Cincinnati, but many of the 27 stations that carry the channel as of August 2008 are in small college towns—hardly constituting national coverage. And although the World channel would offer a valuable service after the DTV transition to those viewers who do not subscribe to cable or satellite TV, with its mix of news and documentary programming, the channel faces strong commercial competitors like CNN and the Discovery Channel.

MHz, an independent, noncommercial broadcaster based in D.C., offers a competing take on world news. Its Worldview channel includes a package of shows that originate from stations around the globe, supplemented with independent on-air and online content. As of July, just 15 public stations around the country had picked up Worldview, including the home station in D.C., WYCC in Chicago, and KCSM in San Francisco. The channel is also available nationwide via DirectTV and WorldTV satellite.

To fill the new digital space, stations are mostly recycling and repackaging existing programming (how-to, kids, best-of), and also using their FCC-given permission to rent out some of the space. Significantly, for many stations, hard news and public affairs reporting have not been a big part of their packaging mix.

Public radio stations are also developing digital broadcast channels, but without the regulatory pressure to meet deadlines. In sharp contrast to television, analog radio programming (the main signal) has moved increasingly toward talk and public affairs formats, with cultural (classical, bluegrass, jazz) moving to digital. Unlike satellite radio, digital radio broadcasts are available over the air for free, but users need HD radio receivers—available in some car models and in retail stores—to tune in to the new channels. The CEOs of NPR, APM, and PRI also recently called for the FCC to set aside a portion of the satellite radio spectrum to receive these digital broadcasts—another skirmish in the ongoing battle to secure and retain the public stake in the communications spectrum as new platforms emerge.
PHASE-TWO DIGITAL CHALLENGES

The transition to online platforms, of course, has created enormous challenges for all mass media, including public broadcasting. Broadcasting is based on a model of distributing a signal via terrestrial airwaves, from towers to receivers. This is limited by the signal strength, which in the United States was mandated to be extremely local. Broadband communication permits, at least in theory, universal, worldwide exchange of information, leveling the relationship between sender and receiver. Looked upon as distribution, the transition to online distribution increasingly means that over-the-air broadcasting is merely one path for national content to reach local audiences. This puts pressure on stations to differentiate by offering more local content and services—their original mandate and unique value—which is a difficult economic proposition for many.

All broadcasters, including public broadcasters, have huge resources sunk into physical plants, especially for the digital channels they are now offering over terrestrial airwaves. They are committed, not least through real estate investments, to a physically local, one-way model of distribution. Further, they have never been systematically required to do more than transmit content to audiences (although select projects and stations have ambitiously tried to engage publics around issues and communities). They are now faced with the challenge of how to take advantage of distribution that can simultaneously eliminate and capitalize on local connections. Furthermore, this capacity involves metrics that can trace and make transparent all interactions, and tools that can enable listeners and viewers to become commenters and contributors to public broadcasting. Best practices for using and measuring the impact of those participatory tools remain elusive.

In short, if public broadcasters are to thrive in the new digital media environment, they need to find a new or more flexible definition for what they do—one that meets the original goals of diversity, education and localism while drawing the public in as a partner. But both culturally and economically, it is an agonizing moment in public broadcasting.

Finding and Monetizing the Assets

Public broadcasting’s assets are as scattered as its structure is. Most programming ultimately resides with producers, only some of which are stations. Producing stations and producing syndicates generally act like other archives, production houses or media companies: they guard their programming assets zealously. Those assets do not belong to “the system,” a common term that refers to the concatenation of separate entities that are loosely affiliated for business reasons. PBS in particular owns very little programming.

This dispersed ownership, held closely by its various owners who usually see it as an asset to carry forward in uncertain times, is one reason why idealistic proposals to provide public broadcasting programs freely on the Internet (perhaps limited to educational or nonprofit uses) have been difficult to coordinate. Suggestions that public radio and television simply converge are nonstarters for the same reasons.

Problems with access to third-party copyrighted material are a significant stumbling block as well. Even willing experimenters in donating material to mashup culture—WGBH and ITVS for instance have done so—have harshly limited projects, partly because most programming incorporates some material that has existing copyrights (songs, images, photographs, and archival footage). Even owners of programs do not have rights to release material they licensed for their programs. Furthermore, some programming, especially on radio, leans heavily on blanket licenses that only apply to broadcast; other platforms, such as computers and phones, are not covered in the blanket licenses. This is particularly important in radio for music rights.

A third reason why it is difficult for programming to travel across platforms freely is the ongoing tension between local stations and the variety of organizations providing national programming, including major producing stations, production houses such as Sesame Workshop, the clutch of aggregator services for themes (such as religion and regional programs), and the best known national programming services (NPR, PRI, APM, and PBS). For instance, Frontline offers streaming versions of its shows on its website, to the consternation of many stations that pay for rights to air that same program and of PBS, which would like to be a central, Web-accessible, digital repository of TV programming but has not succeeded in getting member stations to agree. NPR offers both hourly news summaries and a 24-hour programming stream on its website, which many stations have regarded as a dangerous move that could lead to NPR attempting to access viewers without going through stations. (Their fears may be exacerbated by NPR’s recent decision to release its API, described later in the “Experiments” section.)
A fourth reason why programs find it difficult to circulate on the Web, despite technical capacity, is ongoing concern over control of resources. Many public broadcasters depend on income from educational sales and archival sales to cover costs. They are understandably reluctant to let their programs go, in the clear, onto the Net, to live there forever. Although some have hoped that digital rights management (DRM) could give them the control over their product that they want, in fact DRM—something consumers universally detest and reject—does not work well enough and may never work well enough to provide security.

Though online distribution represents a challenge to the future over-the-air broadcast, it still represents a miniscule fraction of the audience. There is no question that public radio stations in any case will need to maintain over-the-air transmission for years to come to fulfill their mandate.

Some public broadcasting brands are an asset. For instance, PBS and NPR have high recognition and high trust ratings. Program brands such as Nova and A Prairie Home Companion have significant value; This American Life has been able to capitalize on brand equity both by spinning off a commercial program on Showtime and attracting advertisers to the show’s podcasts. Locally, most public stations are associated with trust. For specific communities of independent producers and users looking for offbeat content, independent services such as ITVS, P.O.V., and PRX are regarded as allies and friends. It is not clear how their owners can leverage those brands in an emerging era. For instance, people trust what they think “PBS” is, but PBS has no ability to provide new services that its own, internally divided membership does not want to invest in.

Well-educated, loyal, and influential, public broadcasting audiences also serve as an asset. The Web site for National Public Media (NPM), which represents public stations and programs seeking corporate underwriters, notes that public broadcasting listeners and viewers often shy away from commercial programming, and see corporate sponsors as providing a public service. NPM also represents public broadcasting websites and supports “cross-media” buys. Public broadcasters are finding it as difficult to monetize their online content as commercial broadcast and print projects are, although observers have suggested that the trusted relationships between public broadcast brands and their audiences could serve as a basis for more robust online fundraising. Project VRM offers one scenario for prompting online donations from a new generation of users.

A very real but hard-to-quantify asset is the ability to put together deals among disparate actors, which is a feature of many kinds of news and public affairs programming and is also typical of the sector’s high-end arts and culture programming. Public broadcasters have extraordinary, far-flung talent networks.

The hardest assets of all to track, however, relate to the intangible benefits that public broadcasters offer to viewers, including increased literacy, tolerance, and cultural fluency; a deeper understanding of complex issues, and the capacity to act as informed citizens. Such outcomes resist monetization, but continue to both justify and inspire public broadcasters’ efforts.

Questions about assets flow into larger discussions about business models for public broadcasting. Many proposals for how to fund public broadcasting in the digital media age have emerged, some of them deeply familiar (get Congress to fund an endowment), some combining the old and the new (trade in analog spectrum early for an endowment), and some of them grandly ambitious. NPR and PBS teamed up to fund a proposal for a Digital Futures Initiative, which would position public broadcasting as the public resource required for educational and economic growth in a competitive global economy. However, this proposal died within public broadcasting, a reflection of deep tensions within the membership of both organizations as well as beyond them, before it could confront political realities outside the community.

ADDRESSING THE DIGITAL CHALLENGES

Although slow to adjust, over the last five years, public broadcasters have increasingly attempted to grapple with the challenges. These include:

- how to find common purposes and platforms, while maintaining autonomy for different parts of public broadcasting;
- how to attract revenue, at least as efficiently as the former membership model;
- how to overcome the culture of mass media (we send, you do what you want to) and embrace the digital culture (hello, my new ally and colleague);
- and how to ensure universal access to content as platforms and devices multiply.
In this struggle, stations as a whole have, as might be expected, not been leaders. Aggregators and system-wide producers such as the radio syndication services and PBS have most quickly grasped the issues, but solutions that satisfy the needs of all stakeholders remain elusive. Interactive digital distribution could hypothetically allow them to reach customers directly instead of through a station-based middleman. However, public aggregators’ revenue is also almost exclusively coming directly from those very middlemen and the valuable audiences they command.

Technical Solutions

Various public broadcast organizations have proposed, for years now, different solutions to simplify, streamline, and standardize digital delivery to consumers. These have all confronted the leadership and coordination problems referenced previously.

The creator of the peer-to-peer video delivery system Kontiki, Mike Homer, offered a nonprofit version, Open Media Network, to the public broadcasting community. But in spite of some zealous advocates including now—NPR head Dennis Haarsager, not enough public broadcasters accepted the platform. (Many were afraid of losing control, and believed that they would be able to design their own; many stumbled over the problem of undercutting stations and losing ways to reach the financially crucial individual donors to stations; familiar problems about rights also stymied them; there were also difficulties in the rollout and presentation of the technology, as well as questions over commercial linkages to the code.) Now Apple would like public broadcasters to adopt iTunesU as the standard, and many of the same reservations and concerns are surfacing.

In 2006 and 2007 the Station Resource Group convened a number of coordinated conversations and meetings focused on creating collaborative digital distribution activities and infrastructure for public radio. NPR also created a Digital Distribution Consortium (DDC) working group, inviting half a dozen digital leaders from the field to spend six months researching and writing a business case for the DDC. A final report was published in February 2007, but no direct action to create a new digital service resulted from the effort.

The Integrated Media Association (IMA) has developed standardized web metrics for public broadcasters, piggybacking on the free Google Analytics service.1 Public Interactive (PI), created by PRI and now sold to NPR, is an Application Service Provider (ASP) that provides back-end software for mostly small and mid-sized stations to maintain their websites. PI also offers tools to create more Internet-friendly relationships with users—for instance, a community engagement tool that can be installed on a station’s website, allowing social networking, blogging and other common features of Web 2.0. PI has struggled, however, to find stations willing to invest in these tools, both financially and culturally.

EXPERIMENTS

In the absence of large-scale adoption of online standards within public broadcasting, varied experiments have blossomed. Anxious to preserve their reputation for quality and unwilling to commit significant resources, public broadcasters have been cautious about opening up to audience participation. Instead, audience members are invited to contribute within narrow constraints, or to comment on rather than shape coverage. Still, there have been several vigorous experiments in participatory media, many of them focused on public affairs and news. Leaders in this area have included programming services like NPR and APM; large stations like KQED and WGBH, and pipelines for independent producers, like PRX and ITVS. Public radio organizations have tended to be more adventurous in their efforts to directly engage and partner with publics online.

Although there are exceptions, smaller stations have on the whole been slow to experiment with participatory tools. A 2007 survey that the Center for Social Media conducted of public radio staff members revealed that stations have few resources to support online participation and worry about maintaining standards of journalism and civility. When they do venture into social media, it’s often through links to external sites, like local Flickr galleries or blogs.

One notable exception is Vocalo, a project of Chicago station WBEZ. Launched in beta last May, the station is designed to attract a younger, more diverse, and tech-savvy audience. It streams live online, and broadcasts on 89.5 FM, which currently reaches Northwest Indiana and parts of South Chicago. Users are encouraged to post a range of multimedia content, with the chance of ending up on the air. Local listeners are invited to attend “Make Your Own Audio” trainings, and the site offers a variety of community tools, including social

1 Berkman Center for Internet and Society at Harvard University
networks, messaging, tagging, and online chat for interacting live with radio hosts. Though critical assessments of the station have been mixed, WBEZ plans to expand the signal to reach many more Chicago listeners.

Even at the national level, however, no easy formulas have emerged for combining broadcast and online content. Shows with a dedicated online component like NPR’s The Bryant Park Project and PBS’s Wired Science have recently been cancelled. Methods for measuring the success of social media projects are hazy—engaging with audiences takes staff time and does not clearly result in dollars or significantly larger audiences. There is not much money available for risk taking, and public broadcasters lag behind in developing content for newer platforms like game consoles and mobile devices.

No definitive central clearinghouse exists for sharing best practices for participatory media across all of public broadcasting. Foundations have supported a range of one-off and digital transition projects, but do not work together to assess the results of their investments. The CPB administers a Public Media Innovation Program, which offers stations small-scale grants to generate online content, build social networks, or test out web-based business models. Annual gatherings such as the Public Media and Beyond Broadcast conferences serve as showcases for such experiments, while networks of enterprising public media makers communicate through formalized online networks like PubForge, or less formal ones, like listservs or the public broadcasting community on Twitter.

Training programs have also been established to outfit independent, minority and public media makers with skills in multimedia production: the Knight Digital Media Center, the Bay Area Video Coalition and the National Black Programming Consortium’s New Media Institute are three hubs for learning. The PBS Engage site does aggregate examples of uses of participatory media by public TV programs and stations. But labeling much of this online content “engagement” may stretch the limits of the term. Many of the sites just extend the broadcast model to the Web, offering program schedules, text summaries of shows, streaming audio and video, classroom resources, and blogs by on-air personalities. Efforts to push public television content out to commercial content-sharing and social network platforms—like Hulu, YouTube, and Facebook—may broaden the audiences for select shows, but reflect a similar top-down philosophy.

Public broadcasting collaboration around the 2008 election demonstrates the range of online outreach efforts, and offers a preview of how integrated, multiplatform public media content might function. The CPB provided a grant for this collaborative effort, and PBS hosts the results on a portal site featuring an “Election Connection Blog” that points to related content across public media; widgets containing election-themed quizzes, games and content, and a NewsHour/NPR 2008 U.S. Election Map that reflects state-by-state voting statistics and provides links that drill down to local public TV and radio coverage. The map, like many of the projects included in this collaboration, is interactive rather than participatory—users can click but not contribute, and remain within the confines of a branded public broadcasting site. In contrast, the widgets represent a particular type of participatory media; stations, bloggers, and individual users can all place them on their own sites and networks. And a few of the widgets lead to projects that are even more open. For example, both APM’s Idea Generator and NPR’s Get My Vote project prompt users to contribute and rank content related to election issues, while PRX’s Ballotvox project looks beyond the public broadcasting universe, curating local election-related user-generated content from around the Web. In mid-August, PBS Teachers released Access, Analyze, Act: A Blueprint for 21st Century Engagement, an election-themed teaching kit that offers media literacy lessons and encourages students to create their own blogs and videos, and to contribute to Get My Vote.

In late July, NPR announced an experiment that draws inspiration both from Web 2.0 business strategies and the open source software community. It released its Application Programming Interface (API), which allows users to write online applications that feature text and audio from an archive of NPR programs dating back to 1995. Developers inside and outside of the sector can create mashups and widgets, as well as story streams tailored for various devices; current implementations include a 3D globe featuring location-specific NPR pieces, and a searchable interface of stories for the iPhone. Giving up control of a portion of their content was a risky enough proposition for Web-only sites like Google and Facebook, which have multiplied their popularity and flexibility since providing open APIs. However, serving up branded public media content for repackaging presents unique challenges. Though new widgets and interfaces might expand the audiences for NPR stories, infusing them with a new relevance, developers could also tailor content to magnify a bias in coverage, or associate NPR content with unsavory
causes. The API experiment also brings up familiar questions of ownership and station revenue. NPR could only offer access to the programs for which it had online distribution rights, excluding popular shows like *Car Talk*. Members of the NPR Digital Media team are still working out implications and next steps for the API on the Inside NPR.org blog.

A few participatory media public broadcasting experiments gesture to a future in which audiences are treated as both trusted partners and engaged citizens:

- Members of Minnesota Public Radio’s Public Insight Network can join to serve as sources, offering story suggestions and volunteering as interviewees. Reporters have drawn on the network for pieces on heart stents, student testing, an environmentally conscious fitness club, and more; online connections sometimes lead to face-to-face brainstorming sessions. Although the network began as a local initiative, it’s now being used to inform national shows like *Marketplace*.

- One web-based project of ITVS’s Independent Lens, *World Without Oil* not only demonstrated the potential of online role-playing games to spark participation around social issues, but foreshadowed public reactions to our current oil price crunch. More than 1900 gamers from 40-plus countries collaboratively imagined their reactions to a simulated 8-month energy crisis through submissions via blogs, Flickr, YouTube, and podcasts. Participants virtually carpooled and bought bikes, moved out of transportation-poor suburbs, and started backyard gardens—and then reported corresponding changes in their real lives. Though the simulation ended in May 2007, reactions and reporting continue on the *WWO Lives* blog.

Such immersive, authentic engagement with both audiences and issues is what is needed to ensure public broadcasters’ relevance in an ever-more participatory media universe.

These experiments suggest that there is will and energy within public broadcasting to develop more democratic digital projects, and a corresponding interest from publics. But many uncertainties remain, including questions about sustainability, reliability, competition, coordination, ownership, and diversity.

### LEADERSHIP CHALLENGES

This is, obviously, a moment for leadership. However, there is no clear candidate for coordinating any response to current digital challenges. CPB has struggled to provide convening space and efforts, advice and knowledge. However, its actual ability to force change is extremely limited, tied mostly to its ability to put conditions on its Community Service Grants (the pass-through grants to stations for infrastructure and basic needs). PBS faces the challenge that its own membership is divided into factions, each of which has a different set of parochial needs and desires. NPR would like to take a lead in the radio community but faces deep suspicion from its smaller competitors and suspicion as well from stations, which fear that NPR will attempt to package its products in ways that minimize their role. WGBH, the behemoth of producing TV stations, has staked a claim to innovation but not to system-wide leadership. In general, radio and TV coordinate little with each other; indeed, in many stations the TV and radio operations are entirely separate. These significant institutions also face an “Innovator’s Dilemma,” preventing them from fostering the disruptive change that might undermine their core business while leading to radically different models of the future.

Some look to CPB to assert leadership over both radio and TV, but as CPB cannot command, any leadership it asserts would have to be accepted by stations. Stations have not yet come to a shared acceptance that the situation is bad enough to require coalition building, much less mutual action. Some think that revised legislation to implement a master plan for an interactive public broadcasting would be an effective way of breaking the stalemate, but of course without a coherent proposal backed by a significant number of players, legislation is a nonstarter. Political opposition to change from the welter of different balkanized interests, each appealing to its state legislator or favored group of legislators, would sink it.

### WHAT IS AT STAKE

Public broadcasting has two features of great value: highly trusted and useful programming, and a close relationship with
an active part of the U.S. citizenry.

Public broadcasting has historically played a critical role in information provision for a democracy. Both PBS and NPR, for instance, carried the Watergate hearings gavel to gavel. Public broadcasters have regularly held political candidate forums, especially (and especially in radio) for local candidates. Public radio has pioneered new genres, for instance the All Things Considered style and tone of reporting; thoughtful talk shows such as The Diane Rehm Show; shows that combine information and entertainment such as Car Talk, This American Life, and Wait, Wait, Don't Tell Me. It has innovated grassroots storytelling in radio with StoryCorps. Types of public affairs formats that have virtually disappeared elsewhere survive in public television: the long form public affairs documentary (produced by people such as Bill Moyers, Roger Weisberg, and Hedrick Smith), investigative journalism (Frontline), high-quality science journalism (Nova), adventurous cultural coverage (American Masters), international public affairs (Wide Angle), and independent documentary (Independent Lens, R.O.V.). Innovative news and public affairs programs—creatively adventurous, in-depth, expensive (such as employing foreign correspondents), authoritative—have been a specialty of public radio via NPR, APM and PRI.

Most of the producers who have worked on these programs and series are not particularly loyal to public broadcasting. They would go wherever they could work best. Public television is extremely difficult to work for—too many entities, too many review panels, just too many people to say “no”—and public radio is very hard to get into. The reason these shows are made within public broadcasting is that commercial broadcasters will not pay for them and the emerging world of Internet distribution does not have a business model. The risk that the core news and public affairs programming currently available will decay and disappear if public broadcasting is diminished or even dismantled is real.

Such a collapse would have real consequences for national conversations about issues central to our democracy. Although both PBS and NPR have often rightly been criticized for their lack of diverse content and staff, PBS has shown with its children’s programming that high-quality noncommercial content can attract viewers from across the demographic spectrum. In fact, the race, education and income levels of PBS viewers roughly mirror those of the U.S. population—although those viewers currently cluster in the under-5 and over-50 age ranges. Public radio attracts a more elite audience. The 2007 Public Radio Today report notes that the News/Talk format attracts nearly 44 percent of public radio listeners; 72 percent of those listeners are college graduates, and more than half live in households earning at least $75,000 per year. So, taken as a whole, public broadcasting has both wide reach and influence among thought leaders. Many executives and producers are also committed to the mission of educating and informing all comers. Though newspapers and network newscasts once claimed the same goals, these values are eroding under market pressures.

Public broadcasting may fall short in its efforts to inform and enlighten a pluralistic and contentious society. Noncommercial business structures have not guaranteed that public service media actually serve diverse publics well. Still, the current constellation of organizations is the result of decades of lobbying by educators, newsmakers, legislators and issue groups convinced that media are a crucial resource for a functioning democracy. Public broadcasting serves as an unparalleled “safe space” for contested issues and minority voices, and should not be abandoned wholesale in favor of either technoutopian dreams of unfettered online communication or free market rhetoric that insists that audiences “get what they want.”

SCENARIOS FOR CHANGE

So, given all of the complexities described, how might these interlinked entities evolve?

Go local. Stations could change what they define as their core tasks, becoming a version of an electronic public library for the community (this was a 1990s idea within public broadcasting). This would stress the “public” side of their name, rather than the “broadcasting” part, which until now has been more dominant. Today most stations in fact have very limited community involvement. Their boards, often a good reflection of the locally powerful, have limited expectations that stations will play a role in cultivating grassroots opinion and action. They could become lively, interactive local hubs for community knowledge creation and transmission, building on the centralized programming resources such as PBS, NPR, APM, PRI, ITVS, PRX, Sesame Workshop, Public Affairs TV (Bill Moyers’s production house) and others provide. They might even find common ground with other local media, from local cable access stations, which are also fighting for resources and have more experience with
treating audience members as media-makers and partners, to blogs and community news sites, to struggling small-town newspapers. This kind of shift would require almost a complete turnover of the existing executive class, which is aging and entrenched in the broadcasting model, and it is a fundamentally different notion of what a station is from the role most stations now play in their communities.

**Go national.** A core group of organizations could work to make high-quality, national-level public broadcasting programming available on all platforms, all the time, cutting out the station middleman. This is something that some producers (such as Sesame Workshop) see as the appropriate future. Such a scenario would require finding new sources of income for public broadcast programming, almost all of which is produced more expensively—usually for good reason (research, production quality, nurturing of new or minority talent)—than similar commercial programming. Consumer payments likely will not cover the costs. Shutting down stations and transferring the annual taxpayer subsidies to some designated set of program producers might make sense economically, but such a move faces gargantuan political counterforces and would, if successful, certainly create new alarms among those who closely watch content produced with taxpayer dollars.

**Partner up.** Public broadcasting entities could leverage existing assets—including the access to far-flung talent network—and develop partnerships with rising Internet businesses that need both content and the ability to create content. This would encourage a variety of experiments in participatory media that draw upon the deep and well-researched content so notable in public broadcasting. This would not require extensive Internet-based expertise or culture on the public broadcast side, and results could be harvested and shared to lower innovation costs. Or, they could band together to become leaders in co-developing an Internet-based nonprofit media sector. For instance, Apple is growing a nonprofit section of iTunes—iTunesU—and Google is currently working with a variety of nonprofits to digitize assets—both under terms that benefit the corporations greatly and do almost nothing for the nonprofits. A coordinated negotiation with Apple or Google or Yahoo could invest public broadcasters with some agency in the process of developing a nonprofit information sector. Such negotiations would require a coordinating body that currently does not exist, and leadership that can work well with Internet company executives.

**Fight it out.** Let internecine warfare and the withering away of old models sort out who should stay and who should go. Weaker stations—perhaps the “overlap” or “differentiated” stations that now provide content diversity, perhaps the Pacifica stations that serve diverse audiences, perhaps small market stations and stations that cannot develop funding strands through production—may fail to survive. Other stations, when changing hands, may leave the CPB fold, most likely for religious broadcasting investors. Local presence may be undermined by broadband access to same or similar kinds of programming. Major talent may depart for other projects. Beloved shows might be cancelled or downsized. Survivors could include major producing stations, major program producers, and some aggregators. The winners could be more streamlined and able to take advantage of a business environment that is more stable than the current one. This would be a gamble, because public broadcasters might also simply end up as nonplayers in the emerging environment. Almost certainly lost would be the now nearly universal local presence. As well, the process will likely favor those who accommodate most conveniently to commercial pressures.

Each of these scenarios offers opportunities for funders and others who hope to support a media environment that includes high-quality news and information programming in the public interest.

**NEXT STEPS FOR PUBLIC BROADCASTING SUPPORTERS**

Funders and others concerned with the future of public broadcasting could:

**Support and grow local leadership.** Public broadcasting lacks executive strength in the digital area, especially at the station level. With targeted investment, this may be an opportunity for public broadcasting’s own convening organizations, such as the Integrated Media Association or the Station Resource Group, to step forward and offer training. Or programs could be formed with business schools or consulting firm to shape
strategy for local stations. Community foundations are potential partners in such efforts. If the most promising local stations can develop solutions, they can be replicated elsewhere.

**Create a national engine for innovation and investment.** Foundations are searching for ways to both publicize and measure the impact of dollars spent on participatory and digital projects. The CPB is interested in partnerships to encourage projects in the digital interactive area. High-profile digital projects could also attract corporations seeking to associate their products with prestigious public broadcasting brands. These groups could work together to form a new nonprofit entity that would analyze and showcase innovations from across the sector—as the Knight-funded MediaShift Idea Lab is doing with community news innovators—and serve as a point of connection for public media supporters and producers.¹³

**Foster collaboration.** The fragmentation of public broadcasting is deeply embedded its current structures. But outside funders can help to bridge gaps by investing heavily in projects and organizations that involve cross-platform partnerships or explore hybrid public–private business models. Targeted publics—clustered around issues or locations, and organized by nonprofits or advocacy groups—should also be considered as viable partners for collaboration.

**Back the winners.** Funding tried-and-true brands and promising organizations would save funders from the complex and fraught process of devising grand solutions. The trick would be defining the goalposts. Should funders throw in with those programs and organizations that draw the most eyeballs and commercial partnerships? Or should success be measured in terms of participation, creativity, learning, and mobilization? Investment in new forms of impact measurement could help to clarify the stakes.

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Jake Shapiro is the founding Executive Director of the **Public Radio Exchange (PRX)**, a nonprofit web-based service for distribution, review, and licensing of radio programs. Since its launch in 2003, PRX has been a leading innovator in public broadcasting, pioneering new digital distribution models and social media applications. Jake has also recorded and performed on guitar and cello with numerous groups, most frequently with Boston-based rock band Two Ton Shoe.

**ENDNOTES**

¹ [http://publicmediametrics.org](http://publicmediametrics.org)
² [http://publicmediainnovation.org](http://publicmediainnovation.org)
³ [http://www.pubforge.org](http://www.pubforge.org)
⁵ [http://www.knightdigitalmediacenter.org](http://www.knightdigitalmediacenter.org)
⁶ [http://www.basc.org](http://www.basc.org)
⁷ [http://www.ulpe.tv](http://www.ulpe.tv)
⁸ [http://www.pbs.org/engage/](http://www.pbs.org/engage/)
¹⁰ [http://minnesota.publicradio.org/publicinsightjournalism](http://minnesota.publicradio.org/publicinsightjournalism)
¹¹ [http://worldwithoutoil.org](http://worldwithoutoil.org)
¹² [http://wwolives.wordpress.com](http://wwolives.wordpress.com)
¹³ [http://www.pbs.org/idealab](http://www.pbs.org/idealab)
APPENDIX I:  
PUBLIC BROADCASTING RESOURCES

Key Players

The Corporation for Public Broadcasting (CPB)  
http://www.cpb.org
This private, nonprofit corporation was created by Congress in 1967; its mission is to “facilitate the development of, and ensure universal access to, non-commercial, high-quality programming and telecommunications services.”  
CPB-funded projects include:

• CBP Stations Activities Benchmarking Study (SABS):  
  http://www.cpb.org/stations/sabs/  
  This annual survey collects financial and operational information for all public television licensees.

• Independent Television Service (ITVS)  
  http://www.itvs.org  
  ITVS “brings to local, national and international audiences high-quality, content-rich programs created by a diverse body of independent producers. ITVS programs take creative risks, explore complex issues, and express points of view seldom seen on commercial or public television.”

• National Center for Outreach (NCO)  
  http://www.nationaloutreach.org  
  NCO’s mission is to “increase public broadcasting’s ability to serve local communities and to be a catalyst for community engagement by public broadcasting.”

• The National Minority Consortia (NMC)  
  Members of the Consortia “function as developers, producers, and distributors of radio and television programming that appeals to diverse audiences and harnesses the creative talents of minority communities.”

  – National Black Programming Consortium  
    http://www.nbpc.tv
  – Native Public Media  
    http://www.nativepublicmedia.org
  – Native American Public Telecommunications  
    http://www.nativetelecom.org
  – Pacific Islanders in Communications  
    http://www.piccom.org

Television

American Public Television (APT)  
http://www.aptonline.org  
APT develops and delivers programs and services to U.S. public television stations, as well as international and cable outlets.

Flagship stations:  
The following stations produce widely syndicated public television content:

  • KCET, Los Angeles  
    http://www.kcet.org
  • WGBH, Boston  
    http://www.wgbh.org
  • WNET, New York  
    http://www.thirteen.org

Public Broadcasting Service (PBS)  
http://www.pbs.org  
PBS is a private, nonprofit corporation, founded in 1969, whose members are U.S. public TV stations. PBS provides programming and related services, including promotion, education services, new media ventures, fundraising support, technology development and marketing.

Radio

American Public Media (APM)  
http://americanpublicmedia.publicradio.org  
APM is “the largest owner and operator of public radio
stations and a premier producer of public radio programming in the nation.”

**National Public Radio (NPR)**
http://www.npr.org
National Public Radio is a private nonprofit organization that produces and distributes noncommercial news, talk, and entertainment programming to its U.S. member stations. Its mission is “to work in partnership with member stations to create a more informed public—one challenged and invigorated by a deeper understanding and appreciation of events, ideas and cultures.”

**Public Radio International (PRI)**
http://www.pri.org
PRI is an independent, nonprofit corporation that distributes programming to U.S. public radio stations. Its mission is “to engage listeners with distinctive radio programs that provide information, insights and cultural experiences essential to understanding a diverse, interdependent world.”

**Station Resource Group (SRC)**
http://www.srg.org
The Station Resource Group is an alliance of 45 public radio broadcasters that develops strategies for strengthening public radio content, audiences, fundraising, and management. SRC projects include:

- **Public Radio Capital (PRC)**
  http://www.pubcap.org
  PRC is a nonprofit organization that “focuses on expanding the capacity and asset base of public radio,” by helping stations to secure financing, purchase stations, and build alliances.

- **Public Radio Exchange (PRX)**
  http://www.prx.org
  PRX is a nonprofit service for distribution, peer review and licensing of radio pieces, as well as an online community of listeners, producers and stations.

**Related Organizations**

**Association of Public Television Stations (APTS)**
http://www.aptv.org
APTS is a nonprofit membership organization for public television stations established to “secure federal funding and policies to help our stations serve their local communities as effectively as possible.”

**Current**
http://www.current.org
Current is the “newspaper about public TV and radio in the United States,” and hosts the Public Broadcasting PolicyBase (http://www.current.org/pbpb/) an archive of documents about the history, policy and structure of U.S. public broadcasting.

**Development Exchange (DEI)**
http://www.deiworksite.org
DEI is “public radio's fundraising and marketing service organization,” serving more than 245 member stations.

**Federal Communications Commission (FCC)**
The FCC regulates licensing for noncommercial radio and television stations, as well as the transition from analog to digital broadcast.

**Integrated Media Association (IMA)**
http://www.integratedmedia.org
The IMA is a membership organization for public radio and TV stations and networks. Its mission is “to harness the power of the Internet and other new media platforms for the benefit of public broadcasters.”

**National Public Media (NPM)**
http://nationalpublicmedia.com
Jointly owned by WGBH and NPR, NPM is the “premier national media representative for underwriting announcements on public television and public radio.”

**National Federation of Community Broadcasters (NFCB)**
http://www.nfcb.org
The NFCB is a “national alliance of stations, producers, and others committed to community radio.”
Public Interactive (PI)
http://www.publicinteractive.com
NPR recently agreed to acquire PI, the mission of which is “to support and facilitate the online initiatives of local, community-based public broadcasting stations.”

Audience Demographics

“About PBS: Corporate Facts”
http://www.pbs.org/aboutpbs/aboutpbs_corp.html

Audience 2010: Reinvigorating Public Radio’s Public Service and Public Support

Public Radio Today: How America Listens to Public Radio

History


Public Media 2.0: Dynamic, Engaged Publics

Futureofpublicmedia.net

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EXECUTIVE SUMMARY

Public broadcasting, newspapers, magazines, and network newscasts have all played a central role in our democracy, informing citizens and guiding public conversation. But the top-down dissemination technologies that supported them are being supplanted by an open, many-to-many networked media environment. What platforms, standards, and practices will replace or transform legacy public media?

This white paper lays out an expanded vision for “public media 2.0” that places engaged publics at its core, showcasing innovative experiments from its “first two minutes,” and revealing related trends, stakeholders, and policies. Public media 2.0 may look and function differently, but it will share the same goals as the projects that preceded it: educating, informing, and mobilizing its users.

Multiplatform, participatory, and digital, public media 2.0 will be an essential feature of truly democratic public life from here on in. And it’ll be media both for and by the public. The grassroots mobilization around the 2008 electoral campaign is just one signal of how digital tools for making and sharing media open up new opportunities for civic engagement.

But public media 2.0 won’t happen by accident, or for free. The same bottom-line logic that runs media today will run tomorrow’s media as well. If we’re going to have media for vibrant democratic culture, we have to plan for it, try it out, show people that it matters, and build new constituencies to invest in it.

The first and crucial step is to embrace the participatory—the feature that has also been most disruptive of current media models. We also need standards and metrics to define truly meaningful participation in media for public life. And we need policies, initiatives, and sustainable financial models that can turn today’s assets and experiments into tomorrow’s tried-and-true public media.

Public media stakeholders, especially such trusted institutions as public broadcasting, need to take leadership in creating a true public investment in public media 2.0.
TAKEAWAYS

• Public media 2.0’s core function is to generate publics around problems.
• Many-to-many digital technologies are fostering participatory user behaviors: choice, conversation, curation, creation, and collaboration.
• Quality content needs to be matched with effective engagement.
• Public media projects can happen in any venue, commercial or not.
• Collaboration among media outlets and allied organizations is key and requires national coordination.
• Taxpayer funds are crucial both to sustain coordination and to fund media production, curation, and archiving.
• Shared standards and practices make distributed public media viable.
• Impact measurements are crucial.

ACTION AGENDAS

• Public media institutions and makers need to develop a participatory national network and platform; to cross cultural, social, economic, ethnic, and political divides; to collaborate; and to learn from others’ examples, including their mistakes.

• Policymakers need to create structures and funding to support national coordination of public media networks and funding for production, curation, and archiving; to use universal design principles in communications infrastructure policy and universal service values in constructing and supporting infrastructure; to support lifelong education that helps everyone be media makers; and to build grassroots participation into public policy processes using social media tools.

• Funders can invest in media projects that build democratic publics; in norms-setting, standardization of reliability tools, and impact metrics; and in experiments in media making, media organizations, and media tools, especially among disenfranchised communities.
INTRODUCTION

In the post–World War II boom, the shallowness and greediness of consumer culture appalled many people concerned with the future of democracy. Commercial media, with few exceptions—such as some news beats in prestige newspapers—mostly catered to advertisers with lowest-common-denominator entertainment. How could people even find out about important issues, much less address them?

In the United States, this concern inspired such initiatives as the Hutchins Report of the Commission on the Freedom of the Press (1947), the Carnegie Commission on Public Broadcasting (1966), the Poynter Institute (1975), and other journalistic standards and training bodies. Foundations also supported media production and infrastructure, including the Ford Foundation’s commitment to public broadcasting, the Rockefeller Foundation’s investment in independent filmmakers, and the John D. and Catherine T. MacArthur Foundation’s funding of media arts centers. Some corporations also created public media for a mass media era: For instance, the burgeoning cable industry offered C-SPAN as a service particularly interesting to legislators. Guided by public interest obligations, broadcasters supported current affairs programming and investigative reporting. Taken together, these efforts placed the onus of educating, serving, and enlightening the public on media makers and owners. They secured the public stake through regulation, tax exemptions, and chances for citizen review.

Public media 1.0, like parkland bordering a shopping mall, inhabited a separate zone: public broadcasting, cable access, nonprofit satellite set-asides, national and international beats of prestige journalism. These media played occasional major roles (showcasing political debates; airing major hearings; becoming the go-to source in a hurricane) while also steadily producing news and cultural enrichment in the background of Americans’ daily lives.

Throughout the second half of the twentieth century, public media 1.0 was widely accepted as important, but rarely loved—politely underfunded by taxpayers, subsidized weakly by corporations, grudgingly exempted from being profit centers by shareholders. It was often hobbled by the inevitable clash between democratic debate and entrenched interest. In public broadcasting and in print journalism, partisan and corporate pressures distorted—even sometimes defanged—public discussion. Cultural battles sapped government funding for socially relevant arts and performance. Public media 1.0 was also limited in generating vigorous public conversations by the one-to-many structure of mass media. Broadcast town hall forums with representative citizens; op-ed pages
where carefully selected proxies air carefully balanced views; ombudsmen; and talk shows all created limited participation. But print and broadcast are inevitably top-down.

And then came the Internet, followed by social media. After a decade of quick-fire innovation—first Web pages, then interactive Flash sites; first blogs, then Twitter; first podcasts, then iPhones; first DVDs, then BitTorrent—the individual user has moved from being an anonymous part of a mass to being the center of the media picture.¹

Commercial media still dominate the scene, but the people formerly known as the audience are spending less time with older media formats. Many “digital natives” born after 1980 (and a number of us born before) now inhabit a multimedia-saturated environment that spans highly interactive mobile and gaming devices, social networks, chat—and only sometimes television or newspapers. People are dumping land lines for cell phones and watching movies and TV shows on their computers. Not only is much more content now available free, but advertisers are migrating online with it, supporting new media players, such as search engines and social networks. Open platforms for sharing, remixing, and commenting upon both amateur and professional media are now widely
popular—hastening the demise of print subscriptions and “appointment television.” While broadcast still reaches more people, the Internet (whether accessed through phones, laptops, or multimedia entertainment devices) has become a mass medium. New business models are emerging, grounded in participation by users. Changing media habits have transformed everything, from bookselling to politics. The 2008 election was a dramatic example of the power of participatory media harnessed to political action.

Connectivity, participation, and digital media creation will only increase. Broadband access is growing and may expand further with FCC-permitted access to unlicensed “white spaces” in the spectrum, and with community projects to increase wireless and fiber-optic access. Digital audio and video recorders, laptops, and Web-enabled mobile phones are only getting cheaper and more sophisticated. And Web 3.0 is on the way, featuring “semantic” technologies that will automatically filter user input to create more accurate and meaningful search experiences.

Here are five fundamental ways that people’s media habits are changing:

**Choice:** Rather than passively waiting for content to be delivered as in the broadcast days, users are actively seeking out and comparing media on important issues, through search engines, recommendations, video on demand, interactive program guides, news feeds, and niche sites. This is placing pressure on many makers to convert their content so that it’s not only accessible across an array of platforms and devices, but properly formatted and tagged so that it is more likely to be discovered.

**Conversation:** Comment and discussion boards have become common across a range of sites and platforms, with varying levels of civility in evidence. Users are leveraging conversation tools to share interests and mobilize around issues. Distributed conversations across online services, such as Twitter and FriendFeed, are managed via shared tags. Tools for ranking and banning comments give site hosts and audiences some leverage for controlling the tenor of exchanges. New tools for video-based conversation are now available on sites such as Seesmic. News is collaboratively created, gaining importance by becoming part of electronic conversation.

**Curation:** Users are aggregating, sharing, ranking, tagging, reposting, juxtaposing, and critiquing content on a variety of platforms—from personal blogs to open video-sharing sites to social network profile pages. Reviews and media critique are popular genres for online contributors, displacing or
augmenting genres, such as consumer reports and travel writing, and feeding a widespread culture of critical assessment.

**Creation:** Users are creating a range of multimedia content (audio, video, text, photos, animation, etc.) from scratch and remixing existing content for purposes of satire, commentary, or self-expression—breaking through the stalemate of mass media talking points. Professional media makers are now tapping user-generated content as raw material for their own productions, and outlets are navigating various fair use issues as they wrestle with promoting and protecting their brands.

**Collaboration:** Users are adopting a variety of new roles along the chain of media creation and distribution—from providing targeted funds for production or investigation, to posting widgets that showcase content on their own sites, to organizing online and offline events related to media projects, to mobilizing around related issues through online tools, such as petitions and letters to policymakers. “Crowdsourced” journalism projects now invite audience participation as investigators, tipsters, and editors—so far, a trial-and-error process.

These five media habits are fueling a clutch of exciting new trends, each of which offers tools, platforms, or practices of enormous possibility for public media 2.0:

**Ubiquitous video** (choice, creation, collaboration)
Professional and amateur video alike are migrating online to sites such as Hulu and YouTube; nonprofessional online video is becoming part of broadcast news and newspaper reporting; live streaming and podcasting are routine aspects of public events.

**Powerful databases** (curation, creation)
Deep wells of data and imagery are increasingly valuable for reporting, information visualization, trend-spotting, and comparative analysis. Databases also now serve as powerful back-ends for managing and serving up digital content, making it available across a range of browsers and devices.

**Social networks as public forums** (conversation, collaboration)
Durable social-networking platforms, such as Facebook, and on-the-fly social networks, such as the open-source Ning, allow multifaceted media relationships with one person, a few, or many people.
Locative media (choice, creation)
GPS-enabled mobile devices are allowing users to access and upload geographically relevant content, and a new set of “hyperlocal” media projects are feeding this trend. Conversely, maps are becoming a common interface for news, video, and data.¹¹

Distributed distribution (choice, curation)
News feeds, search engines, and widgets are allowing content to escape the traditional boundaries of the channel or site. Users are coming to expect access to anywhere, anytime searchable media.

Hackable platforms (creation, collaboration, curation)
Open source tools and applications are becoming increasingly customizable. Media makers can tailor their platforms, sharing tips across a broad community of developers, and users can pick and choose how they will interact with content.

Accessible metrics (creation, curation)
Ranking and metrics sites, such as Google Analytics, Alexa, and Technorati, make it easier for media makers to compile and compare their audiences—and for outsiders to more easily judge and note success.

Cloud content (choice, creation)
Applications, media, and personal content are migrating away from computers and mobile devices and onto hosted servers—into “the cloud” of online content. On the one hand this offers simplicity, easy sharing, and protected backups; on the other, it threatens control and privacy.

Pervasive gaming (choice, collaboration)
Gaming—playing computer, Web, portable, or console games, often connecting with other players via the Internet—has become as ubiquitous as watching TV for young people.¹²

The initial period of individualistic experimentation in participatory media is passing, and large institutions—including political campaigns, businesses, universities, and foundations—are now adopting social media forms, such as blogs and user forums. With greater use comes consolidation in tools, applications, platforms, and ownership of them. YouTube and Blogger are now owned by Google, Flickr is owned by Yahoo; WordPress, Facebook, and Twitter are all in play. Every step of consolidation is also a
step in path dependence. That forecloses options, creates powerful stakeholders, and also establishes new, much-needed business models.

Of course, as new business models emerge, the heady days of experiment will cede to the familiar terms of power and profit. Some media and legal scholars see big trouble in this consolidation. Jeff Chester thunders against corporate greed; Jonathan Zittrain fears that Apple will make our digital lives easy by taking away our creative choices; Siva Vaidhyanathan fears that Google’s tentacles will reach into every aspect of our lives while making it ever easier for us to do our work with its tools; Cass Sunstein is sure we’re losing our social souls.

Public media 2.0 can develop on the basis of the platforms that are the winners of the consolidation taking place today and with the help of policy that supports it within that environment. But it won’t happen by accident. Commercial platforms do not have the same incentives to preserve historically relevant content that public media outlets do. Building dynamic, engaged publics will not be a top agenda item for any business. Neither will tomorrow’s commercial media business models have any incentive to remedy social inequality. Participation that flows along today’s lines of access and skill sets will replicate past inequalities. If public media 2.0 looks less highly stratified and culturally balkanized than the public media of today, it will be because of conscious investment and government policy choices.
PUBLIC MEDIA 2.0: THE FIRST TWO MINUTES

Exciting experiments in public media 2.0 are already happening:

**World Without Oil**
The Independent Television Service (ITVS), part of public broadcasting, attracted almost 2,000 gamers from 40-plus countries to its World Without Oil (http://worldwithoutoil.org), a multiplayer “alternative reality” game. Participants submitted reactions to an eight-month energy crisis via privately owned social media sites, such as YouTube and Flickr—and made corresponding real-life changes, chronicled at the WWO Lives blog (http://wwolives.wordpress.com).

**The Mobile Report**
The Media Focus on Africa Foundation worked with the Arid Lands Information network to equip citizen reporters in Kenya with mobile phones. The Mobile Report project used an online map interface to aggregate ground-level reports on election conditions (http://mfoa.africanews.com/site/page/mobile_report).

**10 Questions Presidential Forum**
Independent bloggers worked with the *New York Times* editorial board and MSNBC to develop and promote the 10 Questions Presidential Forum (http://www.10questions.com/). More than 120,000 visitors voted on 231 video questions submitted by users. Presidential candidates then answered the top 10 questions via online video. The top question was also aired during the MTV/MySpace “Presidential Dialogue” featuring Barack Obama.

**OneClimate Island**
During the United Nations Climate Change Conferences in Bali and Poznan, a news network of nonprofits, OneWorld, connected delegates and participants to reporters and advocates around the world via Second Life, an online 3-D virtual world. The event spawned regular meetings of environmental activists on OneWorld’s virtual OneClimate Island.

**Facing the Mortgage Crisis**
As the mortgage crisis hit home in every community, St. Louis public broadcasting station KETC launched Facing the Mortgage Crisis (http://stlmortgagecrisis.wordpress.com), a multiplatform project designed to help publics grappling with
mortgage foreclosures. Featuring invited audience questions and on-air and online elements that mapped pockets of foreclosures, the project directed callers to an information line managed by the United Way for further help. Calls to the line increased significantly as a result.

**Change.gov**
During the transition to the Obama administration, the transition team launched change.gov, a Web site where people could not only contribute an issue or a question for the new administration to tackle but vote on the relevance of others.

What do all of these media projects have in common? They leverage participatory media technologies to allow people from a variety of perspectives to work together to tackle a topic or problem—to share stories and facts, to ask hard questions, and then shape a judgment on which they can act.

People come in as participants in a media project and leave recognizing themselves as members of a public—a group of people commonly affected by an issue. They have found each other and exchanged information on an issue in which they all see themselves as having a stake. In some cases, they take action based on this transformative act of communication.

This is the core function of public media 2.0 for a very simple reason: Publics are the element that keeps democracies democratic. Publics provide essential accountability in a healthy society, checking the natural tendency of people to do what's easiest, cheapest, and in their own private interest. They are not rigid structures—publics regularly form around issues, problems, and opportunities for improvement—and this informality avoids the inevitable self-serving that happens in any institution. Publics are fed by the flow of communication.

The open digital environment holds out the promise of a new framework for creating and supporting public media—one that prioritizes the creation of publics, moving beyond representation and into direct participation.¹⁶

This is the kind of media that political philosophers have longed for. When Thomas Jefferson said that he would rather have newspapers without government than government without newspapers, he was talking about the need for a free people to talk to each other about what matters. When American philosopher John Dewey argued that conversation was the lifeblood of a democracy, he meant that people talking to
each other about the things that really affect their lives is what keeps power accountable. When German philosopher Jürgen Habermas celebrated the “public sphere” created by the French merchant class in the eighteenth century, he was noting that when nonaristocrats started to talk to each other about what should happen, they found enough common cause to overturn an order. They all saw ordinary people talking to each other about what matters as what holds the power of corporations and government in a society accountable.

*Users can now participate in publics through a range of media*

Where is the impulse to make public media 2.0 coming from? The experiments above, drawn from nonprofit, corporate, and governmental sources, arise both from established mass media and from digital newborns. They depend on deep pockets of existing enterprises as well as individual enthusiasm and volunteer effort. They use both proprietary and open source platforms and tools and often involve some kind of advertising.

Legacy public media, both some commercial journalism institutions and public media institutions, are wrestling hard with the challenge of serving their public missions in new and radically different ways. Commercial projects such as CNN iReport
(http://www.ireport.com/index.jspa) and the Associated Press Mobile News Network (http://www.ap.org/mobilenews/) encourage users to upload their own reports and images.

At workshops and strategic planning meetings, journalists are brainstorming new titles for themselves, such as “community weavers.” The Knight Foundation has also underwritten a surge of innovation in community news—the next phase in its historic support of local newspapers.17

Public broadcasters are grappling with participatory challenges both at a national and a local level. The Online NewsHour offers content from the NewsHour with Jim Lehrer and Web-only features that invite interaction. Some public broadcasting producers have developed widgets that showcase user-generated content.18 American Public Media’s Gather.com creates a social network of public broadcasting supporters. The StoryCorps project partners with public radio stations to collect, broadcast, and promote interviews with everyday Americans that reveal societal truths and collective issues. The ITVS Community Cinema screening series (http://www.pbs.org/independentlens/getinvolved/) combines professional storytelling with nonprofessional participation, and long-form mass media with face-to-face interactions—targeting gatherings and online offerings to specific publics.

Some public broadcasting stations, such as Portland’s Oregon Public Broadcasting (http://www.opb.org/), are positioning themselves online as cross-platform, trusted multimedia news producers and aggregators. Others, such as WILL in Urbana, Illinois, are retraining producers in community engagement practices that can guide more responsive and engaged programming. Still others are encouraging direct production of content by audience members, such as the Docubloggers project (http://www.klru.org/docubloggers/) hosted by KLRU in Central Texas.

Public Radio Exchange (PRX) has brokered a partnership between makers and programmers to “make public radio more public,” working to integrate activities around the five C’s:

- **Creation**: Their site (http://www.prx.org/) allows independent producers to upload radio pieces.
- **Conversation**: PRX has also launched a social network that connects young radio producers and teachers, Generation PRX (http://generation.prx.org/).
- **Choice**: Audiences and public radio professionals seek out pieces through search tools and lists sorted by format, topic, and tone.
Public Media 2.0: Dynamic, Engaged Publics

- **Curation**: Users can write reviews and create playlists.
- **Collaboration**: User feedback helps public radio station producers to assess whether they should play the pieces on air or online.

The result is an extensive, searchable online catalog of independently produced content that was previously inaccessible to listeners and stations—and a new revenue stream and gathering place for makers.

Other public media are also adapting, while maintaining traditional mass-media roles. Cable access media centers, such as the Manhattan Neighborhood Network, are experimenting with webstreaming (http://www.mnn.org), collaborating via open source Web platforms. LinkTV’s “Dear American Voter” (http://www.linktv.org/dearamericanvoter) brings people from around the world into conversation about American politics.

Outside legacy media, “citizen journalism” is blooming, often with a broad transnational focus. Much of it was propelled initially by individual enthusiasm but has found either foundation funding or advertising or both. Political bloggers have built sites that are now advertiser-enhanced institutions, such as Daily Kos (http://www.dailykos.com) or the Huffington Post (http://www.huffingtonpost.com). International Web platforms, such as Global Voices (http://globalvoicesonline.org/) and Open Democracy (http://www.opendemocracy.net/), foster conversation across national and cultural boundaries. Projects such as J-Lab’s Knight Citizen News Network (http://www.kcnn.org/) and the Center for Independent Media (http://newjournalist.org/) offer journalistic training to citizen media makers.

New online platforms, such as Wikipedia, One World, and Global Voices, have grown up in the new nonprofit economy fueled by social entrepreneurs and foundations alike and offer previously unimagined ways to engage in public discussion and comment. For instance, the Wikipedia entry on Sarah Palin, created when she was named John McCain’s running mate, became a vibrant public forum, with Wikipedia monitors maintaining order.

What’s working in the highly experimental and unstable public media 2.0 environment? Some trends stand out:

*Multiplatforming and engagement as a matter of course*

Public media outlets and individual projects are now regularly including offline, online, print, and social media elements, which extend relevance and impact and provide multiple opportunities for publics to form around media. For example,
An Inconvenient Truth was released with a myriad of cross-platform engagement tools.

Data-intensive visual reporting
Highly visual and information-rich sites, such as Everyblock (http://chicago.everyblock.com/) and MapLight (http://www.maplight.org/), demonstrate how information can be culled from a variety of online sources and combined to reveal trends and stories via interactive, user-friendly interfaces. So-called “charticles” are also on the rise in both print and online newspapers, mirroring public enthusiasm for creating visual mashups using tools such as Google Maps—see the “Tunisian Prison Map” for an example (http://www.kitab.nl/tunisianprisonersmap/). Micah Sifry of the Personal Democracy Forum calls this “3-D” content (Dynamic, Data Driven). Its rise suggests a role for outlets, governments, nonprofits, and universities as trusted curators of valuable data sets.

Niche online communities
Publics are gathering around sites and outlets to learn and share information around in-group issues, becoming virtual communities. Such sites may be based on a combination of identity and politics—such as Feministing (http://www.feministing.com), which targets young female readers through pop culture analysis, or Jack and Jill Politics, which describes itself as “a black bourgeoisie perspective on U.S. politics” (http://www.jackandjillpolitics.com/). Even openly partisan blogs, like Little Green Footballs (http://littlegreenfootballs.com/weblog/) or MyDD (http://www.mydd.com/), can serve as both communities and as centers of vigorous debate across lines of opinion and belief. Others affinities are based on location—such as the regional communities that cluster around international meta-blog Global Voices, or the local blogs featured in the Knight Citizen News Network map (http://www.kcnn.org/citmedia_sites/). Still others hinge on particular issues or communities of interest, such as Moms Rising (http://www.momsrising.org/), which coordinates
advocacy campaigns and blogs around policy issues related to motherhood, or Blog for a Cure (http://www.blogforacure.com/), which brings cancer survivors together.

Crowdsourced translation
Projects such as dotSUB (http://dotsub.com) harness volunteer energy to translate public-minded content so that it can travel across national and linguistic boundaries. Documentary films, political speeches, and instructional videos have all been translated by users of this service. Project Lingua (http://globalvoicesonline.org/lingua/) invites readers of the Global Voices site to translate its content. Translators are active in more than 15 languages, including Spanish, French, Serbian, Arabic, Farsi, and Chinese.

Decoupling of public media content from outlets
With business models for outlets flagging, content has acquired a life of its own. Nonprofit projects, such as ProPublica (http://www.propublica.org) and the Center for Public Integrity (http://www.publicintegrity.org), underwrite investigative reporting that can be placed in print or broadcast contexts but also lives online on the projects’ sites. The increasing primacy of search engines and open platforms as interfaces for finding news and information allows new content producers—such as academics,27 advocacy groups,28 and even political campaigns29—to generate widely circulated content addressing public issues. And the rise of tools for online syndication—such as NPR’s recent decision to release its Application Programming Interface (API)—means that even content originally created by an outlet is not destined to stay within its confines.

New toolsets for government transparency
Open online access to government documents and data now offers raw material for both legacy and citizen media efforts. Open Congress (http://www.opencongress.org) invites users to view and comment on bills, track congressional votes, and follow hot issues. Subsidyscope promises to track and analyze spending, loans, and tax breaks associated with the financial bailout (http://subsidyscope.com). The government itself is a key provider of digital transparency projects, such as USAspending.gov (http://usaspending.gov), which allows users to search federal contract and grant data. A coalition of government transparency advocates has crafted a “right-to-know” agenda for the new administration.30
Mobile public media
Mobile devices are becoming increasingly powerful tools for both production and consumption of public-minded text, audio, photo, and video content, especially in developing countries. Common forms of mobile reporting include SMS-based updates on issues and breaking events, “man-on-the-street” photojournalism, election monitoring, and live audio or video streaming. Cell phones are also creating public media access across class lines in the United States. Projects such as The People’s 311 (http://peoples311.com/) in New York demonstrate how mobile citizen media creation can coalesce into ongoing public media: participants are encouraged to post photos of broken sidewalks, damaged fire hydrants, and other urban blight, supplementing reports to the city’s free 311 phone service.

Pro-am storytelling
Professionals and nonprofessionals are working together via new tools and platforms to craft narratives that inform public issues. Filmmakers such as Deborah Scranton of The War Tapes and Anders Østergaard of Burma VJ: Reporting from a Closed Country have based their films on footage shot by amateur contributors in high-pressure situations. Other projects reveal the narratives of groups that have been suppressed, such as Mapping the Third Ward in Houston (http://www.storymapping.org/thirdward.html), which features personal stories underpinning gentrification, or the National Black Programming Consortium’s Masculinity Project (http://www.blackpublicmedia.org/catalog/channel/masculinity), which features the work of film professionals such as Byron Hurt alongside youth media productions and nonprofessional commentary and contributions. The work of WITNESS, a human rights organization that features video contributions documenting violations around the world, also exemplifies the power of storytelling by combining the strengths of professional and nonprofessional.

Peer-to-peer public media training
Networks of media outlets, such as OneWorld (http://us.oneworld.net), the Integrated Media Association (http://www.integratedmedia.org/home.cfm), New America Media (http://news.newamericamedia.org/news/), and The Media Consortium (http://www.themediaconsortium.org/), working together to share and assess strategies for producing effective, public-minded content for the digital, participatory environment. Individual producers are also sharing strategies through projects such as Shooting People (http://shootingpeople.org/), an international
networking organization for independent filmmakers.

These trends demonstrate a widespread, cross-sector interest in developing and sustaining high-quality public media in the networked environment. But without coordination and sustained investment, the new public media will continue to develop piecemeal and erratically.

Today’s public media experiments, constituting the first two minutes of public media 2.0, struggle with balancing quality with quantity, participation with reliability. Matching up the power of the professional and the amateur—the so-called “pro-am” approach—is a great challenge. Legacy public media continue to be repositories for high-quality journalism, documentary, and storytelling, much of which has come from independent producers. That content is now being fed across platforms and offered to users who use it for discussion, incorporate it into their own work, and share it with friends.

If experimentation leads to investment in sustained national practice, public media 2.0 will ensure that self-expression is not merely more noise in an already cacophonous media environment. It will be an enabler of opportunity, a catalyst for innovation, and an access provider for people who may never before have given themselves permission to make media. In public media 2.0, they will be contributors to media for public life, about the issues that most touch them. Public media 2.0 won’t just provide information; it will also contribute to helping people understand ongoing and complicated issues, both with content and through practices.
Documentary Films as Public Engagement

Already practiced in partnering for impact—with activist organizations, universities, public broadcasters—documentarians are now tapping online tools to attract and mobilize publics.

*Not in Our Town*, Patrice O’Neill

First broadcast as a half-hour special on PBS in 1995, *Not in Our Town* told the story of how the people of Billings, Montana—including grassroots activists, elected officials, schools, unions, newspapers, and churches—got together in the face of assaults on Native American, Latino, and Jewish residents to create an initiative that continues as part of the civic life of the city. This model of citizen action—the diversity of which is traced in many more NIOT films—has inspired a nationwide movement.

In 2007, leaders from more than 50 towns and cities gathered to share information and discuss the formation of a national organization and the creation of a social networking site.

*State of Fear: The Truth about Terrorism*, Pamela Yates, Paco de Onis, Peter Kinoy

Addressing the anti-terrorist policies of Peru’s Fujimori government, *State of Fear* became an international platform to discuss suspension of civil liberties under the threat of terrorism. In addition to English- and Spanish-language versions of the award-winning film, a Quechua-language version is being shown in Andean regions where 70 percent of the 69,000 victims of the Shining Path and government terrorism died. The film was translated and used by the democracy movement in Nepal and has triggered discussion in Russia, Morocco, Turkey, and other countries that see analogous situations in their own countries. It played a key role in the movement to return Fujimori to Peru, where he is now on trial. It has recently entered into public discourse—particularly in the Andean region—to contest denials of complicity by the members of the current government. Using Flip video cameras and the film’s Internet platform, Quechua Indians are adding their own stories to current political debate about reparations.
Beyond Beats and Rhymes, Byron Hurt
A critique of violence and misogyny in hip-hop, Beyond Beats and Rhymes has become much more than an award-winning movie. ITVS, which sponsored community screenings nationwide aimed at young audiences, created a comprehensive curriculum that is downloadable on its Web site. In addition to a tour of Historically Black Colleges and Universities, Firelight Films organized a national outreach campaign involving organizations from women’s shelters to Boys and Girls Clubs of America and YO! TV. It is now a part of The Masculinity Project (http://blackpublicmedia.org/project/masculinity), a Ford-funded initiative of ITVS and the National Black Programming Consortium that invites multi-generational voices to discuss issues of race and gender.

Lioness, Meg McLagan and Daria Sommers
Lioness, which premiered at the Tribeca Film Festival and was broadcast nationally on the ITVS television series Independent Lens, is designed to stimulate a national dialogue about the shifting role of women in the military. It tells the stories of five female soldiers, sent to Iraq as cooks, mechanics, clerks, and engineers, who became the first women in American history to engage in direct ground combat—a direct violation of U.S. laws prohibiting the assignment of women to armed combat units. The film’s outreach includes screenings on military bases and human rights and community circuits, as well as policy-making venues. Partnerships have been established with veterans service organizations, military families, and groups advocating for better services for returning women and gender equity among veterans.
BUILDING PUBLIC MEDIA 2.0

Public media 2.0 will evolve across the social media landscape, but it will be held together by a combination of four critical features: A trusted national network to coordinate communication and media practices; funding for content creation, curation, and archiving; partnerships among outlets, makers, and allies; and the standards and measurements that providers of public media uphold, whether they are or are not direct participants in the national platform.

Inevitably, coordinating public media 2.0 will take resources, especially anchoring funds from taxpayers. Wikipedia is a lovely exception to the general rule that public media experiments do not usually take off without subsidy and even Wikipedia has foundation backing.

LEADERSHIP

Who will lead the charge to define and support public media 2.0? There are plenty of organizations both in legacy and new social media, as we have noted, that now perform at least experimental versions of public media 2.0. But who will turn those experiments into broadly accepted social habits? That question has already generated a wide range of proposals, from creating a Digital Future Endowment, to establishing a National Journalism Foundation, to funding a “public media corps,” to reviving the Carnegie Commission’s call for a Public Media Trust.

There are two outstanding needs: for content and for coordination that builds capacity for public participation. We believe it is important to separate these functions in understanding the needs for leadership:

**Content** has been the glory of mass media, and there already is a deep pool of high-quality content via mass media journalism, public broadcasting, and the many content entities—including a welter of freelancers and independent producers—that serve them. Many of these entities face a grave long-term challenge as old business models collapse. But there are still plenty of them today, from prestige newspapers and magazines to such entities as National Public Radio to such media production houses as Sesame Workshop, Participant Productions, and Kartemquin Films.

What is needed for the future of high-quality content is at least partial taxpayer support for the many existing operations and for innovative new projects. A federal body committed to funding media production would fund both institutions and individuals who make, curate, and archive public media,
Public Media 2.0: dynamic, engaged publics

functioning much as the National Endowments for the Arts and Humanities, the Institute for Museum and Library Services, and the National Science Foundation do today. There could be equivalents at a state level, as there are today for some of these agencies. Such a federal body would address the maintenance of high-quality news and information, documentary resources, and historical record. It would invest in the maintenance and accessibility of the content pools that have already been created and that will grow with public participation. It would be structured to fund either commercial or noncommercial entities, so long as they made or enabled the making of public media. Alternatively, one might assign existing cultural and research support agencies responsibility for public media support.

Coordination that builds capacity for participation in public media 2.0 will pose a new challenge—distinct from the work of legacy media organizations, and untested as yet in the digital era. Functions of a coordinating body would include:

- providing an accessible, stable, and reliable platform for public interaction
- providing a toolset for participation in public media
- setting standards and metrics to assess public engagement
- developing a recommendation engine to identify and point to high-quality media
- committing staff at local and national levels primarily to building public engagement with media and to partnerships to make it happen
- tracking emerging technologies and platforms to assess and secure their potential for public media 2.0

The resulting platform would not be the only way or place for public media 2.0 to happen, but it would be a default location for engagement. It would not be the source of public media content, though its recommendations might be critical legitimation for such content. Rather, its staff would be charged first and foremost with promoting public life through media.

Who would do that? One might create such a coordinating body from whole cloth. It is also possible to imagine the linked organizations that comprise the public broadcasting system—with their federal public service mandate, local stations, and national programming outlets—playing such a role. There are, after all, public broadcasting stations, which could be local hubs of a national network, in nearly every metropolitan area in the United States, and there is a national body to manage federal dollars, the Corporation for Public Broadcasting. Public broadcasting, including CPB as a private nonprofit, is properly distanced from government to allow for free speech among public media 2.0 participants.
Certainly no corporate entity appears a candidate to assume a national coordinating function, and emerging Internet sites have not yet garnered broad trust.

Public broadcasters face significant challenges to joint action. Well-known and profound structural problems, rooted in public broadcasting’s decentralized structure, the mixture of content production with distribution functions, and its multiple-source funding, impede collective action.

So does a problem with vision. Public broadcasters have struggled with a transition to digital opportunities. The 2005 Digital Future Initiative report identified four categories in which public broadcasting could be useful going forward: lifelong education, local engagement, public health, and emergency preparedness. This was a list, albeit a good one, but not a mission. The mission of public media 2.0 is to enable publics with media to recognize and understand the problems they share, to know each other, and to act. Recent responses by NPR and public broadcasting stations to the foreclosure crisis and economic bailout are small hints of the shift in focus required for public media 2.0.

Public broadcasters might well identify roles for themselves both in content provision and in coordination. Such an approach would require restructuring and separating out content provision from coordination functions. It would need incentives from the federal government and a clear mandate to the Corporation for Public Broadcasting to execute the change. But it would also reclaim a multibillion dollar public investment in public media and avoid the challenge of creating a new structure that would have some overlapping functions.

If the public gets a chance to build public media 2.0, it will not be merely because of structures such as a coordinating body and content funding. Government policies vital to building participatory capacity must be enacted at the infrastructure level. For instance, broadband needs to be accessible across economic divides and available to public media on equal terms with other, more commercial, media for a vigorous, expandable digital network of communication to thrive. Policymakers should mandate that network developers use universal design principles, so that people of all levels of enablement can access communication and media for public life. Users need privacy policies that safeguard their identities as they move across the digital landscape.

Government policies can also support the production of public media indirectly, with approaches that have been used successfully in the past. For instance, tax benefits could accrue not only to nonprofits but to any commercial entity offering pro bono services or creating public media. Government-funded media makers could be encouraged to
use open source tools and platforms in order to spur innovation and resource sharing. Legislation could address copyright-driven obstacles to public media creation. And of course, support for life-long education will enhance the chances that every person can make media that can help make public life.

In short, there are big questions about how to develop public policies to support public media 2.0, but they are important to engage, because public policy will be crucial in turning isolated experimentation into pervasive public habit.

**Public media 2.0: new partners, new possibilities**

In the digital participatory environment, public media projects have a constellation of potential partners for content creation and distribution.

**PARTNERSHIP**

Partnerships will permit public media 2.0 to happen across the social media landscape, building projects around the five C’s of choice, conversation, curation, creation, and collaboration. While commercial media makers use cross-platform and cross-organizational strategies to produce “synergies” that strengthen their brands and draw in more customers, public media makers can use them to increase awareness around issues, drive support to the public sector, and build and mobilize publics. Some partners will be individuals, but many will be institutions.
Potential institutional partners for public media 2.0 today include legacy public media, independent makers, community media outlets, digital companies, social entrepreneurs, and nonprofit institutions.

The assets of legacy public media—public broadcasters, prestige newspapers and magazines, respected broadcast news programs, and tried-and-true independent media outlets—include public trust, connections to existing communities, deep archives (even if sometimes fraught with ownership issues), and long-time relationships with funders and advertisers.

Community media makers—such as low-power FM and cable access stations, independent TV and radio stations, and youth media outlets—are often already primed to train and support those interested in making their own media.

Digital companies—including social media platforms, search engines, hardware and software developers, and Web 2.0 startups—offer businesses based from the ground up on participation and an understanding of the importance of noncommercial content and projects in building an attractive commercial model.

Institutions in the nonprofit sector that are strong partners for public media projects include universities, museums, and libraries, as well as issue-focused educational and social organizations. Their assets include archives and databases, issue expertise, legitimacy, and trusted brands. Universities and federal research agencies are already wired to next-generation fiber optic networks, which could be used, as the National Public Lightpath project envisions, to create a cooperative public media broadband infrastructure. Nonprofits can also serve as hosts for long-term education and advocacy campaigns that media makers may spur but are not prepared to sustain.

Social entrepreneurs, both in the foundation world and in corporate environments, are seeking partners who can deliver a “double bottom line” of social good and profit. Their projects can serve as points of connection for actors and outlets from different media sectors. (See “Social Entrepreneurs and Public Media 2.0” p. 27)

Collaborative experiments so far bode well. Educational and advocacy organizations are finding points of contact with public media makers around issues, while noncommercial and commercial outlets are developing partnerships that exchange prestige for reach.

Community projects, such as Philadelphia’s Plan Philly site (http://www.planphilly.com), bring journalists, educators, and citizens together to address local issues. Citizen journalism projects, such as Vocalo (http://vocalo.org), Talking Points Memo (http://
www.talkingpointsmemo.com) and Open Salon (http://open.salon.com), are collaborating with audiences to create and select content and to investigate breaking stories. These new partnerships demonstrate the hybrid nature of public media 2.0—commercial- noncommercial, pro-am, media-nonmedia institutions.

An incubator for hybrid projects, the Bay Area Video Coalition’s Producer’s Institute matches up independent and public media makers with commercial Web tools to produce working digital engagement prototypes. The sessions equip producers with powerful new technologies, while providing industry leaders with compelling examples of how their products can enable public participation. One such project is iWitness (http://www.pbs.org/frontlineworld/stories/iwitness/), hosted online by the PBS series Frontline/World. Producers worked with BAVC trainers to combine webcams and the Internet telephone service Skype to build a customized tool that enables citizens and experts on the ground to report on breaking news. The project launched with a story about riots in Johannesburg and was so popular it jumped immediately to the PBS home page.

Twitter Vote Report (http://blog.twittervotereport.com), launched just three weeks before the 2008 presidential election, suggests how quickly joint public media 2.0 projects can be organized. Both NPR and PBS signed on as partners to the project, designed to leverage the microblogging site Twitter to allow voters to report live on their experiences at the polls. After the idea was floated on the Personal Democracy Forum blog, volunteers stepped up to strategize Twitter tags, build related iPhone applications and online visualizations, create a public site for the project, and spread the word to media, bloggers, and get-out-the-vote organizations. A range of nonprofit and technology partners signed on, and more than 8,000 users reported in, creating a real-time record of voting issues around the country.
Social Entrepreneurs and Public Media 2.0

Can business and public life work together? That’s the hope of some social entrepreneurs who target media, blending economic, social, and environmental values.45

Omidyar Network

In addition to providing grants, the Omidyar Network reframes philanthropy as a low-interest investment. Pierre Omidyar, the founder of eBay, and his wife, Pam, established the Omidyar Network in 2004. They have worked with their partners to create opportunities that enable people to “improve their lives and make powerful contributions to their communities.” These efforts are organized around two investment initiatives: Access to Capital, and Media, Markets, and Transparency. The Omidyar Network’s portfolio of past and current partners/grantees includes One World, WITNESS, Green Media Toolshed, the Sunlight Foundation, and SourceForge.Net (http://www.omidyar.net/portfolio.php/).

Participant Media

Participant Media, founded by Jeff Skoll, the first employee of eBay, asserts that “a good story well told can truly make a difference in how one sees the world.” Participant has produced dozens of dramatic features over the past few years, including Good Night and Good Luck, as well as a number of leading documentaries, including the Academy Award–winning Inconvenient Truth. Films are designed with social action campaigns in mind, and investment is allocated for engagement projects. Participant teams up with social sector organizations, nonprofits, and corporations that are committed to creating open platforms for discussion and education and that can, with Participant, offer specific ways for audience members to get involved. The company has also launched a new social action network entitled Take Part (http://www.takepart.com/).
Sundance Channel
The Sundance Channel is a for-profit company with a strong public purpose to showcase independent work. Founded by Robert Redford and his colleagues at the Sundance Institute, it is one of cable television’s most ambitious venues in exploring public media 2.0. The Green (http://www.sundancechannel.com/thegreen/) is television’s first regularly scheduled programming destination dedicated entirely to the environment, with major series, such as Big Ideas for a Small Planet. Its extensive Web component features a social networking site, Eco-mmunity (http://www.sundancechannel.com/ecommunity/).

Channel Four Television’s New Media Commissioning Department
The U.K.’s Channel Four Television, a commercial public channel committed to showcasing independent audio-visual production, has pioneered interactive experiments. Big Art Mob (http://www.bigartmob.com/), a mobile phone blog, encourages audiences to track down and document interesting examples of British public art. 4Talent (http://www.channel4.com/4talent/national/newmedia/) encourages user-generated approaches to creating new programming ideas, formats, and content. The Four Innovation for the Public (4IP) fund, (http://www.4ip.org.uk/) is a collaboration between the channel and U.K. development and media agencies, with an aim to decentralize how public media is produced and delivered.
STANDARDS AND PRACTICES

In the one-to-many environment, public media organizations served as gatekeepers and standards-bearers, enforcing norms and selecting content and makers that matched their missions. In the networked, collaborative, many-to-many media environment, standards and metrics will be universally applicable tools for public media makers and providers.

MISSION

Public media 2.0 will be built around mission, most fundamentally the ability to support the formation of publics—that is, to link us to deep wells of reliable information and powerful stories, to bring contested perspectives into constructive dialogue, to offer access and space for minority voices, and to build both online and offline communities.

How can we recognize public media 2.0 projects in the networked information environment? Like any good participatory media project, they should be open (multidirectional, dynamic, networked), iterative (with good feedback loops), accessible (easy to use without high-end equipment or skills), and egalitarian (letting all participants see each other as significant contributors). But to be public media, they should have at their core the mission to mobilize publics with whatever media are on offer. They should enable participants to shape an informed judgment on which they can act.

SHARED PRACTICES

In open environments, commonly shared expectations for style, tone, format, and responsibility are critical to trust and participation. Areas for establishing standards include:

*Freedom of expression*
Open communication is the baseline requirement for creating public media. The Global Network Initiative (http://globalnetworkinitiative.org/) has brought private companies, human rights organizations, academics, investors, and technology leaders together to craft principles that guide information and communications technology companies when faced with government censorship or requests for user information.

*Distributed fact-checking and quality control*
Vetting of information for quality and accuracy is becoming a shared activity, whether done by committed professionals or by crowdsourcing. Sites such as Digg (http://digg.com/) and Technorati (http://technorati.com/) use crowdsourced ranking and vetting of content from across the Web. NewsTrust.net (http://www.newstrust.net/) attempts to both inculcate media literacy and apply
a wide filter for online news by soliciting volunteers to rate stories from across the Web using core journalistic principles as benchmarks. Factcheck.org (http://www.factcheck.org/), managed by the University of Pennsylvania’s Annenberg School, monitors claims made by politicians in ads, speeches, and interviews. There’s even an automated solution for sniffing out news bias: the Spin Spotter (http://spinspotter.com/home) runs news stories through a set of algorithms based on ethics recommendations from the Society of Professional Journalists and a database of terms used by spinmeisters. (Results so far are mixed.)

**Ethics**

Projects such as the Online Ethics Wiki draw from earlier codes of media practice, applying them to the networked environment. YouTube’s Community Guidelines discourage posting videos that are obscene, violent, depict illegal activities, violate copyright law, or contain hate speech. Such efforts help to underscore the values of civility, truth-telling, and transparency in media production and public debate. Wikipedia’s principle that entries should hew to a “neutral point of view” is one example of how individual sites can encourage distributed users to actively establish and monitor cultural norms that support high-quality information.

**Copyright codes of practices and reform**

Broader participation in media requires broader use of the balancing features of copyright. These limitations on the rights of owners allow people to use today’s culture to build tomorrow’s. The Center for Social Media’s fair use project (http://centerforsocialmedia.org/fairuse) has educated makers and media organizations on the utility of fair use and changed industry practice within the United States. U.S. copyright reforms will also be important, including creating a way to deal with abandoned copyrighted material (“orphan works”) and reforming the Digital Millennium Copyright Act, which now makes illegal the copying of encrypted copyrighted works even for legal purposes. Internationally, media organizations and makers are exploring their own opportunities to assert the rights that make copyright friendly to a participatory media era.

**Open source tools**

Public media 2.0 will encourage the use of open source software wherever possible. Open source tools create common platforms that can be adapted to a wide variety of purposes, and transparency that encourages monitoring, repair, and improvements on design. Even controlling a minority of a market, such as Mozilla does in the browser market with Firefox, has a powerful effect on
the market as a whole and provides tools for innovation and access to creative participation by many more people than purely proprietary platforms do.

**OUTCOMES**

In a world where public media 2.0 is about doing rather than being, measuring success becomes critical. How can you measure the enabling of public life? How do we know when a public has formed?

New impact metrics might include: facts learned; conversations launched; mental frameworks changed; events held; policies proposed, endorsed, or challenged; videos shared; memes spawned; students involved; skills acquired; and submissions posted. Public media benchmarks should also take into account the composition of participants, given the social, economic, political, and ethnic divides of the society. Do media projects create a sense of trust and buy-in, making audiences feel as though they have a voice and can make a difference?

Developing methods for measuring such impacts is a fast-evolving field. Compelling new online tools, such as network mapping and data visualization, make it possible to explore the dynamics of media dissemination in unprecedented richness and detail. Impact measurements from the community media and media development fields also offer some clues.

Failed experiments have as much to tell us as successes. For instance, the Why Democracy? project, a collection of documentaries aired in the same month around the globe and linked to public discussion, succeeded in winning broadcast airings but failed at launching global conversations. Information sharing from the organization’s leaders helped future project designers.
CONCLUSION

In this rare moment of transition, different stakeholders have different opportunities:

Public media institutions have a chance to play a leadership role in several ways. They can elevate and act upon internal discussions about how to develop sturdy digital platforms for collaboration, engagement, and future innovation. They can jointly build or endorse a national coordinating body that will support digital content and interaction. They can individually convene and coordinate public media 2.0 experiments. Such experiments, properly publicized and documented (including their weaknesses), are the seed from which the public media 2.0 environment will grow. All such efforts need to build from a mandate to mobilize publics and incorporate participatory platforms and engagement campaigns. Public media institutions need to reach far beyond the traditional demographics of their mass media audiences and to cross cultural, social, economic, ethnic, and political divides. They need to serve as a beacon in their own communities, daily demonstrating the vitality and importance of public media 2.0.

Public media makers have a chance to develop and publicize emerging models of production that depend on the people formerly known as the audience for funding, distribution, publicity, and the actions that demonstrate that a project has succeeded in engaging publics. They can work with—as well as beyond—legacy media institutions, to bring standards and mission-driven values long typical of the journalistic and independent creator communities to the challenge of pioneering public media 2.0.

Policymakers can position public media 2.0 as a core function of a vital democratic public and support it at national, regional, and local levels. They can call upon existing public broadcasting institutions to pioneer participatory public media projects. They can support infrastructure policy that enhances broad public participation in public media. They can support programs that enable all members of the society to be media literate and to participate in public media 2.0. They can use public media 2.0 principles in their own communication with the public.

Funders can put the mission to build dynamic, engaged publics at the heart of their investments in media projects. They can require grantees to demonstrate that goal for any continued institutional funding. They can support the development of standards and practices and of tools that enable ranking, vetting, and valuing of content. They can develop measures to assess the degree to which a funded effort is expanding and equalizing participation in public life.
All these efforts will create, not only new tools, new habits, new platforms for action, but also greater public understanding of why public media 2.0 needs to be built, nurtured, funded, and sustained by the American people themselves. The most basic challenge for public media 2.0 is to generate political capital for it. People need to make demands for public media 2.0 of their elected officials, their regulators, their communications service providers, and their media entities.

That challenge must begin, as always, in conversations among engaged publics. Stakeholders, whether they are incumbents, innovators, or both, need to begin that conversation. They are the core public for public media 2.0 today.

Those stakeholders need to host these conversations within the networks of attention and concern that they command, in order to mobilize them to demand a vital public media 2.0. Publics can act powerfully and flexibly; they are grown and nurtured within rich communications environments. These environments exist today and can become more effective as they develop links across sectors and as they develop awareness, investment, and a shared vision with wider, engaged publics.
REFERENCES


Pew Internet & American Life Project. (2008). Teens, Video Games, and Civics: Teens’ gaming experiences are diverse and include significant social interaction and civic engagement.


END NOTES

1 Thanks to Diane Mermigas of MediaPost for helping us to develop an earlier version of this graphic for the 2008 Beyond Broadcast conference.

2 In The Berkman Center’s Media Republic project, News and Information as Digital Media Come of Age. (2008), Persephone Miel and Robert Feris argue that the decline of the advertising-based business model is leading the disruption in legacy journalism organizations and that support and collaboration will be needed to shore up the core civic functions of journalism. They also recommend investment in intermediaries that build bridges between high-quality information and publics.

3 A December 2008 survey from the Pew Research Center for the People and the Press reveals that, for the first time, respondents say that while television is still their main source for national and international news (70%), the Internet (40%) now surpasses newspapers (35%). For audience members under 30, the Internet and television are neck-and-neck as news sources.

4 As Lawrence Lessig writes in Remix: Making Art and Commerce Thrive in the Hybrid Economy: “Commercial economies build value with money at their core. Sharing economies build value, ignoring money. Both are critical to life online and offline. Both will flourish more as Internet technology develops. But between these two economies, there is an increasingly important third economy: one that builds upon both the sharing and commercial economies, one that adds value to each. This third type—the hybrid—will dominate the architecture for commerce on the Web.”

5 Internet strategist Peter Daou notes in an essay for the Berkman Center’s Publius Project, “The context, perception, and course of events is fundamentally changed by the collective behavior of the Internet’s innumerable opinion-makers. Every piece of news and information is instantly processed by the combined brain power of millions, events are interpreted in new and unpredictable ways, observations transformed into beliefs, thoughts into reality. Ideas and opinions flow from the ground up, insights and inferences, speculation and extrapolation are put forth, then looped and re-looped on a previously unimaginable scale, conventional wisdom created in hours and minutes. This wasn’t the case during the last presidential election—the venues and the voices populating them hadn’t reached critical mass. They have now.”

6 The Semantic Wave 2008 Report, published by consulting firm Project 10X in September 2008, describes several of the coming technologies: “A key trend in Web 3.0 is toward collective knowledge systems where users collaborate to add content, semantics, models and behaviors, and where systems learn and get better with use. … Key features of Web 3.0 social computing environments include (a) user generated content; (b) human-machine synergy; (c) increasing returns with scale; and (d) emergent knowledge.”

7 Clay Shirky and Allison Fine have documented how individuals and groups have leveraged technologies like e-mail, low-cost video, mobile communication, social networks, and blogs for advocacy around issues large and small.

8 See this June 2008 map of the political blogosphere for an example of the relationship between links across blogs and news sites and the influence they wield: http://presidentialwatch08.com/index.php/map/

9 See the Spot.us project (http://www.spot.us/) for one example of community-funded reporting.
A widget is a small, self-contained piece of code that performs a particular task.

A December 2008 report by the Pew Internet and American Life Project predicts that mobile devices will be the primary means of connecting to the Internet by 2020, a trend sure to drive the expansion of place-based media.

A September 2008 report from the Pew Internet and American Life Project notes that 97% of teens ages 12–17 play some kind of electronic game.

Layoffs at Flickr demonstrate the dangers of depending on commercial platforms for maintaining public media 2.0 projects. As Wired’s Epicenter blog reported on December 30, the photo-hosting site laid off George Oates, the manager of The Commons, a project that allowed users to browse, tag, and analyze tens of thousands of copyright-free images posted by 17 cultural institutions, including the Library of Congress and the New York Public Library. Active users quickly rallied to save the project, but observers suggest that the host institutions should host backup collections. See “With Flickr layoffs, whither ‘the commons’?” (2008), for more details.

As keynote speaker Larry Irving noted at the 2008 Beyond Broadcast conference, “If you look at the skewing of public broadcasting, the median age of public broadcasting viewers is 46 years old. The median age of this country is 36 years old; the median age of Latinos in this country is 24 years old. We are going to grow by 130 million people between 1995 and 2050, and 90 percent of that growth will be people of color.”


For a detailed discussion of the concept of participatory public media, see the Center for Social Media’s Future of Public Media FAQ.

Check the Media Shift Idea Lab (http://www.pbs.org/idealab/) for running blogs by Knight News Challenge grantees exploring new concepts in community news.


Both the UK-based Times Online and NPR reported on a set of suspiciously flattering edits to Palin’s entry made by a Wikipedia user named “Young Trigg,” and the fusillade of revisions that followed.

See the News21 (http://newsinitiative.org/) project for a suite of forward-looking multiplatform student projects.

As Center for Social Media Research Fellow Barbara Abrash noted in a series of interviews with P.O.V. leaders (The View From The Top, 2007), “These interviews reveal a project driven not only by social concern but by a passionate commitment to fostering public knowledge and action. As it evolved, P.O.V. leaders consistently sought out ways to involve viewers—as active commentators, as sources of new information, as mobilizers themselves of public knowledge and action.”
Glaser at MediaShift reports that Gannett, the country's largest newspaper publisher, has reinvisioned its 85 daily newsrooms as “Information Centers,” offering more databases and maps, such as the Cinci Navigator (http://data.cincinnati.com/navigator/).

See this post by Micah Sifry for an example: “Bailout datatorial: follow the money from Wall St. to DC, 1990-present.” (2008).

A recent Knight News Challenge submission by ProPublica and the New York Times suggests a related role: outlets as hosts of primary-source documents.

See the Center for Social Media field report on this project for details: Creating Multiple Global Publics: How Global Voices Engages Journalists and Bloggers. (2007)

See Juan Cole's blog for an example: http://www.juancole.com/

See the ACLU’s Freedom Files for an example: http://aclu.tv/

See the Obama campaign's Keating Economics: John McCain and the Making of a Financial Crisis for an example: http://www.keatingeconomics.com/


See http://www.comscore.com/iphone/ for statistics on higher iPhone adoption among lower-income users.

Deborah Scranton's award-winning The War Tapes used digital camera footage captured by soldiers of a New Hampshire National Guard Union to illuminate the experience of soldiers going to war in Iraq. See the Center for Social Media's analysis, The War Tapes Puts a Face on War (2007) for more details. Another award-winning film, Anders Østergaard's Burma VJ: Reporting from a Closed Country, featured footage captured covertly by Burmese citizen journalists who broke the story of the “Saffron Revolution,” featured in CNN and BBC newscasts. Østergaard, a seasoned storyteller, took the rough but compelling footage and created a narrative, employing re-enactment and complex editing in the process.

WITNESS applies both political and media expertise to make sure that nonprofessional video testimony on human rights abuse makes a difference in the world. Its work on violations of Filipino peasants’ land rights had a major impact, resulting in judicial proceedings against murderers of Filipino activists. The site offers several case studies that demonstrate successful linkages between videos and advocacy. See Video in Action: WITNESS Case Studies (2008).

And in fact, Wikipedia had two initial kinds of subsidy: support from its parent foundation, and the benefit of the contents of the 1911 Encyclopedia Britannica. Largely, however, Wikipedia has grown and thrived on volunteer efforts.

Digital Future Initiative: Challenges and Opportunities for Public Service Media in the Digital Age (2005) was the result of a MacArthur Foundation–funded research initiative that brought public broadcasting leaders together to plan for the digital transition. The report recommends the establishment of a private and independent Digital Future Endowment, “which could be administered through distinguished independent boards affiliated with the existing PBS and NPR foundations. These foundations should leverage public funds, or earmarked user fees, with stepped-up private fundraising efforts on a matching
basis. Where appropriate and possible, their grants should be subjected to clear, research-based performance requirements.”

36 David Sasaki of Rising Voices—a training site for international citizen journalists attached to Global Voices Online—suggests that the government levy a tax on Internet service providers in order to underwrite “a federal body in charge of supporting the nation’s journalism, communication, and information needs. That is, in charge of supporting quality online content and mash-ups.” This body, he suggests, would mirror the National Science Foundation, awarding grants to individuals and institutions proposing projects designed to better inform the American public, from NPR and PBS to data-driven sites like FiveThirtyEight.com. See more in David Sasaki’s blog post “Toward a National Journalism Foundation” (2008).

37 On his Digital Destiny blog, (“Memo to Obama administration: time for a “Public Media Corps” [or the WPA meets the digital age], 2008), Jeff Chester calls for the creation of a federally funded “public media corps” to revitalize public television: “The public media corps would be tasked to engage in investigative reporting and news production; create new forms of cultural programming that reflect the country’s diversity (something public TV desperately requires, by the way); help develop a new approach to public media communications (in such areas as mobile content and social networks).”

38 In Change for America, a Progressive Blueprint for the 44th President (2008), Lauren Strayer describes the Public Media Trust: “The new president should push for the legislative establishment of an independent Public Media Trust with an initial target of $5 billion to $10 billion. Assuming the standard five percent rate of return of similar trusts, a $10-billion trust would immediately remove CPB from the federal budget and grow its budget, providing some $500 million per year. The Public Media Trust proposal has been revisited many times since the Carnegie Commission first recommended it, and the 44th president should be able to rally a wide range of allies for a responsible trust proposal.”

39 See Public Broadcasting and Public Affairs: Opportunities and challenges for public broadcasting’s role in provisioning the public with news and public affairs (2008), by Pat Aufderheide and Jessica Clark, for more details.

40 This American Life produced two widely praised, in-depth shows about the economic meltdown in conjunction with NPR reporters Alex Blumberg and Adam Davidson. Davidson is now the editorial director of Planet Money (http://www.npr.org/blogs/money/) a multimedia NPR project engaging users’ questions about the global economy. See the Columbia Journalism Review article, “NPR leads on SEC” (2008) for an assessment of why this coverage is succeeding.

41 In January, the Corporation for Public Broadcasting requested support from the incoming Obama administration to extend a model pioneered by public broadcasting station KETC, which publicized an assistance hotline and provided debt management information for families facing mortgage default.

42 Public interest advocates are fighting for the inclusion of a public interest set-aside of fiber-optic network capacity that would include a 10-gigabit backbone. Creating such a high-speed public interest pipeline would allow public media 2.0 projects to flourish, and to be scalable and localized at increasingly low cost.

43 For example, Twin Cities Public Television partnered with the League of Minnesota Cities to profile sustainability efforts throughout the state in Green Cities: Leading the Way.

44 For example, WNYC’s The Takeaway is a partnership among a few public broadcasting stations, the New York Times, and the BBC World Service and includes a number of online and on-air tools for encouraging user interaction and conversation.
See http://www.blendedvalue.org, which includes a helpful blended value map at http://www.blendedvalue.org/publications/index.html#bvmap/.

For example, see the public broadcasting developers who have banded together at PubForge (http://pubforge.org) to build a “toolchest of open source applications that address the needs of public media websites in a practical way.”

See the Center for Social Media’s Mapping Public Media project for examples. http://www.centerforsocialmedia.org/site/resources/mapping_public_media/

See this nifty tool for tracking viral videos, called the Video Barometer: http://www.shiftingthedebate.com/shifting/videobarometer.html

“Impact on Our Own Terms,” a document published by the Center for International Media Action (Sullivan & Kidd, 2007), offers a model for qualitative, social-justice-driven media impact goals. These include individual impacts, such as creative expression; organizational impacts, such as new partnerships and collaborations; and community impacts, such as an increase in volunteer efforts.

Empowering Independent Media: U.S Efforts to Foster Free and Independent News Around the World, a 2008 report from the Center for International Media Assistance, provides an overview of indices for measuring media change, and their limitations: “Questionnaires, surveys, on-site visits, anecdotal case studies and statistical data, such as numbers trained and audience gained can all be helpful. But too often, say trainers, they do not reflect the sometimes subtle and long-term progress that occurs in media development programs.”

This article started out as a briefing paper for friends in the public interest community working on the bill that eventually became the 1992 cable act (and was then folded into the Communications Act of 1934). Our question then, as it has been since, is what would be a useful way to define the public interest as communications systems grow and change. As the 1992 act was being shaped, conservatives pressed hard the argument that less regulation meant more benefits to the public. Consumer advocates pushed for price regulation, supporting a broad public outrage at deregulated prices and poor quality. I argued the need to consider as well the need for public spaces and public behaviors. This version of the article was published in the Journal of Communication, and was used in a lawsuit ensuing from the act (See the following chapter, “Access Cable in Action”). The issues endure, since cable has continue to operate with monopoly power, and since public cultures continue to need nourishment.

As a regulated telecommunications service, cable TV has been under scrutiny for its service to the public interest—a central term in U.S. communications policy (Aufderheide, 1998). Perhaps the most high-profile public interest issue in cable service has been rates, an issue that reflects both consumer concern and its monopoly clout. I would like to propose that the public interest can be served, not only by regulatory mechanisms that check market power and enhance diversity in the commercial marketplace, but also by mechanisms that guarantee and protect electronic spaces—channels, centers, services—exclusively for public activity. This is because the public interest is broader than that of consumers, or even protection of the individual speaker; the public has its own interests, separate from those of government or business.

Cable TV Today

Cable is now the primary delivery medium for television in a majority of American homes. Currently almost all American television homes can receive cable, and more than 66 percent of those homes do receive it (U.S., FCC, 1998). Cable has become an essential information service for the majority of Americans, and for many has always been so. The cable industry argues that cable is not nearly as important as it appears, because consumers have alternatives (newspapers, videocassettes, broadcast, theaters) to the various elements of its communications package. But this ignores questions of accessibility, comparative cost, and consumer habits. In rural Madelia, Minnesota, cable brings in the only clear signals. Cable is also a virtual necessity in Manhattan, where dense building means poor reception. And in Laredo, Texas, where 94 percent of the population speaks Spanish as the language of the home and one in four speaks no English, Spanish-language programming appears only on cable (U.S. Senate 1990b: 52).

Historically, cable policy has been hammered out among a handful of special interests, all of whom have invoked the public interest. The Cable Communications Policy Act of 1984 was passed with a minimum of public participation. This law, a hasty resolution to a three-year argument between the largest cable operators and the municipalities that control franchises,
created a national cable policy for the first time. The law attempted to encourage the growth of cable, partly "to assure that cable communications provide, and are encouraged to provide, the widest possible diversity of information sources and services to the public" (Cable Communications Policy Act of 1984, Section 601[4]. 47 U.S.C. Sec. 532[4]). It also attempted to balance the concerns of the major parties, e.g. the cablers' desire for minimal regulation and the cities' desire for accountability (Meyerson, 1985).

The cable industry did grow dramatically once the law went into effect. Viewership grew rapidly, and prices skyrocketed. Even the law's modest public interest provisions—e.g. leased access and public access—were poorly enforced, sometimes leaving those who wished to gain access to the cable systems worse off than before (Lampert, Cate, & Lloyd, 1991; U.S. Senate, 1990b). Consumers outrage over prices and services, and municipalities' indignation over contracts violated, triggered passage of the 1992 Cable Act, which among other things required cable rates to be more closely regulated and required cable operators to carry broadcast signals on a third of their capacity. The cable industry conducted a high-visibility public relations campaign to blame industry problems on government regulators, while also lobbying Congress on the rewrite of the Communications Act, what eventually became the Telecommunications Act of 1996. In that process, cable industry leaders represented themselves as the nation=s only business ready to compete with the telephone companies, if properly favored. Once so favored, with (among other things) deregulation of most cable rates, cable and phone companies regrouped and opted not to compete, at least in the short term. (Aufderheide, 1998)

The virtual absence of a public voice on cable policy, if typical, may be related to the fact that policy has not encouraged the use of mass communication, including cable, for explicitly civic activity. One important, and neglected vehicle for such stimulation is access cable.

The Public Sphere and the First Amendment

The public sphere, a social realm distinct both from representative government and from economic interest (See earlier chapter, “Public Television and the Public Sphere”), is barely recognized as such in common parlance in the U.S. "Public" is commonly a simple synonym for "consumers" or "demographic set." While public spaces are regularly carved out with ingenuity and against the odds by citizens across the nation, they are rarely noticed in national media. Even more rarely are they identified as examples of activity in the public interest, as well as of their particular issue (e.g. school reform, toxic waste dumps). Typically such groups and movements lack access to media, particularly on their own terms.

Communication is central to political life in a democratic nation, as John Dewey made clear long ago. When members of the public have resources to raise issues of public concern, debate them among themselves and develop ways to act on them, telecommunications becomes one tool in the public's organizing of itself. The First Amendment is important, not merely because it guarantees free speech to individuals, but precisely because by doing so it is a tool in defense of the public sphere, protecting the right of the citizenry to "understand the issues which bear upon our common life" (Meiklejohn 1948, 89). Ruling in the context of broadcasting, the Supreme Court has said that the ultimate objective of the First Amendment is to create a well-informed electorate, and that the public's rights are paramount over all (Red Lion Broadcasting Co. v. FCC, 395 US, 367 [1969]; reinforced in Metro Broadcasting, Inc. v. FCC, 110 S. Ct. 2997 [1990]).

Concern for the quality of public life has marked other judicial decisions, such as the
Supreme Court's ruling supporting free and open airing of contemporary issues so that "government may be responsive to the will of the people and that changes may be obtained by lawful means..." (Stromberg v. California, 283 U.S. 359, 369 [1931]). It is the basis for Judge Learned Hand's celebrated statement that the First Amendment presupposes that right conclusions are more likely to be gathered out of a multitude of tongues, than through any kind of authoritative selection. To many this is, and always will be, folly; but we have staked upon it our all. (U.S. v. Associated Press, 52 F. Supp. 362, 372 [S.D.N.Y. 1943]).

"A multitude of tongues" has a social utility; it is not a good in itself. What is involved is not mere data delivery, but a process in which many are involved as producers and presenters as well as receivers.

This concept has been given a shorthand definition as diversity of sources, a longstanding measure of the First Amendment in communications policy (Melody 1990a,b). Diversity's primary value is to offer ranges of viewpoints and sources on problems affecting the public sphere. In recent years, the notion that the marketplace of ideas is well-served in the commercial marketplace without regulatory protection for such diversity has become popular. However, a public without a thriving marketplace of ideas may not be educated to demand it either (Entman and Wildman, 1990, 36-37).

Advertisers and Eyeballs

Cable is hardly a thriving marketplace of ideas. There have been, historically, harsh limitations on the current cable industry's ability to provide diversity of sources and viewpoints on issues of public concern, much less to be a service that fortifies civic activism. Those limitations lie in the conditions of commercial television programming, whatever the delivery vehicle, as well as the current structure of the cable industry.

Cable was once trumpeted as the "technology of abundance," a medium so expansive that no social engineering would be needed for a multitude of tongues to flourish. But this turned out to be another instance in a longstanding tradition of blind optimism in technologies to bring about social change (Streeter, 1987; Winston, 1986; LeDuc, 1987; Sinel, 1990). Although cable has ushered in new formats, from CNN to Nickelodeon to Court TV, the unforgiving logic of commercial production has shaped them all, and ownership has increasingly centralized in a few hands. C-SPAN, funded by voluntary contributions of the cable industry as a non-commercial project (and as a kind of insurance policy with legislators), says nothing about the capacity of the television marketplace to function in the public interest.

Most television programming, including cable programming, is supported by advertising. Programming is designed to attract the audience for the advertising; the public interest may lie in the opposite direction, and the public as a concept is virtually erased in favor of the consumer--who is often referred to as "the public" nonetheless. The most vulnerable members of the public--the young--have been long slighted. Even with the stimulus of legislation mandating children's programming, educational programming for children is still mostly dependent on the slim resources of public television. An issue of great public importance that commercial television never frankly addresses is its own social effect. Bill Moyers' TV series The Public Mind, which did address this issue, was on public television, and was not even carried by all public stations.

Cable's increased channel capacity does not miraculously create new opportunities for public participation in this technology, nor even for greater diversity of sources (LeDuc, 1987;
Winston, 1990). Eyeballs and dollars set a low ceiling even on experimentation within commercial priorities. Television viewing overall has increased only by minutes a day since the wide distribution of cable, and this fact affects the available universe of advertising. While the high costs of production are lowering, as the networks brainstorm cost-cutting measures including "reality" programming, this merely reflects that the total amount of production dollars is being spread ever more thinly. Compression technologies, multiplying the possible channels, and digital set-top boxes that promise vastly expanded options, threaten to spread the viewers out even further, to many programmers' dismay.

Producers know that new technologies do not bring new creative options, new voices, new viewpoints. One study surveying 150 television producers on the options for creativity in the "new television marketplace" found several biases pushing programming away from creativity, including bottom-line strategies and horizontal and vertical integration (Blumler & Spicer, 1990).

Cable’s Control

Cable's industry structure has historically discouraged diversity of sources and perspectives, and leaves virtually no opening for use of the system as a public space.

The simple fact that one operator controls all the channels--a practice that cable industry leaders have zealously guarded, whatever the technical possibilities--concentrates decisionmaking. That tendency has been greatly increased by waves of centralization and vertical integration (U.S. House of Representatives 1990b; U.S. FCC, 1998). As the Supreme Court has recognized, concentration of ownership militates against diversity in principle: "[T]he greater the number of owners in a market, the greater the possibility of achieving diversity of program and service viewpoints" (FCC v. National Citizens Committee for Broadcasting, 436 US 775, 795 [1978]). In 1984, the top four companies controlled 28-29 percent of the national market (U.S. FCC, 1990a, Appendix G, 3; U.S. NTIA, 1988, 555). As the cable law went into effect, mergers and takeovers flourished; the selling price of cable systems tripled in the 1980s (U.S. Senate 1990c, p. 10). By 1991, four companies controlled, at a conservative estimate, 47 percent of all cable subscribers--a national figure that grossly underestimates often-total regional control (U.S. FCC 1990a, Appendix G: 1; U.S. FCC 1990b, Association of Independent Television Stations Comments, April 6, 15-16). By 1998, the top four controlled 62 percent of subscribers (U.S. FCC 1998, E-5). A single MSO, by a decision to carry or not to carry a service, can decide its fate. To add to the problem, the large MSOs have steadily bought equity in program services (U.S. FCC 1990a, Appendix G, 4, 6-9; (Davis, 1990, 38; U.S. FCC 1998, 89f), with Tele-Communications Inc. (TCI) and Time Warner leading the industry with a combined investment in 45 percent of all national cable programming services and similar holdings in cable programming networks. The industry practice has become general, with the eight largest multiple system operators holding interests in all the 68 vertically-integrated services. Moreover, throughout most of the 1990s, most of the largest cable interests developed joint strategies, for instance through participation as board members of Ted Turner=s cable operations and through complex programming partnerships.

The result is impressive market power, as the FCC, the General Accounting Office, local officials and Congress have all admitted (U.S. FCC, 1990a, para. 13.4f & par. 69; U.S. GAO, 1990; U.S. Senate, 1990c, 9; The City of New York, National League of Cities, et al., Reply Comments, 2f; "Why viewers," 1990, B1; U.S. FCC 1998). It is evident from pricing to
quality of service to availability of C-SPAN and other programming to availability of new services.

Historically, cable MSOs have militated against programming diversity, even within the limits of what advertisers want and what viewers find entertaining. Cable companies favor programs they own, and they also discourage new, competing programming. They required legislation to force them to carry all local broadcast signals, on up to a third of their capacity, to permit programmers to sell programming on the open market, and to permit programmers to lease available space on their systems at reasonable rates. New technologies and a changed policy platform, in the Telecommunications Act of 1996, did not create a friendlier, more accessible market for independent programmers, and prices of cable service continued to rise.

Cable television service offers a highly constrained range of programming to American viewers. Even if it were a more vigorous programming marketplace, however, the available programming would still be subject to the eyeballs-and-advertisers limitations. People would be able to see what would attract a demographic slice of American consumers interesting to advertisers.

Electronic Public Spaces

If electronic media policy is to fortify the public sphere, members of the public must be able to use this resource as a public space and in support of other public spaces. The success of this use of the medium would not be measured in commercial criteria, but on its ability to promote relationships within its communities of reference, on issues of public concern. Numbers would be less important than contributing to the perpetual process of constructing a public.

One of many potential resources already exists—public, educational and governmental access channels. They exist thanks largely to grassroots activism resulting in local regulation, and a since-revoked 1972 FCC rule requiring access channels (Engelman, 1990, 1996). Such channels—especially public access—have long been portrayed as electronic soapboxes, where the goal is simple provision of a space in which to speak. The 1984 Act continued this tradition, describing public access as the video equivalent of the speaker's soap box or the electronic parallel to the printed leaflet. They provide groups and individuals who generally have not had access to the electronic media with the opportunity to become sources of information in the marketplace of ideas. (House report, cited in Meyerson, 1985, 569)

But what if everybody can speak but nobody cares? The real value of such services has been and must be in helping to build social relationships within which such speech would be meaningful—constructing that "marketplace of ideas." Such a service needs to be seen and used not as a pathetic, homemade version of entertainment, but as an arm of community self-structuring.

Access programs often have been, in the words of one tired access director, "programmed to fail." This is less remarkable than the fact that they exist at all. Only canny, ceaseless, locality-by-locality citizen activism wrested access centers and channels in the franchise process in the first place, and all such victories are temporary. The 1984 Act sabotaged some of those victories. It had capped localities' franchise fees and required them to be unrestricted. It did not require access channels. Points of confusion in the law--particularly the definition of "service"--as well as restrictions on renewal procedures among others made it easy for cable operators to pay more attention to their bottom line and for franchisers to pay more attention to road paving than to cable access. (Meyerson, 1990; U.S. Senate, 1990a, Lila Cockrell, Mayor, San Antonio,
The 1992 Act not only did nothing to remedy these weaknesses, but further crippled the service by permitting operators to censor controversial programming (see Access Cable in Action). Reversing that decision required extended legal action. In the 1996 Act, access cable was given a curt nod, by requiring competitors to cable systems in any community to carry the equivalent of the cable operator's access obligations, but no other provisions for access cable were made. In fact, proposals in earlier drafts of the legislation for nonprofit set-asides were struck (Aufderheide, 1998).

Even under starvation conditions, access has carved out a significant role in the minority of communities where it exists. Currently only 18 percent of systems have public access; 15 percent have educational access, and 13 percent have governmental access (TV and Cable Factbook 1998, F1). An abundance of local programming is produced in some 2,000 centers--about 10,000 hours a week (Ingraham, 1990), far outstripping commercial production. The Hometown USA Video Festival, showcasing local origination and PEG channel production annually attracts thousands of entries from dozens of states.

These channels are often perceived to be valued community resources, using traditional measures. One multi-site study shows that 47 percent of viewers watch community channels, a quarter of them at least three times in two weeks; 46 percent say it was "somewhat" to "very" important in deciding to subscribe to or remain with cable (Jamison, 1990). Another study, commissioned by Access Sacramento, showed that two-thirds of cable subscribers who knew about the channel watched it (Access Sacramento, 1991). Access centers provide resources and services typically valued at many times what they cost. Access Sacramento, for instance, estimates a community value of its equipment, training and consultation at $4.5 million, ten times its budget (Access Sacramento Annual Report, 1990), an estimate corroborated by the experience of access cable in Nashville and Tucson.

But the most useful measure is not, and should not be, numbers of viewers or positive poll results, but the ability of access to make a difference in community life. Access cable should not function like American public television does. Public television offers a more substantial, thoughtful, challenging or uplifting individual viewing experience than a commercial channel. Access needs to be a site for communication among and between members of the public as the public, about issues of public importance.

Beyond a basic technical level of quality, the entertainment value of such programming comes far secondary to its value as a piece of a larger civic project, whether it is citizen input into actions the local city council is making, or discussions of school reform, or a labor union's donation of services to low-income residents, or the viewpoints of physically challenged people on issues affecting them, or the showcasing of minority culture, such as youth music. This is because viewers are not watching it as individual consumers, but as citizens who are formulating a response. In each case, the program--unlike a commercial broadcast or cable service--is not the end point, but only one of the means toward the continuing process of building community ties.

In small and incremental ways, the access cable channel acts as a public space, strengthening the public sphere. In Tampa, Florida, for instance, public access cable provided the primary informational vehicle for citizens concerned about a county tax that was inadequately justified; major local media, whose directors shared the interests of politicians, had failed to raise accountability issues. The tax was defeated in a record voter turnout. In the area's educational cable access system, airing school board meetings has resulted in vastly increased public contact with school board members. And a children's summer reading program in which
libraries, schools and the access center worked together resulted in the committee members, officers of 13 different institutions, finding other common interests.¹

¹ Interviews with the following people between September 1990 and August 1991 informed the analysis of access cable: Andrew Blau, then-communications policy analyst, United Church of Christ Office of Communication, New York; Alan Bushong, Executive Director, Capital Community TV, Salem, Oregon; Gerry Field, executive director, Somerville Community Access Television; Ann Flynn, Tampa Educational Cable Consortium; Nicholas Miller, lawyer, Miller and Holbrooke, Washington, D.C.; Elliott Mitchell, ex-executive director, Nashville Community Access TV; Randy Van Dalsen, Access Sacramento.
Access does not need to win popularity contests to play a useful role in the community. It is not surprising if people do not watch most of the time. (Indeed, given the treatment access gets by cable operators, it is a kind of miracle that viewers find the channel at all.) It is indicative of its peculiar function that people find the channel of unique value when they do use it.

Different kinds of access are used for very different purposes. Government and educational channels may feature such programming as the city council meeting, the school board meeting, the local high school's basketball game, religious programming or rummage-sale announcements on a community billboard. Some colleges have sponsored oral history sessions that illuminate immigrant history (Agosta, 1990; Nicholson, 1990).

Public access channels, run on a first-come, first-serve basis, are responsible for much of access cable's negative image, and some of its most improbable successes. There is often a strong element of the personalist and quixotic in the programming, and public access channels have sometimes been a source of scandal and legal controversy, for instance when the Ku Klux Klan started circulating national programs for local viewing (Shapiro, 1990, p. 409f; Brenner, Price and Meyerson, 1990, sec. 604[7]). Less reported is that often the Klan issue spurred civil liberties and ethnic minorities organizations to use the service for their own local needs; and these groups have continued to use the service. Voluntary associations, for instance the Humane Society's adopt-a-pet program in Fayetteville, Arkansas and a musical education series sponsored by the Los Angeles Jazz Society (Nicholson, 1990), also use public access. In some places--for instance New York City, where Paper Tiger television regularly produces sharply critical programs on the media; or Austin, Texas, home of one of access cable's oldest talk shows--public access has become an established alternative voice in public affairs. Public access is host to viewpoints as diverse as those of leftist critics of the Gulf War (in Deep Dish TV's national series) and those of conservative Rep. Newt Gingrich (R-GA), who hosts half-hour shows produced by the Washington, D.C.-based American Citizens' Television (ACTV).

Thus access has a history of fulfilling a role of community service, and has been recognized in law as performing a useful First Amendment function. Access cable could, in every locality, provide an unduplicated, local public forum for public issues.

Cable operators and municipalities alike have found access cable to be a thorn in their sides (Ingraham, 1990). In municipalities such as Pittsburgh, Milwaukee, and Portland (Oregon), cable companies immediately rescinded or renegotiated franchise terms regarding cable access, once the Act went into effect. Even when access was established or re-established, the cost was often significant. For instance, in Austin, Texas, the Time-owned company only two weeks after deregulation went into effect announced that it could not afford to meet its franchise obligations--especially its $400,000-a-year funds for access television and the provision of eight channels. It took 11 months of civic organizing and city council pressure, and some $800,000, to restore the provisions.

In localities beset with fiscal crisis--a widespread problem, since in the 1980s many costs of government were shifted downward--revenues once designated to access have gone into general revenues. For instance, when Nashville found itself in a budget crisis in 1988, a program by a gay and lesbian alliance on public access triggered a city council debate. The cable company, a Viacom operator, supported city council members trying to rechannel access funds into general operating funds. The upshot was near-total defunding of the access center. In Eugene, Ore., and Wyoming, Mich., among others, municipalities have drastically cut or eliminated access budgets in favor of other city projects.
What It Would Take

Local citizen activism has kept access cable alive, but its limits, in a situation where national cable policy shapes the economic environment, are clear. Consistent, federal-level reservation and subsidy would be needed to create the opportunity for creative experiments in public spaces on cable TV. Reservation of channel capacity would need to be accompanied by adequate funding—for facilities, professional production assistance, a local public production fund, and promotion—through the franchise and through annual franchise fees.

Centers should universally have funding for professional staff, which would not mitigate access' value as a public space. There is no need to fetishize the amateur and the homemade; professional craftsmanship can improve the functioning of a public forum and enliven the public sphere as much as it can the realm of commerce. Professionals' tasks, however, would be as facilitators of communication rather than promoters of expression for its own sake.

National public cable channel capacity, with protected funds to avoid both censorship and the distortions of corporate underwriting, could further broaden the public forum. C-SPAN's admirable record, and that of a foundation-funded regional public affairs channel focusing on the state legislature, CAL-SPAN: The California Channel (Westen, 1989), might serve as prototypes for such an effort. The service would not, however, have to be limited to legislative or judicial issues. Nor would it be beholden to the whims of the cable industry as C-SPAN is. This service would differ from public television--another valuable service--not only in its subject matter but in its primary mandate to respond to the moment, a flexibility public television does not exercise except in extremity.

Such national channel capacity would boldly raise the perennial problem of who should broker information and how, a problem that in itself could become another opportunity for civic organizing and creative rethinking of how television is and can be used. It too would without doubt require professional staff, with rules and structures guiding their work. For instance, users might have to meet a minimum standard of organization; public interests least likely to be served in the commercial marketplace might be prioritized. Arenas of concern such as educational and health policy, multicultural questions, environmental and workplace issues, and the arenas of public discourse themselves (e.g. events of public interest groups) could be the basis for ongoing electronic workshops.

Another resource for such a reinvigorated public interest could be a national video production fund, with its products available for distribution through all televisual vehicles, including cable, broadcast television and videocassette. Such a fund could be paid for in a variety of ways, such as spectrum fees, revenues from profits from sales of broadcast stations and cable systems, and charges on videocassettes, VCRs and satellite dishes. Its goal too would be to promote citizen organizing; some of the early projects of Britain's Channel 4, particularly its workshops and special programming sections, could provide useful models. The funds could be allocated to community organizations of all kinds, rather than to media organizations.

That’s All Very Well, But...

Would protection for access channels and other public spaces even survive the cable companies' claim to First Amendment priority? Operators have made vigorous, and largely but not wholly successful, arguments for the primacy of their First Amendment rights over cable
access (Shapiro, 1990). And commercial media lay a legitimate claim to First Amendment rights, one recognized extensively in law since the mid-1970s (Robinowitz 1990: 313, fn.29). However, First Amendment rights are not absolute, nor the special preserve of economic as opposed to public interests; and there is powerful precedent for the democratic state structurally promoting the public's right to speak (Holmes, 1990, 55). In many of their aspects cable operators are not speakers or even editors (Brenner, 1988, 329f). Policy mandating access centers certainly would not abridge "expression that the First Amendment was meant to protect" (First National Bank of Boston v. Bellotti, 435 US 765, 776 [1978]), but rather the opposite, and furthermore withstand constitutional scrutiny (Meyerson, 1981, 33-59). Congress has also found that leased and PEG access regulation meet First Amendment and constitutional standards (U.S. Senate 1990c, 46; U.S. House of Representatives 1990, 35).

Is it reasonable to assume, though, that people want to "make their own media," when the record shows so decisively that people prefer to pay someone to make it for them? No, and that argument is not made here. For entertainment, most people do and will choose high-quality product paid for mostly by their purchase of advertisers' products. Parents of junior high school football stars will find school sports carried on educational access channel more interesting than the top-rated sitcom or even the NBA, of course, but most people will select commercial alternatives. Indeed, that is why it is important not to abandon that arena to the iron grip of a few MSOs.

But people using cable as a public space are using it to communicate with others about particular issues and projects of public interest. Whatever the level of their involvement, they perceive it and use it--as producers, viewers, or organizers of viewers--not as a consumer experience but as a participatory step in a relationship that is not, typically, either electronic or commercial.

Is access cable part of a dinosaur technological model, in a world in which consumers increasingly can obtain audiovisual services from satellite providers or even from phone companies? Is it unfair to cable operators to saddle them with electronic public spaces that others either do not have to or cannot provide? These are issues, in fact, not of technology but of political and social will. It is perfectly possible to level the policy playing fields, once committed to public spaces. DBS providers do, in theory, have public set-aside obligations (see ATThe Missing Space on Satellite TV), and it is possible to imagine comparable obligations in other technologies.

If the public needs such spaces, why not simply pay for access on an open market, and fund the program through general tax revenues? This is indeed one plausible approach to the project of reserving public spaces, but it would confront immediately the fact that the markets for electronic space in telecommunications policy are profoundly distorted, both because of existing policy and because of market dominance.

Why should we assume a demand for something that's been around so long to so little effect? This question builds on the negative image of access cable, which like all stereotypes has an origin in some kind of truth. A variety of answers, substantiated above, address different facets of that negative image. One is that some programming, primarily in public access, has indeed been trivial, self-indulgent and derivative, and that those uses often reflect an interpretation of access that sees the First Amendment as an end rather than a means to democratic vitality. More important is access' gross underfunding, its abandonment by legislators and regulators, and the unrelenting attacks by cablers and cities on centers; in that light, much more shocking is that access centers survive anywhere. It is particularly impressive
that access channels have been able to do as much as they have with so little professional staff. Finally, access, lacking as public television did until 1967 a national substructure, is still in its pre-history.

But can we afford to have such ambitious programs? One answer is to ask, Can we afford not to? Less rhetorically, this is a question that needs as yet ungathered data. Cable and other mass media interests would probably make a substantial contribution to the costs. Operators have powerful arguments against any of these proposals, and they all hinge on inability to afford them--an argument unprovable without accounting evidence. So telecommunications media, especially cable MSOs and broadcast stations, should open their books for the public record.

Finally, are access and other mechanisms to promote the use of the medium as a public space cost-effective? This is a wildly speculative area of economics, because it deals with externalities such as the health of a democratic polity. In the absence of social cost-benefit studies--an area begging for more economic research--one can make some basic points. The technological level of equipment and expertise needed to do so is comparatively low; the price of even lavish subsidy cannot compare to even a small road paving job; and the benefits are widespread and incremental. Civic life is a cultural process that must be nurtured. Television, and increasingly cable television, has a central role in American consumer habits, and has unique capacities to transmit complex, multisensory messages. Why should that capacity be used exclusively to sell things and not to develop civic projects?

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Access Cable in Action

Access cable is easy to make fun of, and even easier to ignore. So when access cable centers across the country were threatened with extinction, because of a clause in the 1992 Cable Act, no one knew exactly what was at stake in this decentralized and slighted medium. I did a survey to collect some information that lawyers fighting the clause could use; the Supreme Court finally decided the clause was unconstitutional. I reworked the original affidavit for publication, to expand the audience for the argument.

What difference does it make in a community to have access cable programming? A national survey of controversial programming on access cable in 1992 suggests that such programming provides a valuable service for immediate communities of reference, but also expands the public sphere by increasing public discussion, debate and awareness of community issues and cultural realities.

Access cable as a public space

Access cable—the channels variously known as public, educational and governmental (or PEG) and offered as part of basic cable wherever they have been called for in franchises—is that rare site on cable where public interest comes before profit. It is also fiercely embattled, and widely disrespected.

Cable companies and local governments have often found access cable, especially public access, exasperating and even infuriating. On such channels appear usually inoffensive items such as community news bulletin boards, junior high school sports, city council and board of education meetings and senior citizens' workshops. As well, because of public access' wide open, first-come-first-serve policies and its uniqueness as a free and profitless entry point to television, what also sometimes appears there is the dissenting opinion, the deliberately outrageous youthful statement, the talk show that escalates into a free-for-all, nagging critiques of public officials—programming virtually guaranteed to irritate someone. And yet the programming that authorities and some consumers find most obnoxious might turn out, at least at times, to be a unique service to the public sphere.

Public access television, imagined by Congress as "the video equivalent of the speaker's soap box or the electronic parallel to the printed leaflet" (U.S. House of Representatives, 1984, 21-22), has a unique function on television, which usually is one of the most tightly guarded gates in mass media. It has been celebrated as a First Amendment victory because of its accessibility alone. But to become socially significant, its open access needs to result not merely in the service being a catch-all, a kind of garbage can, for leftover opinions and rejected behaviors in the society.

"Public access brings private citizens into public life," one scholar involved with the service argues (Devine, 1992, 9). At its best, public access can create new and expand existing venues for public discussion uncontrolled by government and not conditioned by commercial messages. It can act as an electronic public space, contributing to the elaboration of the public sphere, an arena outside economic and governmental institutions and structures where a polity can form and establish priorities and procedures for managing public resources and problems.

No one, including access' strongest supporters, believes that public access universally
exemplifies that ideal, and some argue that access center directors need to re-envision themselves explicitly as providers of public space rather than as brokers, facilitators, or retailers of individual opinion (Blau, 1992). Access' occasional flurries of publicity—whether publicizing a Wayne's World image of the service or that offered by Ku Klux Klan programming occasionally carried on public access—seem inevitably to embarrass its advocates. Cable access, in short, lives out the tensions between individual and community that infuse discussion of free expression.

One place to assess the utility of public access cable is therefore at what some might consider its most embarrassing, the programming most likely to trigger concern or complaint on the part of the cable operator. This is programming likely to trigger an operator's interference, under the new legislation.

Method

This study explores the social function of public access, as seen in programming could be seen as controversial. Such programming provides an indication, among other things, of how public access works as an electronic public space.

Eighty-one access centers were surveyed in November and December 1992, in conjunction with research conducted for the Alliance for Community Media's intervention in a Federal Communications Commission rulemaking interpreting operator control over programming (U.S. Federal Communications Commission, 1992, 1992b, 1992c) (See appendix for details of the lawsuit and specifics of the survey). Access directors were asked to identify programming that was or might be construed to be controversial, and also to describe current gatekeeping arrangements and relationships with the cable company. They were also asked to speculate on the effect of operators' having more control over programming.

Some 31 access directors—chosen through their participation in the Alliance for Community Media, which represents the interests of cable access—were interviewed by telephone. Most (20) headed independent nonprofit entities; the rest were functionaries of local government (9) or the cable company (2). The majority (21) came from smaller communities, while 10 worked in major cities or state capitals. The sample was regionally diverse, with 13 from the East, seven from the Midwest, three from the South, and eight from the West.

A mail survey, sent to some 200 access directors on the mailing list of the Alliance for Community Media, then asked the same questions. Among the 50 respondents, 34 headed nonprofit entities. Seven centers were run by the city, and four by the cable company (six were some combination, usually city-run non-profits). Thirty-nine were from smaller communities; 11 were from major cities or state capitals. Twenty-two came from the East, 15 from the Midwest, three from the South, and 10 from the West.

Programming that tests the limits

Access directors argue that successfully executed programming, particularly programming that wins a regular time slot, is evidence of more than an individual opinion, and reflects a concern somewhere in that community. They gauge this concern in part through enthusiasm for program production and in part through responses to programming. "If it has an audience," said director Deb Vinsel in Olympia, WA, "it's part of your community, even if you wish it were not."
Such programming is here analyzed in two categories, taped and live programming, because each type creates different opportunities for raising issues, discussion and debate, and so fostering the public sphere.

**Taped programming**

Taped programming, which often includes some "imported" shows (made elsewhere but sponsored locally), demonstrates a conscientious investment of time and energy on the part of people eager to communicate their views, either with peers or beyond their immediate circle. Access' airing of them provides an otherwise inaccessible platform for sometimes unpopular views.

The examples that access directors offered, when asked to consider pre-recorded programming that a cautious programmer might reject for fear of being interpreted as containing "obscene material, sexually explicit conduct, or material soliciting or promoting unlawful conduct," provide a sample of expression that goes past the idiosyncratic into the social. The most importance categories include sex education, public affairs, and cultural minorities.

Sex education, and particularly AIDS education, was a frequent item mentioned by access directors; it was both popular and controversial. Such programming was often, though not necessarily, an indication of the self-awareness and public self-identification of a gay and lesbian community. Furthermore, it was an instance of introducing a hitherto unknown or forbidden item of knowledge--transmission of AIDS--into public discourse. Series such as Fairfax (VA) Cable Access Corporation's Gay Fairfax, Grand Rapids (MI) Community Media Center's The Lambda Report, Tucson (AZ) Community Cable Corporation's Empty Closet all touch on AIDS education. Single programs such as Cambridge (MA) Community TV's Truth or Consequences: A Guide to Safe Sex at MIT; AIDS, a documentary cablecast at Spring Point Community television Center in South Portland, ME; and an AIDS prevention special involving role playing at Kalamazoo (MI) Community Access Center frankly confront an emerging health menace with approaches that may offend some.

Imported public affairs programs trigger complaints but also enhance the range of debate, according to center directors. Several centers reported that the talk show Alternative Views, produced through the Austin, TX access center but distributed where the program finds a local sponsor, often draws criticism for its leftist perspective. It offers a clear example of the longstanding goal of “diverse and antagonistic sources” (Associated Press v. U.S., 326 U.S. 1, 20 [1945]) in a democratic society's media, however, and furthermore demonstrates resonance cross-regionally by its acceptance in very different localities. Similarly the regular programming of Deep Dish TV, which anthologizes local access programming and packages it around themes ranging from agriculture to AIDS to border cultures, has been a source of contention in some communities, where access center directors nonetheless see it as offering an important alternative perspective and furthermore an opportunity to perceive what other localities are producing.

The left has no special purchase on unpopular but vocal minority opinion. Several access centers (Forest Park, OH; Fort Wayne, IN; Sacramento, CA; Kalamazoo, MI; Portland, OR; Dayton, OH; South Portland, ME; Portland, ME) reported either local or imported programs opposing abortion, some by Operation Rescue. These tapes typically encourage blocking of access to abortion clinics abd/or include graphic, possibly offensive images.

Access cable is sometimes a major site of electoral controversy, which otherwise, in an era in which the Fairness Doctrine has been suspended, can be left without a televisual
battlefield. In Oregon during election season 1992, ballot measure 9, which would have criminalized some homosexual behavior, was hotly debated on access cable. Oregon access center directors in Portland and Salem both reported extensive use, both in live and taped programs, of access by opposing sides. Both sides incorporated material that might have been perceived as sexually explicit.

Another topical instance was the Gulf War, where access cable was a rare site of dissent, including a series of programs by Deep Dish TV. This programming was typically controversial. For instance, in Winsted, CT, the Mad River TV access service weathered demands to remove anti-Gulf War programming while it was being cablecast. A production group in Portland, OR, The Flying Focus Video Collective, has taken controversial stands on issues ranging from the Gulf War to local environmental issues.

Thus, on electoral and topical political issues, access cable seems to serve as a kind of televisual op-ed page, where clashing opinions can be aired and where a public forum can be created—not least in the hot contest over the right of dissenting groups to cablecast their views, and the eager pursuit of reply time by opposing sides.

Cultural minorities create a communications space for themselves on cable access, by producing and cablecasting programs of primary interest to their constituencies—otherwise neglected in mass media. For instance, young people are catered to as individual consumers of media and the products it touts, but are rarely given their own forum in the media. Young people eagerly use access cable both to speak to their own peers and to speak about an experience underrepresented in mainstream media.

A program wildly popular with teenagers, Silly Goose, was for a season a weekly comedy program in at least arguable and certain adolescent taste in Defiance, OH. (Director Norm Compton recalled one episode that featured the theme of running with scissors.) Other regular local programs in that area that promoted youth culture on access were Musical Mayhem, featuring music videos, and Hard Hits, a rap show produced by a young African-American man. Similarly, in Olympia, WA, a youth-oriented music video program, Mosher's Mayhem, accounts for both a passionate teen audience and also the bulk of the occasional complaints to the service. In Grand Rapids, MI, Blackwatch focuses on the language and images of inner city youth. Malden, MA's public access has weathered controversy over youthful productions marked by vulgar language.

In each case, the programs were supported by young people and denounced by others, usually for bad taste. In these cases, public access provided a venue for a self-described cultural minority to assert the existence of its reality and values to itself and the wider community, to challenge and be challenged.

Live programming

Live programming makes cable an interactive experience, cultivating on-air discussion and debate, and most centers surveyed offer it. It also defines and shapes audiences. In interviews, access directors often singled out live programming as of particular interest to their communities. They highlighted several kinds of programming, demonstrating the role of access cable as a public space: sexual and health education; topical call-in; and minority cultures.

Sexual and health education is an area where live programming draws an engaged, often young audience, for whom this may be the first opportunity to perceive these issues as legitimate objects of public discussion. In Chicago, AIDS Call-In Live is the only regularly scheduled TV
program offering AIDS education, according to director Barbara Popovic (Popovic, personal correspondence, October 26, 1992). Various area organizations are showcased, each focusing on its own agenda and issues.

Two such groups, the Westside Association for Community Action and the Howard Brown Memorial Clinic, aspire to reach minority youth and find that four-fifths of their phone calls are from African Americans, most of them teenagers. Typical of the kind of interchange was the phone call of one 17-year-old girl who wanted to know how to respond to a boyfriend who assured her they need not use condoms because he was "loyal" to her. The conversation was frank and colloquial on both sides, while also giving the girl much-needed information. As well, on air, speakers hold up items such as condoms and dental dams, and explain their use. Organizations also achieve other goals with such participation. For instance, Chicago House wanted more volunteers, and found that their volunteer base grew 10 to 15 percent, with a marked increase in minority volunteers, after participating in Aids Call-in Live. The Portland, OR AIDS Forum Live has a similar format.

Other health programs similarly frame sexual and health issues as ones of public information and discussion, sometimes quixotically. On public access cable in Austin, TX, a program called Midnight Whispers frankly encourages viewers to call in to share their sexual fantasies, so that an on-air nurse can respond to them and discuss safe sex practices. Some programming uses demonstrations or images that may offend. A Tucson program, Bridges, by and for the disabled, has featured AIDS education involving anatomical models. In Sacramento, the monthly Health in America program on alternative and holistic health options, has featured graphic images of women with mastectomies and damaged breast implants.

Topical call-in more traditionally--and sometimes in a more volatile way--raise public issues for community debate. In Sacramento within hours of the Rodney King verdict a special edition of the weekly Live Wire community call-in program was airing, with scores of viewers, most apparently African-American, responding to a host known in the community for his success in working with alienated youth. The staff found that the discussion was less raw than expected.

Programs such as Fort Wayne, IN's program Speak Out and Tucson's You're the Expert touch on controversial local issues ranging from street signs to police behavior, without any way of predicting how callers might behave. NDC Community TV in West St. Paul aired a series Facts not Friends around 1992 electoral politics, which the access director saw as expanding the debate. In South Portland, ME, a call-in show debated U.S. policy during the Gulf War; some callers suggested illegal actions as protest.

Minority cultures have an opportunity on cable both to build community and to reach out beyond what may be a misunderstood community to a wider public. The Fort Wayne, IN program Coalition for Unlearning Racism, a live twice-a-month program, deals with topics on which, as access manager Rick Hayes puts it, "people are already irate," and has been the site of heated, wide-ranging discussion about racism. Also on the same system is a program Message to the Black Man, a black nationalist program that purveys a distinctly minoritarian view in Fort Wayne and is, apparently, a unique resource for those who support its perspective.

As with recorded programming, teenagers make extensive use of this rare public forum for them. In Tucson, they produce a live program called The Forbidden Zone, in which they talk in the slang and curse-laden jargon of their peers, involving sexually explicit language and sometimes addressing illegal activities such as drug use. White Bear Lake, MN's Cable TV North Central hosts a teen talk show with the "racy language" typical of that subculture. This kind of programming easily raises eyebrows. For instance, the live teen show Active
Butch/Pensive Willy in Newton Highlands, MA, has with its raw language in call-ins roused the ire of a board member. Nonetheless it also evidences the importance of that venue for the young people themselves.

Prescreening and banning programming

How do access centers handle conflicts over programming? Until now, most public access centers have functioned primarily as sites of technical assistance for whoever wants to use the service, on a first-come-first-serve basis; this is the strict construction of access in the 1984 Act. Thus, many access centers surveyed do not prescreen at all; in a minority of centers surveyed, 10-18 hours a week of prescreening is built into the work schedule (e.g., Prince George's Community Television, Landover, MD; Pittsburgh Community Television, Pittsburgh, PA). Many access centers have guidelines prohibiting obscene and commercial material, and require producers to read guidelines and certify that they abide by them.

Public access directors do become adepts at dealing with complaints from viewers, and from city and cable officials. But rarely, in these interviews, had complaints resulted in prohibition of programming, and then only after it had already run at least once.

Several reported incidents of attempted programming intervention point up the importance of an independent public forum on controversial political issues. A Cincinnati channel accepted a tape from one political party in 1991 local elections; the other party promptly obtained a restraining order, although it had the right to air a program, and furthermore center staff had volunteered to help produce one. Ultimately, the complaining party lost in court, and the tape was aired. In the small town of Defiance, OH, several years ago town officials attempted--again, unsuccessfully--to block a program criticizing the town's plan to privatize emergency medical services. In Marshall, MN, the city council tried to block a tape of a demonstration against ordinances and owners of a mobile home park, but was eventually dissuaded by the access director's first amendment arguments.

Other reported cases usually involve questions of taste and decency. For instance, in Columbus, Ohio, in September 1992 the city, which controls transmission from the independent nonprofit center, responded to complaints about frontal nudity in a program on gays and AIDS by dropping the program after it had run. Upon legal consultation, however, the city reversed its decision because the program could not be considered pornography.

In Sacramento, the incident appears part of a larger struggle between the center, the city, and the cable company. The cable company representative seized upon a viewer complaint about a videoplay, Dinosaurs, and eagerly argued for shutting down the independently-run center to the city, which allocates its funds. Written and produced by a young local man, the play involved scenes of nudity and sexual aggression as part of the author's social critique. (The center's attorney advised the center the piece was not obscene.) Center director Ron Cooper recalls that the local cable operator, long a grudging supporter of the service, recently warned him that he would "shut you down" and that he had the approval of the multi-system owner to take the case to court.

Expanding speech

Access center directors confront controversy by encouraging more speech, not only by allowing all voices a hearing but also by encouraging complainants to make use of training and
production assistance, and by explaining the philosophy of the access center. This process appears to expand the opportunity for speech, not only for producers but for viewers, who may call in.

Officials' calls for banning sometimes result in reasoned accommodation such as guidelines devised by aldermanic and cable boards, given directly to producers. Sometimes, attempts to ban programming can act as a powerful threat. When a program by and for teenagers, Streetwatch, ran on Columbus Community Cable Access several years ago and frank sexual language offended city officials enough to pull the program from rotation briefly, the board was badly shaken. "When government taps you on the shoulder and tries to crush it at the same time, you take notice," recalled center director Carl Kucharski. He notes that several board members, whose corporations did business with the city, felt particularly vulnerable to official discontent. The board contemplated over a period of months ways to prescreen programming, but could not find a workable arrangement. It returned eventually to its open access policy.

But often the solution to a piece of unpopular speech is bringing the offended parties into the debate, thus carving out new public ground. At Malden (MA) Access TV, director Rika Welsh recalled a program made by local youths in summer 1992 with "what was to my taste and probably yours an excessive amount of profanity." After the program, the center scheduled a two hour call-in, which was vigorously used. For Welsh, "That's what public access is all about - creating that public space. It allows the community to speak to issues; it's not just about the programming itself."

At Waycross Community TV in Forest Park, Ohio, director Greg Vawter pointed to response to a racial hate text message posted on a nearby suburban system. Several of his access center's board members composed and aired passionate arguments against intolerance, part of a community-wide electronic conversation. Director Rick Hayes of the Fort Wayne, IN library system's public access channel noted that a well-established twice-weekly program, Coalition for Unlearning Racism, supported by the local NAACP and Urban League among others, began as a response to the possibility of carrying the Ku Klux Klan's Race and Reason (which never did run). Making the program also brought together nine groups that hitherto had not worked jointly.

But what about people who do not choose to enter into that public space? The 1984 Cable Act requires the operator to provide lock boxes, or the consumer option of blocking the channel entirely. This option would appear, from this survey, to be widely available. In the 31 interviews conducted, all but one person, who did not know, said the system had the capacity. In two cases, directors interviewed said that the company either appeared unwilling to block the channel or simply did not make public the ability to do so. In the 50 written surveys, 38 reported lockboxes available, although one said that they were not available for public access (a violation of the law), and two said they did not know.

Access directors have evolved a variety of mechanisms to deal with first-amendment rights conflicts, which appear to have worked fairly well. The process has renewed their commitment to public access as a public space, open even to repugnant speech but using it as an indication of unrepresented opinion and an opportunity to spur discussion.

Conclusion

Public access cable, seen through the atypical angle of its most controversial programming, demonstrates its unique role in electronic media, as a local community television...
service open to all. The programming produced by various community interests with minimal access to mainstream media showcases concerns of a subculture to itself in the language of that subculture, whether through public affairs or dramatic work or music video. This is apparent in programs by, for instance, African Americans, gays and lesbians, and young people.

As well, public access acts as a place where citizens can and do not only hear about issues of public concern but participate in the creation of that debate, whether through making programming or through the debates both on and off the cable service precipitated by the expanding of the arena for speech.

Note: The Freedom Forum and the School of Communication at American University both provided resources to conduct this research. The author gratefully acknowledges the assistance of Tamar Rotem in administering the written survey.
Appendix

The 1992 Cable Act included a clause that would let cable operators—who must by law otherwise stay out of access program decisions—ban indecent or obscene material, or "material soliciting or promoting unlawful conduct." Most access providers felt that cablers, who have often found access a thorn in the side, would use this clause to meddle with and possibly even shut down access centers. Petitioners led by the Alliance for Community Media's impressive, dedicated pro bono lawyers asked for a suspension, or stay, of the rules, and won that stay, while a lawsuit against the Federal Communications Commission went forward. The firm of Shea and Gardner, where Michael Greenberger, David Bono and Michael Isenman led the legal team, could undertake the work specifically because they had no conflicting interests in the area. As a result, they also lacked basic information on the nature of access cable. James Horwood of the firm of Spiegel and McDermott and an ACM board member, aided by Joseph Van Eaton of Miller and Holbrooke, who have guided ACM=s legal work over the years, consulted with the Shea and Gardner team. I volunteered to conduct this survey, in which I asked access center directors specifically what kinds of programming, and by implication what kinds of public service and public debate, was actually in practice and at stake. My original report, from which this is derived, was filed as an affidavit in the access centers' brief.

On November 23, 1993, a panel of the only three Democratic judges in what was then an appeals court of ten decided the case (Alliance for Community Media, et al, v. FCC, D.C. Circuit, 93-1169, etc.) in favor of access centers. The court found that the clause effectively makes the government a censor, because the government strongly encourages a private actor to do so, and so is unconstitutional. Because of appeals claims by the FCC and the Department of Justice, the case eventually went to the Supreme Court, where two cases were considered jointly (Denver Area Educational Tele-Communications Consortium, Inc., et al. v. FCC, 95-124; Alliance for Community Media, et al., v. FCC, 95-227). The Justices concurred with the lower court that the clause was unconstitutional, because it was not appropriately tailored to achieve the basic, legitimate objective of protecting children from exposure to >patently offensive= material.

The following access directors, in alphabetical order, were interviewed by telephone:

Sam Behrend, Tucson (AZ) Community Cable Corporation (November 13, 1992); Rick Bell, Tampa (FL) Cable TV (November 13, 1992); Joan Burke, Community Access Center (Kalamazoo, MI) (November 13, 1992); Alan Bushong, Capital Community TV (Salem, OR) (November 13, 1992); Mary Bennin Cardona, Glenview (IL) Television (November 13, 1992); Norm Compton, Defiance (OH) Community TV (November 17, 1992); Paul Congo, Austin (TX) Community TV (October 27, 1992); Ron Cooper, Access Sacramento (CA) (November 13, 1992); Neal Gosman, Cable Access St. Paul (October 23, 1992); Patricia Havlik, Intercommunity Cable Regulatory Commission (Cincinnati, OH) (November 13, 1992); Rick Hayes, All County Public Library Public Access (Fort Wayne, IN) (November 13, 1992); Irwin Hipsman, Cambridge (MA) Community TV (October 28, 1992); Dirk Koning, Grand Rapids (MI) Community Media Center (October 27, 1992); Carl Kucharski, Columbus (OH) Community Cable Access (October 22, 1992); Myra Lenburg, Amherst (MA) Community TV (November 20, 1992); Deb Luppold, Portland (OR) Cable Access TV (November 16, 1992); John Madding, Wadsworth (OH) Community TV (November 17, 1992); Paula Manley, Taulatin Valley (OR) Community Access (October 27, 1992); Fernando Moreno, City County Access TV (Albuquerque, NM) (October 27, 1992); Jeff Neidert, City of Brunswick, OH (November 18,
Abigail Norman, Somerville (MA) Community Access TV (October 23, 1992); Barbara Popovic, Chicago Access Corporation (October 23, 1992); Tony Riddle, Minneapolis TV Network (October 23, 1992); Alex Quinn, Manhattan Neighborhood Network (October 23, 1992); Nantz Rickard, DC Public Access Corporation (Washington, DC)(October 28, 1992); Suzanne Silverthorn, Vail (CO) Valley Community TV (November 13, 1992); Fred Thomas, Fairfax (VA) Cable Access Corporation (October 27, 1992); Greg Vawter, Waycross community TV (Forest Park, OH) (November 13, 1992); Deb Vinsel, Thurston Community TV (Olympia, WA) (November 20, 1992); David Vogel, Community TV of Knoxville (TN) (October 27, 1992); Rika Welsh, Malden (MA) Access TV (October 28, 1992).

Surveys were sent out November 16, 1992. Those received by December 23 are alphabetized by town, township or county of origin: AACAT, Ann Arbor, MI; Arlington Community TV, Arlington, VA; Baltimore Cable Access Corp., Baltimore, MD; Bellevue Community Television, Bellevue, Neb; Bethel Park Public Access TV, Bethel Park, PA; Cincinnati Community Video, Cincinnati, OH; Anderson Community Television (Anderson Township), Cincinnati, OH; Davis Community TV, Davis CA; DATV, Dayton, OH; Denver Community TV, Denver, CO; Access 4, Fayetteville, AK; WFRN, Ferndale, MI; Fitchburg Access TV, Fitchburg, MA; College Cable Access Center, Fort Wayne, IN; Public Access Corp., Great Neck, NY; MCTV Gresham, Gresham, OR; HCTV, Holland, MI; Public Access TV, Vision 26, Iowa City, IA; Prince George's Community Television, Landover, MD; CTV 20, Londonderry, NH; PAC 8, Los Alamos, NM; Suburban Community Channels, Maplewood, MN; Studio 8, Community Access TV, Marshall, MN; Nashoba Cable Community TV, Nashoba, MA; Medfield Cable 8, Medfield, MA; Medway Cable Access Corporation, Medway, MA; Mountain View Community TV, Mountain View, CA; Middlebury Community TV, Middlebury, VT; Monrovia City Hall (KGEM), Monrovia, CA; Newton Cable, Newton Highland, MA; Mid-Peninsula Access Corp, Palo Alto, CA; Pittsburgh Community Television, Pittsburgh, PA; Portland Community Access Center, Portland, ME; Sierra Nevada Community Access TV, Reno, NV; Montgomery Community TV, Rockville, MD; RCTV, Rye, NY; Community Access TV of Salina, Salina, KS; Saratoga Community Access TV, Saratoga, CA; Viacom Community TV, Seattle, WA; NDC-TV, St. Paul, MN; SPTV, South Portland, ME; Montague Community TV, Turners Falls, MA; Wakefield Community Access TV, Wakefield, MA; Westbrook Cable Channel, Westbrook, ME; Cable TV North Central, White Bear Lake, MN; Windsor, CT; Wilmington Community TV, Wilmington, MA; Mad River TV, Winsted, CT; Winthrop Community Access TV, Winthrop, MA; Yakima Community TV, Yakima, WA

Access directors were asked these questions:
1) Do you or anyone else prescreen programming on public access for content or for technical reasons? If so, how does this affect programming, especially live programming? How much staff time does it take?
2) Does your system have the capacity to block channels or programs, or provide lockboxes?
3) Has anyone ever prohibited--or attempted to prohibit--someone from running a program on public access? What happened?
4) How much staff time would it take to prescreen programming on public access? What impact would it have on the budget? Would programming be delayed?
5) Do you have live programming now on public access? (Please give an example.) How do you think it would be affected if you were legally responsible for the programming, as you might become under some interpretations of the 1992 cable act?
6) If up till now you had been legally responsible for the programming on public access, is there
a program(s) you might have considered not carrying, whether because of your own or board or city or cable company concern? Issues include sexual content, nudity, language or because it promotes unlawful conduct—for instance, gambling, civil disobedience, anti-abortion actions. (Could you include the title, a brief description, if possible when it was carried, and tell us briefly why you might not carry it...)

7) Has the cable operator issued any new rules or procedures as a result of the 1992 Act?
References
When the FCC opened up a public discussion in 1997 of how to use reserved space on satellite TV, I wanted to find out who wanted to come to the party. It shouldn’t have been a surprise. I also wanted to find out why, even after the pro-competitive Telecommunications Act of 1996, “scarcity” was still a living concept in communications policy. That shouldn’t have been a surprise either.

The multichannelling of television has been marked by utopian and dystopian rhetoric and battles over public interest obligations, competing First amendment rights and ownership. Channels have multiplied, in fact, without much changing the nature or weight of public interest obligations of providers. A certain kind of abundance has flourished, without affecting another kind of scarcity.

Direct broadcast satellite (DBS) again expands the number of channels available in American homes, and again raises basic questions of how such abundance can benefit the democratic society into which it beams its offerings. The debate that occurred in 1997 over how to define DBS’s public interest obligations put into sharp relief the weaknesses of existing policy defining the public interest in mass media, and also revealed the weaknesses of existing stakeholder organizations.

The public interest in mass media

Since the prototype of telecommunications legislation was passed in 1927, the public interest in U.S. mass media has been a term of art, anchored to an acceptance of monopoly power and its consequences. The public interest in electronic media developed as a corollary of the creation of monopoly spectrum holders. The 1934 Communications Act (47 U.S.C.) was part of a larger process of institutionalizing Acorporate liberalism. The creation of monopolies, cartels, and sectors typified by substantial market power was seen as having powerful benefits, most especially a stable marketplace, properly regulated by government. (Douglas, 1987; Horwitz, 1988; Streeter, 1996) Spectrum licensees exclusively controlled a communications resource, and operated oligopolistically at best. As programming networks and syndication services developed, these also operated oligopolistically. Their market strength also brought economic power to the sector.

The term “the public interest” originally linked broad commercial appeal and the public good. In 1925, then Secretary of Commerce Herbert Hoover argued that commercial owners of radio channels should provide a “public benefit,” meaning services available to “the great body of the listening public,” with regulation to be designed as the activity evolved, to protect “the public interest” (Robinson, 1989, 9; Rowland, 1997, 367, 371-9). The FCC contrasted broadly entertaining programming with special-interest money-making schemes, for instance the on-air broadcasts of a doctor who prescribed over the air, with prescriptions filled only by participating pharmacies, and also against highly partisan or propagandistic owner/operators (Wollenberg, 1989). Guiding the evolution of the public interest concept in mass media was the notion of scarcity—that broadcasters were monopoly editors over spectrum that was both owned by the American people and was also not sufficient for all the potential and desiring voices to be heard.

Partly in response to the powerful centralization of electronic media around national
networks and partly in response to consumer and social issue organizations (Montgomery, 1988), public interest regulations were designed to tailor and shape the marketplace designed and now maintained by regulation. Some were structural, e.g. cross-ownership and concentration of ownership limitations. Some were explicitly editorial, especially in the 1960s and early 1970s as television’s cultural power grew, e.g. electoral rules and guidelines encouraging some public affairs programming. As well, electronic spaces protected from commercial entertainment priorities—public radio and TV—were established, implicitly acknowledging the limitations of the commercial model but operating within its terms. These three approaches to the public interest all operated within an architecture created in the 1920s. The government, by allocating spectrum for specific uses, by opting to lease uses rather than to issue specific property rights, and by defining the public as a commercial consuming audience, created the conditions for a booming national economic sector, and for a powerful cultural force. The public interest became contested terrain by virtue of the success and the power of electronic media.

Deregulation and the television of abundance

From 1970 forward, as Horwitz elegantly charts (1988), there was a dramatic, society-wide shift in the notion of what role regulation, and even government, should play. Nurturing and regulating key industries was superseded by the goal of encouraging competition to meet emerging consumer needs. The FCC and its policies came to look old-fashioned.

Electronic media regulation was challenged by regulators, government lawyers, ideologues and politicians. The scarcity doctrine, the pinion of public interest regulation, came under attack, because roughly comparable alternatives (cable, videocassette, a greater number of independent stations) now existed. Critics attacked the notion of spectrum monopoly as an artifact of a mutually convenient and rewarding relationship between big broadcasters who wanted a protected environment and politicians who wanted control over spectrum (Krattenmaker and Powe, 1994). From the late 1970s forward, the FCC began weakening the public trusteeship obligations of broadcasters. Mark Fowler, head of the Reagan-era FCC, with his chief aide Daniel Brenner, boldly asserted, ACommunications policy should be directed toward maximizing the services the public desires...The public=s interest, then, defines the public interest.≅ (Fowler and Brenner, 1982, 207) Meanwhile, a private satellite business emerged from the shadow of government, in the process making cable television a national business, by providing relatively cheap interconnection. By 1984 cable was no longer a booster service for broadcasting. It had become a lightly regulated, booming business.

In 1996, an omnibus overhaul of the 1934 Act (Aufderheide, 1998) codified the equation of the public interest with a competitive environment for telecommunications, in its crisp Title IV. This title asserted that the public interest could be neatly associated with a competitive environment. It still, however, was not extended to mass media, where monopoly licenses were still given.

DBS and the return to scarcity

The DBS proceeding began in a consumer backlash to media deregulation. Rising prices and poor service after the 1984 Cable Act had provoked consumers and consumer organizations such as Consumer Federation of America to pressure for a return to more traditional regulation. The 1992 Cable Television Consumer Protection Act, incorporated into the Communications
Act, contained a clause (47 U.S.C. 335) intended to impose traditional public interest obligations and to reserve space for noncommercial programming and programmers on incipient new competing multichannel video services: direct broadcast satellite. In 1992 there was only one DBS provider, and spectrum allocations had just begun. Public television entities; consumer groups such as Consumer Federation of America; and advocacy and nonprofit organizations, including the policy advocacy group Center for Media Education and public interest law firms Media Access Project and Institute for Public Representation, pushed to insert specific public interest obligations.

The law held DBS providers to two specific kinds of public interest obligations. Section 25(a) of the act required the FCC to design rules for public interest requirements on DBS providers. At a minimum, Congress demanded that DBS providers, like broadcasters, be forced to make time available cheaply to federal-level electoral candidates. It also required the FCC to consider how the Congressional goal of localism in mass media could be promoted in this medium (quite a challenge, since by definition, DBS is not a local service and the signal often may even be national in reach). These rules affect programming decisions of DBS providers and of the programmers to which they rent space. Section 25(b) requires a DBS provider to “reserve a portion of its channel capacity, equal to not less than 4 percent nor more than 7 percent, exclusively for noncommercial programming of an educational or informational nature.” A DBS provider was to meet these requirements “by making channel capacity available to national educational programming suppliers” at special low rates to be determined by the FCC.

Time Warner and other media companies immediately challenged the public interest provisions in court, in a complex, omnibus suit that broadly attacked the 1992 Cable Act. The lawsuit charged, among other things, that the provisions were unconstitutional because they violated the First Amendment rights of DBS providers. In March 1993, The FCC, observing the timetable established in the law, initiated a proceeding to implement the provisions, opening a docket that became MM Docket No. 93-25 (U.S. FCC, 1993). But on September 16, 1993, the U.S. District Court for the District of Columbia ruled that the provision was unconstitutional (Daniels Cablevision, Inc. V. U.S., 835 F. Suppl. 1 [D.D.C. 1993]). Action stopped.

The lawsuit on appeal became an urgent issue for a variety of public interest organizations; it was seen as a watershed moment for public interest obligations of electronic media. The amicus brief filed by Center for Media Education and Consumer Federation of America, for instance, argued that DBS= public interest obligation Aclearly enhances rather than abridges freedom of speech protected by the First Amendment, and should be upheld= (Time Warner et al. v. F.C.C., No. 93-5349 and consolidated cases, Brief for Amicus Curiae CME/CFA, 9).

The provision was reinstated by an appeals court decision of the Time Warner suit that reversed the first court’s decision (Time Warner Entertainment Co., L.P. v. FCC, 93 F. 3d 957 [D.C. Cir. 1996]). Responding to the FCC’s appeal of the earlier decision, the court made a decisive, clear, and articulate ruling. It endorsed the notion that scarcity continues to exist, despite new multichannel technologies, and despite new competition. Citing to the critical cases on the issue, all footballs in the ideological debate over scarcity--Red Lion (Red Lion Broadcasting Co., Inc. V. FCC, 395 U.S. 367 S. Ct. 1794, 23 L. Ed. 2d. 371 [1969]), DNC (Columbia Broadcasting Sys., Inc. V. Democratic Nat=1 Comm, 412 U.S. 94, S. Ct. 2080, 36 L. Ed. 2d 772 [1973]), NCCB (FCC v. National Citizens Comm. For Broadcasting, 436 U.S. 775, S. Ct. 2096, 56 L. Ed. 2d. 697 [1978])--it reiterated their validity for the current day.

It said that, just as Red Lion had said that broadcast spectrum was scarce in a way print
was not, so was the spectrum DBS uses. Just as DNC held that listener and viewer rights were paramount, so were they in the DBS medium. This was because, as NCCB had itself reiterated from an earlier case, the First Amendment’s goal is not merely the right of anyone to say anything, but the widest possible dissemination of information from diverse and antagonistic sources. That is, the point of regulation that limits the First Amendment rights of media corporations is to foster democratic discourse and decision-making. The decision asserts that because electronic mass media continue to exert monopoly control of spectrum space that many more people want than can use, traditional public interest regulation continues to be a legitimate use of the power of government.

The decision specifically recognized the history of legal decisions affirming that, as legislative language for the 1967 Public Broadcasting Act said, the economic realities of commercial broadcasting do not permit widespread commercial production and distribution of educational and cultural programs which do not have a mass audience appeal (H.R. Rep. No. 572, 90th Cong., 1st Sess. 10-11 [1967], quoted in 93 F. 3d 957, 976 [D.C. Cir. 1996]). The public interest provisions for DBS, the decision said, was simply a new application of a well-settled government policy of ensuring public access to noncommercial programming. Finally, the decision noted that the law does not specify exactly what kind of programming should be reserved, and that its function is to increase, not limit, speech.

This decision powerfully challenged the notion that the basic structure of mass media, affecting its social role, had changed or would change soon with a multichannel environment and with competition. It portrayed DBS as just more television, still charged with public obligations because it continued to operate under the old, top-down, mass media paradigm. It also reinforced the notion that such obligations continued to express appropriately the public interest. Under this logic, to fulfill its obligations, DBS providers should create an environment where the widest possible dissemination of information from diverse and antagonistic sources could take place.

Thus, the law still asserts that scarcity continues to exist. It is, however, a fragile conclusion. After the appeals court ruling, Time Warner asked the full court to reconsider its decision. The ensuing vote to rehear the case was 5-4, not enough to win rehearing but enough to signal continuing contention about the issue. The majority of judges would have liked to revisit the Red Lion rationale.

**The challenge of occupying new spaces**

The rulemaking that was triggered by the appeals court ruling offered the first major platform for discussion of the public interest in mass media after the passage of the Telecommunications Act of 1996. In a Notice of Proposed Rule Making initiated Jan. 31, 1997, the Federal Communications Commission reopened its process of taking comments before decision-making. In this round, the pool of participants was the same kind and size as previously. On the commercial side, there were:

- DBS providers and trade association (nine comments, five reply comments);
- Cable operators, programmers and trade associations (five comments, five reply comments); and
- Commercial programmers (three comments, three reply comments).

On the noncommercial side were:
- Universities and public television entities (both were included in legislative language in the designation national educational programming suppliers (four comments, two reply comments).
noncommercial programmers, including a consortium of universities planning distance learning (three comments, two reply comments);

the national cable access association, Alliance for Community Media (one comment, one reply comment); and

public interest, issue-based and minority organizations, including two loose and overlapping coalitions of public interest, nonprofit, and minority interest ranging from the National Association of Elementary School Principals to the American Psychological Association to the Association of Independent Video and Filmmakers (three comments, four reply comments).

Several other commenters submitted short comments or letters addressing specific concerns, e.g. Morality in Media’s concern that indecency provisions be applied to DBS programming. These organizations generally took the same positions they had taken four years earlier. Positions clearly reflected, as the process is designed to do, stakeholder self interest.

The DBS providers vigorously attempted to diminish their obligations in both 25(a) and 25(b). They argued that a new business (despite the fact that four commercial services were now in business) should not be burdened with obligations. Regarding 25(a), they argued that DBS providers should only have to make room for presidential campaign ads, since Senate and House campaigns were not of national interest. They should not have to offer other public interest programming, such as children=s, civic or educational programming.

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2 The Federal Communications Commission maintains an electronic database listing all filers in a docket at its Washington, D.C. offices, where hard copy comments are on file. Increasingly, commenters are filing electronically, but at the time this docket was active, most still filed hard copy, and access to these was either slow or expensive. Although I consulted these records, in most cases I used private resources. Andrew Jay Schwartzman, Gigi Sohn and Joseph Paykel of The Media Access Project, one of the public interest filers, were kind enough to share their own copies of many of the comments, which facilitated the research considerably. Several other filers also graciously sent me their copies. At the FCC, Rosalie Chiara was gracious and helpful in providing updates and clarifications. In referring to this docket, I refer to the filer, to either the Comments or the Reply Comments (“Reply”), and the page number.
Regarding 25(b), most providers did not want to establish separate space. They should, they argued, be permitted to aggregate all the minutes of qualifying programming from all video services to make up the set-aside, which should be 4 percent, not 7. They should be able to count toward their obligations any good deeds they were now doing, and they should be able to use commercial services whose content might not be frivolous, such as Discovery, WAM!, or, in the case of a rural cooperative using DBS transmission, Channel Earth. Channel Earth is a commercial channel that provides “live and late-breaking agricultural news, weather and livestock and commodity market information” (National Rural Telecommunications Cooperative, Reply Comments, 6. The cooperative argued that the commercial channel should qualify for the noncommercial set-aside because it “mixes information, educational and entertainment programming of particular interest to rural America” (7).

DBS providers were centrally concerned about editorial control. They suggested the creation of an organization to be dominated by DBS interests that would certify appropriate programming. They were also concerned about cost of access to any set-aside channel space. They wanted to calculate the discount rate stipulated by Congress to include many basic and infrastructure costs.

Cable operators and associations, competitors with DBS (at least for now), generally demanded that the FCC apply any public interest obligations they had (e.g., must-carry, leased access, rate regulation) to DBS. Commercial programmers argued that commercial programming should both fill the public interest obligations and be permitted on the set-aside, if such programming was truly educational and informational. They pointed out, among other things, that public television regularly worked with commercial entities, including many of the program producers for the service.

Noncommercial interests shared certain positions: DBS was now a viable competitive business, not a nascent one; it should be expected to devote 7 percent of the space to a set-aside; it should not have editorial control or create an accrediting board; capacity should be calculated in terms of megabits or total capacity, not merely the part devoted to video; the price for set-aside rates should be an incremental rate, not one that builds in infrastructure or promotion or other costs. Those who addressed the responsibility of DBS operators on electoral issues under 25(a) declared that operators had a legal obligation to carry any federal candidates who demanded space. Only the Association for Community Media addressed the issue of localism, projecting the possibility in the future of spot beams to target localities and regions.

Public television, universities, and public access organizations—organizations that already developed educational or informational programming—argued that the best interpretation of the obligations would be to extend the model that each worked on. Public television argued that the set-aside pertained only to the entities mentioned in the legislative language: public television stations; national public telecommunication entities (including, for them, public television-related organizations such as Public Broadcasting Service, which is actually a member organization of stations that provides core programming to its members); and institutions of higher learning. One entity such as PBS, public TV argued, ought to be able to occupy the entire set-aside, while public TV still ought to be able to enter into business ventures with commercial entities and even rent commercial space on DBS.

Universities, most visibly through a consortium-in-formation calling itself Research TV composed of large public and prestigious private universities, proposed that the full 7 percent should be divided equally among the three kinds of entities designated in the law. A third would then go to accredited educational institutions; they proposed K-12 schools, research universities,
and post-secondary institutions should all have equal access. An educationally based, cable access-style body could adjudicate use if there were conflicts. The hastily assembled consortium did not claim to have programming but suggested the service could be used to release research information, and also to showcase events such as examples drawn from recent university efforts: a seminar on teens, drugs and pregnancy; a symposium on space technology; a seminar on biotechnology business opportunities (Research TV, Comments, 5). The consortium’s filing identified two uses: “information access for professionals,” and “public first-hand access to the most up-to-date information” (6). “Public” in this case simply meant audience members with particular needs, e.g. diabetes patients.

Children’s Television Workshop, the leading producer of quality children’s educational programming, had long sought a larger window on television. It was frustrated by public television’s small demographics, and equally by network TV’s low tolerance for research budgets and for educational content (ABC’s casual treatment of CTW’s short-lived network series Cro had been chastening). Several attempts to launch an educational children’s cable channel, under various models, had failed for lack of capitalization; it was then in discussion with Fox about trading equity investment for programming on Fox’s newly acquired Family Channel (Ross, 1997). The DBS set-aside, if CTW could qualify, would solve the problem of access, but only if CTW, a small, lucrative but expensive operation--could make it pay. As CTW said in its comments, “while qualifying to supply programming for the reserved DBS capacity, [CTW] would find it difficult to do so given DBS’ currently limited nationwide subscriber volume, absent the ability to include commercial matter within the setaside programming” (CTW, Comments, 6). So it proposed that in 25(a), DBS providers be required to make 3 percent of its capacity educational and informational children’s programming. Whatever part of this programming was produced by noncommercial entities could count toward the set-aside (from 4-7 percent). The CTW proposal also suggested that the noncommercial set-aside providers be permitted joint ventures with commercial partners, and that on a section of the set-aside, qualifying users be permitted limited commercial matter. This would address, CTW said, the widespread concern of DBS providers that low-quality material would be used to fill the noncommercial space.

The Center for Media Education and some 21 other organizations (nine of which participated because of an interest in children or to safeguard specific media agendas, e.g. the hearing-impaired) developed an argument focused on children, through the law clinic Institute for Public Representation. Concerning itself only with 25(a) and not the set-aside, and building narrowly on success, it demanded that DBS providers be held to the same standard as broadcasters were in the 1990 Children’s Television Act.

The Alliance for Community Media, a membership organization of cable access organizations, focused on 25(b), filing in combination with the National Association of Telecommunications Officers and Advisors. Alliance/NATOA claimed to represent “the interests of religious, community, educational, charitable, and other non-commercial, non-profit institutions who utilize PEG access centers and facilities....and participate in an ever-growing ‘electronic town hall,’” as well as those who believe “that the tremendous resources of the Information Age should be made available to ‘at-risk’ communities...” (Alliance/NATOA, Comments, 2). The filers saw the potential of the noncommercial set-aside as a chance for DBS subscribers
to see varieties of programming that encompass the range of human experience, but which generally are not seen because they lack commercial viability. Such programming
includes not only distance-learning and public affairs programming, but also the performing arts, regional affairs, programming by and about minority and at-risk populations (programming by and about ethnic groups, religious organizations, women, the disabled, social service agencies, etc.) (10)

The filers proposed to use the cable public access model, with a programming body administered by a national board of directors largely drawn from the nonprofit world. This body would be run, and promote and fund programming with monies generated by an up-to-5 percent cut of DBS profits. Tacitly addressing widespread doubt that local PEG access programming was a model for national-level programming, the filers stressed the importance of distance learning as a core programming activity, along with event programming and a special role for public television programming, which in their scheme would be permitted a larger-than-10-percent share of time on the reserved space.

The group of clients assembled by the public interest legal firm Media Access Project, led by the Denver Area Educational Telecommunications Consortium (a nonprofit producer and distributor of independent video), dealt with both parts of the requirement. Besides DAETC, potential producers also included the independent video and film producers association, a public access cable center, a consortium of land grant colleges with distance learning programs, and the National Federation of Community Broadcasters, a public radio organization.

The DAETC filing called under 25(a) for DBS providers to be required to provide civic, children’s educational and informational, and/or fine arts programming. To fill the 4-7 percent of capacity set aside for noncommercial use, DAETC strongly resisted the notion that commercial programmers could be used, and suggested that any noncommercial programmer (such as PBS) should only have one channel.

DAETC’s vision was similar to that of Alliance/NATO. Nonprofit institions could use the set-aside for distance learning, low cost internet access, community radio, and video programming that otherwise would only be viewed on PEG access channels in a handful of communities...[while section 25a, under DBS= public interest responsibilities, could provide a] secure home for C-SPAN, which has become the mistreated stepchild of the cable industry, or by providing several channels of children=s educational and informational programming. Candidates for President could receive cross country access for their messages in one shot (DAETC, Comments, 3).

Confronting the question of resources for production, DAETC suggested that DBS providers should subsidize production for the set-aside space. If they do not, it said, then the space between 4 and 7 percent could be used for material that was “80 percent noncommercial” (a figure borrowed from the amount of advertising permitted on broadcast children’s programs), with some of the profits from that sector returning to the noncommercial programming carried on the reserved spectrum up to 4 percent. Monies would be paid directly to a nonprofit programming consortium, free from DBS editorial control (DAETC, Comments, 15, 19).

Implications

The challenges of interpretation posed by the two aspects of Section 25 were different in kind. Debate over the meaning of 25(a) operated within a well-established set of regulatory expectations for commercial television. It called upon DBS operators or their renters to make space for political candidates and to address the weaknesses of the marketplace for vulnerable
constituencies, especially children. Noncommercial stakeholders wanted DBS providers to assume more editorial responsibility for civic, educational, and children’s programming, and DBS operators wanted to minimize it.

The question of 25(b) posed a far greater challenge, inviting commenters to imagine electronic space that does not now exist and propose uses for it. The set-aside discussion was a greater test of the vigor of the public interest concept today.

One of the salient features of the DBS set-aside discussion was its narrowness. It did not generate much enthusiasm, either in the general public, or in more immediately affected constituencies. In spite of the fact that this was new televsual space opened up for public life, national newspapers merely mentioned it in passing and it was nearly invisible on electronic media. Several newspaper and magazine editors contacted by this author simply found the story lackluster. The narrow stakeholder participation would seem to prove them right.

The proceeding did not take place in obscurity or without warning. Individuals and organizations had months and even years to work out their interest in the proceedings, and were given ample warning by the FCC through familiar channels. Once the proceeding became a reality, Media Access Project’s Gigi Sohn prepared an action alert distributed via the Internet. Meetings among stakeholders were held, some to brainstorm potential entities that might be able to contribute to diversity of expression and representation through the set-aside. The MAP press release, aimed at the community of independent film and video producers, said in part,

Without the active participation of independent producers and the education community, the FCC will be far less disposed toward creating a substantive access policy that, from the outset, will guarantee low-cost access to DBS service as it becomes a competitive means of program distribution to cable and broadcast television. Activism is particularly important given the skepticism of some policy-makers that the public interest programming set-aside will be no more than simply another outlet for...the Public Broadcasting Service. This misperception must be strenuously rebutted by the independent creative community and educators. (Media Access Project, n.d. [1997])

But aside from public television and universities involved in distance learning, there were no viable institutional volunteers for that space. Major unions and religious organizations, among others, made no direct claims on the space. The only substantial nonprofit producer, Children’s Television Workshop, explicitly charged that a set-aside without a profit-making mechanism or subsidy was unviable. Public television interests argued strenuously that corporate alliances should not affect its status as a noncommercial provider. A few months later, PBS and four of the largest (and program producing) public TV stations formed the PBS Sponsorship Group to solicit corporate sponsorship in a coordinated way, marking increased commercialization (Farhi, 1997).

Other production-related organizations may become important players in the future, but are not in a position to use the space immediately. The Association of Independent Film and Video, a member organization of producers, does not have distribution or programming mechanisms, nor does the National Federation of Community Broadcasters, representing small community public radio stations. The Alliance for Community Media, now a small membership organization of embattled local production centers, would require an infusion of resources. Research TV is still an organization in formation.

The entities that even in theory could use that space had, significantly, decades of public subsidy behind them. Public television’s core structure of stations depend on local, state and federal tax money for nearly half of their revenues and pass them on to services such as PBS. Universities both private and public depend on a variety of public subsidies; the lead participants
in this discussion were land-grant and state universities whose primary revenues come from public funding. Nonprofit programmers such as CTW directly and indirectly benefit from both structures.

Entities that could not themselves use the space but which supported a vigorous interpretation of the public interest divided into two camps. One, through CME, chose not to address the set-aside at all. The DAETC coalition and Alliance/NATOA both assumed the further challenge of imagining the reserve space. These proposals did not restrict suggestions to programming but extended to services and practices occurring in a protected space, where noncommercial behaviors and relationships might be nurtured. Both grounded their proposals in the potential of distance learning, a service for which there are today both providers and audiences.

That imaginative stretch toward public space was the exception rather than the rule. The discussion largely focused on the availability and quality of consumer programming, a point that loomed large in the FCC’s informal discussions with interested parties (Personal communication, FCC Mass Media bureau lawyer Rosalie Chiara, Sep. 26, 1997). Programming was largely discussed within a commercial, entertainment-oriented context, which made it easy for DBS providers and commercial programmers to argue that high-quality commercial programs should count toward the obligation. Noncommercial commenters with the exception of DAETC and Alliance/NATOA did not, by and large, challenge this vision.

Nonprofit organizations by and large supported major parts of each other’s proposals, with the exception of public television (which resisted any limitation on a single user of the reserved space). But one of the more visible potential occupiers of noncommercial space—one invoked in many comments—was silent on the issue: C-SPAN, after public TV perhaps the most well-known example of public space on television. C-SPAN carries activities on the floor of Congress, and covers policy issues broadly in the off-hours. A creature of the cable industry, C-SPAN is supported by voluntary industry contributions and carried as an act of good will by operators (Aufderheide, 1997). Since the 1992 cable legislation, C-SPAN carriage has suffered gravely. Both from pragmatism and principle, in this case the organization chose caution. Its counsel, Bruce Collins, explained that since its patrons’ interests were multiple—some of the cable owners, particularly the behemoth TCI, had DBS holdings, and most DBS operators are contributing to C-SPAN and using its programs—it chose to keep a low profile (Collins, May 8, 1997, personal communication). In a two paragraph filing, C-SPAN notified the FCC it was entering the discussion only because it had been mentioned by so many others:

...[W]e have never sought a governmental preference or advantage of any kind, preferring instead to succeed or fail in a fair and competitive programming marketplace....[W]e urge the Commission as it grapples with these issues to exercise its authority in a competitively neutral manner such that regulatory parity is the result for similarly-situated multi-channel video providers. (National Cable Satellite Corporation, d/b/a C-SPAN, Reply Comments, 2)

C-SPAN, thus, actively rejected a reserved-space model, although it was one of the most well-developed examples of noncommercial, national public service. C-SPAN head Brian Lamb has often recognized the importance of separate spaces. As he told an interviewer from Broadcasting and Cable, explaining the distinctiveness of C-SPAN, “When you get up every day and you don’t have to make a profit, and you just have to meet your mission statement, you react differently than if you have to deliver eyeballs to advertisers” (West & Brown, 1997, 71-2). But C-SPAN remains a private service, subject to the vagaries of private indulgence.
Although the appeals court decision eloquently argued the need for a noncommercial space that could operate as a marketplace not of products but ideas, not under the mandate of profit but of public deliberation, the DBS set-aside discussion demonstrated that this space, at least electronically, is thinly populated and impoverished both financially and imaginatively. Where there are oases, they are fed with public and private subsidies—although the subsidies have usually been doled out without a commitment to a vigorous noncommercial space or set of relationships. Excepting children, commenters had difficulty invoking noncommercial constituencies—either producers or audiences—and to articulate what was at stake in the inhabiting of reserved space. The most immediate and largest available institution to use this space, public television, has demonstrated with painful consistency over the last few years a complacency with the vision of programming within a commercial context (Hoynes, 1994; Engelman, 1996). The courts seem more eager to refer to a marketplace of ideas than policymakers or cable operators seem eager to build one.

The FCC Finally Rules

In November, 1998, more than six years after congress had established public interest obligations for DBS providers, the FCC finally issued its ruling (U.S. FCC, 1998). The ruling struck a middle ground between demands of DBS operators and public interest commenters. On 25(a), the FCC simply required DBS operators to allow all candidates for federal office access to their systems, whether on a designated channel or elsewhere throughout the program offerings. It declined to require a minimum of children’s programming, as it did the cable industry’s request to saddle DBS with its own public interest requirements.

On 25(b), the FCC required the minimum channel space, 4 percent, but included all video channels, including barker channels, in the count. It required DBS operators to use distinct and consistent channels, rather than sprinkling noncommercial programming throughout the day. (It thus rejected CTW’s proposal to count programming on the commercial side toward the noncommercial 4 percent.) It did permit DBS operators to select the channels, although not without vigorous discussion and, ultimately, dissent, among the commissioners. The FCC report and order also limited each program provider to one channel, relieving other program providers of the fear that public television would take the entire space. It permitted joint projects between noncommercial and commercial entities on the reserved space, so long as the project stayed educational and noncommercial, with no advertising.

Within the limits of the law it had been given to interpret, and the precedents already set, the FCC created some new spaces for noncommercial use. They would be hedged about by a DBS operator’s decision to carry or not to carry, but by the end of the report and order, there existed a new window for a variety of noncommercial programmers and programs to reach national television audiences. There was, of course, no provision to support such programs financially, and could not have been, since it was not stipulated in law.

Challenges

Current policy is extremely mild-mannered encouragement to the project of fomenting a marketplace of ideas. The challenge facing civic activists with DBS will be to stake a claim to the putatively public elements of the service, and to design and distinguish such use, not merely as good-for-you programming but as television that not merely speaks to individuals as
consumers but to members of a multifaceted public. But it is not clear from the commenting process that there is a producing and distributing community beyond the limited world of public TV with such a vision for its use, or a set of organized interests in civil society that will commit to such a vision. It also seems patently clear from related policy skirmishes, for instance over federal funding for the National Endowment for the Arts, for the Department of Commerce’s grants for demonstration projects in public networking, and for public television, that federal government has little enthusiasm for fueling experiment in public electronic spaces.

The DBS set-aside debate thus demonstrates the consequences of an extended impoverishment of the concept of the public interest in electronic media. The conduct of commercial media demonstrates vividly, at least to appeals court judges, the need for noncommercial spaces, programs, habits and expectations. At the same time the culture constructed around commercial television, marginalizes, even shrivels, alternatives. A strong governmental role to reallocate resources, of the kind occasionally played throughout the nation’s history—in postal subsidies, in the creation of public broadcasting, in the creation of the Internet—appears essential to any viable project. Otherwise, the noncommercial set-aside is likely to confirm smug expectations that any alternative to commercial television is indeed not “what the public is interested in.”
References


