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Abstract
Achieving pubilc service pluralism in the Unites States context is so idiosyncratic, so much a product of particular historic and governmental developments, that it is diffi cult to draw lessons that are useful for the United Kingdom. The differences are rooted in the distinct (1) role of federally licensed commercial stations; (2) expectations about the contributions of public broadcasting to pluralism in program offerings; and (3) structures of public broadcasting. In this brief essay, we try to show what aspects of pluralism and diversity are valued in the very special case of US media policy and how the idea of public service plays out at a time when an increasingly fractionated society faces a fractionated array of media offerings.

Keywords
public television, media policy, public broadcasting

Disciplines
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9.2 Public Television and Pluralistic Ideals

Ellen P. Goodman and Monroe E. Price

Achieving pubilc service pluralism in the Unites States context is so idiosyncratic, so much a product of particular historic and governmental developments, that it is difficult to draw lessons that are useful for the United Kingdom. The differences are rooted in the distinct (1) role of federally licensed commercial stations; (2) expectations about the contributions of public broadcasting to pluralism in program offerings; and (3) structures of public broadcasting. In this brief essay, we try to show what aspects of pluralism and diversity are valued in the very special case of US media policy and how the idea of public service plays out at a time when an increasingly fractionated society faces a fractionated array of media offerings.

As a general matter, US media policy relies on structural safeguards (both market and non-market) to attempt to deal with pluralism of media outlets and pluralism of media content. Pluralism of content, more commonly called 'diversity' in the United States, is theorised to emerge from a properly structured market with adjustments needed only around the edges. So too, the composition of public broadcasting – and we will focus on public television – is left largely to the consequence of its architecture.

The US public broadcasting system is decentralised and always has been; it was never effectively consolidated. Instead, it was cobbled together from autonomous local entities with very rooted local identities (usually controlled by local non-profit corporations, sometimes by public educational institutions and, in a few instances, towns and cities themselves). The national system was designed to bring some order and scale to this motley group of providers, but the stamp of history has been virtually indelible. Public broadcasting entities have a soft mandate to air diverse programming – programming that is diverse in its source and its intended audience – but there is no federal or official metric for evaluating whether the output is sufficiently diverse. To the extent that public broadcasting fails to satisfy subjective assessments of diversity, the sanctions can take the form of reduced private support for programming, public pressure in the form of Congressional hearings and more informal criticism, and the annual threats that public broadcasting faces to its federal funding.

In the US as in the UK, Public Service Broadcasting (PSB) enthusiasts point to the role of public broadcasting in providing programming that the market fails to provide, (responding to 'market failure'). It has been in the realm of children's programming, cultural programming and programs for specific subgroups in the society that the system as a whole has had its most substantial impact. Because there is not in the United States the same emphasis on a strong 'national identity', nor is there any consensus on a substantive vision of that identity,

there has not been in US public broadcasting the same tensions between centripetal and centrifugal forces. Diversity is not in tension with reinforcing a unified national identity. At the same time, the contours of diversity and public broadcasting's contributions remain ambiguous.

Localism in US broadcasting

The expectations for public television with respect to media pluralism can only be understood against a background of the US broadcast television structure in general. Public broadcasting is an aggregation of local broadcast stations because that is the structure for all broadcasting in the United States. The commercial networks own handfuls of local stations and affiliate with hundreds more independently owned stations. At one time, before there was significant media consolidation, most commercial stations were locally owned. It was the licensing policy of the US government, beginning with radio, to delineate local service areas and structure a broadcast system around service to local communities. Thus, in the first federal laws governing radio communications, Congress established as a goal that all communities should have at least one radio station before additional licenses would be made available. The result is that there are more than 1,600 local television stations in the United States and more than 350 public-broadcast television stations.

To have such a population of transmitters is an inefficient use of spectrum and other resources, but reflects the historical commitment to facilitate broadcast responsiveness to local communities. The intensely local distribution of broadcast channels in the United States reflects a political penchant for small, decentralised centres of power. Indeed, the connection between the broadcast structure and the political structure is more than theoretical. Links between locally elected officials and the structure of broadcasting have significantly reinforced the local structure of broadcasting. Local commercial broadcasters gain an important source of revenue from political advertisements. As a result, it is in the interests of both commercial broadcasters and politicians to preserve the existing structure. Notably, non-commercial stations do not carry political advertising and most do not provide significant amounts of news programming (only about twenty public television stations do). Nevertheless, non-commercial stations also have an interest in preserving the local structure of broadcasting because they are controlled by local institutions and receive funding from the local communities to which they are licensed.

This emphasis on localism in US broadcast policy has meant a primacy of one kind of pluralism in assessing the public interest performance of broadcasters. Regulators tend to view stations that produce very little local programming (especially news and public affairs) as non-responsive to local concerns, even if it might be shown that there was little demand for such programming. After a long hiatus, mandates that commercial broadcast stations take affirmative steps to ascertain local community programming interests are again being seriously

considered. Regulatory interventions to increase local programming reflect the belief that, even where a market is structured to deliver a certain media product, there are reasons delivery may not occur. Demand for local programming may be too small-scale to warrant the investment.

Public broadcasting contributions to media pluralism

The notion of market failure, both in terms of localism and more generally in terms of diversity, serves as a central justification for public broadcasting (Price 1999). The Public Broadcasting Act of 1967 speaks of encourage[ing] the development of programming that … addresses the needs of unserved and underserved audiences, particularly children and minorities.[1]

Of course, the very idea of a non-commercial service is to provide a non-market supplementation to commercially motivated programming decisions. The market failure argument for public broadcasting rests on the premise that even where there is diversity of ownership of commercial stations, commercial considerations will keep owners from serving some segments of the audience. In this sense, public broadcasting is designed to address the market's failure to further diversity goals, including localism (Rowland 1993). The relationship between market failure and diversity is not well articulated in US media policy, but is a much more important justification for public broadcasting in the United States than it is in the UK. American public broadcasters face many of the same contradictory pressures as their equivalents abroad. Our debate has echoes (though faint ones) of the European complaints of private broadcasters: in those instances where US public broadcast programming is popular, it raises the question of whether it is replacing or duplicating market efforts. Where public-broadcast programming is not popular, it raises the question of what purpose it is serving (Goodman 2004). It is in the area of children's programming that public broadcasting has made the best case for public support because the programming is highly rated and it is generally accepted that the market fails to supply optimal levels of children's programming.

'Diversity of voice' is one of the central stated goals of American broadcast policy. Diversity has meant many different things to regulators over the past several decades, including diversity of program genre, viewpoint, ownership and source (Napoli 1999 and 2001). The present regulatory position is that elements of diversity can virtually be attained so long as there is diversity of ownership of media outlets. This position is grounded on two factual premises that are thinly supported and in tension with each other: that ownership of media affects content choices and that a competitive market will produce diverse programming. Whether justified or not, the equation of diverse ownership with diverse content has led to a regulatory policy that relies on patterns of ownership rather than with media content, and a faith in market demand for diversity. From the standpoint of the Federal Communications Commission, this reliance

on structure means seeing public broadcasters – the local stations who are non-commercial and educational – as part of this diversity system, with their own relatively autonomous response to their own self-defined market.

The primacy of structural concerns in US media policy is also a product of the unusually evolved constraints of free speech jurisprudence on regulation. The rigors of free speech law as applied to the media have made it difficult to conceive of diversity as anything other than the structural possibility of diversity. For this reason, commercial broadcasters are largely evaluated not in terms of what they air, but whether they are structured to be responsive to diverse audience needs, particularly the needs of local communities. The First Amendment of the US Constitution, as it has been interpreted by the Supreme Court, is strongly protective of the rights of broadcasters and other media enterprises to make editorial choices free from regulatory constraint. Policies that seek to encourage or prohibit particular kinds of media content, even in areas such as minority or children's programming, are subject to more severe constitutional scrutiny than are those that merely seek to structure media markets in ways considered 'content neutral'. Regulators fearful of judicial review on First Amendment grounds are particularly receptive to theories of media diversity that rely on structural interventions.

The structure of public broadcasting

Reading the British debate over pluralism in PSB into the US context provides a set of ironies. The very weakness of the American system – the structural autonomy of local public-broadcasting outlets and the poverty of funding – provides the basis (although a weak one) for increased pluralism in the production of content. In the emerging digital (and online) world, this structure can be seen as an opportunity for experimentation and pluralism, possibly leading to greater diversity in pubilc service output.

The 350 or so local public television stations (licensed to non-profit entities, colleges and public bodies in cities and states) are funded through a mixture of sources. Of the federally appropriated funds allocated to public television, most is distributed through the Corporation for Public Broadcasting (CPB) to the stations themselves. Most of these stations – though not all – are members of the Public Broadcasting Service (PBS), which aggregates a national programming schedule that the local stations transmit in their local markets, along with any local programming. Much of the programming included in this national schedule is produced by a handful of local 'producing' stations. Other programming is purchased by PBS (or by stations themselves) directly from producers. Producers that contract with PBS may also receive public television funding from CPB, which is required to make funds available to producers from groups that are considered under-represented. Unlike the BBC and commercial networks, PBS rarely owns the programming that it distributes and PBS itself does not produce programming. Under FCC regulations, local public broadcasting stations now

have the rights to offer multiple digital channels, and each can use them in its own way. This means that KCET in Los Angeles will have a different digital PSB strategy from WNET in New York City or WGBH in Boston. Compared to counterparts in the UK – the BBC or ITV – these will be quite small operations, but they do show some promise of differentiated behaviour, a kind of crude pluralism in output that is the consequence of pluralism in provider. Local stations are producing themselves or contracting with producers for new kinds of channel offerings. Some of these program offerings, such as Spanish-language programming, are available nationally, but selected only in the markets where viewership warrants them (in Los Angeles and Denver, for example). The digital switchover creates the conditions for autonomous and differentiated responses of local stations, although the economics of program production may well result in far more national channels than would be ideal from a localism perspective. However, new national public television channels, such as Create (arts) or World (programming on foreign topics), might well further the ideals of pluralism if not localism.

There is another important way in which the operation of the American public-broadcasting system may produce pluralism despite its relative weakness compared to European systems. This is through the structure of financing we have already mentioned. The most important contrast is that the US public-broadcasting system is only fractionally supported by a federally determined source. The US system as a whole receives only about 15% of its funds from the federal government in the form of an annual appropriation. The rest of the funding comes largely from private donations, corporate funding and, in some cases, state government funding. This means a wild, almost desperately complex, diversity of funding sources. Also – and this is a significant difference – decisions on how these funds should be expended (or even what funds should be sought from whom and for what purposes) is also significantly dispersed. And this leads to a pluralism in output. True, the core of offerings on public service broadcasters is similar from station to station, but stations differ reflecting, in part, varying patterns of access to funding (their relationship, for example, to local or state government funding or local charitable foundations). Also, US public service broadcasters actively and strenuously solicit funds from their viewers and listeners; how these audiences respond or are expected to respond will influence programming in ways that differ from audience to audience and therefore from station to station. To some extent, audiences shape programming through their giving preferences. In a recent example, WNET, a relatively powerful pubilc service station in New York, wished to produce a program on aspects of teenage violence and used online methods of solicitation to obtain (at least partial) funding directly from viewers. The attraction of ironies aside, the kind of diversity that US public television produces can easily be overstated. And the system is in danger. Public television funding in the United States, in the absence of a licence fee, is both precarious and modest. The financial limitations of American public television's dependence on voluntary and corporate contributions are considerable. In the United States as in the UK, the multiplication

of media outlets and associated explosion of niche programming raises questions about the continued existence and extent of the market failures public broadcasting was supposed to remedy. The Discovery Channel, Arts & Entertainment, History, Nickelodeon, C-Span and many other basic cable channels, in addition to premium and internet channels, provide the kind of niche programming that public broadcasting has long claimed as its own. Although basic cable channels are not universally available in the same way that public television channels are, they are available to about 85% of the population through cable and satellite. Broadband penetration, by contrast, is considerably lower than that at just more than 50% of households.

These pressures on the market failure justification for public broadcasting require reformulations of and departures from the market failure argument. Increasingly, defenders of public broadcasting place less emphasis on subject matter coverage (e.g. science and educational programming) in touting public broadcasting's contributions to diversity, and a greater emphasis on soft variables such as 'quality' and on localism. Success in achieving goals like 'quality' is, of course, very difficult to measure. Such goals are also vulnerable from a market failure perspective. Without a strong theory of what public value public television is trying to deliver – that is, without strong notions of citizenship or national identity – television lacks a strong response to scepticism about the continued need for funding.

The most ambitious plan in recent years to reconceptualise what it is that public broadcasters contribute to pluralism and other public interest goals is contained in a report called the Digital Future Initiative (Digital Future Initiative 2005). This initiative, co-chaired by former FCC Chairman Reed Hundt, argues that public broadcasting must become more national in scope with strengthened national institutions. It urges private and public investment in broadband technologies, search capabilities and a national archive of digitised programming of all sorts. According to the report, public broadcasting should be transformed to focus on lifelong education, community engagement news and public affairs, and public service such as homeland security. Interestingly, the report does not emphasise diversity, except insofar as it imagines that local public stations can complement national programming and projects with a tailored local approach. The obstacle to realising this or any other ambitious reform proposal is that existing public broadcasting institutions are resistant to change, do not work well together, and have a variety of interests often at odds with each other.

Conclusion

The arrival of new technologies creates an opportunity for redefining the US public broadcasting system in terms of contributions to pluralism, and some steps in that direction are visible. But it is hard to imagine that diversity within US public broadcasting would raise the same level of interest that it has raised in the UK. Public broadcasting

in the UK and the United States are very differently situated in terms of historical development and current position. The BBC is the 800-pound gorilla in the UK media market: the demand for pluralism is a reaction to its dominance and centrality. American public broadcasting is more of a chimpanzee. PBS was created in 1967, long after the national commercial networks were well-established, and public television programming usually trails commercial broadcast programming in popularity by considerable margins.[2] A 'public value' test in the United States would not be needed to see if non-commercial broadcasters are using state subsidies to threaten or infringe on market turf. As in the UK, the need for diversity and pluralism in the provision of program offerings remains high. And it is hardly clear whether technological innovations and the proliferation of content options eliminate market failure. What is clear, however, is that the structural differences between the two contexts are a substantial barrier to meaningful comparison.

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Endnotes

1. Communications Act 1934.
2. Public broadcast ratings are typically higher than most cable channel ratings.