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1998

Crawley, W. (1998). Autonomy : key to the survival of public service broadcasting. In AMIC-CBA-SCS/NTU Conference on Public Service Broadcasting : Thriving in a Diverse Broadcasting Environment, Singapore, Feb 20-21, 1998. Singapore: Asian Media Information and Communication Centre.

<https://hdl.handle.net/10356/93380>

**AUTONOMY: KEY TO THE SURVIVAL OF PUBLIC
SERVICE BROADCASTING**

By

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Paper No. 12

AMIC/CBA Conference, Singapore - 20-21 February 1998
Session: AUTONOMY: KEY TO THE SURVIVAL OF
PUBLIC SERVICE BROADCASTING
[scheduled for 20 February - 1530-1730]

Autonomy - Means to an end
William Crawley

The question

I will start by posing our topic as a question. Is autonomy the key to the survival of public service broadcasting? Is it merely one of the desirable, even necessary, conditions? Or might it be - in a harsh commercial world - a step towards a gradual withering of the concept of public service broadcasting in the 21st century? And if so, would that matter?

For organisations whose constitution gives them control of their own management and editorial policies, autonomy is a status that has to be guarded jealously. In state-controlled broadcasting organisations, - (I have in mind examples from both south Asia and eastern Europe) - the idea of autonomy has been a long standing aspiration for many professional broadcasters; not necessarily shared by their political masters or even some of their colleagues. The audience I would guess is largely indifferent to the structures but judges by results. Does the organisation deliver credible news and information, and quality programmes? In this paper I will look at some of the issues raised by autonomous status and the challenges to it. They are not specific to one country or system, but I will consider it primarily with reference to Asia, and with a perspective that will be seen to be British and European, I hope none the worse for that.

The objective

Allow me very briefly to go back to basics, as today every business organisation and public institution is encouraged to do. What are the aims of public service broadcasting?

The first objective must be to provide an infrastructure - the means for people to hear and see broadcast radio and television programmes. It may involve pioneering new technology, creating software for hardware; creating a new medium. It may be seen as a national interest to assist in the development of new commercial opportunities. It requires massive investment, which has to come either from public or private sources.

The second to provide a service of broadcast programmes - the software. The nature of the software provides imperatives of its own. The goal is the provision of four essentials - News, Information, Education, and Entertainment - with the important proviso that the news should be untainted, the information accurate, the education accessible and the entertainment of quality. The concept of a public service broadcasting institution is seen as a means to achieve this.

Of course national broadcasters assume many obligations beyond this very basic formulation - obligations that may be put on them as part of their licence or operating charter. The BBC World Service for example is and has always been required to broadcast in the national interest. The broadcasting law in Japan places on NHK's international services the obligation to "contribute to international friendship and to the development of economic interchange with foreign countries, by cultivating the correct recognition of Japan, by introducing our civilisation, industry etc."

The interpretation of the concept of national interest, - or a national consensus - is complex and a

controversial issue in the field of public service broadcasting. The idea is a fundamental one. But in a society with communities with different and competing ideas of their interest and identity this consensus may not exist - or at least it cannot be taken for granted. Difficult questions arise of diversity, balance, the accommodation of different views, and objectivity in the presentation of them.

These aims, which broadcasters set themselves and which are expected of them, are themselves open to very subjective interpretation. You may assess the balance of news presentation by comparing the precise time devoted in a programme to one side of an argument, - or a point of view or a person - compared to another. Access to and the relative timing of party political broadcasts in a election campaign is commonly determined by such numerical calculations. But this leaves completely open the quality and effectiveness of the communication. A slogan or a soundbite may have far more impact than a lecture. That leaves the editor who is concerned with balance and objectivity with an obligation to use something more than a stopwatch in making his or her decisions.

It is reasonable that broadcasting editors should be in some way accountable for their decisions. The politician may argue that he or she is elected and therefore accountable; whereas journalists and editors are not. There has to be a persuasive answer to this challenge. The public accountability of the individual broadcaster and broadcasting organisation is an essential element of public service broadcasting.

Representing the public interest

In a world where the number of broadcasting and media outlets has mushroomed, autonomy for the state broadcasting organisations can be seen as a less pressing issue - for the public at least - than it was when the state broadcasters enjoyed a monopoly. Competition is now a reality, and the pressure of competing for an audience itself helps to create some of the conditions for which in a monopoly autonomy was seen as the only solution. But without autonomy the ability to respond effectively to the competition is reduced.

I would argue that autonomy is the best means to achieving the aims of public service broadcasting, not the end in itself. The objections to making a broadcasting organisation responsible solely to government are well rehearsed, though not always accepted as valid. It should be possible for a government to set out principles which can be the basis of a broad accountability, beyond the obligation to promote whatever issues are decided by the office holders of the day. But it lacks an inherent credibility. A parliament is perhaps a better choice, especially if it can set up institutions which reflect the diversity of views represented in parliament, not just the government or ruling party line.

Other public bodies with a tradition of autonomy might also come to mind as guardians of a public broadcasting system. The judiciary perhaps - to guard freedom of speech- , a Universities Governing Council - to oversee an educational purpose, a Council of Editors from the print media - to promote the values of independent journalism; religious institutions - (as in the Netherlands), to promote traditional religious, even sectarian, values. But they are all specialised bodies in their own field; and the drawbacks to each of them - for different reasons - seem obvious,. A governing board of bankers businessmen or accountants, essential as they are to any venture, would be equally limited; though this may be the reality in the world of commercial broadcasting. Broadcasting has a remit that touches all of these concerns but goes beyond them.

This is where the concept of a Board of Governors seems attractive, - people of independence and distinction in a variety of fields - the 'great and the good' as they are known in Britain with a certain

respectful irony;- to serve for a limited term as representatives of the public in exercising control over broadcasting institutions. They are expected to serve a dual purpose, both to protect the independence of the institutions from government or other forms of political pressure, and to provide a counter-weight to the professional broadcasters' own assessment of the public interest.

To be credible this solution depends crucially on the strength of values of a civil society within the community and the willingness of government to select such people in the first place, rather than packing the board with their own political supporters and sympathisers. Variations of the system are practised in Britain France and Germany and other European countries and in Japan's NHK and most recently in the constitution of the Prasar Bharati board in India..

Professional accountability

Broadcasters argue that their responsibility is to their audience and, like other journalists, to their professionalism. Increasingly public service organisations are expected to be more transparent in defining what they might mean by these rather vague concepts. Their professionalism should not be seen, as cynics have seen some other professions, as a 'conspiracy against the public's. Audience feedback, research on programme preferences and reactions, are all ways of providing retrospective tests of accountability. But what is sought is an assurance that the broadcasters will follow a set of principles which can be applied in the day to day - sometimes minute by minute - decisions that editors take when they put programmes - especially news and current affairs programmes - on the air.

The broadcasters can and do draw up codes of practice and guidelines against which their output can be judged. In Britain the BBC has its own guidelines which are monitored by the BBC's Board of Governors; but it is also subject to standards set by another autonomous public body, the Broadcasting Standards Council. Private commercial broadcasters are subject both to the Broadcasting Standards Council and to an overlapping set of guidelines set by the Independent Television Council (ITC) - the autonomous body that awards the broadcasting licences in the first place. This is a belt and braces solution - inelegant but designed to reassure a public suspicious of broadcasters and of the media in general. The practices and regulation of broadcasting in the countries of the European Union show significant variations. E U Directives on broadcasting so far have had some influence only in a limited area - principally in the field of regulating the impact of broadcasting on children. For an Asian example, NHK has its own Consultative Organization on Broadcast programmes and Japan's broadcasting law stipulates that private broadcasters should appoint their own programme consultative bodies from among men of 'learning and experience'.

Broadcasters and the law

In Germany, which has a predominantly regional and federal structure of public broadcasting, the Constitutional Court has had a major influence in shaping broadcasting law. The German courts have also developed sophisticated concepts with regard to programme standards and the organisation of public service broadcasting. A comparative study of broadcasting law by a British writer expresses the view that the public service tradition of broadcasting has survived more vigorously in Germany than in France or Italy, and is particularly worthy of study. (E.M.Barendt: Broadcasting Law; 1993 p.24).

Britain's own tradition of public service broadcasting is long and its reputation both for independence and for delivering quality broadcasting arguably high. The 'BBC model' has been quoted and cited in many countries in the search for a viable form of autonomous national

broadcasting. But the credibility and strengths of the BBC has been founded more on conventions than legal safeguards. Britain is exceptional in Europe in the total absence of constitutional guarantees for freedom of expression in the field of broadcasting. There are those in Britain who argue that constitutional guarantees in this area should be enacted as in the whole field of human rights. Against this are those who would argue that broadcasting freedom and excellence, like other genuine freedoms are the product not of law but of a consistent and critical commitment to standards that are endorsed by a plural and liberal society.

It is not that broadcasting freedoms in Britain are unchallenged. The same writer quoted above sees British broadcasting institutions as increasingly vulnerable to political pressure. Over the past fifteen years some restraints, previously unprecedented in peacetime, were imposed on the freedoms of British broadcasters. The most controversial example of this was the conservative government's decision to ban the broadcasting of the voices of known IRA spokesmen or sympathisers, in the interest of denying them what the then prime minister Mrs Thatcher called 'the oxygen of publicity'. This did not involve infringing the broadcaster's legal rights as it would have in Germany, but challenged and upset conventions that in Britain had previously been perhaps too easily taken for granted. The 'BBC model' allowed for this. I recall a previous Indian Minister of Information who visited Britain on a fact finding delegation, while the original bill for creating an autonomous broadcasting organisation in India was under discussion. In discussions with the BBC he expressed surprise - and perhaps some satisfaction - with the degree of government direction and control that the BBC's charter nominally allows.

The Indian experiment

After seven years a modified bill setting up an autonomous broadcasting organisation in India - Prasar Bharati - has been put into effect. But it is plain from the controversies of its first few months that its survival will be severely tested whatever government comes to power after the Indian elections. The credentials of its governing board, the authority of the chief executive officer, the validity of its programming policy, have all been challenged and criticised. The resistance of its staff to losing the protection and advantages enjoyed by government employees is a constraint on restructuring to meet a more competitive and tighter financial environment.

But with a fragmented party system and the virtual certainty of the next Indian government being again a coalition, India's national broadcasters have a unique opportunity to set standards of balance, objectivity and professionalism appropriate to their new autonomous status. They have the stimulus of competition from a battery of private channels each offering a news and current affairs schedule. India's national television service Doordarshan can exploit the advantages of its superior infrastructure, transmission network and wide range of broadcasting outlets and sources of news, both central and regional. But in many ways the new private satellite channels are setting the pace.

The Indian election campaign has created a new interest in news and current affairs in private satellite TV channels, which hitherto had filled their schedules with films, popular music and game shows. Doordarshan has for some years opened its channels to independent producers. But it is the first election in which Doordarshan's monopoly of news coverage has been challenged on a national scale. At the last election, less than two years ago, private political broadcasting - in an openly propagandist form - emerged for the first time, but only for Tamil audiences in the south. This time the Indian authorities are better prepared in providing a framework of regulation. Private broadcasters are also facing the uncertainties of a future new framework for regulating broadcasting. A Broadcasting Bill exists only in draft form and nobody knows what will happen to it under a new

government. But the draft proposals if implemented would radically change the way in which the new commercial channels operate and the obligations that they would be required to assume. It seems probable that it would also put many of them off the air.

A regulated environment

It is in this sense that the autonomy of the national broadcaster, important as it is, may be seen as a secondary issue. The bigger challenge for governments and for the national broadcasters is to maintain and extend the concept of public service broadcasting as an essential element of broadcasting as a whole. Governments have the task of regulating the framework of a new diversified broadcasting system, in a way which is consistent with the cultural and social environment of their own nation and community. Governments are arguably better placed to defend their concept of the national interest, and to protect standards, through the regulation of broadcasting, not by being broadcasters themselves. It is in their interest to promote standards within the national public service broadcaster, which can help shape the output of commercial channels as well. And the national broadcaster may still be expected to take a lead in developing technologies before they have a commercial market – as for example NHK is doing with High Definition TV (HDTV) - a project in which Japanese government and industry has a large international commercial stake.

This is an open interpretation of the concept of autonomy, in which the objectives are defined as promoting public service ideals in the broadcasting industry as a whole rather than in one institution. In Britain this has been a characteristic strength, almost a tradition, since commercial TV first went on the air. National broadcasters can do much to create a domestic television market in which the independent sector can grow. They may be reluctant to do so. The BBC, initially under government pressure, adopted targets for commissioning independent productions in the late eighties and this has been a driving force behind its structural reforms of the past ten years. NHK by contrast has been under no such obligation and gives priority to fostering its own production capacity and that of its own staff.

Financial dependence

A final word on what must be considered the weakest link in the chain of responsibilities of an autonomous public service broadcasting organisation; how to pay for it. However safeguarded, public broadcasters depend on the public purse. They may be encouraged to develop their commercial activities (as the BBC has been in the past ten years) or virtually excluded from them as the BBC used to be and NHK still is. Both in Britain and Japan the fixing of the license fee is a matter for the government. The broadcasters propose but the government decides, and that decision determines the financial limits within which the public service broadcasters must set their priorities. The issue is unavoidably a politically sensitive one. In Germany the courts have a say in the matter; in Japan NHK feels protected in that the license fee is theoretically voluntary, though one may doubt if the forms of social pressure and persuasion which NHK may apply to defaulters would work as effectively in other societies. In Britain failure to pay the license fee is a criminal offence. Critics on the left argue that it is a regressive tax falling proportionately most heavily on those least able to pay. On the right they argue that the BBC is given too much public money to finance activities which the commercial sector provides at no apparent cost to the taxpayer.

Conclusion

In illustrating the strengths that autonomy can bring, and the challenges confronting public

broadcasting institutions in Asia and Europe, I have taken examples from both the BBC and NHK. These two major national autonomous public service broadcasters have a great deal in common, but in some respects are set on different courses. National public broadcasters must adapt to the societies and audiences they serve, though it should be useful and instructive to compare and assess models for a public service broadcaster in the digital age, more fully than I have attempted here. But my conclusion would be that if autonomy is the key to the survival of public service broadcasting, it is not a single lock, and it can open the doors to very different broadcasting futures.

28.1.98