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Paper No. 20
EMERGING MODELS OF PUBLIC SERVICE BROADCASTING

Origins

There are three main reasons for the emergence of the public service model. They are

1. Since frequencies were limited in number, it was necessary to lay down rules on how they were to be used. The technical nature of broadcasting therefore imposed a first level of state intervention. Hertzian frequencies being in the public domain had to be used for the greatest good of the greatest number.

2. The second reason was the enormous potential for broadcasting as an instrument of social and cultural development. In the social contest it was found that broadcasting could fulfil important social roles, the most important doubtlessly was its educational role. On another plane, depending on the nature of the society, radio and television were seen as synthesising elements whether for promoting cultural identity, for promoting democratic values and a whole gamut of non economic activities and objectives.

Of this was born the need to define the mission of public service broadcasting which in many countries has been epitomised in the three goals of "to inform, to educate and to entertain.

3. The third reason for a public service model was a feeling of distrust with regard to the ability and will of the market to fulfil the public service mandate. In many democracies of the developing world a public operator in many cases a monopolistic organisation solely funded through public funds emerged to serve the public service goal. By doing so the idea was rejected that in broadcasting the public interest could be accommodated with the private interests of private enterprises who are driven by the profit motive.

Thus in the initial years the main reason behind the establishment of public broadcasting corporations was the "firm belief that a public service function and functions aimed at maximising profits were incompatible.

The New Environment

This kind of model was acceptable as long as there was no so called "fragmentation" of society by the proliferation of channels, until the advent of a new milieu which demanded its own logic. From the beginning of the 1980s there was a sea change in the operating environment of public television corporations. The public service model came under enormous pressure from commercial stations and slowly the public monopolies gave way to mixed systems.

The reasons for these were many. I would attempt to list some of these:

The availability of new media technologies with the vast plethora of channels and their extended transmission reach challenged public service broadcasting from foreign shores. The technological factor was perhaps the single most important element to explain the transition from the old world order to the new. The advent of cable and
satellite technologies directly influenced the growth and proliferation of TV channels. In Europe a large number of TV channels were born as a direct result of cable networks. In some countries this technology prompted opening up television to private players even before the development in concrete terms of cable and satellite television.

Cable and satellite television were not merely seen as a means of expanding the number of channels but also as factors of economic growth, as a new infrastructure which could aid the and promote economic development and the competitiveness of national industry. Such was the argument in a country like France, which put into operation a Cable Plan to enable it to master a technology which it believed could be later marketed all over the world. Television still is subject to the technological developments, which are cutting across state and language barriers, subject to the economic and commercial interests of firms involved in the research and production of communication technologies. But the fact remains that television now operates in a changed environment.

The application to television of the principals of economic and political liberalism was another factor leading to the decline of public service broadcasting as a monopoly. This was further given a thrust by the active and hard lobbying of powerful private interests, which had earlier been excluded. As market driven economy gained ground, competitiveness became the key word for assessing all players. The dominant trend was to move towards privatisation of activities, which were earlier in the sphere of the public sector. The buzzword was commercialisation, which included dropping activities, which were considered to be unprofitable. This new context centered around the consumer. Consumer became the king and television which was earlier, regarded as a means of refining tastes now became dependant on the tastes expressed by the consumer. The third reason for the decline of the public service model is the globalisation of trade and the emergence of a global village made possible by the advancement in technology. States not only want to sell products but are also interested in selling services and governments are increasingly looking for new and larger markets for their television industry. Television is no different from the general economic trends, which have come about in the past few years and which are tending towards a more open economy.

The last reason for the decline has been the onset of financial problems for public broadcasters. This was mainly due to increasing production costs in the wake of competition. On the other hand there was increasing pressure on public broadcasters to withdraw from areas of lower audience ratings.

Public service broadcasting is in the throes of a crisis caused by competition to which it is increasingly exposed. And this competition can only intensify as technologies developed and as private capital is attracted to television. Slowly governments are veering round to the view that the private enterprises can fulfill the public service as well as its public counterpart. Having thus lost its exclusive right to provide a public service, it has lost part of its legitimacy. Subject more and more to commercial pressures, it has gradually had to convert to a commercial enterprise. Public television is expected to fulfill two diametrically opposite objectives: to be efficient, productive and capable of generating its own income but at the same time be different from the programming on commercial channels.
Given this scenario public television has to make a choice. It can adapt to the competition game and become a commercial enterprise in which case its public service goal will be threatened. It can purify itself and concentrate on its public service mission that is it will provide programmes and broadcasts which commercial channels consider to be unprofitable or it can choose a via media and play between the commercial game and public service.

Of late the tendency has been to play the commercialization card, by increasing the number of broadcasts which have the widest possible audience; in short more films, more soap operas, more sports events and relegating to late hours cultural programmes or documentaries which are less appealing. Here lies a danger because this would make it extremely difficult to distinguish public television from private commercial channels and hence make the public more reluctant to pay for such public channels. The second danger is that public authorities may withdraw public financing of such channels on the ground that it can operate through its own measures if it is privatised. The third danger is that the channel may be tempted to go completely commercial.

As a method of raising additional funds, some public television companies have started to develop new services so that, that which is profitable can finance, that which is not profitable. But in this effort to become commercially viable there is the danger that the public service goal will be subordinated to that of developing commercial activities.

The Future of Public Television

There is every possibility that public television will become more and more commercialised. On the other hand the image of a public channel fulfilling a few public service obligations would draw only a limited audience. This would be welcomed by commercial channels, which constantly remind public service television of its obligations and would be happy at the prospect of dwindling viewership for public service television. Public Service television can only hope to survive if it is able to provide a different form of television which complies with a different logic and has a raison d'être which is different from private television. But this is not the case at present. Today there is a tendency to coalesce public and commercial television: by insisting that public television must become profitable and on the reverse by insisting that the commercial private sector can be compelled to fulfil its social obligations by appropriate legislation to include programmes of public television.

If public television is to survive, the mandate of public television has to be defined, it must be differentiated at the outset from the aims of private, commercial television. It must offer a different fare but not necessarily broadcast only what the private channels do not offer. For if this happens, it is likely to become non-viable and lose viewers. Programmes on public service channels have to be better produced and must be innovative and creative. Many authors on television have underlined the need to distinguish the public sector from the commercial sector by referring to their programmes to their very nature and also their objectives which are very different. One should consider the possibility of establishing by legislation the two distinct categories. The preeminence of public television, its importance for maintaining a public forum which is accessible to all citizens must be stressed. The only obligation on the private channels should be to finance public sector television.
Broadcast Laws: Opportunities or Control

The last few years has witnessed a staggering almost unrecognizable change in the broadcasting scenario in India. This change has come about primarily by the advent and subsequent explosion in the sphere of satellite television. Consequently its main focus has remained in the field of television- but its fallout has been experienced by all aspects of Indian society- and other related media- be it radio, print, film making and advertising. The multiplicity of TV channels distributed through cable operators has created a new terrain- created new viewership- created new challenges- and created new dangers as well. Frankly the opportunities have far out weighed the negative impact- But society and social scientists- as well as politicians tend to become alarmist. Sometimes only to underline and propagate their own narrow visions- but occasionally they have the larger good of society in mind. In India we face a peculiar situation- Most of the time new technologies have come with a vacuum in the broadcast legislation. While this should be looked at with some degree of hope- since it offers the law makers chance to learn from the experience of other developed nations- imitation is not always the best form of policy making. Each country has its own priority. Each country has its own vision. Its own value system. And while we may laud globalization and commend the making of a global village- we cannot ignore that we are part of civilization with own dynamics- with its idiosyncratic melange of cultural pluralism. A developed society has a plain and mostly level playing field. A developing society, in contrast, has the great chasm between the haves and the havenots to tackle- the country as large and varied as India- has languages- religious faiths- and social disparities- which create a million mutinies ( in the words of naipaul)- and these rebellions are many a time subterranean. The violence often is psychological- as a privileged class can thrust its code of conduct- its value system and conquer the vulnerable psyche of those unable to withstand this relentless commercial, and most of the time seductive attacks.

The reason why I am making such a long preamble, is because it is in the understanding of the social conflicts and dichotomies, that we can perhaps best understand the need for legislation's and the kind that can regulate by giving opportunities- as against censorship which can stifle and choke all creativity.

In India the earliest laws regulating radio and film making and Television, when it came about, was born from the manuals of the colonial rulers who had long departed the shores of this country. In fact the Wireless Act which governed portions of the electronic media, including uplinking for private players- was till very recently enacted in the late 19th century. This was mainly because TV was entirely controlled by the Government. A huge monolithic organization Doordarshan was seen as the voice of the government. Although in the arena of
entertainment—DD made many innovative programming— it was the realm of news and current affairs where control was most evident. In fact even when there was glasnost of a certain kind—this was mostly done as a damage control exercise to give the medium credibility. Unfortunately technology overtook everyone and while there was great debate on creating an autonomous organization—while there was a political hue and cry about use and misuse of the electronic medium—the fact of the matter remained there was no law which governed the most basic elements of distributions of tv satellite channels by cable operators—By 1994 this became that much more messy when cable operators proliferated by the thousands almost overnight. In the best of times the country as large as India is difficult to govern—now cable operations which operated in an environment of multiple and overlapping legal jurisdictions—were that much more difficult to contain... To make things worse video—which had preceded cable TV was the victim of piracy and with laws that had no teeth— the menace of video piracy and copy right regulations was another domain of a delinquent government. The policy makers were put to greater test — unable to answer crucial questions of how to regulate the tv channels beamed from the skies...Because uplinking of private players was not allowed till recent times—there was almost no way that the government could put together a cohesive national broadcast policy... Once again Technology was overtaking the policy makers—This time in the form of Direct to home—the KU band operations till a few years ago did not even come within the purview the laws which government the C band transmission. Consequently in order to ensure that a monopoly would not be created by Rupert Murdoch—his deep pockets and his STAR TV network—the government had to even resort to bringing out an ordinance to ban KU transmissions.* All this while the government channel itself was converted into an autonomous organization—but all independent bodies are as free as the the law makers want them to be. In the case of Prasar Bharti—the new incarnation of Air and DD—this was made into a power play between the government of the day and the Board which comprised of eminent personalities— but who the new government claimed had all a certain political leaning... While this debate was going on—a Broadcast Law which had been envisaged was still in the back burners—This law was the subject of numerous seminars and debates—and in almost all these fora the moot question that remained unanswered was how much regulation is good—and when does this become censorship... There is, I am certain, a consensus in the approach that all regulatory laws should concentrate on a few keys areas alone—these being primarily in the field of national security—the field of social justice—the field of pornography and the field of ensuring that the laws bring the largest amount of good for the largest number of people.... Regulation for a medium as powerful as TV in India is inevitable—this can be as simple as allotting width bands and frequencies—of uplinking facilities—of creating rules for the major TV players. In fact even in USA and UK there are Broadcast Regulatory Authorities. The danger

* But you cannot ban tech forever—it even terrestrial broadcasting has come under attack.
comes when these Bodies become victim to one group of vested interests- sometimes even in the form of the government in power- sometimes in the form of a powerful commercial lobby. For a country which needs education— which needs healthcare— which needs social justice to be dispensed— the role of the Broadcaster becomes that much more complex… An enlightened Regulatory Body— with minimal rules and regulations is the ideal. Yet what does one do faced with clandestine pornography beamed into your bedrooms— what does one do with politically seditious messages undermining your national sovereignty… what and how does one tackle incendiary programmes inciting religious bigotry… these questions may not be as relevant to the developed world— the answers to many of these questions lead to the justification of censorship— of controls which can stifle and choke creative juices. But the dilemma still remains for a society which is as vulnerable as ours— whose fabric is under constant strain— it is an enlightened approach that can create laws which do not intrude into the domain of privacy— laws which encourage freedom of expression and emancipate the mind and soul. An enlightened regulation must be made of large brush strokes— which address basic questions alone… it must be a framework able to accommodate the concerns of a pluralistic nation… it must have accountability… but should encourage professionalism… should ensure that merit is rewarded— that there are checks and balances so that we do not barter our freedom and step out of the oppression of a government control— only to be embraced by the tyranny of a free market. It must ensure that Public Broadcasting is given primacy— that the minority viewer and his or her tastes are not disenfranchised… It must have a redressal forum so that the powerful donot thrust their views and it must a pluralistic make up so that the choice is made by the viewer andnot by those controlling access to the air waves… it must therefore address and contain all forms of monopolies…after all the framework of any such law can be likened to an empty glass— fill it with milk and honey and you have a nourishing drink— pour inside it poison and that is what you shall drink!! But having said all this the truth remains that no where in the world is there a perfect set of legislation… and with the convergence of technologies— with the integration of data— tv signals and the internet— the laws and regulations of today may be challenged and made irrelevant tomorrow. In understanding this reality— in coming to terms with this truth and in addressing seriously the challenges posed by this development— can we perhaps find solutions to many of the issues we are confronted with and which I have raised in my paper…