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U.S. public television in the digital era: from niche to “Greek marketplace”?

Hélène Palmeri

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Introduction

- 1 Traditional media have been under unprecedented threat in the very early twenty-first century. Indeed the legacy forms of film, television, radio and newspapers are facing a “perfect storm” of technological, economic and policy challenges in many contexts throughout Western democracies. Transformations and reforms are under way, heated debates are taking place. Public service media are also getting renewed attention. In this context, one might reasonably wonder how public television (PTV), a cornerstone of the contemporary largely mediated public sphere, is being affected and reacting.
- 2 In France, following President Sarkozy’s decision to ban advertising from public channels, PTV has been in turmoil and in Britain, the BBC is undergoing an “important restructuring” (Sergeant, 2008), to name only two key players. In Brussels, the rules concerning public sector broadcasters are being revamped and the revised version of the 2001 Communication¹ was adopted on July 2nd 2009. Some experts and organizations said the new legislation is going too far towards the U.S. model and fear that the “attacks” could prove fatal to the public service, for long dominant in most European nations. PTV is at a critical juncture.
- 3 These issues, enduring since the deregulation years and globalization phenomenon, have been getting amplified and are now being infused with inquiry about the implications of rapidly changing new technologies and social uses of media, both of broadened content and more engagement of users in the construction of that content.

Many, users and experts alike, are celebrating the interactive blogosphere as the new central point of the public sphere.

- 4 Meanwhile in the USA, where television is the epitome of the commercial model and U.S. public television, albeit little known, holds a unique position in the global media landscape, the wind, in some eyes, could be turning. During his presidential campaign, Barack Obama issued an agenda presenting goals and policies for media and telecommunications (Obama, 2007a). U.S. public broadcasting does remain in a chronic critical state after decades of financial ups and downs and a never addressed structural problem. The 2008 Obama campaign called for the creation of “Public Media 2.0”. Central to the plan is the support for broadband in order to get everyone connected and “net neutrality”, the principle that advocates an open and free internet. Barack Obama also emphasized the importance of promoting diversity of ownership in media (Obama, 2007b) in order for public media to realize their original mandate to serve all parts of U.S. multicultural society. Finally, in line with his technology innovation agenda, he has also expressed his will to promote greater coverage of local issues and pledged to “support the transition of existing public broadcasting entities and help renew their founding vision in the digital world” (Obama, 2008).
- 5 At the time, Josh Silver, founder of FreePress, a national non-profit, media reform organization, argued that “The Obama plan is a strong statement of the next president’s commitment to technology and innovation [...] But beneath the surface, Obama’s agenda represents a fundamental shift toward communications policy in the public interest” (Silver, 2009). And PTV, which has always been one of the most contentious topics in media policy making, has, beginning in 2008-2009, also been getting some thought from private think tanks, activists, foundations and university centers through conferences, projects, and reports. However, the studies, by the Knight Commission, the Columbia Journalism School, the American University’s Center for Social Media, the Ford Foundation, and Free Press to name only some, focus primarily on the so-called “broadband public media 2.0” and journalism issues. The public media people, for one, expect President Obama to encourage Congress to increase funding for public media 2.0 at all levels—from the national networks to station and community outlets. As soon as appointed, the new Federal Communication Commission (FCC) members (the majority of which are Democrats) have announced plans to make “net neutrality” the rule. The Commission has been tasked with crafting a national blueprint. The Universal Broadband Plan was issued in March 2010.
- 6 The 2008 U.S. presidential election, which was praised as “true grassroots democracy in action”, set up the current media reform movement. In fact there exists in the USA a long standing tradition of reform and associated community discourse that keeps reasserting itself periodically more forcefully, as shown by activist scholar Robert W. McChesney (McChesney, 2008). But in view of what has happened during other crucial periods in the history of broadcasting in the United States and what has been taking place lately in the media industry, it could be argued that the recent studies are mere wishful thinking and that the reformists’ analyses are not only clouded by the “technological siren” once again, but may even be missing the point. President Obama’s platform could then be seen as little more than surface level discourse.
- 7 In this context our study seeks to understand what the reality of public media 2.0 actually is. To be more precise we attempt here to provide clear answers to the following key questions: Is PTV a vital participant? Are the reformists providing us

today with a new set of observations concerning PTV? To what extent is the Obama administration intending to transform the media landscape? Is it wiping out old contradictions and problems inherited from the libertarian tradition or merely hiding them?

- 8 At the core of public broadcasting was originally a commitment to operate services in the public good. In each country across the Western world, various mechanisms were put into place to provide for the articulation between the public interest and a regulatory framework. Up to the 1980's, one paradigm came to dominate however: the establishment of a state owned system functioning either as a monopoly or as the dominant institution. Unlike what happened in Europe, where the British model was broadly adapted, in the USA the principal legislation for communications adopted in the *Communications Act* of 1934 clearly provided for the dominance of private ownership and commercial purposes in American broadcasting and telecommunications. That law made no provision for public service broadcasting. For over three decades in the mid-20th century, there were no major positive public policy commitments and even then the new provisions were minimal. From the outset, public broadcasting was envisioned largely as what Raymond Williams once called a “palliative.” Since then, U.S. PTV has displayed a remarkable constancy of structure and limitations in time (Palmeri and Rowland, 2011) and the federal policy environment has done little to enhance its resources and prospects. Therefore it has remained confined in a thinly gilded ghetto and the question is whether under the new administration and Congress the situation is going to change.
- 9 Critic Richard Adler has argued that aside from the technical characteristics of the medium, two other determinants are important shaping forces of television: the first is the nature of the institutions that control the medium and the second is the nature of the society of which it is part (Adler and Cater, 1976, 11-12). In this article we adopt a critical cultural perspective encompassing not only the political and economic dimensions, but also the broader social context since, in the words of Hanno Hardt, “There is no substitute for an explanation that is grounded in the history of those social and political forces through which the media gain their own form and content.” (Hardt, 1984, 129-46)
- 10 In an effort to supply answers to our key questions we will try in this article, based on primary sources (such as press articles, conference video recordings, government publications) to go behind the scenes. First we will ask how public broadcasting came into being in the USA, with what missions, funding and structures. Secondly, we will assess the current situation in the context of the Obama administration, ask what remains of the initial ideals and whether the conditions are favorable to public media, and, if so, how they will be supported? The current situation is obviously like pieces of a puzzle that has not yet been assembled. This study will attempt to discern an emerging pattern, if any, as the pieces begin to connect. A study of the American audiovisual landscape and PTV, exemplary in several respects, seems pertinent for grappling with current broadcasting core issues. It should offer insights into the public media of the digital era and could help see to the future.

From broadcast to broadband: the “hidden medium”

- 11 Many observers have pointed out that television in the USA has exhibited an incredible degree of continuity and this observation particularly applies to PTV with its well known “chronic” handicaps. From its origins and the debates that surrounded its emergence, to current funding battles in Congress, PTV has occupied a marginal spot. The academic literature in this domain, like in the field of communications research as a whole, was first, as Willard Rowland has shown, applied and practical, since it had been closely associated with both government and private enterprise (Rowland, 1986a, 159-81) already by the late 1940’s. This first generation of research was also driven by questions about the promises of new technologies. It was not until the 1980’s that a body of critical research finally emerged, associated notably with developments in British and American cultural studies. Departing from the descriptive, supposedly neutral dominant tradition, the new research reformulated some of the problems of PTV in light of issues such as power structure and ideological context. Many of these studies thus incriminated corporate involvement and the marketplace mechanisms, as well as the conservative policy making environment and even conflicts and resistance to change within public broadcasting itself. More recently, Laurie Ouellette has pushed the analysis one step further by taking into account the broader cultural context with the goal to go beyond the negative view of mass culture that, she believes, permeates cultural studies. Indeed, she argues that PTV has been at the centre of a “perennial cultural war” between liberals and conservatives that has made its mission susceptible to irresolvable contradictions (Ouelette, 2002). We will try now to articulate those complementary insights in order to understand how PTV came to occupy the place it still does today.

Missions and the policy environment

- 12 “There have been two alternative conceptions of communication in American culture since this term entered common discourse in the 19th century [...] We might label these descriptions [...] a transmission view of communication and a ritual view of communication [...]” (Carey, 1975, 1-22) wrote communications scholar James Carey, building on American philosopher John Dewey’s work. The former conception views communication as a process and a technology that can spread and transmit information; the goal being to control space and people. It offers a vision of society as relations of property, production and trade. The focus is on the economic order and leaves little room for the other dimensions of social life. The latter, on the other hand, is linked to words such as association and participation and understands communication as the way to maintain society in time. The transmission view has dominated American national thought all along and a core question is to what extent PTV would come to be perceived as part of that model.
- 13 Most ideas about the relationship between the mass media and society are rooted in a nation’s history. During his visit to the U.S. in the 1830’s, Tocqueville noticed the profusion of newspapers and associations (Tocqueville, 1961). The explanation he gave was that America needed such a network in order to make up for a population that was diverse and dispersed and where the administration was highly decentralized and local powers numerous. In the eyes of Tocqueville the press was providing the unity that was

missing in a country where questions of class and privilege had been obviated and individuals made more equal. De Tocqueville's report is part of a long tradition of thought that views communications not only as the nervous backbone of the nation, but also the cement of social cohesion and communality. As Thomas Zynda has demonstrated, the ideal of community occupies a crucial place in the American mind (Zynda, 1986, 250-65), most often referring to the idealized small town of rural America and also implying a wealth of values: membership, holism and mutual aid, for example. From early on there was thus a double tendency to view communication first as a response to this need for unity and later as the way to participatory democracy and the base for a reformed society.

- 14 The U.S. revolution represented a key moment in the formation of the media since newspapers came to support a widespread popular movement. It inaugurated the era of proto-mass media with a highly expanded readership. At the same time, next to this idea of the media as public servants was the proclamation of the independence of the media, guaranteed by the First Amendment to the U.S. Constitution, a foundation stone. At the end of the 19th century, however, the USA was no longer the "green village" democracy depicted by Tocqueville. This vision was profoundly disrupted by industrialization, as well as by heavy waves of immigration, and the media had entered a period of full-blown mass communications associated with the transmission view model. New means of communications had flourished such as the telegraph, the mass-press and the telephone. Other significant changes had taken place. Transportation networks prompted an increase in market exchanges as urban centers grew. The media became more commercial in many aspects. With the industrial revolution, corporate ownership structures appeared, as well as a new set of media: film, radio, and later television and satellites. The media were now also thoroughly integrated into the advertising and marketing sectors and the entertainment business. Beginning in the late 1940's, television rapidly developed in the USA and became commercially and politically powerful. In 1948, 34 stations were operating in 21 cities towards one million households. In 1959 there were over 500 stations on the air and television was available in more than 85% of the nation's homes. It quickly usurped every rival. As it did so, the opposing principles of private ownership and reduced government interference, on the one hand, and the neo-libertarian conception of private media entailing "social responsibility" and regulation, on the other, were at the center of debates about television.
- 15 E.G. Krasnow and L.D. Longley argue that while the regulation of American broadcasting is often presented as if it took place in a vacuum of administrative "independence", it is an "immensely political process" (Krasnow, Longley and Terry, 1978, 7). The shape of U.S. electronic media, it is often noted, was decided by Congress and corporate lobbyists in 1927 and 1934 for the next 52 years (McChesney, 1995). The *Radio Act* of 1927 reflected that same involvement of the government that could be observed in many post-first world war democracies. It designated broadcasting as a subject of federal control, since it was argued broadcasting differed from the written press because of the spectrum scarcity. Sections 9 and 10 of the *Communications Act* of 1934 required that a station serve "the public interest, convenience and necessity" (the fiduciary principle) and the airwaves were designated as public property. In principle the purpose of the regulation of the airwaves was to insure the delivery of service to the public and to protect it against the competitive impact of the system. In effect, radio and TV stations, defined by law as public trustees, were also, first and foremost,

businesses supported nearly entirely by advertising, with a guarantee of profit (even more so as a result of the limitation of licenses). Thus, the public service model was not seen initially as necessary since the fiduciary principle was presumed strong enough to guarantee provision of the social service in broadcasting.

- 16 In the USA, the early experimenters in educational radio were the universities. In 1924, in what was still an unregulated environment, there were 151 educational stations, but by 1927 and the first law (the *Radio Act*) that actually regulated radio, the number had declined to less than 30. Congress made no provision in the 1934 Act for non-commercial educational stations (Rowland, 1986b, 251-74). In 1939, the FCC set aside some space for non-commercial educational stations in the new, still experimental FM band, but it never provided such reservations in AM (standard) broadcasting which was then the dominant form of radio.
- 17 The basis for educational television (ETV) was laid during the temporary freeze that lasted from 1948 to 1952 when the FCC reviewed the allocation table, following a flood of complaints from licensees and the public. But when the UHF band was finally allocated in 1952, it left the second generation of stations with a competitive disadvantage since the majority of Americans had already purchased TV sets that could not receive the UHF band (Smith, 1974). So in 1952 when 242 allotments were reserved for ETV, of which 162 UHF, many of the channels stayed dark. Furthermore, unlike the situation in most other democracies there was no major national funding policy for public media until the *Public Broadcasting Act* of 1967.
- 18 Scandals over quiz shows, the limitations of commercial television, all in the context of President Lyndon Johnson's "Great Society" and the commitment of some major foundations, such as Carnegie (Carnegie, 1967), made it possible to pass the 1967 Act. President Johnson, as he signed the bill, proclaimed "Public television will help make our Nation a replica of the Old Greek marketplace, where public affairs took place in the view of all citizens." The new law encouraged public services responsive to "the interests of people both in particular localities and throughout the United States, which will constitute an expression of diversity and excellence, and which will constitute a source of alternative telecommunications services for all the citizens of the Nation". But even then the new provisions were minimal and not designed to encourage emergence of a major non-commercial, public broadcasting system. Up to this point the reserved channels had been named "Non Commercial Educational" (NCE) and the word "public" was first used in the report of the Carnegie Commission on Educational television (CCET) in 1967 with the idea to move away from instructional television to a broader public service. This period was marked by conflict over the very philosophy of PTV. Unlike in Europe, it was envisioned as a solution to the commercial "TV problem" that was said to undermine the public interest. Ouellette has argued that "it was not envisioned as a popular democratic alternative to capitalist production", but rather as a corrective cultural supplement (Ouelette, 2002, 25), much as William's image of the "palliative". Thus PTV was not intended to be funny and entertaining or popular. Some members of the establishment and the public at large took it as being a high-brow cultural and information service, others as a primarily educational one. In any case, it represented a mission to bring quality and enlightenment to a commercialized TV culture denounced as a "vast wasteland", in the words of former FCC Chairman Newton Minow.

- 19 The election of Richard Nixon as president in 1972 was to seriously curb this attempt to build a strong non commercial alternative TV culture. By the 1980s with the abundance of channels available, notably on cable TV, the argument of spectrum scarcity, which dictated the public trustee philosophy for government regulation of broadcasting, was no longer as powerful, and the FCC adopted a different attitude concerning many rules. This also was a period of more general economic and industrial deregulation. During that period, with the exception of the *Cable Act* of 1984, the most significant changes took place in FCC regulation rather than legislation. The principal developments were the break-up of the AT&T monopoly; the elimination of community ascertainment and fairness doctrine requirements; a harder line on obscenity; the loosening of media cross ownership; convergence and concentration restrictions; as well as a relaxation of the limits on the amount of advertising allowed. All of these developments culminated in the Clinton-era *Telecommunications Act* of 1996 (passed in the wake of the break-up of AT&T resulting from the U.S. Justice Department’s antitrust suit against the company) which was the first major piece of legislation since the 1934 Act. By that time the new media laws and regulations that set out arrangements in the general telecommunications environment had a double negative impact on the public service broadcasting option. Not only did the 1996 Act fail to provide for any significant policy or funding advancement for U.S. public broadcasting, it and its subsequent regulatory output reinforced the dominance of the overall marketplace approach to American telecommunications (Rowland, 2009a).
- 20 The continuing limits of public policy commitment to public broadcasting were perhaps most clearly apparent in the lack of mention of public broadcasting in the cable acts of 1984 and 1992 as well as in the 1996 Act. Vincent Mosco noted that broadcasting in the U.S. is particularly rigid and unresponsive to public needs and he argued that recommendations for change have essentially involved “tinkering with basic legislation that solidified the structure of broadcast legislation in America.” (Mosco, 1979, 127). In the meantime, starting in the late 1990’s, PTV was under the federal digital conversion mandate.

Organization and funding

- 21 In 2008, the entire U.S. system of hundreds of non commercial TV and radio stations and several national organizations received a meager \$466 million of federal revenue² and the American taxpayer paid only a little more than one dollar a year for all public television and radio services. This is the result of the unique position that public broadcasting occupies in the U.S. audiovisual landscape.
- 22 The struggle between a strong central government as advocated by Hamilton and strong states’ rights and strictly limited federal government as advocated by Jefferson has been at the center of political debate ever since the founding of the USA. A trace of this struggle and the weight of the Jeffersonian viewpoint can be found today in the greater amount of local state control, compared with most other societies, in areas such as education, land use, and the print media (a situation favored by the size of the country and traditions handed down from the Bill of Rights).
- 23 In broadcasting the pattern was more mixed. From almost the outset, the distribution technologies and commercial logic of the industry helped drive it toward centralized networking infrastructures and national consolidation. At the same time, localism has

long been an intrinsic part of American broadcast policy, tightly related to diversity in media institutions and outlets. The importance of localism as a core policy goal can be traced back to the 1927 *Radio Act*. To this day national broadcasting networks (ABC, CBS, Fox, NBC) are not directly licensed (chartered) by the federal government; this despite the fact that since the beginning of broadcasting such organizations have owned stations and have followed a pattern of steady migration toward concentrated ownership and control in the form of national networks and groups, often with strong elements of cross-media consolidation. This complex scenario, in the current context of oligopoly mass media, allows Willard Rowland to clearly argue that the notion that broadcasting is a largely local, community-based enterprise remains a powerful public policy myth (Rowland, 2009).

- 24 The one arguable exception to the singular pattern of U.S. broadcasting has been PTV, which has tended to remain more thoroughly closer to the model of local control. Patricia Aufderheide argues that the law of 1967 deliberately created a decentralized service that was not intended to be a system because many legislators feared the emergence of a fourth “liberal” network in television (Aufderheide, 1997).
- 25 U.S. public television is the sum of the activities of a great number of independent entities. Going back to the pre-1967 days of ETV, the stations on the air were held by local or state level organizations and depended largely on local production, with the exception of National Educational Television (NET), which after 1959 provided shared programs. There was no centralized network of public television. The new legislation of November 1967 created a Corporation for Public Broadcasting (CPB), a national funding organization, which, departing from the Carnegie plan, left the CPB in the hands of presidential politics. In 1969 after much struggle, CPB launched a national network, the Public Broadcasting Service (PBS), to oversee the interconnection process and program distribution. Although that law and its later amendments (in great part passed under the Nixon presidency) provided strong support for individual stations, CPB could not legally operate stations or engage in program production (Sterling and Kittros, 2002, 391), unlike the major national public service broadcasting corporations abroad (e.g., the BBC, CBC, NHK or France Télévisions). PBS, like National Public Radio (NPR), was conceived as a membership organization governed by a board of directors elected by the individual public television and radio stations. The early years of the new system that established a decentralized structure explain the multifaceted aspect of U.S. PTV. Today all TV households in the USA have access to at least one public TV signal, albeit not to multiple service like the ones in Britain or France. There are 356 PBS member stations of different types³ that seldom ever act in any kind of unison.
- 26 Just as with the CPB, the other national organizations were not permitted to own stations, and PBS was even prevented from producing programming, a singular anomaly among national broadcasting systems worldwide, and was funded largely by dues paid by the stations. The financing of PTV in the U.S. is complex. The sources, both public and private, are multiple and fall under three main categories:⁴ government, viewers, and corporations. Federal funding, made available in 1963, has been consistently tenuous. Despite the implications of the 1967 Act for providing substantial funding for PTV, such funding has dropped in the following decades. In 1972 the Nixon administration exacted heavy cuts in the then still tiny amounts of federal appropriations. Some of those cuts were restored throughout the 1970’s but there were further substantial cuts again during the 1980’s. Those reductions were also

somewhat overcome during the late 1980's and 1990's, but once again in the mid 1990's there were new cuts in the appropriations. When the Republicans took control of the Congress in 1994, the Republican Speaker of the House Newt Gingrich, as part of his "contract for America", threatened to "zero out" federal funding for public broadcasting, as had been the case during the early Reagan administration. He contended that tax payers were forced to help subsidize a cultural welfare program. Once again PTV was saved, but remained bogged down in the same longstanding contradictions. Stations were thus left more dependent on state and local revenues, which are more at risk than federal funds (Head and Sterling, 1990). Some analysts argue that depending on taxpayer dollars means a greater vulnerability to political influence. Viewer dollars represent about one quarter of the budget in 2008. Memberships and subscriptions, as well as auctions, have become more and more common over the years. Polls indicate, however, that viewers disapprove of marathon fund raising and over the air auctions. Underwriting, sponsorship and advertising are also highly sensitive issues. Announcements "brought to you by" look more and more like commercials and there have been strong concerns about the increasing commercialization of public television (Aufderheide, 1997). Besides struggling on a relatively small budget, PTV also has to depend on a great variety of funding sources, which further reflects its ambiguous position as a multifaceted public service network.

Programming, audiences and shortcomings

- 27 *Masterpiece Theatre, Sesame Street, Frontline, The McNeil Lehrer Newshour, American Playhouse, Nova* and the cancelled *Now* and *Bill Moyers Journal*, as well as special documentary series such as *Vietnam: a TV History* and *The Civil War*: these programs have deeply marked the minds of millions of Americans despite the fact that PTV's annual average prime time rating hovered at only 2.2% of the viewing audience in 2008. PBS's perceived weight as promoter of the flow of ideas and culture has been disproportionate compared with its actual audience. Indeed 2009 was the sixth consecutive year in which Americans ranked PBS as number one in public trust, ahead of newspapers, commercial TV networks, the judicial system and the federal government.⁵
- 28 In principle U.S. PTV is dedicated to offering in its own words "universal service" to every American "from every walk of life". However, as noted above, U.S. public television programming was marked at the outset by the restrictions on its mission to serve general audiences, distancing itself from public systems abroad. In the words of Ouellette "public television was envisioned for the people, not by the people". Robert Avery, for his part, has shown how PTV was meant to constitute a site of cultural "quality" against the "crass" dominant commercial TV culture (Avery, 1993), reflecting an aversion to mass culture that had spread during the post war years. To this day, PTV's educational role has remained paramount and while it developed creative forms of children's, science, performing arts, documentary and public affairs programming, PTV never was attributed the resources for developing genres that would attract large numbers of viewers. Due to the costs involved and the fear of concern in Congress about duplication of commercial TV content, public television also made few efforts to produce serial entertainment or drama. The higher costs of TV production also meant that public television was considerably more restricted than radio and it could offer just a few hours a day of largely middle-to-high-brow culture/arts, history, science and

public affairs programming. Despite their local ties, public stations could not manage to provide more than a few hours a week of truly local programming.

- 29 The dependence on PBS, itself relying on a handful of major market public stations, as the primary program source has also raised concern about the autonomy of local broadcasters. In the 1990's the major market stations provided more than a third of national programming, another 10% or so coming from lesser stations. Locally produced programs consist mainly of news and public affairs, along with some educational programs broadcast during the daytime.
- 30 "PBS' primetime audience is significantly larger than many of the commercial channels frequently cited as competitors, including HBO, History Channel, Discovery Channel, CNN, The Learning Channel and Bravo" is what one can read when visiting the PBS web site.⁶ Beginning in the 1980s, while broadcasting was reorganizing with the advent of the broadband cable and direct broadcast satellite (DBS) industries, the question of the mandate for public television became more acute. It began with a handful of extra national niche programming channels, but in time they became dozens and eventually hundreds of channels. Programs for children, drama, science, culture and arts as well as news and public affairs, once the exclusive domain of public broadcasting, were now delivered on several cable networks via DBS as well as the cable systems. There was a prevalent feeling among some groups that the quality of the programs put on the air by commercial cable and DBS rarely reached that of PTV. The commercialized bent of the former two led to programs that were not only less educational, but also shallower, than the PTV offerings. Due to its chronic under funding, PTV never managed, however, to muster an effective response to these threats to its basic mission, in spite of evident warning signs and even proposals for working with or countering these new commercial systems.
- 31 The developments brought by alternative media such as cable, DBS, VCRs, DVDs and the Internet, accentuated the debate about the legitimacy of PTV. Public broadcasting in America has been widely criticized for not being able to attract larger audiences and for merely serving privileged groups.⁷ Critics also frequently deride PTV as being insufficiently local or diverse and some, from time to time, have argued that it relied too much on imported drama from England. The impression among much of the public is that the special character and need for public television is not all that clear. Public television had no singularly notable genres all to itself, and without the resources to expand and improve what it already had, it continued to be able to provide only relatively small amounts of its mission-based content. While the public reported great trust in PBS, its underlying impressions of the differences between public television and the comparable broadband channels were in fact not always that distinct. That confusion extended into the political world where in an era of continuing deregulation and growing confidence in "marketplace solutions" there was considerable resistance to more "public assistance" (Loomis, 2001). The funding issue from the beginning has been a major problem. On a related matter some PTV programs have been the targets of campaigns that denounced a liberal political ideological bias, while other critics have argued that corporate underwriters favor certain programs.
- 32 U.S. public broadcasting is mainly in the hands of local stations, a situation that is diametrically opposite to the production, programming, marketing, and fiscal modus operandi of all other broadcasting systems in the U.S. and abroad. Although operating in a highly commercial and competitive environment, PBS is thus hampered at the

national level by the severe constraints imposed by an organization based on a decentralized diaspora of local stations all across the country. PBS finds itself in a difficult position when it comes to establishing long term planning, due in part to its complicated relationship vis-à-vis its primary producing stations and local licensee organization owners. Because of limited funding and difficulties in raising new capital, PBS and its member stations are not well positioned for expanding their coverage, for profiting from new digital and nonlinear technologies, or for experimenting with new programs. In an effort to tie budget planning more closely to the evolving social, technological, market, and economic climate, annual attempts have been made by PBS to perform “strategic planning”. Despite the insights provided, these attempts rarely look beyond the one-to-two year horizon. Failing to provide veritable long-range plans and tending to be limited to PBS as a corporate entity, they have not been able to address the major important issues of concern to public television as a whole.

- 33 As the 21st century began, public broadcasting was faced with some unresolved weighty funding, technological, and policy problems. With the fundamental structural issue still hanging over its head, PBS found itself trapped in a secondary, marginal role within a highly commercial broadcasting and broadband onslaught.

Dilemmas and the future of Public TV

The promise of the new digital technology: tentative resurgence

- 34 All of the issues involved in understanding the history and present condition of U.S. PTV came to the fore during the initial phases of the Obama administration.
- 35 During his campaign, as stated earlier, candidate Barack Obama pledged support for the reform of media ownership, as well as universal broadband and “net neutrality”, all interrelated aspects that bear more or less directly on his third concern, that of renewed public media (Silver, 2009). It was at that point that Silver and others detected in the new president’s agenda plans for substantial media reform.
- 36 The new political landscape, the changing demographic face of America, the current financial turmoil, the crisis in journalism and of course the new media environment (with emerging publics, technological convergence and opportunities arising from technological changes) have all prompted once again both a reflection and serious studies that bear directly or more incidentally on public media reform. In a country where people have always seen themselves as the champions of democracy, there is indeed a growing sense that the media should now take a more central stage by being remodeled in order to better inform and better involve the public.
- 37 Any serious discussion of public media is inevitably framed in light of debates about public space in contemporary society. Public institutions of culture, arts and education, of which public broadcasting is part, reside in a realm between the private and the state. They are thus conceived as places for accessing and sharing knowledge and values, enhancing citizenship and the building of national identities. As such they reflect particular national and regional understandings of the character of the public and its role in social, economic and political affairs. While in Europe the debates turned on the language of the “public sphere” as articulated largely in the work of Habermas (Habermas, 1976), in the U.S. the debates were framed less in the social abstractions of the Frankfurt School and more in the terms of the pragmatism and applied

progressivism of the Chicago School. While sharing much of the European idealistic tradition, they had about them a more materialist, though less critical bent, reflecting the struggles over the role of private enterprise and public agency in the late industrial period. By the early 21st century the public space had widened and become fragmented. That hegemony was rapidly being challenged, however, by the new Internet and Web-based media, in which institutions of central organization and authority no longer were so clearly in control of public opinion or even the forms of the debate. For many enthusiasts, the Internet “revolution” was ultimately going to lead to a more democratic, participatory public sphere.

- 38 As noted earlier, this type of questioning and reforming of the media establishment is part of an enduring U.S. media reform movement. It emerged in the 1960's just as television started to exert a strong influence in the life of all Americans and there were soon numerous groups concerned at the time with minority rights, TV violence and sexual exploitation issues in particular. Some other groups were also concerned with public participation and community broadcasting. In fact it rapidly appeared that cable television, potentially the most influential technology of television's future, was not the appropriate medium for promoting citizens' participation. Those reform groups, however, rarely formed a powerful national well-financed organization. McChesney argues that the tipping point came in the 1990's with the expansion of commercial media. While political economy research was declining, the criticism of media concentration was starting to spill past the academic world into the broader society. The movement started to emphasize more strongly the media system and ownership and the reform began to take off under Georges W. Bush's presidency after the fight over the landmark 2003 ownership rule. By 2006 the defining issue of the movement was deliberately shifted to the “net neutrality” question, but it remained unclear how much impact the movement was really having on the FCC and Congress policy.
- 39 The more recent studies and projects we have been referring to indeed take up this question and also scrutinize the more general issue of informing in a democracy and the related news quality problem. They also all touch to some degree on public broadcasting. What needs to be examined now is the place allocated to public broadcasting in these studies, as well as the scope of the analysis and recommendations on the matter.
- 40 “The time has come for new thinking and aggressive action to dramatically improve the information opportunities available to the American people, the information health of the country's communities, and the information vitality of our democracy,” (Knight Commission, 2009) states the 2009 Knight Report, setting the tone. The authors propose to start with what the American people need and to work back from there. Josh Silver and colleagues for their part assume that:

It is not hard to predict what they will say: People want more public service media. They want local news. They want stronger, well-resourced partnerships with and services from local schools, government and civic institutions. They want diverse voices and multicultural fare that speaks to their culture and communities—whether they are in Alabama or Kansas or Oregon. (Silver, Strayer and Clement, 2009)
- 41 The report on the future of American journalism (Downie and Schudson, 2009) conducted under the auspices of the *Columbia Journalism Review* focuses on how to maintain a vibrant press with a special emphasis on “accountability journalism”, i.e., in-depth watchdog reporting, and recommends new mechanisms to support it. Public

broadcasting is strongly criticized for what the study perceives as failing to deliver on its mission to locally inform the public due to the long standing neglect of this responsibility by the majority of radio and televisions stations, the CPB, and Congress. The study contends that it could play an important role in providing accountability news coverage, particularly at the local level. The authors underline, however, that it won't be done without sweeping reforms redirecting financial support for local stations to newsgathering activities, as well as changes in mission and leadership for many stations.

- 42 The Knight Commission report advocates a broader vision of public service, one that is more local, inclusive and interactive. To advance its ambitious program, it calls on government and private sector donors, and proposes that the support be conditioned on the reform capability of public media. Among the central recommendations contained in the report is the need to increase support for public service media in order to meet the information needs of the community.
- 43 Meanwhile at the American University's Center for Social Media, defenders of public media 2.0 are asking for support in order to realize a grand "multiplatform, participatory, and digital" project. In the 2009 White paper "Public Media 2.0: Dynamic, Engaged Publics" (Clark and Aufderheide, 2009), the authors claim that the crucial aspects are the participatory issue and the standards to define meaningful participation in media for public life. Policies, initiatives, and sustainable financial models need to be found.
- 44 Silver also gives a set of guidelines for public media that revolve around four key issues: political independence, economic efficiency, public and political support and adequate financial support. "With substantial injections of funds, there are plenty of 'shovel-ready,' job-creating projects that could be launched: building high-speed broadband networks between stations, educational institutions, nonprofits and other community partners; archiving massive libraries of content; and creating news and other content" he adds, quite optimistically.
- 45 At the end of 2009, Public Media Camp, which brought together public media advocates, developers, and employees in Washington, D.C., was one of the latest in a series of events and demonstration projects pushing the public media agenda forward. On the side of the public TV people, some projects are on the way. Andy Carvin, senior strategist at NPR's social media desk explained that the Internet is making it easier for new types of collaborations to take place, from citizen journalism initiatives to volunteers developing iPhone applications for stations. NPR has posted advice with its "Social Media Guidelines for Reporters" for online reporters and people expressing political views on Twitter and Facebook, for instance. Recently, NPR executives gathered in San Francisco to meet with Silicon Valley entrepreneurs. Meanwhile the ongoing Engage project at PBS, funded by the Knight Foundation, is creating social media tools for PBS stations, such as a chat series with PBS personalities and a map showing projects at stations around the United States. Likely, one must acknowledge the CPB-sponsored Aspen efforts to organize national meetings for public broadcasting over 2009.
- 46 Other projects involve community initiatives, such as Philadelphia's Plan Philly, aimed at bringing together journalists and citizens to address local issues or citizen journalism projects, such as Vocalo and Open Salon that put into place collaborations with audiences to select content and to investigate breaking stories. Another

collaborative project is iWitness, hosted online by the PBS series Frontline/World. Producers worked with Bay Area Video Coalition (BAVC) trainers, a non-profit video and new media center, to combine webcams and the Skype service in order to develop a customized tool to enable citizens and experts on the ground to report on breaking news. Entrepreneurs around the country are also getting involved, for example Omidyar Network which provides grants and low interest investments and Participant Media, which produces dramatic features.

- 47 Indeed, there have been efforts lately to engage in a reflection to set public media’s justification and mission in a new digital era, to pinpoint some of the changes that need to be undertaken and to start building experimentation. The different studies, however, focus more on new media, community information and interactivity than on public service per se and the public interest (with the exception perhaps of FreePress, the most influential and successful reform group at the moment, thanks notably to foundation funding). It is thus not clear how public broadcasting fits in the new environment. Questions such as who should own it and who should govern it are not addressed. No business model is envisioned and one gets the impression that too often the studies off-load the current problems to public broadcasters. All in all, the reports are often more speculative than really aimed at drawing hard conclusions. The terms themselves add to the confusion and reveal the complexity of the current media landscape: “social media”, “community media”, “public media 2.0”, “public service media”. We are facing a rare moment of transition and as Jessica Clark and Pat Aufderheide put it in 2009:

Public media institutions have a chance to play a leadership role [...], public media makers have a chance to position public media 2.0 as a core function of a vital democratic public and support it at national, regional, and local levels [...], policymakers can develop and publicize emerging models of production [...], and funders can put the mission to build dynamic, engaged publics at the heart of their investments in media projects [...] to create new habits, tools, platforms [...]. (Clark and Aufderheide, 2009)

- 48 The question however remains: will any of these changes take place and is it realistic to expect changes for PTV under the current conditions? We will now attempt to give a partial answer to these questions.

Elsewhere in Washington DC, *plus ça change, plus c’est la même chose*

- 49 Most of these debates over media policy and public broadcasting have largely taken place in Washington DC. But the truth is that reformists and public broadcasters for the most part have not been present at the table. The reports we just referred to might miss the forest for the trees and somewhat overlook the broader industrial and political forces.
- 50 This faith in the Internet could represent a rebirth of the futurist ethos that can be traced back to the industrial revolution, itself revisited in the last third of the 20th century with the electronic revolution. “In electricity was suddenly seen the power to redeem all the dreams betrayed by the machine [...] while new empires in communications and transportation were created behind the mask of an electrical mystique” (Carey and Quirk, 1970, 226-28) as James Carey and John Quirk argued. Indeed buying into a technocratic vision has often ended up being undermined by the

economic forces at play. The recurrent American theme of the “machine in the garden”, where technological power and democratic localism meet for the benefit of the American people, had already reappeared in the 1970’s with the advent of cable and what came to be named the “cable fable”, now perhaps to be replaced with the “net utopia”.

- 51 Some media scholars, public broadcasting professionals and activists are rather dubious though. Willard Rowland writes to Patricia Harrison, President of CPB, following the CPB roundtables via the Aspen Institute: “it has been assumed that some invisible hand in the private marketplace and benevolent forces within the political system would take care of things. That this has never really worked is now painfully evident” (Rowland, 2009b). Willard Rowland praises the quality of the recent studies, but puts forward two key points: PTV has no organized capacity to respond to the studies and PTV has no comprehensive, coordinated long-term policy plan. He points out that during the past three decades PTV has been ignored in all the major pieces of federal legislation and FCC rulemaking. Besides, none of them has provided for public broadcasting or any other institution to take the lead on behalf of public service issues in aspects of policy debate. Concerning the recent studies, he regrets that public issues are not in the forefront. In the 1980’s already, W. Rowland felt that the analysis of research on media reform needed to be seen in the broader context of U.S. reform history and that it was too optimistic (Rowland, 1982). He described how the old triangle of cooperation between the FCC, Congress and the broadcasting industry, itself the result of reform movements at the end of the 19th century and put into place with the 1934 *Communications Act*, ended up protecting the industry against reform groups. He showed that the reform groups often react to the concentration process when it is already too late and that some minority groups seem more interested in being part of the system than in questioning the whole structure.
- 52 Jeff Chester, founder of the Center for Digital Democracy, also fears the return of the profit battle as business models emerge for the public media. Gordon Cook, author of *The Cook Report on the Internet*, warned of “[...] huge, corporate controlled ‘Walled Gardens’ of content delivery and monopoly operating systems. These ‘Walled Gardens’ are carefully controlled ‘parks’ of vendor content combined with software designed to encourage users not to stray out of the content Garden” (Cook, 2001, 1-7). Others, like Robert McChesney with John Nichols or Noam Chomsky, while acknowledging that President Obama is certainly different from McCain on media issues, believe that the extent of the difference remains open to debate. “He is a self-styled party centrist and in recent Democratic party history, ‘centrism’ has usually meant putting the demands of moneyed interests ahead of those of rank and file citizens,” (McChesney and Nichols, 2008) write McChesney and Nichols and they recall that the Clinton era FCC had record of compromising with the telecommunications industry.
- 53 So to return to the core question posed by this study, “to what extent is Obama changing the media landscape?”, it is necessary to take a closer look at what has been achieved by the Obama administration with regard to public broadcasting after one year in office. In a little noted irony, the shift to digital television has represented added difficulties for public broadcasters, who had been mandated to make the conversion. Indeed, observers have noted that very little money is in fact available for multimedia content creation and innovation. Ellen Goodman believes that the problem is a “mismatch” (Clark, 2010) between current infrastructure investments and the

resources needed to keep pace with digital media system production and programming. She argues that there is a critical infrastructure gap. She calls for legislative action to “reset the funding priorities for public media”. Once again what Goodman is calling for does not seem to assess the extent of the needs, because simply reorganizing the funding priorities will not be good enough. About the DTV transition, Glen Ford, editor of the online Black Agenda Report, asks where are the digital channels set aside for minorities—women and people of color, young people, “unserved and undeserved groups”? Meanwhile, it is unclear if commercial broadcasters have extensive plans to use the new channels to expand or improve their public affairs and news programming or other public services.

- 54 In the past few years PTV has faced revenue limitations that have led to forecasts of severe budget shortfalls and to tension within its memberships over the proper level of dues-based funding. That situation was exacerbated by the global recession of 2008-2009. Members have themselves also been going through severe budget difficulties and the amount of national corporate underwriting support has continued to decline. For the Fiscal Year (FY) 2010, the Obama administration left CPB’s \$430 million appropriation intact (for 2012), in contrast to what had been done by the Bush administration. Officials, however, expressed their concern that “the budget didn’t provide emergency support for stations that face a sharp decline in money from private sources” (Di Mento, 2009). The FY 2010 budget was enacted while several former Bush administration officials were still in place in several key agencies. Many among professional broadcasters and media reformists were hoping for a substantial increase in federal funding and believed there were positive signs from the government that PTV was to be taken more seriously. On February 1st, 2010, the Obama administration sent Congress its proposed FY 2011 budget of \$3.83 trillion. In so far as media are concerned, there was a major emphasis on broadband development. It said:

Commerce’s National Telecommunications and Information administration will focus on administering the \$4.7 billion program to expand broadband deployment, as well as programs to improve broadband adoption and data collection [...]. The Budget will also achieve savings by eliminating the Public Telecommunications Facilities Program (PTFP), consolidating support for public broadcasters into the Corporation for Public Broadcasting.⁸

- 55 By comparison, President Obama proposed \$460 million for CPB (for 2013), up \$15 million over the previous year and \$36 million for CPB digital, the same amount appropriated in FY 2010. The President also requested to zero out other programs, notably educational and rural area ones (including PTFP). In a letter to her colleagues sent that same day, Patricia Harrison wrote:

[...] while we realize that the President had to make difficult decisions in allocating resources given the economic situation facing our country, we are concerned about some of the cuts contained in the budget [...]. As the appropriation process moves forward, we will work closely with our partners [...] to make our case for restoring funding targeted for elimination [...]. (Harrison, 2010)

- 56 Besides, the increase of \$15 million was in fact modest, far lower than what the public broadcasters were asking for two years before.
- 57 In light of what has happened in the past none of this is surprising, particularly in the context of the developments in the related issues of ownership, the broadband plan and net neutrality. Public broadcasting remains only one small portion of the FCC policy. To

better understand the challenges for PTV one has to be aware of parallel and in some cases overwhelming developments in other policy realms.

58 One thing is certain, the profit battle is continuing. Daniel Lyons, writer for *Newsweek*, analyses the current situation as follows: "As the world of technology and media collide, the same contest keeps getting played out over and over again: lumbering old media companies take on nimble new-media upstarts, and usually the new-media guys win [...]. But this time the old-media guys fought back" (Lyons, 2009, 10). Internet video site Hulu, built jointly by NBC Universal and News Corp. and launched in March 2008, was, a year later, doing better in financial terms than YouTube, acquired by Google just a few months before. Hulu's rapid ascent into the top ranks of online video sites shows that old media are now engaged in a multi-front fight. To be sure, business models are being created in this complex multi-platform environment and during the OnScreen summit that took place in New York in October 2009, the Vice-president of News Corp, Chase Carey, revealed that the online video platform Hulu would start being charged to users in 2010.

59 Then on December 3rd, 2009, cable giant Comcast made official an agreement that will give the operator a 51% stake in a joint venture that combines Comcast and NBC Universal.⁹ The deal would allow for the creation of a behemoth that would control both distribution and content, with revenues exceeding that of Disney, News Corp. and Time Warner.¹⁰ Faced with a coalition opposed to the merger, Comcast executive vice president David Cohen wrote in a public letter:

The opportunity to combine these assets makes possible some innovative programming opportunities that will permit the new company to better serve the interests of many key segments of the viewing audience, including local viewers in the markets served by NBCU's owned-and-operated stations, and the particular interests of Hispanics, African Americans, children and families, and other key audience segments (Szalai, 2009).

60 To this day the question remains: will the FCC impose conditions for approval of the merger? On January 8th, 2010 the FCC was in an appellate court case implicating Comcast Corp, which was appealing a 2008 decision by the FCC stating that it violates the net neutrality standard. The panel of the U.S. Court of appeals in Washington DC appeared sympathetic to the company's position as reported by abajournal.com law news. In fact Comcast claimed that it has not violated any federal law since there do not yet exist any, aside from the 2005 FCC broadband policy statement. While it is true that so far the FCC has provided nothing more than a general framework, some observers argue that this state of affairs might provide momentum to push through the net neutrality rules.¹¹ The regulation of television falls into two categories: economic and content. Since the end of the 1990's in the USA, there has been a tendency to steadily relax licensing rules and ownership limits, as already noted, and to rely much more on content regulations (of violence and obscenity, profanity and indecency (OPI) in particular, matters that are difficult and subjective). In his book *The Problem of the Media* (McChesney, 2004) McChesney shows that recent FCC policies have permitted the consolidation of ownership of media outlets into fewer and fewer hands and argues that it chills the flow of information and constrains freedom of expression. Indeed industry analysts cannot imagine regulators blocking the Comcast/NBC Universal merger since the existing body of rules makes an antitrust ruling very unlikely, if not impossible.

- 61 On the matter of universal broadband, the *American Recovery and Reinvestment Act of 2009* (Recovery Act) was signed into law on February 17th, 2009. It authorized the FCC to create a National Broadband Plan meant to accelerate broadband deployment and ensure that all Americans have access to high speed capability. An international broadband study, published in February 2010, has shown that the United States is a “middle of the pack” performer on broadband efforts¹² and at the same time has higher prices for high-speed and next generation Internet (Benkler, 2010). Chairman Genachowski declared during a press conference that same month: “Now in the 21st century, it is high-speed Internet that is reshaping our economy and our lives more profoundly than any technology since electricity, and with at least as much potential for advancing prosperity and opportunity, creating jobs, and improving our lives”. He added: “Our plan will set goals for the U.S. to have the world’s largest market of very high speed users” and recalled that the information and communications sector in the U.S. now represents a trillion dollars in revenue, 13% of GDP (Genachowski, 2010a). In January 2010, a coalition of public interest and consumer groups led by the Consumer Federation of America asked the FCC to take bold action in the National Broadband Plan. Public broadcasters, just like everyone else in the industry, have been watching the debate with interest and the Association of Public Television Stations (APTS), part of the coalition, urged the Commission to recognize the role PTV plays in the “development of innovative content to drive broadband adoption and advance national priorities” (Buskirk and Lane, 2010). Meanwhile, a massive battle has been taking place among the many players concerned with the broadband plan: broadcasters, cable and satellite operators, telephone providers, content providers, as well as consumer electronic manufacturers. During a speech given on February 24th Chairman Genachowski clearly said that mobile holds more promise for innovation than any other area of broadband (Genachowski, 2010b) and that the plan could propose a “Mobile Broadband auction” to give broadcasters the chance to voluntarily forfeit their spectrum in exchange for a portion of auction revenue. He added that part of the TV bands was not being used efficiently and even was not being used at all and called for innovative new uses of spectrum. The National Association of Broadcasters (NAB) has been fighting back against proposals to take spectrum away for mobile and has argued that their free and local services provided over the airwaves were more important than ever, all the while acknowledging the importance of iPhone applications. During an NAB meeting in Washington DC on March 2nd, Democratic Congressman Rick Boucher, Chairman of the very powerful House Subcommittee on Communications, said that he believed the FCC was moving too fast and added: “we are not going along”, although subsequently he seemed to temper that promise during FCC hearings on March 25th.
- 62 The long awaited plan, which seeks to integrate television and the Internet, was finally issued on March 16th, 2010. In Section 15.02 of the plan, the FCC discusses its support for creating “a more robust digital public media ecosystem that provides the educational, news and other content necessary to inform the citizenry and to sustain our democracy” (FCC, 2010, 302-05) through a multi-platform and it makes four recommendations. In Recommendation 15.6 the FCC acknowledges the need for “greater and more flexible funding” and states that “Congress should consider creating a trust fund for digital public media endowed from a voluntary auction of spectrum licensed to public TV”. The other recommendations are concerned with amending the *Copyright Act* to provide for copyright exemptions to public broadcasting organizations and allow public media to better contribute to the creation of a national video archive.

Paula Kerger wrote in a letter to PBS' managers that same day: "Overall we are quite pleased with the way the FCC plan references public media. Although there will be many details to be worked out [...]" (Kerger, 2010). Indeed PBS might, in some respects, find the plan useful for itself as a national service notably on the matter of the copyright and video provisions. On the other hand, public television stations might find that there is nothing in the plan about higher appropriations. The plan in effect says that there should be more funding for public broadcasting through the creation of a fund, but this fund should come from the "voluntary" auction of portions of its bandwidth. There is no mention of the use of commercial broadcaster auction proceeds. Many aspects at this point remain unclear. For example, if the auction takes place, how much money will be attributed to PTV, and what will happen to the attributions? Who will control the funds? Besides the funding question, for which perspectives currently remain very unclear, the other core issues we have underlined previously, such as the regulatory regime and the structural problem or even the need for a central place for debating these questions, are not being addressed in the plan. Following the release of the executive summary of the plan, Josh Silver wrote:

While the FCC does take some important steps toward a new framework for competition policy, many of the critical questions are deferred for further review [...]. Implementing the policy needed to bring every American affordable, robust broadband will require courageous leadership and a willingness to stand up to narrow corporate interests. (Silver, 2010)

- 63 Some semantic aspects need to be underlined here since the plan and many of the responses that followed its release do make a large use of the future and conditional. One should keep firmly in mind that even if the FCC can adopt some of the 200 recommendations in the plan, others will require legislation, particularly for federal auctions of public airwaves. It is Congress that will in the end write the Act and fix the new arrangements for funding. Perhaps the current FCC plan is first and foremost a symbolic step and, as many observers have suggested, the real work now begins.
- 64 In FCC's meeting on March 16th, where the National Broadband Plan was discussed, Commissioner Mignon Clyburn expressed some worries about the proposals to relocate broadcasters' airwaves and asked what would be the effect of moving this spectrum from broadcast to mobile on the delivery of news and information to local communities.¹³ In some eyes, the FCC is in fact avoiding the big open access issue and unloading the spectrum problem on the broadcasters by blaming them for their "mismanagement" of it, a strategy that appears rather to reveal the FCC's failure to regulate the telecommunications industry. Regarding this highly controversial question of the openness of the Internet, which includes both the "open access" and "net neutrality" issues, FCC Chairman Genachowski had already proposed rules during the Fall of 2009. However, the path envisioned at the time by the transition team was not likely to lead to radical changes, according to *Businessweek* (Hesseldahl, 2009). Under discussion for instance was the question of tax breaks for companies that would accept to spread broadband. On October 22nd, 2009, the five members of the FCC adopted a "Notice of Proposed Rulemaking", intended to push for "net neutrality" rules. On that day, Chairman Genachowski declared on the newly launched web site www.openinternet.gov that the notice "will open the doors to input and public comment and full participation on how we make sure we can preserve a free and open internet". The rules are intended to ensure that broadband providers do not prevent consumers from accessing the content of their choice and do not discriminate against

or in favor of a given traffic. The rules could be adopted during the spring of 2010. Early in January 2010, a polemical discussion arose following the Consumer Electronics Show/Tech Policy Summit that took place in Las Vegas between January 7th and 10th, with an article published by Larry Downes entitled "Why the White House is backing away from net neutrality?" (Downes, 2010) He argues that there are signs of a more modest approach to net neutrality regulations. One is the resignation of Susan Crawford, who was until December 2009 President Obama's Special Assistant for Science, Technology, and Innovation Policy. She said that the proposed rules were not radical enough and were simply a result of the need for consolidation in the broadband industry. Another panel member, Neil Fried, minority council to the House Committee on Energy and Commerce, pointed to a letter from the Department of Justice where it is stated that justice found no evidence of market failure in the broadband industry and they warn against premature regulation. L. Downes gives two reasons for what he sees as the administration backtracking. First is the pressure exerted by 72 congressional Democrats opposing the FCC rules in a letter; second is the urge to create nationwide and affordable broadband service, which necessitates improving the communications infrastructure in order to remain competitive. While \$350 billion are said to be needed, the industry, according to N. Fried has already invested \$60 billion. In the Recovery Act, Congress set aside \$7.2 billion for projects to help bring broadband to underserved households. Meanwhile the broadband providers, the big phone and cable companies, have a new motto: "Just say no", no to applying for money to close the broadband gap, no to funds allocated to smaller groups. L. Downes has been accused of using a loose set of assumptions in his article and defenders of net neutrality countered that, quite the contrary, net neutrality "would create billions of dollars in value for the American public" (Karr, 2010).

- 65 In this cloudy setting, instead of planning for the long overdue expansion of U.S. public television services, particularly in the new environment of digital conversion and new online media opportunities, PBS and most of its members have been thinking in terms of constriction and limited service options.

Conclusion

- 66 Despite the statements made during the 2008 presidential campaign and the debate about "public media", there is not a great deal of evidence that the Obama administration and Congress are doing much to advance public broadcasting or public service media. Nothing radically different has been undertaken concerning either funding or policy, with the arguable exception of FCC's trust fund proposal in the Broadband Plan. The policy issues are dominated by much grander actors and it seems that the political forces in Washington DC are more interested in sorting out the winners and losers among the big players, old and new. The technocratic discourse that was heard during the late Clinton era is resurfacing.
- 67 All in all then it appears that the same old pattern is emerging. By the end of the first decade of the 21st century, and by comparison with most public broadcasting systems worldwide, U.S. public broadcasting remained seriously under funded and still subject to the policy and budget restrictions associated with its highly decentralized, local station-based organizational culture. The accumulated funding problems, the new telecommunications laws and regulatory changes that largely ignored public

broadcasting, together with public broadcasting’s incapacity to set the terms of a new agenda, remained serious handicaps. Their net effect suggested that public service media institutions were not expected to play any greater role in the new digital policy environment of the early 21st century than they had in the analog world of the last half of the 20th century.

- 68 In some eyes these gaps in the current PTV model could widen even more as broadband develops and many analysts call for a reinvigoration of PTV’s mandate, if not a reinvention of public service television. The future of U.S. PTV could follow from its mandate, described in 1967 by the Carnegie Commission and reiterated by the second Carnegie in 1969, notably as a service essential to a strong democracy, a theme that was continued in the statement of mission adopted by PBS stations in 2004. It states that “Public television is the only universally accessible national resource that uses the power and accessibility of television to educate, enlighten, engage and inform”, in short that strives to “Challenge the American mind, inspire the American spirit, preserve the American memory, enhance the American dialogue, promote global understanding”¹⁴ and also emphasizes services that respond to “local needs”. In order to go beyond the rhetoric, the future could also involve first a widespread public consultation and possibly an extension of PTV’s mission to a broader more “popular” agenda. It could include the implementation of significant policy changes and a reform of public broadcasting structure itself along with a better articulation of the local and national axes, as well as the investment of adequate long term resources. Indeed what is still missing is a vision for a comprehensive set of public television services.
- 69 Unlike in Europe, U.S. television has remained predominantly a commercial enterprise driven by the logic of the advertising industry along the lines of a “transmission view” model. PTV was defined in opposition to this dominant paradigm, as a supplement. As a result—and it is a huge paradox—the definition of public service that came to prevail was “non commercial”, thus excluding the “entertain” dimension from public television’s mission. Its purposes were first and foremost “instructional” and “cultural”. This situation has confined U.S. PTV to a niche market, unlike the condition of most Western democracies where the roots of public service broadcasting can be traced back to the establishment of the BBC by a Royal Charter which specified that its mission was to “inform, educate and entertain”. In light of our study it appears that the U.S. approach is hardly reconcilable with sufficient cultural, educational, civic, informational and participatory goals in the general interest. It is also clear that, even if the new technologies do offer ample opportunities to improve and complement PTV’s mission, extending the delivery of services from broadcasting and narrowcasting to on-demand and providing a point of intersection for public media, the solution to public television’s problems and the related issue of the democratic deficit will not readily be provided by the new digital technology alone. This study of U.S. public television and other research and commentary in other nations thus suggest that PTV globally needs a reinterpretation and adaptation of its mandate to the new public media 2.0 in line with the general interest and democratic objectives inherent in it, as well as a political commitment to maintaining and developing strong public service media.
- 70 Joaquin Alvarado contends that within a context that “has outgrown the town meeting, public media are nothing less than the content of our democracy” (Alvarado, 2010). In an increasingly liberalized media world, without a spectrum scarcity to justify government regulation and public service obligations, with the expansion of channel

capacity, the individualization of consumption and an ever more fragmented audience, paradoxically the need for public service media as the nodal point of the national public sphere—an electronic marketplace for the nation—might in the end be strengthened.

- 71 Note in proof: Since the submission of this paper several important events have occurred, notably the November 2010 midterm election that has seen the transformation of Congress to a Republican dominated one and then the approval in January 2011 of the Comcast-NBC Universal merger by the Justice Department and the FCC. The impact of these events on public television will be taken up elsewhere.

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ANNEXES

List of Acronyms:

APTS: Association of Public Television Stations
 BAVC: Bay Area Video Coalition
 CCET: Carnegie Commission on Educational Television
 CPB: Corporation for Public Broadcasting
 DBS: Direct Broadcast Satellite
 ETV: Educational Television
 FCC: Federal communication Commission
 FY: Fiscal Year
 NAB: National Association of Broadcasters
 NCE: Non Commercial Educational
 NET: National Educational Television
 NPR: National Public Radio
 OPI: Obscenity, Profanity, and Indecency
 PBS: Public Broadcasting Service
 PTFP: Public Telecommunications Facilities Program
 PTV: Public Television

NOTES

1. The 2001 Communication from the Commission on the application of State aid rules to Public Service Broadcasting is based on the Amsterdam Protocol of 1997.
2. Representing 16.4% of the total revenue for public radio and public television evaluated at \$2.85 billion that same year. *Public broadcasting revenue fiscal year 2008*. Available at <http://www.cpb.org/stations/reports/revenue/2008PublicBroadcastingRevenue.pdf>
3. Of which 87 are community organizations, 56 colleges and universities, 20 state authorities, and 5 local or municipal authorities.
4. For 2008, out of the 83.6% of non-federal revenue the sources were distributed as follows: 26.3% from individual viewers, 17.8% from businesses, 11.8% from state governments, 7.9% from foundations and 7.6% from state colleges and universities, the rest coming mainly from local governments and private colleges and universities. Source: *Public Broadcasting Revenue Fiscal Year 2008*. Available at www.cpb.org
5. GfK Roper Public Affairs & Media Surveys, commissioned and paid for by PBS.
6. Available at www.pbs.org, January 2010.

7. PBS today describes its viewers as “active, men and women in the 25-54 bracket, the influential ten percent of the population” and its prime time viewers as upscale, available at <http://www.ptvsponsorship.org/>. In 1980, the average viewer was found to be “white, college educated and of relatively high socio economic status” and the studies concerned with PTV’s audience were said to replicate the same results decade after decade (Leroy, 1980).

8. *Budget of the United States Government, Fiscal Year 2011*, available at <http://www.whitehouse.gov/omb/budget/Overview/>

9. Its ownership is split between General Electric and Vivendi. GE is expected to sell its 49% stake in two stages. When combining those of Comcast and NBC Universal, the predicted cumulative revenue for 2010 comes up to \$52 billion.

10. Disney (\$36 billion), News Corp. and Time Warner (30 and 29 billion). Source: Company report.

11. See for instance some of the opinions expressed via www.pcworld.com after Comcast’s announcement.

12. The U.S. ranks 16th worldwide in broadband with an adoption rate of 65%. (Benkler, 2010).

13. Information relayed via: <http://thehill.com/blogs/hillicon-valley/?start=30>.

14. Public broadcasting policybase. Available at: <http://current.org/pbpb/documents/ptvmission2004.html>.

RÉSUMÉS

Constatant le regain d’intérêt pour les médias publics aux États-Unis depuis 2008, ainsi que la réminiscence de la philosophie futuriste dans les discours officiels, nous nous penchons sur la réalité des médias publics 2.0 et la place de la télévision publique dans le contexte de l’Amérique d’Obama. Est-ce que les contradictions et les problèmes hérités de la tradition libérale sont véritablement éliminés ? Ces travaux examinent dans un premier temps comment la télévision publique a émergé aux USA, avec quelles missions, financement et structures, puis dans une deuxième partie nous étudions ce qu’il reste aujourd’hui de l’idéal initial et si les conditions sont favorables aux médias publics. L’étude nous amène à conclure qu’il y a peu de signes qui permettent de dire que l’administration Obama et le Congrès mettent en œuvre une réforme digne de ce nom. Les questions de politique sont dominées par des acteurs beaucoup plus puissants. Il n’en reste pas moins que les nombreux rapports publiés depuis 2008, émanant pour la plupart des universités, ont le mérite de relancer le débat sur les médias publics et la démocratie à l’ère d’Internet.

Motivated by the renewed interest for public media in the United States since 2008, as well as the return of a futuristic philosophical bent in official speeches, we examine the reality of public media 2.0 and the place of public television in the context of Obama’s America. Are the contradictions and the problems inherited from the liberal tradition really surpassed? We first look into how public television emerged in the U.S., with what missions, financing and

structures, then in the second part we study what is left today of the initial ideal and whether or not current conditions are favorable to public media. We conclude that there are few signs which allow us to say that the Obama administration and Congress are implementing a reform worthy of the name. Indeed policy questions are dominated by much more powerful actors. Nevertheless the numerous reports published since 2008, emanating for the most part from the academic sector, have the merit to relaunch the debate on public media and democracy in the Internet era.

INDEX

Mots-clés : médias publics, espace public, télévision, Internet, politique, organisation, financement, réforme, industrie des médias, administration Obama

Keywords : public media, public sphere, television, broadband, policy, organization, funding, reform, media industry, Obama administration

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