Media and Democratization in the Information Society

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Abstract

Globalization and the technological and economic advances that have accompanied it have been marked by a number of tendencies with mixed implications for the media. This paper examines the impact of these changes on the role played by the media in the democratization of societies.

Privatization and liberalization carried the promise of more channels, but this has not resulted in a broader and more pluralistic media. The breakdown of state monopolies on broadcasting has had a positive impact in many developing countries, but in many others the state monopolies have merely been replaced by private ones with equally suspect aims. The decline of public broadcasting is a major concern even in the developed countries of Europe. Alternative or community media hold out great promise but are chronically under-resourced and otherwise marginalized. Consolidation of ownership and control, and the rise of massive global multimedia conglomerates with influence over practically all aspects of cultural and political life is another area of concern for its restrictive influence on pluralism and local content.

Given these characteristics of the global media environment in the information society, the paper focuses on issues of media governance and regulation, including:

- the effects of growing concentration of commercial media ownership;
- the place of mainstream public media;
- how to foster and promote independent, alternative media initiatives;
- how to promote freedom of expression and communication through the media; and
- the plethora of issues surrounding new technologies and new communication platforms such as the Internet.

Particular attention will be paid to newly emerging transnational sites of media governance and regulation and their role in the broader project of democratization of global governance. Access to global media policy making through civil society participation in processes such as the World Summit on the Information Society (WSIS) is crucial to this project, insofar as the fostering of a plurality and diversity of media can

be seen as facilitating widespread participation in every aspect of public life.

Introduction

Changes in the way that information and entertainment media are produced and distributed have an enormous impact on their role in society, and yet these changes have attracted little attention in the debate on the information society. This paper will underscore some of the leading issues surrounding media from a perspective of democratization, and then suggest how some of these issues can be highlighted in the international policy arena through interventions in venues such as the World Summit on the Information Society (WSIS).

   Some of the aspects of media organization and performance that need to be taken into account here include:

- the increasing concentration of ownership in the commercial media sector;
- the challenges to the traditional role of national public service media;
- the continued existence, in many parts of the world, of state (as opposed to independent public service) media;
- the limits and possibilities of so-called third sector (non-commercial, non-public) media—known variously as not-for-profit, alternative or community media; and
- encompassing all of the above, the changing nature of media regulation and other public policy interventions in light of globalization and the shifting sands of decision making with respect to media (Raboy 2002; Ó Siochrú and Girard 2002).

The Historical Context

Conventional thinking about mass media in the twentieth century focused on the capacity of media institutions to play a role in the democratization of societies, in creating a public sphere through which people could be empowered to take part in civic affairs, in enhancing national and cultural identity, in promoting creative expression and dialogue. In just about every setting in which the media were seen as essential to these values, some form of arm's-length government intervention was deemed necessary to enable and facilitate the role of the media. As soon as media production required a greater degree of organization and resources than could be provided on an artisanal basis, some form of structural regulation was deemed necessary to ensure that these media met a minimum standard of social responsibility. This would

be ensured through various means: the awarding of broadcasting frequencies, creation of public service radio and television services, the funding of community-based not-for-profit media, various restrictions on ownership of commercial media (limiting the amount of outlets a particular firm could control, or excluding foreign nationals from ownership).

With the advent of new communication and information technologies, for a variety and combination of reasons—some technical, some political, some economic, some ideological—national policy makers have become less willing and less able to intervene in the sphere of media activity. At the same time, powerful formal and informal mechanisms (such as international trade agreements) have emerged at the international level, constraining the capacity of national governments to influence the media sector. The global media environment is a new frontier where rules are being made on the go; as in every frontier situation, the powerful are making the rules to suit their particular needs. This is, to say the least, a paradox, given the conventional vocation ascribed to the media in liberal democracies during the past century.

Each of the main mass media models referred to earlier (commercial, public service, state, alternative media) present different problems and possibilities; each is also fraught with paradox and contradiction.

Independent media arose in opposition to the state, and in favour of values of free expression. Early media were politically and ideologically driven, best exemplified by the pamphlets of Thomas Paine and other advocates of the French and American Revolutions (Keane 1991). In the early nineteenth century, more than 100 newspapers were published in the French-speaking portion of British North America (Quebec) alone, to take but one example. By the 1880s, the main function of the media was transformed as a commercial press emerged in all of the advancing capitalist societies—a phenomenon characterized, famously, by the German philosopher Jürgen Habermas (1989) as "the structural transformation of the public sphere". Paradoxically, one of the great driving forces in support of media commercialization (or commodification) was the emergence of a newly literate mass public, making possible the demographic success of a "penny press" and the accompanying development of advertising. By the 1920s, just as electronic media were making their appearance, the mainstream mass-audience commercial press had become the dominant media form. In the 1950s, the American critical sociologist C. Wright Mills (1956) was prompted to distinguish between a "public" and a "mass", based on media function.

In the United States and other countries (such as Australia, Canada and most of Latin America), radio and later, television, while regulated by a government authority responsible for awarding broadcast licenses, developed on the economic model of the press. Mills and other critics did not take account of the emergence of a new phenomenon, from the 1920s onward, primarily in Western Europe but also—at least for the elites concerned—in the colonial outposts: public service broadcasting (PSB). In some parts of the world, PSB coexisted with commercial media, but in most of Western Europe it enjoyed a monopoly status well into the 1980s (Raboy 1997). Based on a set of universal principles, PSB presented a new paradox: a state-sponsored medium conceived to present an alternative, or to undercut the dominant press model in broadcasting. Broadcasting in these countries would have a social, cultural and educational vocation, rather than a commercial one (or so the theory went). Crucial to this were provisions guaranteeing arm's-length independence of public broadcasting institutions from the states and governments that nurtured them through funding and protectionist policy measures. Public broadcasting underwent various fiscal and moral crises during the latter decades of the twentieth century, but is still recognized today as a key instrument of democracy, for example, in the so-called Amsterdam Protocol of the Treaty of the European Union (Council of the European Union 1997).[1] According to one recent study, public broadcasting constitutes the public policy instrument of choice for countries that choose to intervene in the media sphere (McKinsey and Company 2002).

Meanwhile, alternative and oppositional media, often tied to political movements, have continued to play a substantial role in situations of authoritarian or colonial government as well as in the Western liberal democracies, where pockets of third sector media began to emerge in parallel with the rise of youth and new social movements in the 1960s (Downing 2000). In the West, the alternative press and later, community radio and television flourished—often, paradoxically, with resources provided by the state. In Europe, radical pirate media arose to challenge the PSB monopolies. Liberalization permitting non-state media introduced in countries such as France and Italy in the 1980s had the unforeseen effect of legitimizing the pirate media and opening the floodgates for introduction of commercial media on the American model. Toward the turn of the century, alternative media were instrumental in bringing down the Soviet system, democratizing parts of Asia, Africa and Latin America, fostering alternatives for "another" globalization, promoting gay and lesbian rights, maintaining diasporic cultures and so

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[1] The Amsterdam Protocol on the system of broadcasting in member states was signed in 1997. This and other relevant documents on public broadcasting can be found in a recent compilation by Price and Raboy (2001).

forth. In countries with well-developed commercial and public service media sectors, such as Canada and Germany, third sector media were recognized in legislation and regulation and enjoyed both legitimacy as well as a certain degree of state support.

This was roughly the portrait, then, in the early twenty-first century: increasing concentration of media ownership and loose minimal regulation regarding the most basic elements of social responsibility for commercial mass media, be they in press, radio or television; continued persistence of public broadcasting with a serious funding and legitimacy crisis in the wake of government fiscal policies and dropping audience shares vis-à-vis commercial media; recognized legal status and minimal regulatory and financial support for alternative community-based media in some parts of the world;[2] and basic struggles for freedom of expression and liberalization of state-controlled media in many parts of the world.

From UNESCO to the ITU to WSIS

In this context, what are the issues regarding media that ought to be considered in the debate on the information society? These can be essentially grouped in five categories:

- how to constrain the effects of growing concentration of commercial media ownership;
- how to enhance the place of mainstream public media;
- how to foster and promote independent, alternative media initiatives;
- how to promote freedom of expression and communication through the media, especially in situations of authoritarian state control; and
- how to deal with this plethora of issues in the context of new technologies and new communication platforms such as the Internet.

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[2] Full coverage of the sheer variety of examples, legal status and approaches to alternative media would require a separate article. For example, in Latin America, most "community" broadcasters are in fact licensed and regulated as commercial broadcasters. Only three Latin American countries recognize community broadcasting as a distinct sector and only one gives it meaningful support. Asian countries also present a range of different approaches, where the vocations of alternative and public service media sometimes overlap. Local community radio stations have appeared in a number of African countries in recent years with Mali and South Africa being the recognized leaders. In most of the former Soviet Union, alternative media are inherently oppositional to the governing parties. See, for some examples, Okigbo (1996); Roncagliolo (1996); Rosario-Braid (1996); and Girard (1992).

As soon as one considers these issues, two things become immediately clear:

- efforts to intervene in the media require national initiatives hence depend on national sovereignty in the media sphere; and
- media issues are increasingly transnational, and will need to be dealt with by international conventions or other international measures.

Legal scholar Monroe E. Price (2002) has described the "taxonomy of influences" on national responses to media issues as including the existing regime structure, prevailing traditions of private versus state or public media, accessibility of new technologies, approaches to free trade, the country's situation with respect to global power realignments, its sensitivity to international norms and, increasingly, the influence of national security concerns (p. 234). According to this analysis, negotiating a regulatory space for media in this context may eventually lead to "a single over-arching international agency with regulatory powers, a glorified and empowered International Telecommunication Union" (Price 2002:248). If Price is correct, the outcome of WSIS could be important indeed for the future of media worldwide.

The most serious attempt so far to deal with these questions globally is to be found in the report of the World Commission on Culture and Development (WCCD), entitled *Our Creative Diversity* (1995), and the subsequent UNESCO *Draft Action Plan for Cultural Policies for Development* (1998).

In a broad review of cultural issues ranging from ethics to the environment, the WCCD, which was set up jointly by the United Nations and the United Nations Educational, Cultural and Scientific Organization (UNESCO), proposed an international agenda for developing global policy with respect to cultural development. Several chapters and proposals relating to media and new global issues in mass communication were framed by the following question: "How can the world's growing media capacities be channelled so as to support cultural diversity and democratic discourse?"

The WCCD recognized that while many countries were dealing individually with various important aspects of this question, the time had come for a transfer of emphasis from the national to the international level. "There is room for an international framework that complements national regulatory frameworks" (WCCD 1995:117).While many countries still needed to be incited to put in place or modernize existing national frameworks, there was growing justification for transferring attention to the global level.

> Concentration of media ownership and production is becoming even more striking internationally than it is nationally, making the global media ever more market-driven. In this context, can the kind of pluralist 'mixed economy' media system which is emerging in many countries be encouraged globally? Can we envisage a world public sphere in which there is room for alternative voices? Can the media professionals sit down together with policy-makers and consumers to work out mechanisms that promote access and a diversity of expression despite the acutely competitive environment that drives the media moguls apart? (WCCD 1995:117).

These questions are even more relevant today than when they were formulated by the WCCD in 1995. The WCCD admitted that it did not have ready answers to these questions, but that answers had to be sought through international dialogue:

> Many specialists have told the Commission how important it would be to arrive at an international balance between public and private interests. They envision a common ground of public interest on a transnational scale. They suggest that different national approaches can be aligned, that broadly acceptable guidelines could be elaborated with the active participation of the principal actors, that new international rules are not a pipe-dream but could emerge through the forging of transnational alliances across the public and private media space (WCCD 1995:117).

The WCCD's international agenda contained a series of specific proposals aimed at "enhancing access, diversity and competition of the international media system", based on the assertion that the airwaves and space are "part of the global commons, a collective asset that belongs to all humankind" (WCCD 1995:278).

> This international asset at present is used free of charge by those who possess resources and technology. Eventually, 'property rights' may have to be assigned to the global commons, and access to airwaves and space regulated in the public interest (WCCD 1995:278).

Just as national community and public media services require public subsidy,

internationally, the redistribution of benefits from the
growing global commercial media activity could help sub-
sidize the rest. As a first step, and within a market context,
the Commission suggests that the time may have come for
commercial regional or international satellite radio and tele-
vision interests which now use the global commons free of
charge to contribute to the financing of a more plural media
system. New revenue could be invested in alternative pro-
gramming for international distribution (WCCD 1995:278).

Competition policies, as exist in many countries, would need to be
enacted in the international sphere to ensure fair practices. International
public broadcasting services would need to be established "to help assure
a truly plural media space". In general, the WCCD called for a new and
concerted international effort, "an active policy to promote competition,
access and diversity of expression amongst the media globally, analogous
to policies that exist at the national level" (WCCD 1995:279).

The 1998 Intergovernmental Conference on Cultural Policies for
Development organized by UNESCO in Stockholm took this a step
further, adopting an *Action Plan for Cultural Policies for Development*
(UNESCO 1998) and recommending a series of policy objectives to
UNESCO's member states, in keeping with the general philosophical
position that communication resources constitute part of "the global
commons". Recognizing that "in a democratic framework civil society will
become increasingly important in the field of culture", the conference
endorsed a dozen principles including the fundamental right of access to
and participation in cultural life, and the cultural policy objective of
establishing structures and securing adequate resources necessary "to
create an environment conducive to human fulfilment" (p. 2).

If one can consider media policy to be a subset of cultural policy, the
conference made a number of contributions of direct relevance to the
concerns of this paper, in affirming that:

- Effective participation in the information society and the
  mastery by everyone of information and communication
  technology constitute a significant dimension of any cultural
  policy.
- Government should endeavour to achieve closer partnerships
  with civil society in the design and implementation of cultural
  policies that are integrated into development strategies.
- In an increasingly interdependent world, the renewal of cultural
  policies should be envisioned simultaneously at the local,
  national, regional and global levels.
- Cultural policies should place particular emphasis on promoting
  and strengthening ways and means of providing broader access

to culture for all sectors of the population, combating exclusion and marginalization, and fostering all processes that favour cultural democratization (p. 3).

Among the relevant policy objectives recommended to UNESCO's member states, the conference proposed to "intensify co-operation between government, the business sector and other civil society organizations in the field of culture by providing the latter with appropriate regulatory frameworks" (p. 5). A number of proposals then dealt specifically with media and communication technologies. The conference asked member states to:

- Promote communication networks, including radio, television and information technologies which serve the cultural and educational needs of the public; encourage the commitment of radio, television, the press and the other media to cultural development issues, while guaranteeing the editorial independence of the public service media.
- Consider providing public radio and television and promote space for community, linguistic and minority services.
- Adopt or reinforce national efforts that foster media pluralism and freedom of expression.
- Promote the development and use of new technologies and new communication and information services, stress the importance of access to information highways and services at affordable prices (p. 6).

The appearance of such an action plan endorsed by 140 governments under the sponsorship of a world intergovernmental organization was certainly uplifting, but the subtext and context surrounding its adoption also pointed to the difficulties that lay ahead.

It took two-and-a-half years to organize the Stockholm conference, following the tabling of the WCCD Report on which the working documents presented in Stockholm were based. As mentioned earlier, that original report underscored the premise that communication media are an essential cornerstone of democracy and cultural development, as well as a part of the "global commons", and argued for extension of conventional national policy mechanisms to the global level. A global framework for media regulation, it suggested, could provide a framework for a more pluralist media system by, for example, enabling a tax levy on transnational commercial media activities, which could be used to generate financial support for global public service and alternative media. This proactive thrust, based on the use of existing policy mechanisms and the extension of the national policy logic to the global

level, did not survive the diplomatic horse-trading that culminated in the action plan adopted in Stockholm.

Furthermore, the draft version of the action plan presented at the outset of the conference was far more affirmative in encouraging member states to provide public radio and television (rather than merely "consider" their provision), and in calling for international as well as national legislation to promote media pluralism. Significantly, a proposal that such legislation foster "competition and prevent excessive concentration of media ownership" was changed to refer instead to "freedom of expression". A proposal to "promote the Internet as a universal public service by fostering connectivity and not-for-profit user consortia and by adopting reasonable pricing policies" disappeared from the final text.

In terms of implementation, the Stockholm Conference recommended that the Director-General of UNESCO develop a comprehensive strategy for practical follow-up to the conference, "including the possibility or not of organizing a World Summit on Culture and Development". The WCCD Report had proposed such a summit, which was endorsed, among others, by participants in a forum of civil society organizations parallel to the intergovernmental conference in Stockholm. But Federico Mayor, then director-general of UNESCO, immediately ruled out the short-term organization of a world summit. In a statement to the Panafrican News Agency (PANA), at the close of the Stockholm conference, Mayor said it would take three or four years at least for the seeds sown at Stockholm to mature. Meanwhile, he said, the initiative should be left to the member states and regional organizations to implement the principles and commitments undertaken.

WSIS is the direct successor to this proposal. The only difference is that the lead organization for the summit is the International Telecommunication Union (ITU) and not UNESCO. The distinction is critical for issues of media democratization. Within the UNESCO logic, media are cultural institutions, part of the process of human development. Within the ITU logic, media are technical systems for information delivery. There was, in fact, a moment of overlap between the two approaches, in 1995, when a joint ITU-UNESCO study entitled *The Right to Communicate: At What Price?* (1995) wondered to what extent societal goals could be reconciled with commercial objectives in this context. This interagency report represented a rare effort to bridge the gap between technical and sociocultural sectors, insofar as UNESCO could be said to constitute a community of "public concern" for telecommunication services furnished by ITU members. The study noted the detrimental effects of economic barriers to access to telecommunication services, the lack of infrastructures in some countries, and the lack of an international universal telecommunication infrastructure.

This is often the result of historical circumstances, political requirements and monopolistic industry structures, the study recognized. A generous way to conceptualize WSIS is as an attempt to follow up on this set of concerns.

The problem, of course, is that history does not wait while all this talk goes on. Since the adoption of the Stockholm Action Plan, indeed, since the onset of the WSIS process, World Trade Organization (WTO) agreements have increasingly encroached on national government capacities to control their cultural and media space,[3] while transnational corporate capital has continued to successfully mobilize to promote its interests at the global level. Civil society, meanwhile, risks being confined once again to the role of bridesmaid, watching from the sidelines, observing from the margins, hoping there will be a next time, unless it can be more aggressive in formulating the agenda—at WSIS and elsewhere.

In some respects, the WSIS process can be seen as having updated and pragmatized the polemical approach of the New World Information and Communication Order (NWICO) debate of the 1970s and 1980s. At the risk of raising the hackles of those who see any historical reference to the NWICO as an attempt to rekindle the ideological confrontations of the Cold War, it needs to be recalled that a re-reading of the main texts of the NWICO debate, such as the UNESCO Mass Media Declaration of 1978 and the subsequent report in 1980 of the International Commission for the Study of Communication Problems, chaired by Sean MacBride, shows how timely and relevant that debate still is today. It is generally—and conveniently—forgotten that an ITU Independent Commission of the same vintage, chaired by Sir Donald Maitland, came to essentially the same conclusions as the MacBride report as to the unequal state and quality of communication development in the world (Independent Commission for Worldwide Telecommunications Development 1984). But there is a fundamental difference to be noted, in that the NWICO debate was strictly between states, and the interests represented by their respective governments, while today's information society debate (at least as it is being played out in WSIS) is significantly broader, not only in the themes and issues it covers, but in the range of actors who are trying to take part.

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[3]   This has inspired a number of governments to create an International Network on Cultural Policy (INCP), with the express view of promoting the establishment of a "new international instrument on cultural diversity" to offset the impact of WTO agreements and generally keep culture off the table of international trade negotiations.

Media, Democratization and Regulation

The debate on media and democratization has always had a dual focus: democratizing media, as a positive value in and of itself, and fostering a role for media in the democratization of societies. For some, the media have tended to be seen as value-free containers of information, but they are in fact contested spaces, objects of contention in their own right. Media activists have struggled with how to problematize this, how to make the media a social issue, rather than something that people merely suffer, and how to broaden the public discourse on the media's role in democracy.

Historically, media issues have not had the same resonance among social activists as other themes such as the environment, gender issues and human rights. A 1999 statement by a group of media activists, *Voices 21*, sought to begin building a new social movement around media and communication issues. It proposed forming "an international alliance to address concerns and to work jointly on matters around media and communication". All movements that work toward social change use media and communication networks, *Voices 21* pointed out, it was therefore essential that they focus on current trends such as increasing concentration of media ownership in fewer and fewer hands (Voices 21 1999).[4]

The advent of the World Summit on the Information Society offers an opportunity to move in that direction. Media and communication issues are working their way on to broader social agendas (for example, through the World Social Forum). McChesney and Nichols (2002), among others, write about placing media democratization at the centre of a social movement: they present a programme for structural media reform in the United States. Among other things, the US media reform movement has successfully lobbied Congress to roll back some of the Federal Communication Commission's (FCC) more aggressive attempts to liberalize media ownership rules.

In short, there is a need to marry mainstream and alternative media reform initiatives with policy intervention, research and education. Media democratization will be based on the extent to which there can be a successful blending of five types of intervention, led by five sets of actors:

- ongoing critical analysis of media issues (researchers);
- media literacy efforts (educators);
- building and operating of autonomous media (alternative media practitioners);

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[4]   In the interest of transparency, it should be stated that the author is a member of Voices 21.

- progressive practices within mainstream media (journalists, editors, publishers, etc.); and
- policy intervention (media policy activists).

WSIS presents an opportunity to work on the issues raised in this paper within an institutional framework, and keeping in mind this five-pronged approach.

Furthermore, at the present time, formal attempts to influence media development can take four possible pathways.

The libertarian approach: This approach does not favour the regulation of media. With the spread of new digital technologies like the Internet, this approach is currently favoured by many national regulators (Australia is an important exception), mainly because they do not know what to do or how to do it. It is also largely favoured by many grassroots activists who are benefiting from this open communication system. But the history of older media technologies shows that, left to its own devices, this open access is not likely to last. A libertarian model of Internet governance will likely lead eventually to closed doors, restricted access and limited communication.

Self-regulation: This is the approach most often favoured by industry players, with the encouragement of national regulators. It is currently being touted as the solution to problems such as abusive content and the protection of rights on the argument that consumers will respond if they are not satisfied. But as we see with initiatives surrounding copyright and electronic commerce, even the promoters of self-regulation are recognizing the need for a global structural framework for communication activity, within which media self-regulation would take place.

The closed club, or top-down institutional model: This approach fills the vacuum created by the retreat of national governments from regulatory issues. Deals are negotiated in organizations such as the Organisation for Economic Co-operation and Development (OECD), Group of Eight (G-8), or the WTO, as well as in the new institutions emerging as the corporate sector. Here, the most powerful economic players would simply dictate the rules of the game to everyone else, and the media are perceived as businesses, entertainment vehicles and organs of tightly controlled public information.

The long march through the institutions: This is a process that is tied to the broader project of democratization of global governance, reflected in some of the initiatives around United Nations reform and in notions such as "cosmopolitan democracy". Access to global policy making through civil society participation in processes such as WSIS is crucial to this model, which has as a corollary the fostering of a plurality and diversity of media seen as facilitators of widespread participation in every aspect of public life.

In terms of media democratization—and the democratic role for the media—the latter path is clearly the only viable one. Transparency, public participation and a sociocultural approach to media governance are values that are now worth promoting transnationally.

A global policy approach along these lines would help redefine the role of the state with respect to the media, both domestically and in its new transnational guise, while providing leverage for addressing a range of specific issues that are currently well off the agenda.

In the current context of globalization, the media can be either a locomotive of human development or an instrument of power and domination. Which it will be has not been determined, and that is why the stakes of the WSIS debates are so high.

As issues involving the regulation of broadcasting go global, then, we need to begin thinking about appropriate global regulatory mechanisms. This would make it possible to begin thinking about intervening globally on a range of issues, such as the following:

- regulation of commercial media activities in the public interest, to guarantee equitable access and basic services;
- funding and institutional support for the creation and sustenance of public service and alternative media;
- placing limits on corporate controls resulting from transnational concentration of ownership in new and conventional media and telecommunications;
- providing incentives (through fiscal support measures, etc.) for production, distribution and exhibition of media content which meets public policy objectives;
- guarantees of access to available media channels on the basis of public interest criteria;
- development of universal codes and standards for curtailing the spread of abusive media content;
- facilitating networking capacity through use of media technologies by not-for-profit organizations; and
- provision of public media spaces for conflict resolution and democratic dialogue on global issues.

I am aware that this "regulatory approach" has important limitations. The extent to which so-called independent regulators in the liberal democracies have been captured by industry interests has been well documented.[5] Regulation, in some cases, acts as a thinly-veiled justification for state interference with media independence. Alternative-media activists have spent precious energy participating in meaningless

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[5]   See, for example, Center for Public Integrity (2003), which documents the successful lobbying activities of US media corporations vis-à-vis the FCC.

consultations and meeting regulatory requirements. Yet, allow me to make the counter argument.

Take, for example, the recent highly mediated decision by the FCC loosening US restrictions on cross-media and concentration of media ownership. A close look at this situation reveals that the US still has stronger rules than most Western countries regarding concentration of media ownership. Under the *new* FCC regulations, a network can own stations reaching up to 45 per cent of the national population, and a limited number of media in the same market. In neighbouring Canada— to cite an example of a country often believed to be very hands-on in regulatory measures—there are no restrictions regarding cross-media or national concentration; thus, one company (which happens to be the largest Canadian industrial corporation of all, Bell Canada Enterprises, or BCE) owns one of the country's two national newspapers as well as the leading national television network, whose stations reach 99 per cent of the English-speaking population.[6]

In the 1980s, riding the wave of deregulatory ideology ushered in with the election of Ronald Reagan, FCC chair Mark Fowler famously stated: "Television is just another appliance…a toaster with pictures". One does not regulate toasters, so why regulate television, the argument went. The point is, a radio, a television set or the Internet is not just a toaster with pictures. The point is to distinguish between "regulation" and "control": regulation must be aimed at providing an enabling framework within which the media can flourish and contribute to democratic public life and human development, and at enhancing freedom of expression *and* the right to communicate. As a leading US academic, Edwin Baker (2002), has written, media regulation has to be seen as legitimate, necessary and possible.

Independent regulatory authorities and public institutions such as public broadcasters have in fact protected the public interest from abusive state authority, be it the Richard Nixon, Ronald Reagan or George W. Bush regimes in the United States, the Margaret Thatcher regime in the United Kingdom or others. Despite declining audience shares (brought on by a combination of channel proliferation, cultural globalization and a slowness to adapt to the new context), public broadcasting still deserves widespread popular support wherever it has flourished historically. With the sole, interesting example of France, no developed country has "privatized" a national public broadcaster despite the rhetoric of a generation of neoliberal political leadership.

Regulation can be even more important for promoting a third sector in media, especially broadcasting—and possibly, shortly, the Internet.

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[6] In fact, as this was being written, a Canadian parliamentary committee had just recommended a moratorium on further mergers until the government came up with a comprehensive policy on media ownership (Fraser 2003).

Regulation can guarantee a space in the environment for media that cannot force their way in by commanding either great financial resources or massive audience shares. Progressive fiscal regimes and funding programmes can provide assurances that alternative voices are heard.

The issue, as suggested above, is how to transfer these values to the international sphere—guaranteeing it where it exists (in the face of challenges from regressive international trade and copyright regimes), promoting it where it does not (in the illiberal countries of the world) and refocusing it in the new context of technological convergence and globalization.

In short, media regulation can address the following:

- licensing of public, privately owned and community broadcasting services (goal: competition, system administration);
- property transactions (goal: market pluralism, diversity);
- abusive content (goal: protection of societal norms);
- content quotas (goal: protection of and promotion of national culture);
- performance obligations (goal: public service, programming requirements);
- rates for free-to-air, subscriber, pay-per-view services (goal: consumer protection);
- access provisions (goal: equal opportunity for free expression);
- relation between public and private services (goal: system balance); and
- funding requirements (goal: promotion of priority services).

The role of media regulation is to determine the public interest, on an ongoing basis, and with regard to specific issues such as the ones mentioned above. This is too fine a job to be done by governments in the course of their general activities. It cannot be left to broadcasters alone, for they have necessarily vested interests (even in the case of public service broadcasters). The marketplace is too blunt an instrument. Citizens can individually and through their collective organizations articulate their expectations, but have no power for implementing them.

The success of a regulatory approach will therefore depend on the following:

- clear, but general, policy guidelines from the constituting authority;
- clearly defined powers, backed up by effective compliance mechanisms;
- the fullest possible transparency in all of its operations; and
- real, meaningful access to decision-making processes for all of the actors concerned, especially public interest organizations

which are otherwise relatively removed from the centres of power.

The role of a regulatory authority would be to:

- oversee system equilibrium: balance between the public, private and community sectors;
- guarantee the accountability of the public sector;
- specify the public service contribution of the private sector;
- facilitate the viability of the community sector;
- oversee system development (for example, introduction of new services);
- set general policy (between the macro level of broad state policy and the micromanagement of broadcasters' operations);
- oversee industry self-regulation;
- supervise licensing and renewal processes; and
- deal with complaints and content issues on the basis of established codes and standards.

Regulation can be seen as a brokering process between the interests of the state, the broadcasting industries and civil society. It is about framework structuring and enabling rather than, as is often assumed, about control. Seen in this way, WSIS can be a moment in the establishment of the new global media environment. It is an opportunity that should not be missed—but whose ultimate relevance needs to be carefully weighed and placed in its proper perspective.

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