

## **New Media Policy?**

**An Editorial by Amanda Lotz**

FCC Chairman Kevin Martin's announcement last fall of his intention to overhaul media ownership rules by the end of the year drew criticism from nearly all corners. The concerns of those desiring a more deliberate examination of ownership issues were on point, but I wonder whether taking another year or even five would make any difference.

Perhaps it is time to admit that the framework within which we've regulated media is hopelessly flawed. This suggestion is by no means new or original, but might warrant more attention in this moment in which proposals of "change" are politically desirable. The U.S. experiment of a regulated free-market model developed earlier last century as a bold counterpoint to almost all of the rest of the world. Over seventy-five years later, it is now a haphazard amalgamation of regulations that ultimately serve few other than the stockholders of media conglomerates. And as I read of the latest suggested revision that arbitrarily imposes a new set of rules on a commercial industry that has billions of dollars at its disposal to make sure that the ultimate policy decision is in its interest, I'm left thinking, why bother? Why not get out of regulating the media entirely?

Decades of regulation have never produced the desired pro-social ends of localism, diversity, or robust public service and information. Or on the content front, let's just accept that "decency" can't be regulated in a manner consistent with the First Amendment and stop wasting time trying to determine what conjugations of four letter words are acceptable. Let the market decide. Let the conglomerates gobble each other up for a few years, then let them divest for a few years, but perhaps it is time to give up the fantasy that there is a way to regulate a commercial media system into serving the information and entertainment needs of a diverse democracy.

Which is not to say this is the only media system that should remain. Let us take a page from nearly every democratic media system around the globe and turn our efforts to developing a real public media system. Let the otherwise unregulated commercial sector support the public system with an annual tax—a percentage of revenue, with no room for creative accounting. A trust fund also could be developed with the profits of the analog spectrum sale. And let the commercial broadcasters lease their spectrum and just give up this futile exercise of charging them with serving the public interest. Those funds could be used to support media in local communities and then we might see some local public service. Let us take lessons from the shortcomings of our meager public system and the long histories of many around the world to create a truly independent public media system that is funded adequately enough to meet needs for both local and national content.

Give us a public media system that doesn't depend on biannual fund drives, biennial Congressional funding allocations, or any sort of institutional sponsorship—in other words, a truly public system. If we sacrifice the paltry choice currently offered by the commercial sector, maybe we'll end up with one giant commercial conglomerate offering nothing but round the clock celebrity news. But there may be reason to think even the commercial offerings might not be all that bad. We've had a preliminary experiment in radio for the past decade. As the commercial sector conglomerated and pushed listeners' tolerance for inane advertisements and repetitive playlists, weekly NPR listenership has grown by 13 million listeners, even without an infusion of the kind of funding support I'm suggesting.

The reality of effectively launching a new public broadcast system—with both local and national components—is a Herculean, and many will say impossible task. Critics will claim it will be ruined in the planning and implementation and the commercial sector will use its vast resources to fight such an initiative, all of which could happen. We'll also have to break from our belief that the number of viewers correlates with value and establish a system of evaluation based not on the eyeballs and ears fetishized by existing performance indicators, but on substantive assessments such as whether content meets underserved audiences, promotes the functioning of democracy, or supports localism, diversity, and the public interest. What emerges might not be perfect, but could it be worse?

Despite the valuable efforts of many media activists, it seems unlikely that we can regulate our way to a commercial media that serves a diverse constituency. The alternative is to create a public media system that gives people a real choice and give up the struggle to exact minimal offerings from the commercial media. Instead of trying to fix something that is beyond repair, maybe it's time to build something new. The age of mass media may be passing, but media corporations remain robust and profitable and have adjusted their practices to the new norms of niche audiences, digital distribution, and user generation. If we now live in an age of new media, maybe it's time for some new media policy.

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