

The Uprising of 2003

Sustaining Grassroots Media Reform

By Sarah Stranahan

The Media Acronym Quiz

(answers at end of article):

1. What do NRA and NOW have in common?
2. What do NRA and NPR have in common?
3. What do NPR and NAB have in common?
4. What do NAB and NCRP have in common?

Alphabet soup? Strange bedfellows? It's been a crazy year for people who care about the media and democracy. It started with a massive outpouring of bipartisan opposition to the Federal Communications Commission's proposed ownership deregulation. It moved on to a quixotic legal challenge to block the rule change. And it has raised new questions about the lines between advocacy, campaigning and the media and the roles of the Federal Communications Commission (FCC), the Federal Election Commission (FEC) and the Internal Revenue Service (IRS) in defining them. How will it end? Is this an opportunity to redefine the commercialism that has dominated American media for a century? Or are we facing a future of "infotainment"?

For years, media reform has been relegated to the political purgatory reserved for "important issues with almost no organized constituency." A handful of policy wonks labored to ameliorate the worst rulings of the FCC. A few public thinkers railed away about the risks to democracy of a commercial media system controlled by fewer and fewer corporate interests. But media reform just wasn't an issue that got most Americans off the couch. Why did the FCC ruling galvanize the American public in what the author and activist Robert McChesney has termed "the uprising of 2003"? Was the grassroots reaction the beginning of a new social movement, or a fluke confluence of incompatible interests?

The FCC, clearly a regulatory agency captured by its industry, pushed successfully for the passage of the 1996 Telecommunications Act with barely a whimper of complaint from Congress or the public. The 1996 act—billed, in

part, as an effort to increase "innovation, competition and diversity" in cable TV and radio—has been a disaster. Cable TV rates have risen three times faster than inflation. Radio station ownership concentration has increased dramatically (two companies now control almost half the commercial radio market). Not even the National Association of Broadcasters (NAB), the industry group that virtually wrote the 1996 rules, is happy. After indulging in overpriced feeding frenzies, the big media companies woke up with share prices down and expensive debts to service. They lobbied for another shot of deregulation and consolidation as a cure for their hangovers from the 1990s, and FCC Chairman Michael Powell was prepared to pour another round on the house.

But by 2003 a number of factors had reached a tipping point. Two new commissioners at the FCC were outraged by the lack of public input into the rule(un)making process. Michael Copps, and later Jonathan Adelstein, took the remarkable step of organizing their own public hearings on the proposed rule changes. Many groups were more than ready to weigh in. Consumers Union was outraged about cable TV prices; Future of Music had documented the decrease in playlist diversity in the new radio markets; media justice groups like Praxis and Media Alliance were angry that minority ownership in radio had decreased dramatically since the 1996 act; Prometheus Radio, representing low-power radio advocates, had been given the shaft by the FCC in 2000 (with the support of the National Association of Broadcasters and National Public Radio); the National Rifle Association (NRA) was afraid a "media monopoly" would censor its right to advocate; the Communications Workers saw job losses. MoveOn.org jumped into the fray and mobilized its membership, which was already outraged by the media's bend over for the Bush war-propaganda campaign. These groups and scores of local organizations and individual activists coordinated a grassroots campaign overwhelm-

ingly opposed to more concentration. They finally raised such a ruckus that even the mainstream media had to cover the story.

While the FCC would have been happy to ignore the angry masses, members of Congress from both parties were uneasy with supporting such an unpopular measure, and with the prospect of campaigning in communities where one owner could control the newspaper, cable and broadcast outlets. Under these circumstances, media owners would have almost unlimited power to reward and punish elected officials.

It was like watching a wave grow. A long-shot lawsuit, built on a technical challenge to the FCC's methodology for measuring diversity, was filed by the Media Access Project on behalf of Prometheus Radio Project and the United Church of Christ. Miraculously, the U.S. 3rd Circuit Court of Appeals issued a stay order pending the outcome of the case. Even more miraculously, they ruled on June 24 that the FCC cannot deregulate based on "arbitrary and capricious" arguments. The bottom line is this: no expansion into new markets for now. While the ultimate outcome is still uncertain (the FCC could appeal to the U.S. Supreme Court or write more palatable rules), the impact is already apparent. There is at least one new tune playing on radio. Led by Sens. John McCain (R-Ariz.) and Patrick Leahy (D-Vt.), the Senate has just introduced the Low Power Radio Bill, which would authorize thousands of new noncommercial low-power radio stations. And, surprise!—the FCC now supports expanding low-power radio.

While the swell of public interest is refreshing, and it's nice to be thrown the low-power radio bone, the question remains: Is it possible to transform this ad hoc defensive uprising into a sustained movement for meaningful media reform?

Successful social movements usually include at least five elements: a vision of change, an organized base, a depth of competent, committed leadership, a well-developed infrastructure, and adequate financial resources. Piece of cake, right? Let's see how the media reform movement measures up.

Is there a vision of change? Obviously, the precise road map for change needs to be negotiated and shaped by tactical opportunities, but there seems to be an emerging consensus about how to regulate toward a healthier media and a healthier democracy.

There are four core components:

- first, the reform of the FCC and the regulatory process toward more transparency and accessibility;

- second, the preservation and resurrection of the public interest elements in the original FCC mandate, such as ownership limits, licensing reviews, and diversity, localism and public service requirements;
- third, the development of a more diverse, robust and technologically adaptive "media commons" or public media sector, including low-power radio, free Wi-Fi, community cable, and possibly a publicly financed system to generate high-quality programming for these noncommercial outlets (the expanded public media could be financed by a revenue stream from either spectrum use fees or licensing taxes); and
- finally, there is the perennially great notion that commercial media be required to donate air time for elections, eliminating the most expensive and corrupting element of political campaigns.

How about the organized base? The current movement is a network of organized "minibases" that rarely act in sync—artists, unions, civil rights activists, consumer advocacy groups, media producers, librarians, etc. The ability to unite and inspire this ragtag band of gypsies around a proactive vision is the biggest challenge.

Leadership. The smart, scrappy leaders who survived so many years of neglect and discouragement are definitely committed. There are many young leaders, and an increasing number of women and people of color. However, many of the seasoned leaders are intellectuals and academics, not organizers or political strategists. They have spent many years in competition with each other in a narrow field. The adaptiveness of these leaders and their willingness to work together and welcome new voices will be critical to the success of the movement.

The Prometheus Radio Project serves as a public interest advocate on microradio issues, and helps facilitate public participation in the FCC rulemaking and legislative process.



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The infrastructure is emerging as fast as the leaders can find the money and bodies to build it. The research, litigation, advocacy and lobbying pieces are getting stronger. Linking existing state and local justice and alternative-media groups to the policymakers is harder, as is creating enough infrastructure to challenge state and local cable companies and radio station owners. Building this infrastructure will cost money.

Funding for progressive media content and policy has been notoriously weak. I spent the last two years working on the MediaWorks Initiative, a donor education effort that completed a survey of media funding attitudes and practices. We found that although more than \$400 million a year in media grants is issued, very little goes to media activism, media justice and media policy reform. Foundation support for programming and local infrastructure of the Public Broadcasting System and National Public Radio (NPR) is drawing down a great deal of the existing funding. Reform to adequately finance an expanded media commons could liberate resources for organizing, education and local activism.

Social justice funders share a critique of mainstream media as concentrated, hypercommercial and politically compliant. They are concerned that it's increasingly hard to get their social justice agendas or perspectives into the corporate media. However, most do not have funding strategies to affect the pervasive and powerful system. In the absence of clear strategies, and in a climate of crisis and scarcity, they choose to spend their money in areas where they are more confident and experienced.

We did discover several foundations with clearly articulated strategic media funding programs. One approach, taken by the Open Society Institute, is to integrate media into every grant: "We are looking for a three-legged stool—organizing, advocacy and media." The New World Foundation focuses on "intra-movement" media, or media that strengthen and connect the disparate elements of the social justice movement to build political power. Others include media under the umbrella of infrastructure support, including training, technology and fundraising, and media focusing on educating nonprofits about public relations and messaging. Finally, there are those who want to build the scale and quality of at least one or two alternative networks, such as LINKTV or Pacifica, to challenge corporate journalism.

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and that a more diverse media landscape will provide new energy and opportunities for a broad array of issues and agendas that funders care about. There are some promising new developments in this arena. There is strong leadership at two keystone organizations, the Ford Foundation and Grantmakers in Film and Electronic Media (GFEM). GFEM is functioning as a big tent for all kinds of old and new interests in media funding. Ford's program has a field development approach, funding multiple strategies. Ford's initiatives include the Communication Policy Funders Network, a study of field dynamics by the OMG Center for Collaborative Learning, and the MediaJustice Fund, seeded at the Funding Exchange, to support local media justice. The Park Foundation is bringing serious new money to the reform movement, and there is hope that the Schumann Center for Media and Democracy will renew its long-term commitment.

So, yes, there is hope for a sustained and meaningful grassroots media reform movement. And there is hope that a more diverse and dynamic media landscape can revitalize American public life.

Who's the Referee?

As we continue to organize around media issues, we need to be aware that the regulatory environment is shifting. Which agency has jurisdiction over which issues? While media activists were scoring a long shot against the FCC, the FEC was calling the shots for a different ball game. Recently, the NRA, in what I can't help but admire as a brilliant move, struck a deal with Sirius radio, a struggling satellite radio enterprise, to broadcast "NRANews." Unlike nonprofit advocacy groups, which are required by McCain-Feingold to stop advertising 30 to 60 days before an election, media outlets are allowed to endorse candidates and editorialize right until the polls close in Honolulu. Unless, of course, they happen to be Michael Moore. A conservative group has asked the FEC to investigate whether the promotional materials for *Fahrenheit 9/11*, Moore's hit documentary, should be regulated as political ads. Now it seems that the FEC or the FCC or the courts will also have to clarify what constitutes a "media outlet." One proposed definition is an organization that derives a majority of its revenues from subscriptions or advertising. Ironically, this has the potential to place restrictions on nonprofit media that are subsidized by grants and grassroots donations and to legitimize

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the argument that only commercial media deserve unlimited advocacy rights. Under this definition, some old reliable progressive media outlets, like Altnet or Mother Jones, could be subject to nonprofit advocacy limits.

If that isn't confusing enough, it is not clear who will call the shots on nonprofit advocacy and issue education rules. Facing a flurry of new non-profits (so-called 527, c3 and c4 groups) to compete with President Bush's huge war chest, two Republican FEC commissioners demanded that the FEC redefine advocacy limits for non-profits. The problem is, of course, that the IRS already has a woefully misunderstood set of rules for nonprofit advocacy, lobbying and electoral activity. To the relief of many and the chagrin of others, the FEC ducked the question by deciding it could not change the rules six months before the elections. The 527s were allowed to stay in the game until November, but the FEC or the IRS will eventually have to clarify the rules. So get ready for another debate about nonprofit advocacy rights. If we want to win the game for media reform, we'll have to pay attention to who is calling the shots and where new lines are being drawn on the field. ☺

Answers to Media Acronym Quiz:

1. What do NRA and NOW (the National Organization for Women) have in common? *They both lobbied against the FCC's deregulation of media ownership.*
2. What do NRA and NPR have in common? *They are both "media outlets" and are allowed to continue campaigning until the elections, unlike nonprofit advocacy groups.*
3. What do NPR and NAB (the National Association of Broadcasters) have in common? *They both lobbied against creating 1,000 new low-power radio stations.*
4. What do NAB and NCRP have in common? *The letter N.*

Sarah Stranahan is a board member at the Needmor Fund, a family foundation that supports community organizing. She helped found the Media Works Initiative in 2002, an effort to educate and organize donors about media issues. She has an MA in communications from the Annenberg School.

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the sciences, mathematics and technologies. The alliance has the potential of improving the educational success rates of thousands of kindergarten through 12th grade students. These students are currently the most underserved and undereducated population in Hawai'i.

The State Council of Hawaiian Homestead Associations (SCHHA) is another organization supported by the Hawaiian Way Fund. The SCHHA is a statewide coalition of community associations serving residents of the Hawaiian Home Land areas, unique trust lands set aside for the specific purpose of perpetuating Native Hawaiian people and life ways. The SCHHA promotes healthy communities by creating forums for solutions to be shared and implements community-based projects and programs in the unique trust lands of the Hawaiian Home Lands program.

The most basic goal of the Hawaiian Way Fund is to support important community-based initiatives in all areas of community development. It empowers community associations and charter schools to increase their reach and mul-

tiply their impact. The Hawaiian Way Fund provides a place for anyone interested in things Hawaiian to share their *aloha* and support for a myriad of initiatives.

Anyone interested in supporting such community-based initiatives may contribute to the Hawaiian Way Fund through direct contributions, employee payroll deductions, automatic electronic transfers and estate planning. The Hawaiian Way Fund is also seeking employer support through corporate matching programs.

The Hawaiian Way Fund currently has 16 partner-recipient organizations, ranging from affordable housing providers to cultural practitioners and educators, to health care providers and charter schools. The first allocations from the Hawaiian Way Fund will be distributed at CNHA's 3rd Annual Native Hawaiian Conference Aug. 31—Sept. 3, 2004. ☺

For more information about the Hawaiian Way Fund visit CNHA's Web site at www.hawaiian-council.org.