

"The Case for a Center for Independent Television"

A paper by Nick DeMartino

Presented June 6, 1979 Co

"Independent Television Makers and

Public Communications Policy:

A Seminar-Conference to Promote

Telecommunications for Diversity

in the 1980's"

Sponsored by the Rockefeller Foundation Arts Program

As many of you know, I am an independent producer and media activist who has, for the past 18 months, worked as a consultant and writer for the Carnegie Commission on the Future of Public Broadcasting. I helped draft the report, as well as to prepare a series of background papers for the Commissioners, principally in the areas of program funding and organization. The first paper I wrote, which was just published in full by Televisions magazine, sketched the history of independent producers and the public television system. The principal recommendation of that paper, which was summarized in the full Carnegie report, was the establishment of a new institution called The Center for Independent Television, to be funded by the proposed Program Services Endowment.

Because the reference to this idea was so brief in the text itself, the notion has received mixed reviews within the independent community, and has largely been overlooked by public television, since it is so deeply involved in structural overhaul of the entire system. So, today I would like to briefly amplify the concept, and propose somewhat different funding, governance, and mission for this Center for Independent Television. This elaboration is merely a point for us to begin our discussion, and in no way represents the views of the Carnegie Commission or its staff. Instead, it is the result of my own thinking, discussions with other independents, an examination of the new Rewrite of the Communications Act of 1934, and the ferment within the public television system which is currently under way.

To quote from the Carnegie Report, pages 168-169:

"In recent years the system has heard complaints by independent producers about lack of access and attention. We have heard them. The goal of bringing new talent into the broadcast system requires the creation of formats balanced between the differing needs of producers and stations. The Endowment might finance a Center for Independent Television, whose job would be to develop broadcast formats that can take advantage of the range of talent among independent producers. This Center would develop contacts with the full range of independents, and provide a WATS telephone number for easy communication. The Center's mission would include the establishment of fair selection procedures, financing, support in understanding the system, rights negotiations, and a variety of related services for and communications with independent producers in both radio and television."

This paragraph doesn't really express the point of creating yet another bureaucracy. As I wrote in the earlier paper: "While certainly the ombudsman function would be part of this, as would the function of helping to make 'the system' more understandable to a wider range of producers, the primary function of such a Center for Independent Television would be to help increase the market share of producers, working outside other production entities....The greatest contribution of this Center would be to act as a legitimatizing agent for the role of independents within the system. We now face the irony that virtually every PTV organization pays lip service to independents and yet the number of original hours of programs which are financed by the system and aired on PBS remain miniscule today."

Since I wrote that more than two years ago, we have seen remarkable progress by independents in the political realm. The 1978 Public Telecommunications Financing Act included provisions aimed at increasing CPB's financing of independent work, and reserved some use of public television's satellite for non-station distribution of programming. The legislation and other lobbying efforts have led to two planning grants by CPB for series specifically formatting independent productions and production aid. Single producers and series producers, including many of us here in the room, continue to develop programs for the broadcast schedules of local stations and the PBS national feed. The Interregional Council on Public Television Policy, a group of powerful public television station managers, established a committee on programming access headed by Frederick Breitenfeld of Maryland. That group has recommended a clearinghouse or broker for independents to be housed within the Corporation for Public Broadcasting. All of these and other developments are occurring against the backdrop of Carnegie, Rewrite, and the industry's own plans for reorganizing PBS and CPB.

This frenzy of communications policy activity is one of two important historical facts which have convinced me that the idea for the Center for Independent Television is even more necessary today than it was two years ago when I first proposed it to the Carnegie Commission.

I shall return to the policy arena in a moment. But first, I want to discuss the impact of new communications technology, particularly the satellite, on this whole question. In 1967, before there was a PBS, a CPB, and many of today's PTV stations, the Ford Foundation put together the first live public television television interconnection. It took a long time to do, it was expensive, and, because it included controversial public affairs material, the Public Broadcasting Laboratory was hotly debated among the stations carrying it Sunday nights.

On May 6, 1979, at least 15 public television stations carried a three-hour live broadcast of an anti-nuclear demonstration on coast-to-coast television produced by Public Interest Video Network, a group of independents and journalists, that didn't exist two weeks earlier. The transmission via public television's transponders on Westar I cost less than \$2,000. The overall production, admittedly based on lots of volunteer labor, cost about \$30,000. The program, containing controversial public affairs material, was broadcast live by stations who pre-empted regular programs and had no assurances from PBS about our content.

For those of us independents who made it happen--principally Kirn Spencer, Larry Kirkman, and Victoria Costello in Washington--it was a landmark, not to mention an extraordinary experience. The ratings were good, the stations were happy, the program well reviewed. We believe our production opens the way for additional producers to deal with live programs as a form--something that had been open heretofore only for networks or stations--but dramatically illustrates the shift of power within the public television system.

While both PBS operations and programming were extra-ordinarily cooperative, understand that they essentially were support staff for us to reach the bird in the sky. Our job was to create a program that was intriguing enough for the signal to go down to the stations. While I believe our program justified all the faith of the stations, it was a very gutsy thing for many of these executives. Most of them made decisions based upon faith in one or another of the producing team, especially Joe Russin and David Prowitt, who had both worked in public television for years. Or, they followed the lead of other station executives whose judgment they trusted.

The most difficult part of the work was the building of the network-- calling and wiring station managers. Our success would have been impossible if several of us had not invested enormous time earlier developing an understanding of how public TV decisions are made, who key decision-makers are, and how to get their attention. To my way of thinking, this is precisely the kind of function a Center for Independent Television would perform. Despite our hopes that PBS or CPB should provide this kind of assistance, I think it's naïve and illogical for them to meet all the needs and interests of producers. Yet, were it not for the accident of my employment at the Carnegie Commission and the location of the event and the principal producers in Washington, D.C., I don't believe we could have pulled it off. Had we been independents in Arizona trying to cover a major event live, would we have been able to do it? And, more importantly, why should we subsidize such administrative activities for those who most benefit?

Rapidly changing technology creates new opportunities, as we are all discovering. The next "ad-hoc" network independent producers create might be offered to both cable and public television. Such a challenge would require complex rights negotiations with unions, the cable distributor, PBS and/or stations in the public system, and international broadcasters. It would be wiser for us to develop such precedents and policies in the interests of a broad range of producers, not simply for the benefit of a single entrepreneur.

Before proposing some concrete details, I should return briefly to the issue of policy formation in the new communications environment. I think that many of us have learned as we organized just what policy means. Whether it is an elite group like the Carnegie Commission, the critically influential national columnists, key staff members and Congressional committee members, or various allies in the so-called public interest community, there are a vast array of pressure points that we have influenced. As the stakes in this process of policy formation escalate, however, we are discovering that independent producers as an interest group are fairly insignificant.

Our power is not our means^ but our ends. Ultimately, our efforts are grounded in the conviction that structural change in the communications industry is desirable for content purposes--better programs, more points of view, and healthier and more diverse ways of communicating. That is a political perspective that can only be supported by the general public once programs reach the air (or cable, as the case may be). Hence, we get mired in seemingly endless conferences, meetings and committees--trapped by the preeminent need for administration, and pulled away from the process of making programs and thinking about content. I don't want to have to re-invent the wheel every time I raise money for a program and try to get it broadcast. I suspect neither do most of you in this room.

These and many other functions, I believe, could appropriately be lodged with an organization that acted on behalf of independents, were it structured properly. I know, for instance, that we should have had a representative involved in the preparations for the World Administrative Radio Conference. I would have liked to see independent producers invited as a bona fide representative at the public TV "Round Robins," or the meetings that led to the new satellite access policy. As a Carnegie staff member, I have made the rubber chicken and peas circuit, and I know quite well that we aren't now part of the process within the system, much less in the larger arena.

Despite this fact, we've done fairly well, largely because of the efforts of individuals, and of groups like AIVF. But it is hard to sustain, and, as we enter a new phase of development, we are in danger of being divided and conquered.

The precise functions of the Center for Independent Television – or another name, it doesn't really matter—would be a matter for continuing debate. Certainly an ombudsman role is vital. So is monitoring and information-gathering within the system and the development of rapid decision-making procedures with stations, PBS, CPB, and other elements of the PTV system. I don't think the group should either produce or lobby before Congress. Producers are this group's constituency.. Links between geographically dispersed producers and Congress should be separate, with this Center insulated from direct political involvement. This institution should be an independent nonprofit corporation, preferably located outside Washington, D.C., with a highly knowledgeable and skilled professional staff hired-by a governing board. I suspect the composition and selection of this board will be the most difficult issue for us to consider, second perhaps only to the sources of funds.

The board strikes at the heart of one of our greatest definitional problems: just who is an "independent" producer? No litmus test I know can solve this problem. A board must have certain skills, but cannot be isolated from the changing and evolving independent community. I would suggest an 11-member board, all elected by any "producer not working full time for a broadcast station, network, or cable operation who has had at least one program on a local public television station or on any PTV interconnection system during the previous calendar year. This constituency, if you will, would have to provide certification from the broadcast agency, and would be eligible to vote.

There would be ex-officio seats for two public television station producers (not managers) who would, like the other nine board members, run for office among the constituency. The chairperson would be elected annually by the board, who would each serve staggered three-year terms.

Funding for the Center for Independent Television should come from four sources: (1) Membership fees from the above mentioned constituents; (2) Contribution by market size from participating public television licensees and other organizations; (3) The Corporation for Public Broadcasting, who would give a multi-year block grant to this Center as an integral part of its obligations under the 1978 legislation; and (4) from private funds, contributions, donations, foundation grants, fund-raisers, etc.

This idea is more refined now than in its earlier forms, and I expect that debate among us will determine in short order whether producers and the system feel the necessity for a Center for Independent Television. The objective is, put simply, to give us the power to intervene on both the policy and the program planning levels within a rapidly changing technological and political environment. British scholar and writer Raymond Williams, in examining television in America and Britain, offers a conclusion that illuminates this point:

"For many years yet, central programming and networking authorities are going to continue. They must become or continue as public authorities expressing the concept of the airwaves as public property. But it would be wise to look again at the question which is still unresolved from the earliest days of broadcasting. the relation between transmission and production. In all current systems too few people are making the primary decisions about production. The real need is for more independent production companies, which would be given^publicly protected contracts with the programming and networking authorities. It

would not be an easy system to devise and administer, but it is the only creative social course to take between the existing monopolies and their new challengers."*

* From Television: Technology and Cultural Reform, by Ramond Williams (New York, Schocken Books, 1974) p. 148-9.

