

SCAN LINES

by Joyce Nelson



Broadcasting in Canada : the myth of the "single system"

Another great flurry of debate, white papers, policy studies, commissions and god-knows-what-else official grappling is once again underway in an attempt to deal with Canadian broadcasting. In the midst of all the verbiage, it's useful to take a look at a structural problem that, to my way of thinking, is central to the whole morass. Not surprisingly, that problem is embedded in, and masked by, language itself. In this case, the crucial phrase, enshrined in the 1968 Broadcasting Act, is the notion that we have a "single system" of broadcasting. Those two words have done more to screw up our airwaves and broadcasting sovereignty than any other two words in the English language. It's worth considering their origins.

In 1932 when Parliament passed the first Broadcasting Act, it created a broadcasting system that was entirely unique. In order to see its uniqueness, we have to look beyond the surface at its structure. Superficially, the system created in 1932 would seem to be a "mixed" system including both public and private broadcasters, with the publicly owned Canadian Radio Broadcasting Commission (the CRBC which became the CBC) playing the predominant role. But the reason the CBC was to play the predominant role is that the 1932 Broadcasting Act granted it two major functions. The publicly owned network was empowered to engage in broadcasting and also to regulate all broadcasting in Canada.

By giving the CBC the powers to both broadcast and regulate all broadcasting in Canada, Parliament made the public network the controlling frame for the whole system. The CBC, with its public-service goals, was to set the boundaries within which the private-sector broadcasters would operate. The private stations were permitted to exist only as very small, circumscribed adjuncts within the national system, and their purely financial incentives were to be well-bounded and structurally overridden by the powers and goals of the public-sector CBC.

In order to picture the 1932 broadcasting structure, think of a big circle (the CBC) containing within itself a tiny circle (the private broadcasters). The CBC, as both broadcaster and regulator, would ensure that any broadcasting element contained within its boundaries contributed to the national goals outlined in the Broadcasting Act. By granting the CBC these dual powers (or, to use a phrase from Gregory Bateson, by making the CBC "the higher logical type"), the Act created what was quite clearly a "single system" for broadcasting in that the structure was non-contradictory to its goals.

Parliament, however, failed to honour the integrity of what it had created and, over the years following the 1932 Act, neglected to adequately fund the CBC so that it might fully function according to its dual structural role. Nevertheless, that structure remained in place until the late 1950s: a single system for broadcasting because the CBC provided the boundaries within which the private broadcasters would operate.

However, with the financial prospects of television on the horizon

during the early '50s, the private sector lobby began to really push for changes. Private broadcasters found a sympathetic ear in the person of Tory leader John Diefenbaker who was in favour of private-sector gains. Campaigning in 1958, Diefenbaker stated (as reported by *The Globe & Mail*, March 19, 1958) that "the time was long overdue to assure private stations competing with the public broadcasting system that they would be judged by an independent body as the need arose. They should not be judged by those who are in competition with them..." The statements reflect a fundamental misunderstanding of the broadcasting structure, and, not surprisingly, under Diefenbaker, the new Broadcasting Act of 1958 removed regulatory powers from the CBC and granted them to a separate, independent broadcasting regulatory body - the Board of Broadcast Governors (BBG), which later became the CRTC.

What's most important about this 1958 piece of legislation is that it tried to pretend as though nothing significant had happened to the broadcasting structure. The Broadcasting Act of 1958 refers to "the continued existence and efficient operation of a national broadcasting system" - implying that there was still a "single system" like the one constituted in 1932. But obviously, the new structure was much more like two systems - one public and one private - with a referee for both.

Using the image of one big circle (the CBC) containing within itself a small circle (the private broadcasters), we can see that, by removing regulatory powers from the CBC, the Act effectively took the small circle out of the confines of the big one, made them about equal in size, and set them both to bouncing off not only each other but a third entity as well - the independent regulatory agency. This radical change in the Canadian broadcasting structure was effected but not acknowledged by the Broadcasting Act of 1958 which blithely continued to speak of a "single system" upholding the old national, public-service goals even though the private sector had now been made fully competitive with the CBC and able to operate within the financial incentives of the marketplace. A de-

cade later, the Broadcasting Act of 1968 perpetuated the illusion by still referring to a "single system" of broadcasting "to safeguard, enrich and strengthen the cultural, political, social and economic fabric of Canada."

Since 1958, the private broadcasters (in order to get and maintain their licenses) have always made glittering promises about how they will contribute to Canadian broadcasting sovereignty. But because their real goal is financial - and since the revised, but unacknowledged structure frees them to follow this incentive - they simply import U.S. programs because that is cheaper than producing their own. For its part, the broadcasting regulatory agency has seemed to think since 1958 that by assisting and fostering the private broadcasting sector, somehow - perhaps cumulatively - that sector's contribution to the stated national broadcasting goals might add up to something significant enough to prove that there is indeed a "single system."

In fact, there is no "single system" for broadcasting in Canada. At one time there was, at least in structure and in theory - but the 1958 Act effectively abolished it, while pretending nothing had been changed. It is this pretense - maintained by valiantly reiterating the old goals (which actually did fit the old structure), and by continuing to insist on the use of the phrase "single system" in the Act and in CRTC decisions - that has eroded and destroyed broadcasting sovereignty.

To use an analogy: the human body is a single system. Its various parts cooperate and coordinate to maintain life. Though we may speak of 'the nervous system' and 'the circulatory system', these various functions do not compete with one another. If they do, the body dies. In terms of broadcasting, the private sector does compete with the CBC. Perhaps it always did, but at least in the old structure that impulse was contained, bounded and kept in place so that its energies might contribute to the health of the whole. But the 1958 Act changed the structure and freed the private sector to be a fully separate entity. It does no good to go on pretending that there is a "single

system" when that is simply not the case. Of course, acknowledging the 1958 structural change certainly opens up a huge can of worms, and it's no wonder that the legislators at the time preferred to pretend nothing had happened.

As things stand, however, the myth of the "single system" has worked extremely well for the private sector, which has been fostered and pampered over the years by a regulatory agency bent on proving that this "single system" exists, and works if only the private sector can become strong enough. Whatever the motivation, there are any number of historical examples - the Greenberg/Bronfman bailout of pay-TV's First Choice, and the creation of "superstations" being the most recent ones - which suggest that the illusory notion of a "single system" has been continually used to justify decisions which simply cater to private-sector expansion. In 1980, for instance, the CRTC allowed the merger of Canadian Cablesystems Ltd. of Toronto and Premier Communications Ltd. of Vancouver - creating a corporate cable-TV entity three times larger than any other cable firm in Canada. To those who opposed the creation of such a large conglomerate because of the dangers of concentrated media ownership, the CRTC (according to *The Globe & Mail*, July 13, 1980) "pointed out that the Broadcasting Act spoke of a 'single Canadian broadcasting system'." On the other hand, when the CBC wished to use that "single system" to distribute its proposed TV-2 network via cable, the CRTC nixed the proposal by protesting that the service would reach only a limited audience.

More recently, the CRTC has agreed to let private TV stations cooperate in producing "Canadian content" shows, with each getting on-air credit for them. Meanwhile, the CBC, which is clearly committed to producing quality Canadian programming, gets its budget axed. In a speech Feb. 7 this year to The Canadian Club, CBC president Pierre Juneau stated that, after the most recent \$85 million cut, the CBC will have suffered budget cuts of more than \$420 million in the past seven years, or "more than \$60 million a year."

To me, it's clear that the myth of the "single system" of broadcasting is the mechanism which has been used over the years to simultaneously pamper/expand the private sector and demote/hamstring the CBC. This doesn't explain why such decisions have been made, though the results suggest certain highly political conclusions. Nevertheless, it looks for all the world as though in practice things have come full circle: back to a (this time implicit) structure similar to that of 1932. Now, though, the labels for the circles in our mental imagery are decidedly different. As of 1985, with the government and regulatory agency rather obviously "on-side" with the private sector - and having been "on-side" for quite a few years - the private broadcasting sector seems to have become the "higher logical type." Today it's private broadcasting that's the bigger circle containing within it the smaller circle, a circumscribed, well-bounded, and effectively curtailed CBC.