

# **DEMOCRATIC DISCOURSE AND THE PUBLIC INTEREST: MEDIA OWNERSHIP POLICIES AND DIGITAL COMMUNICATIONS NETWORKS**

On the occasion of “Civic Participation Week,” declared in commemoration of the September 11 attacks on the nation, consumer, low income, civil rights, senior citizen, and other public interest advocates gathered together in a national town hall meeting and adopted the following principles to promote democratic discourse through policies that protect the public interest in media ownership and digital communications networks.

## **PREAMBLE**

Long standing Supreme Court policy declares that the First Amendment **“rests on the assumption that the widest possible dissemination of information from diverse and antagonistic sources is essential to the welfare of the public.”** Initially articulated with respect to newspapers, the Court and Congress unflinchingly apply this principle to all forms of electronic mass media and telecommunications services.

Given the dynamic principle of “widest possible dissemination,” there is no such thing as “enough” democratic discourse. As technology improves communication, we must consistently raise the bar. When it comes to civic discourse, our nation’s democratic principles require that public policy respond to the evolving social, economic and political context in which citizens communicate.

While it is certainly true that there is a great deal more information available to a more educated citizenry today than 25 or 50 years ago, it is also true that citizens need more information. The population has grown in size and diversity. Mobility, globalization of the economy and communication networks, and social fragmentation place greater demands on the communications network to enable citizens to be informed about increasingly complex issues, express their opinions more effectively in civic discourse, and remain connected to their communities.

The convergence of mass media and digital communication with improved video, images, real time interactivity, greatly enhanced capability to control and target messages, and a new ability track media use could result in a greater ability to manipulate and mislead the public, rather than a greater ability to educate and enlist citizens in a more intelligent debate. Individual members of society need new communications skills and better access to technology to express themselves, evaluate the information they receive from more powerful messengers, and participate in democratic debate.

Vigilance in protecting the First Amendment rights of all citizens and vigor in promoting vibrant civic discourse is an obligation that falls on all citizens and policymakers at every level of government.

## PRINCIPLES

### ENSURING COMMERCIAL MEDIA AND COMMUNICATIONS SERVE THE PUBLIC INTEREST

**Diversity of Media Ownership:** Public policy should strive to create an environment for civic discourse where numerous, independently owned, institutionally distinct media outlets are accessible to the public. Policies that limit cable and broadcast companies to no more than one-third of the nation and ban cross-ownership between broadcast and newspapers in the same market should be preserved. The ban on cable TV operators owning broadcast stations in the same market should be reinstated.

**Open and Available Communications:** Communications networks should be open to citizens and service providers on a nondiscriminatory basis in a manner that encourages expression, experimentation and use and provides universal service. Advanced telecommunications functionalities used to access the Internet should be defined as telecommunications services and subject the Communications Act obligations of just, reasonable and nondiscriminatory interconnection and carriage.

**Accountability:** Media and communications entities should be accountable and responsive to the people and local communities they serve and reflective of the diverse socio-economic and cultural points of view that make up our nation.

### PROMOTING NON-COMMERCIAL MEDIA AND COMMUNICATIONS

**Public Airwaves:** The airwaves (radio spectrum) are a public resource that holds the potential to dramatically expand democratic discourse by creating a communications environment in which the role of owners of distribution networks (TV broadcast, cable TV stations and telecommunications wires) is dramatically reduced. Public policy should expand the reliance on unlicensed spectrum and resist the temptation to sell off the nation's most valuable First Amendment asset.

**Citizen and Community Media:** Alternatives technologies, like low power TV and radio and the Internet, and alternative forms of ownership, like local government and cooperatives, hold the promise of easier access, more direct participation, and greater responsiveness to citizen information needs than the dominant commercial mass media. These should be supported with set-asides of distribution capacity (channels and spectrum) and resources from a digital trust fund.

### PROTECTING CITIZEN AND CONSUMER RIGHTS

**Fair Use:** Consumers rights choose the time and manner of the fair use of the information and programming that comes into their homes must be preserved.

**Privacy:** All media should respect the privacy of individuals by ensuring that individuals have the ultimate and absolute authority to determine whether information about them is collected and how it is used.

Signed,

Access Tucson (AZ)  
Arizona Citizen Action  
Arizona Community Action Association  
Arizona Consumer Council  
Cambridge Community Access Television (MA)  
Cambridge Consumers' Council (MA)  
CITA (AZ)  
Citizen Works (DC)  
Civil Rights Project (DC)  
Columbia Consumer Education Council (SC)  
Common Cause, Florida  
Community Assistance Council (MA)  
Consumer Action (CA)  
Consumer Action Center (MA)  
Consumer Aid Program  
Consumer Federation of America  
Consumer World (MA)  
Democratic Processes Center (AZ)  
Florida Consumer Action Network  
Florida Public Interest Research Group  
Harlem Consumer Education Council (NY)  
Latino Issues Forum (CA)  
Massachusetts Consumers' Coalition  
Massachusetts Public Interest Research Group  
Pima Council on Aging (AZ)  
Privacy Rights Clearinghouse (CA)  
SHISHA  
South Shore Community Action (MA)  
The Consumer Awareness Project (MA)  
Utility Consumer Action Network (CA)  
Virginia Consumers Council