

# ***Report of The Commission on Television Policy: Volume 3, Number 1***

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## **Table of Contents**

1. Introduction
2. Report of the Commission on Television Policy
3. Proposals for Increased Contacts
4. Working Group Preparatory Document: Television and Coverage of Elections
5. List of Commission Members

### ***Introduction***

The first meeting of the Commission on Television Policy culminated a project that began with basic research on the impact of television on the electoral process in many countries. From this research, a Working Group developed a document presenting a wide range of options and trade-offs in broadcast practice and rules worldwide. With this reference document, Commissioners from the United States and the independent states from the territory of the former Soviet Union began their discussions at The Carter Center on November 15 and 16, 1991.

I was pleased to co-chair these meetings, which I believe mark a milestone in relations among the countries represented. This inaugural meeting was especially significant, not only because it was the first of its kind, but also because it brought forth a series of important specific recommendations about how elections can be made more truly democratic. The importance of television in this process cannot be overstated and it is our hope that, wherever possible, the recommendations will be implemented.

In addition, there were several proposals for expanding ties among the Commissioners and their constituencies. We take these suggestions seriously and are taking measures to realize them. A list of these ideas - called "Proposals from Session IV" - is appended to the final report of the Commission.

Finally, for all the Commissioners, the opportunity to exchange information and make plans on an informal basis was a meaningful by-product of the meeting. We encourage such interchange and expect it to be a feature of subsequent meetings.

We look forward to the results of the next Working Group, dedicated to television and the coverage of ethnic and racial issues, and to the meeting of the Commission that will follow. We have all worked together to launch an important

new instrument that has the flexibility and policymaking ability to respond creatively to a rapidly changing world.

Despite differences between the countries' political cultures and their media systems, in both systems television is of central importance as an information source about politics in general and elections in particular. In the words of Commissioner Al Swift, "The underlying requirement for free elections is a free press."

The primary goal the Commission sees for television is to further democratic processes through education and information - in all nations. To achieve this goal, each country should consider the following recommendations to promote three fundamental principles:

### **Fundamental Principles**

#### **A. To Empower the Electorate**

In the successor states of the former Soviet Union, where parties are in their infancy, a particularly difficult burden is imposed on citizens to develop critical abilities and hold representatives accountable for their promises. In the former Soviet Union, as in the United States, citizens' information levels and political sophistication could be significantly enhanced, and in both nations, citizens' participation in voting and other aspects of political life needs to grow.

##### *Citizen Participation Recommendation #1:*

Develop mechanisms for involving ordinary citizens directly in television programming relating to elections. For example, representative panels of citizens could be convened regularly to voice their opinions and ask questions of political leaders in live broadcasts. New interactive technologies permit a more direct role for the citizen.

#### **B. Journalistic Autonomy**

It is vital in a democracy for television to gain the public's trust.

##### *Journalistic Autonomy Recommendation #1*

To deserve and earn credibility with the public, the media must be known to be free of interference from representatives of the government in shaping program content.

Government control of the media can backfire politically in elections, as has happened in a number of recent elections where the ruling party controlled all broadcasting. Where it controls the media, the government can be blamed for unpopular programming.

##### *Journalistic Autonomy Recommendation #2:*

Television must have no allegiance to a particular governmental body, party, or interest group.

##### *Journalistic Autonomy Recommendation #3:*

Credibility is enhanced by the presence of competitive, privately owned, not just state-owned, broadcasting.

##### *Journalistic Autonomy Recommendation #4:*

Governments should encourage alternative, appropriate technologies to deliver television information, such as low-power television or "wireless cable."

##### *Journalistic Autonomy Recommendation #5:*

Journalists should more actively engage in critical and informed analysis of candidates and issues.

### **C. Candidate Access to Television**

The commission discussed the importance of qualified candidates having access to television time. This was seen as a generally important principle, although its implementation brought differing responses. In particular, discussion revolved around three forms of candidate access to television: a) in regular or specially scheduled news programs; b) in blocks of airtime provided free to the candidate; and c) in periods of airtime paid for by the candidate (i.e. paid political advertising).

The access of candidates to newstime is fundamentally the decision of the journalists and producers who put news and related programs together.

Universally applied laws could require this access, but the points made above, concerning credibility and rejection of interference by government officials, must be reiterated here.

Discussion about candidate access to television time mainly focused, therefore, on the provision of free time and the permissibility of or limitations on paid time. The provision of free time on television was a strategy that sharply divided the American Commissioners, but not those from the former Soviet Union. There were strong voices among the Americans that no free time should be mandated by any regulatory or governmental body and that doing so would contravene freedom of political speech. However, there were also American Commissioners and nearly all the Commissioners from the former Soviet Union who strongly supported the provision of free time to candidates and found acceptable all of the following recommendations as a range of options to enhance the ability of candidates to gain free access to television. These are not necessarily mutually exclusive. They do NOT apply to PAID advertising, which is treated in the next section.

#### *Free Time Recommendation #1:*

Uncensored access - a series of free blocks of time given to all qualified candidates, without the presence of journalists. It is understood, as with political advertising, that "qualified" can mean having attained a defined measure of support, either in previous elections, or, for countries without such a tradition, a specified number of names on a candidate's petition.

#### *Free Time Recommendation #2:*

Regular programming in which candidates are questioned by journalists.

### **Paid Political Advertising**

The regulation of political advertising is a highly controversial subject. Here again three sets of interests should be taken into account: of audiences in obtaining information about candidates; of candidates in getting their messages out as widely and freely as possible; and of the media in maintaining their independence of political pressure while serving their informative role.

#### **A. Is Paid Political Advertising Desirable?**

The Commission considered the issue of political advertising from its many different perspectives, and it was here that the highest degree of disagreement was exhibited. Discussion was often heated, and the principal difference in

philosophy and practice was found among the American Commissioners present. A First Amendment case was made for unregulated access to paid political advertising in the United States. Thus, there were a significant number - from the broadcast and governmental spheres - among the Americans who rejected outright any ban on political advertising as curbing the private television networks' freedom and the candidate's right to political speech. Another point was made in this connection by some of the Commissioners: namely, that the substantial advantages enjoyed by incumbents might be offset by the ability of the challenger to buy television time. Particularly in newly democratizing states, the advantage held by the state television system can be substantial and challenges difficult to mount. The American Commissioners who most vigorously upheld the right of candidates to purchase time for political advertising on television likewise denied government's authority to compel television stations to provide free time for candidates.

On the other hand, there were those among the American Commissioners who spoke of the "corrosive" effect of paid political advertising on the political process and of the need to replace it with the fair distribution of free time for all qualified candidates. In this connection, the effects of paid advertising on rapidly growing costs of campaigning were emphasized. One of the American Commissioners pointed to the television systems of Europe, which, in the main, substitute equal amounts of free time for paid advertising. This was, he maintained, a more appropriate model for television systems in transition. Among the Commissioners from the former Soviet Union, the balance was different: here all but one would exclude the practice of paid political advertising. Almost all of the representatives of the successor states to the Soviet Union and some among the American Commissioners held strong opinions that there should be equal access to television for candidates, but that it should be free time. Perhaps a third of the American Commissioners held this view with considerable force. Some of the representatives from the former Soviet Union stressed that political parties were as yet weakly developed and that shady financial interests might unduly influence the amount and distribution of paid political advertising. Nonetheless, there was one head of a state-run television system in the former Soviet Union who upheld the right of candidates to purchase airtime for their campaigns and another head of a different state-run system there who would admit the coexistence of paid political advertising with the distribution of free time for candidates.

The question of the cost of political advertising brought up the issue of spending limits. Whereas some of the American Commissioners rejected interference on spending limits - how much television advertising money a candidate could spend - others argued that spending limits would reduce the capacity of "hired guns" to use a multiplicity of very short advertising spots to drive up polls and fuel this fast-moving upward spiral.

One of the Commissioners from Russia noted that spending limits are vital in his country, since there are few limits on entrepreneurial activity derived from competition and the judicial system is, at present, exceptionally weak.

Notwithstanding these differences, the following recommendation met with general approval.

*Paid Political Advertising Recommendation #1:*

If the television system is one that permits the distribution of free time to candidates or parties, they should be allowed to purchase time to use as they wish, over and above free time.

**B. Content of Advertisements**

The particular goal here is to reduce misleading advertising by heightening candidates' accountability for the content of their ads. Though there was concern around the table that deliberately misleading or negative ads were not helpful and could be harmful in political campaigns, there was, again, among many of the American Commissioners a strong antipathy to the interference of government in the broadcast process.

The point was further made that America's media mechanisms were ultimately self-correcting, and that television news organizations were increasingly aware of and intent on uncovering dubious practices of this sort. On the other hand, some of the American Commissioners did suggest that as the states of the former Soviet Union develop television coverage practices, they might consider linking, in advertisements, the responsibility of the candidate in whose name they aired. As another Commissioner pointed out, that would be far more complicated in ads run by support groups and other parties. To curb the negative effects of misleading political advertising more directly than a self-correcting mechanism based on the policies of the television stations themselves, one American Commissioner suggested that there be more public service announcements - commercials of a different type that alert the public to destructive practices and link the candidate to them. From one Russian Commissioner, there was concern with negative attacks on candidates that could be characterized as deliberate character assassination. Holding the candidate responsible for such communications was suggested. However, though all of the Commissioners agreed that much dubious material about candidates does come forth in a campaign, banning political advertising for this reason was not the answer. It was generally acknowledged, too, that other laws of the country ought to be able to deal with the personal attacks that actually go beyond legal norms. With these disclaimers and differences, there was a majority, but by no means unanimity, on the following:

*Paid Political Advertising Recommendation #2:*

Require that candidates appear themselves in any political ad they sponsor for a substantial portion of the time of the ad; or

2a: Require all candidate ads to carry a prominent statement declaring that the candidate is responsible for that ad.

*Political Advertising Recommendation #3:*

Correction of advertisements: Encourage voluntary action by news organizations to investigate ads and publicly disclose or condemn those that are false and misleading.

**C. Length of Advertisements**

The goal is to reduce the amount of oversimplification and misleading information purveyed in ads. On a recommendation to require a minimum of two minutes for a political ad, in order to avoid the simplistic and misleading emotional spots that

can be compressed into a few seconds, the American Commission divided again on the issue of governmental interference with political speech.

*Political Advertising Recommendation # 4:*

Longer advertising spots (of at least two minutes or more) should be made available, but no prohibition should be set for political advertising spots under two minutes in length.

#### **D. Access for Advertisements**

The problem is to balance the goal that candidates and parties not face discrimination in obtaining access to television airtime with the problem of the system's being overwhelmed when there are large numbers of candidates. One solution is to limit access to paid time to market criteria: those who can pay will receive the time.

However, if a solution (as in Paid Political Advertising Recommendation #1) involves the provision of free time, the question becomes more complex. In those systems, especially newly democratizing ones, there are often large numbers of small parties or individuals representing factions. Multiparty systems exist in older, established systems, as well. However, in the latter case there are available measures of support on which to base access to free time for candidates: for example, percentage of the last vote or percentage of legislators the party has elected. In the newly forming democratic systems, these baseline measures may be unavailable or unreliable. Therefore, some other measure of support of access may be required: such as a certain number of signatories on nomination petitions. It should be underlined that these thresholds are important in determining access to free time (if it is provided) or debates, but should not play any role in journalists' news coverage of elections.

*Political Advertising Recommendation #5:*

There should be some requirement that candidates or parties demonstrate a minimum level of support, perhaps with a certain number of signatures on nomination petitions before receiving free time.

*Political Advertising Recommendation #6:*

Any party or candidate should be allowed to purchase time at an equal rate for all candidates.

#### **Political Debates**

The format of a campaign is a crucial element, worthy of intense attention.

Debates should provide an opportunity for voters to obtain the details of candidates' positions on meaningful issues.

Among the desirable formats is face-to-face confrontation of the candidates on issues of import to the electorate ("debates"). Particularly in an environment in which there are numerous short campaign spots on behalf of candidates, the debate represents an opportunity to probe larger issues and positions. The three interests involved - those of the audience, the candidates, and the television press - will often conflict.

##### **A. Requirement to Debate**

*Debate Recommendation #1:*

All qualified candidates should participate in bona fide debates. However, a very large number of participants in a debate might well vitiate its use as an

instrument for informing the electorate. As above (see Provision of Free Time and Political Advertising), some measure of support may have to be used to reduce an overly large field of candidates to sensible proportions. Where an established record of previous free elections is absent, a threshold number of names on a candidate's petition may have to suffice.

### **B. Format of Debate**

*Debate Recommendation #2:*

The official debates should reflect audience, media, and candidate interests. The audience interest must be predominant in the structuring of the debate.

*Debate Recommendation #3:*

Candidate debates should have prearranged topics which have meaningful choices and which are relevant to the electorate.

*Debate Recommendation #4:*

Candidates should provide their positions on given issues in advance of the debate. The debate would then sharpen the candidates' differences on the issues.

*Debate Recommendation #5:*

If the format includes questioning from intermediaries, such as journalists, moderators should require candidates to answer the questions posed.

### **C. Who Carries Debates?**

*Debate Recommendation #6:*

Television channels should carry debates comparable to the jurisdiction of the office. National networks should carry debates for national office. Regional stations should carry debates for regional or statewide office. Local stations and local cable outlets should carry debates for municipal office.

### **Proposals for Increased Contacts**

After discussion of television and coverage of elections and electoral campaigns, the Commission on Television Policy considered issues relating to increased contacts and cooperation between the United States and the independent states of the former Soviet Union. All of the Commissioners expressed support for an increase in all forms of interaction at all levels.

One of the first initiatives is an agreement in which the National Association of Broadcasters (NAB) and the Commission on Television Policy begin a new program. The Memorandum of Understanding, signed at the Commission meeting by President Carter and Commissioner Oleg Poptsov, president of Russian Television [and subsequently by NAB head, Edward Fritts, in Japan at the time, and Eduard Sagalaev, co-chair in Moscow], pledges the Commission, the NAB, the Association of Sister Cities, the United States Information Agency (USIA), and the Public Broadcasting Service (PBS) to strengthen the cultural, educational, economic, and professional ties between participating television stations in the United States and the states of the former Soviet Union. For the most part, this will involve pairing of individual stations; it begins with the first such pairing early in 1992.

A summary of the proposals from Session IV follows:

1. Discussion of rules and regulations governing broadcasting is currently under way in the Russian Federation and elsewhere in the new republics. The request was made for a draft model law for consideration by parliamentarians charged with forging a new regulatory system there. In addition, a draft law for an interstate union (now at the Commonwealth level) could provide input relating to coordination and spectrum management.
2. The Commission was urged to set up a permanent office in Moscow for purposes of coordinating efforts and speeding implementation of initiatives. Such a site - staffed jointly by American and Commonwealth members - could act as a central node for all of the members of the Commonwealth of Independent States.
3. Both Russian Federation and Kazakhstan television proposed that appropriate American specialists spend time in their countries to advise on restructuring and development of news and other broadcast operations.
4. The American Commissioners proposed that a subcommission of the five networks represented on the Commission be created in order to coordinate and develop increased ties and further consultation in the states of the former Soviet Union.
5. The Federal Communications Commission offered its good offices for assistance in spectrum management and new television technologies.
6. All the Commissioners strongly emphasized the desirability of expanding co-productions as a way of developing common practices and training.
7. In addition, the issue of expansion of opportunities for television professionals or aspiring television professionals to gain experience and training in the United States was strongly supported. In the view of the Commissioners, this could best be accomplished by increasing the number of fellow-ships at universities and at television stations. In addition, there should be increased opportunities for management training in the field.

A summary of several of these points was offered by CNN President Tom Johnson:

"There should be an increase in the exchange of journalists and managers of media institutions on a reciprocal basis. There should be joint reporting projects where journalists from Soviet organizations would join with US journalists to present reports jointly on networks in the US and USSR.

"There should be an increase in the number of fellowships and special educational opportunities for both Soviet and US journalists and media managers. US foundations should be encouraged to expand their financial support for educational programs for international journalists.

"A U.S. subcommittee of this commission should be formed to advise and to assist our Soviet colleagues and their institutions. This would be comprised of representatives of ABC, CBS, NBC, PBS, and CNN.

"U.S. programmers (news, entertainment, public affairs) should be encouraged to offer (at reasonable rates) their programming for use by Soviet and independent

republics' television systems in return for programming from Soviet television programmers."

## **Television Coverage of Elections and Legislative Activities**

### **Report of the Working Group**

**November 13-15, 1990**

***The Carter Center of Emory University in association with The Aspen Institute***

The Working Group discussed important differences between conditions in the United States and the Soviet Union that must be taken into account for television policy to attain its objectives. The following key distinctions are those that relate specifically to television coverage.

**Number of Parties:** The US is almost everywhere a two-party system, while the USSR is currently undergoing rapid change from single-party dominance.

**Number of Candidates:** In elections held thus far, the USSR has often seen a large number of candidates. In the US, reflecting the two-party system, most elections tend to have only two candidates.

**Relations of Parties to Media:** In the US, there are no official linkages between political parties and television media (although unofficially, the private owners of many outlets do favor a party). In the USSR, television is moving toward greater autonomy from dependence on Communist Party authorities.

**Ownership of Media:** In the US most television outlets are privately owned, with a non-commercial public (government) broadcasting service owned but given autonomy from government. In the USSR, television outlets have been owned by the government.

**Relative Autonomy of Broadcast Journalism:** Reflecting linkages to parties and government, journalism in the USSR has not been granted, in the past, guarantees of independence. In the US, the Constitution minimizes government regulation of journalism broadcasts. Certain overriding goals should guide a democratic model for media coverage of elections, referenda, and legislative activities. These include: an informed electorate, free and fair elections, and an autonomous press.

The different traditions and cultures in the two countries will affect the feasible and desirable policy steps the respective governments will take. But they also reveal that current conditions in the Soviet Union may well favor the kind of reform and experimentation in television policy that is rendered difficult or impossible in the United States because of entrenched habit and political interests.

### **I. Election Coverage in News and Public Affairs Programming**

(Refers exclusively to unpaid time; paid time is covered under III.) (NOTE: The following recommendations apply to national offices and important republic-wide or state-wide offices.)

#### **Options for Journalists:**

Guiding Principle - Maximize Journalists' Autonomy.

*Option 1: Journalists are wholly independent from government.*

**Pro:** Allows free commentary/analysis of government and candidates.

**Con:** Leads to horse-race-type coverage and manipulation by candidates.

*Option 1a: When the broadcasting organization is owned by the state: there should be guarantees of journalists' autonomy in order to protect them to the extent feasible from interference by government.*

**Pro:** When channel owned by state, and where there are guarantees of journalists' autonomy, this tends to protect journalists' independence and citizens' rights to accurate and full information.

**Con:** Any state ownership, even with guarantees, creates pressure on journalists to favor the state and its dominant party.

### **Options for Candidates**

Guiding Principle - Parties and candidates have various forms of unpaid access to television time.

#### **"Soapbox" time: Who Gets the Time?**

*Option 1: Every candidate gets equal time.*

**Pro:** Every candidate allowed a fair chance to convince voters.

**Con:** Minor candidates waste precious audience time (audience's interest is not infinite).

*Option 2: Proportional to some support measure (e.g. petition or previous performance or public opinion polling by some neutral organization).*

**Pro:** Selects most important candidates for limited audience attention, enhances serious debate.

**Con:** Especially in a system newly forming, may shut out important candidates and views.

*Option 3: Allowing free time only under certain conditions, such as - agree to appear in debates; will accept expenditure limits or public financing of campaign.*

**Pro:** Induces candidates to adhere to other standards of conduct promoting fair elections and informed audience.

**Con:** Interferes with right of candidate to conduct campaign he/she wishes.

#### **How Time is Used** (Note 1 and 2 are not mutually exclusive).

*Option 1: With participation wholly or partially of journalists.*

**Pro:** Reduces candidates' ability to manipulate or mislead, increases focus on issues and accountability of candidates, format keeps audience attention.

**Con:** Neutrality and professionalism of journalists may not be assured, gets in the way of candidates' ability to transmit their unmediated messages.

*Option 2: Wholly uncensored, candidate free to use as wishes.*

**Pro:** Allows candidate to set own agenda and control his/her own message as he/she sees fit.

**Con:** Allows for manipulation, dishonesty, failure to address issues.

#### **How Much Time?** (Options are not mutually exclusive).

*Option 1: Five-minute time-blocks for presidential and major republic and state candidates, on every night, on every network simultaneously, alternating among candidates for two months before election.*

**Pro:** Frequent exposure of audience to information about elections.

**Con:** Oversaturation, confusion, interferes with station independence.

*Option 2: Time-blocks as above, but expanded or arranged differently in form of round tables in order to allow candidate interchange in elections with many candidates.*

**Pro:** Allows for comprehensible information packaging about candidates.

**Con:** Still may be unwieldy.

*Option 3: Several hours allocated to parties or equivalents and several hours for presidential candidates (or within republics and states, several hours for candidates for major offices). Some of this time to be allocated for half-hour or hour-long programs; other time could be used for a series of one- or two-minute messages.*

**Pro:** Additional flexibility for parties to convey their messages, strengthens parties. Allows programming in varied formats to prevent audience boredom.

**Con:** Could reduce individual candidates' control over campaign and their direct relationship with public.

### **Audience's/Public's Interests**

*Option 1: During election years, expand substantive programming about issues and candidates on a non-commercial channel.*

**Pro:** Informed electorate, increased turnout.

**Con:** Could have small audience. Could serve as excuse to diminish coverage by other television outlets.

*Option 1a: Emphasize commentary and analysis by journalists and guest experts.*

*Option 1b: Emphasize comprehensive reports of party positions, without commentary.*

*Option 2: Encourage audiences to participate and heighten citizen interest through call-in programs to question candidates; remote pick-ups from citizen meetings; studio participation in candidate round tables and debates.*

**Pro:** Engaging audiences leads to higher interest and motivation to become informed and participate in elections.

**Con:** Trivial questions, wasting time of viewers and candidates.

## **II. Debates**

Guiding Principle - Debates have a special value in informing audiences and in providing opportunities for candidates to address public directly.

### **A. Requirements?**

*Option 1: Mandatory if in receipt of public campaign financing or any free time.*

*Option 2: If a candidate fails to appear in a bona fide broadcast debate, he or she is not entitled to equal reply time.*

### **B. Who Gets On?**

*Option 1: Equal access by all, if necessary in round table format.*

*Option 2: Screening on basis of last election, petitions, polling results, or decision by political parties or parliamentary commission.*

### **C. Format?**

*Option 1: Multiple broadcast debates (three optimal).*

**Pro:** Allows candidates to recover from single bad mistake. Allows candidates to explore wider range of issues.

**Con:** Viewers may tire of too many debates. Commercial broadcast stations reluctant to carry debates if not a major "event."

*Option 2: Format variety: single moderator, multiple journalistic questioners, call-in by viewers can all be used under circumstances decided by individual stations and cities.*

*Option 3: Half hour back-to-back time given to candidates at beginning of campaign and on election eve. They can do what they want but it is a form of debate.*

#### **D. Who Carries Debates?**

*Option 1: Presidential and other major debates at lower levels should be carried by major channels.*

#### **Debates: General Advantage:**

Debates have been shown to heighten citizen interest and levels of information.

#### **Debates: General Disadvantages:**

Options tend to circumscribe candidates' freedom to run campaigns as they wish. Where large number of candidates are running, some options noted above could reduce time available to the major candidates.

### **III. Political Advertising**

Guiding Principle - Provide candidate direct access to broad electorate. Working Group was divided on value of political advertising, whether the high costs and sloganeering outweighed the advantages of gaining access to a wide segment of the population, and whether and how it should be regulated. What follows is a partial list of options that might be considered: (Options 1 and 2 should be considered together).

*Option 1: Total ban on political advertising.*

**Pro:** Eliminates negative impacts listed above.

**Con:** Interferes with candidates' rights of free speech and may be unconstitutional in US. Could make it more difficult for challengers to win election over incumbents.

*Option 2: No regulation of political advertising at all.*

**Pro:** Allows full freedom for candidates to construct their own appeals to the voters. Provides information about candidates that audiences may otherwise never obtain because news coverage is not comprehensive. Keeps government out of regulation of speech.

Relies on intelligence of voters not to be duped. Allows unknown candidates to become known.

**Con:** Leads to personalization of politics, reduces role of political party. Negative advertising causes increase in citizen alienation, distrust of politics. Allows unscrupulous but clever media manipulators to win office. Provides candidates with the most money a large advantage in the election contest. Leads to dependence on big contributors, including advertising businesses, and elevates importance of money in political life. Reduces ability of politicians to risk making unpopular decisions.

*Option 3: Format limitations on political advertising.*

*Option 3a: Require candidates personally to appear in a high percentage of ad (or all of the ad).*

*Option 3b: Require ads to be at least one or two minutes long.*

*Option 3c: For every ad run by one candidate, allow another candidate the right to run a reply ad immediately after (provides type of debate).*

*Option 4: Monitor political ads via vigilant journalism that exposes misleading advertising.*

**Pro:** May provide disincentive to misleading advertising.

**Con:** May not have much impact on audiences. May unintentionally amplify the misleading message.

*Option 5: Financial limitations on political advertising (one or more of following options):*

*Option 5a: Require free time for political ads as needed to equalize amount of time among all candidates for the office.*

*Option 5b: Limit amount of money that can be spent by candidates.*

*Option 5c: Make all political ads free, but limit their number.*

*Option 5d: Set spending limit for campaign; money to be spent in any way candidate wishes. If candidate A has not agreed to the limit, but B has, then if A goes over the limit, B gets matching funds from the state which can be spent in any way B wishes.*

**General advantage:** One or more of these would tend to reduce some of the negative effects of ads without completely eliminating their benefits. For example, they might make challenging incumbents easier than would an outright ban on ads.

**General disadvantage:** Limits on formats are close to censorship and could set dangerous precedent of government interference with campaigns and with broadcasters' freedom of expression.

#### **IV. Coverage of Legislative Activities**

*Option 1: Full gavel-to-gavel broadcast of national legislature and some republic or state legislatures via television.*

**Pro:** Involves public in the legislative process. Lets legislature know people are watching them. Reaches highly educated and informed audience.

**Con:** Limited audience. Much of material is arcane and confusing. May not be feasible for technical, economic reasons.

*Option 2: Radio broadcast of national legislature and some republic or state legislatures.*

**Pro:** Same as above.

**Con:** Same as above, except may be more feasible.

*Option 3: Special television program for coverage of legislative and public policy actions in the national or republic/state capital on a daily basis, including excerpts of floor debate and committee hearings, and analysis and commentary.*

**Pro:** Coverage would explain major policy issues being considered in legislature. Would help hold legislature more accountable.

**Con:** Limited audience (though probably less limited than gavel-to-gavel coverage). Requires selectivity by journalists who put together program.

*Option 4: More coverage within regular evening TV news program.*

**Pro:** Large audience.

**Con:** Only limited information can be crammed into a story lasting two or three minutes.

## V. Regulation

Guiding Principles - For some in Working Group, maximizing autonomy of broadcasting entities from government interference or pressure is the best way to serve the public interest. Others endorsed the establishment of a regulatory framework in which autonomy is respected but certain minimally intrusive requirements for public service are imposed.

1. Appointment and composition of regulatory body for government-owned broadcasting entity.

*Option 1: Single person "monocommission" appointed by parliament.*

**Pro:** May avoid subservience of broadcasting commission to political parties and help insulate from government interference.

**Con:** May vest too much power in single individual.

*Option 2: Appoint commission to nominate list of persons whom president chooses to run the government broadcasting commission. Commission is self-perpetuating (nominates its own future members for president to choose).*

**Pro:** May help to insulate broadcasting service from interference by government. Commission can set broad policy, which can then be implemented independently by the broadcasting service itself.

**Con:** Commission membership still determined by president. Commission will still reflect partisan identities of members.

2. Financing of government broadcasting service.

*Option 1: Dedicated financing that cannot be modified except at long intervals by parliament/legislature. May be in form of a TV licensing fee paid by TV set owners, or appropriation of government funds.*

**Pro:** Helps insulate system from political pressure.

**Con:** Budget can always be changed if political forces decide to alter policy.

3. Regulatory regime for privately owned television outlets.

*Option 1: For commercial broadcasting system, provide regulatory entity to create and enforce rules to promote public interest.*

**Pro:** Needed to counter profit-maximizing direction of commercial television entities.

**Con:** Potential for governmental interference in programming.

*Option 2: Unregulated system.*

**Pro:** Free market forces and consumer sovereignty govern programming decisions; leaves government out.

**Con:** Purely profit-maximizing television can lead to low-quality programming and journalism, autonomy of which is threatened in a different way because of commercial pressures.

*Option 3: Unregulated system in all respects except a requirement to provide free time for candidates and parties to address the public directly during election periods.*

**Pro:** Enhances guiding principles of informing public and providing access to candidates without undue interference with broadcasters' independence.

**Con:** Limits public service requirement to a few hours a year and to electoral periods only.

4. Determining mixture of public and private ownership of the means of broadcast production.

*Option 1: Auction off frequency rights to non-governmental entities and put them completely beyond government control.*

**Pro:** Provides audiences some media outlets able to enjoy maximal autonomy from government pressure.

**Con:** Profit-maximizing privately owned broadcasting outlets may not achieve public interest goals without some government regulation.

*Option 2: A mixed system of government-licensed privately owned broadcasting stations and cable television services, along with a government-owned public broadcasting service, as in the US.*

**Pro:** May achieve optimal mix of quality programming that can be less concerned with need to maximize size of audience, and programming that serves mass audience interests.

**Con:** Possible tendency for public broadcasting service to be underfunded when it is perceived as in competition for viewers with private broadcasting.

*Option 3: Wholly state-owned system.*

**Pro:** If designed with protections for programming and journalistic autonomy, can provide high-quality programming service for broad public interest goals.

**Con:** Autonomy unlikely to be fully protected.

## **Commission Members**

### **Co-Chairs:**

**Jimmy Carter**, chairman of The Carter Center

**Eduard Sagalaev**, vice chairman, Russian State Television and Radio Broadcasting Company - Ostankino; chairman, Union of Journalists

### **Other U.S. Members:**

**Roone Arledge**, president, ABC News

**Bruce Christensen**, president, Public Broadcasting Service

**John Danforth**, member, United States Senate

**Michael Gartner**, president, NBC News

**Tom Johnson**, president, Cable News Network

**Ellen Mickiewicz**, director, International Media and Communications Program, The Carter Center of Emory University; Alben W. Barkley professor of political science, Emory University

**Eric Ober**, president, CBS News

**Monroe Price**, professor and former dean, Cardozo Law School

**Alfred Sikes**, chairman, Federal Communications Commission

**Al Swift**, member, United States House of Representatives

**Daniel Yankelovich**, chairman, DYG, Inc.; president, The Public Agenda Foundation

### **Other Members from the Independent Republics:**

**Boris Grushin**, director of Vox Populi, first independent survey organization, USSR

**Vitaly Ignatenko**, general director, Information and Telegraph Agency of Russia-Telegraph Agency of the Soviet Union (ITAR-TASS)

**Mikhail Poltoranin**, minister of the press and mass media for the Russian Federation

**Nugzar Popkhadze**, general director of the first independent television station, Channel 6

**Oleg Poptsov**, chairman, Russian Federation Television Company

**Gadilbek Shalakhmetov**, chairman, Kazakhstan Television; vice chairman, Union of Journalists of Kazakhstan

**Sergei Stankevich**, advisor to Russian Federation President Boris Yeltsin

**Mikhail Taratuta**, San Francisco bureau chief, Russian State Television and

Radio Broadcasting Company - Ostankino

**Anatoly Yezhelev**, chairman, Union of Journalists of St. Petersburg; former deputy to Supreme Soviet of the USSR, where he was a member of the Committee on Glasnost

**Tatyana Zaslavskaya**, director, National Center for Public Opinion Research; deputy to Congress of People's Deputies

**Yassen Zassoursky**, dean, faculty of journalism, Moscow State University

**Leonid Zolotarevsky**, head of foreign department and correspondent, Russian State Television and Radio Broadcasting Company - Ostankino