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CONTROL OF LOCAL RADIO IN THE REPUBLIC OF IRELAND.

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To Mum and Dad ...

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CHAPTER I

"CONTROL OF LOCAL RADIO."

The legislator in constructing a system of control is faced with the problems of selection - which system should be enforced? The choice is often narrowed down to the most prevalent systems of control which exist in the given society; so in a democratic society the controls are in keeping with a democratic system. Quite often an "independent" body is established by the elected government and through legislation is given the authority to exercise specific controls. However the choice remains with the legislator, should the prevalent systems of control, (which apparently have been acceptable to the majority in society), be adhered to, or instead should an attempt be made to impose an alternate system which may allow freedom for a more radical growth?

1.1 INTRODUCTORY ARGUMENT: In terms of designing controls for media systems this choice is usually stated; "Do you give the people what they want or what you think they ought to have?" In the early days of BBC public service broadcasting Lord Reith was often accused of imposing a service of standards and output which divorced the working class population from the high culture that Reith hoped to encourage. Similarly one of the major public arguments favouring an independent television service was that its output would cater exclusively for the tastes of the mass audience and would not impose standards of high culture and intellectual discourse. Thus the argument, "give the people what they want" implies a popular mass audience output and the legislation which best allows this is the "independent" media system which has been established in Britain.

In Ireland television and radio services are both provided

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by a monopoly organisation RTE which in structure appears to be a bridge between the British BBC public service and the private commercial independent stations. RTE is obliged by law to provide a public service of "high standard" whilst maintaining "commercial viability". RTE then is obliged to adhere to content controls whilst also depending on audience ratings to sell advertising time. In attempting to bridge the gap between the demands of public service broadcasting and those of a commercial concern RTE falls into the trap of trying to give the people both what is wanted from popular culture and what the legislators feel is needed from minority cultures. Despite the dominance of a majority popular culture the difference between a public service system which attempts to preserve minority cultures and an independent commercial system which satisfies those majority wants alone is a gap which cannot be bridged. The dominant culture will eventually force a tendency towards popular output. Thus the BBC in Britain and RTE in Ireland have both shown a drift towards popular entertainment programming and away from minority interests. In a society with a dominant culture such a trend is inevitable unless some form of control prevents it by enforcing content restrictions.

The legislator's question still remains; "Do you give the people what they want, (popular programming) or what you think they ought to have, (minority programming)?" In answering this question which is crucial to the priorities in the design of a system for control there exists two presuppositions: first, what is your criticism of the dominant culture and secondly, do you have a right to enforce your system over that of the majority?

1.2 PRESENT CONDITIONS: The present conditions for local radio relate to the dominant pluralistic society in Ireland. The present

"pirate" radio stations reflect conditions similar to those in Britain under the Independent Local Radio (ILR) system. The Irish "pirates" and the British ILR stations compete in an open market in which advertising sales account for financial success or loss. Under the present "pirate" system and also under the ILR system each individual stands an equal chance of establishing a successful station. Thus the ownership is plurally dispersed in so far as each individual has an equal opportunity to set up a station and thus competition is open to all. Under the ILR system application for a local radio licence is open to all. The force that determines success or failure is audience opinion. If a sufficient amount of listeners enjoy the station output and thereby listen regularly then the station can sell that audience to advertisers and so provide the necessary financial income to run the station as a commercial enterprise. Supporters of commercial local radio argue that the stations could not exist without audience support and since they obviously have audience support they are justified in their output. This is the commercial argument behind the ILR system and behind the prospective ILR system for Ireland.

Opposing arguments criticise the commercial output as "wall-to-wall pop music which minimises content and maximises audiences", usually at the expense of minority interests. This criticism is based on public service ideals of satisfying all minority interests and raising entertainment and intellectual standards to the levels of high culture. The criticisms offered in this thesis are not based on those public service ideals which are equally found wanting, but instead are based on a criticism of the present conditions which have shaped society and which perpetuate a social system through the use of control.

1.3 A HISTORY OF CONTROL: The history of radio illustrates the growth of control. There are two general forms of control which are universally applied; control of ownership and control of content.

The need for ownership restrictions arises from the experiences of early radio in America. Prior to the introduction of legislation in 1926 it was open to any with the necessary knowledge and equipment to broadcast. The interests of radio set manufacturers and record companies provided financial backing for some of the larger commercial stations but there were also many enthusiasts who broadcast occasionally at irregular times and during weekends. These stations were largely uncommercial and may not have had large audiences but added to the eventual chaos that resulted from this totally unrestricted access to radio broadcast. Programming is broadcast from a station on a radio frequency airwave. Radio frequencies are limited in numbers and strength. Thus two or more stations in the one locality broadcasting on the same frequency will cause signal interference preventing the listeners from receiving any clear signal. Indeed so much interference resulted from stations competing for airwave frequencies that listenership figures dropped. The need for legislation became urgent when station broadcasts began causing interference with emergency and defence services. The first Communications Act was introduced in 1926 establishing the Federal Communications Committee, (FCC), which was given the responsibility for administering the allocation of radio frequencies for all manner of communications including radio broadcasts. Completely unregulated open competition proved only to produce the chaos from irresponsible use of the limited airwaves available for radio usage. It was decided that the frequencies for radio broadcast should be limited and that those to whom the frequencies be made available should be similarly limited. If only a certain amount of stations are allowed it

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follows that a choice must be made as to whom the station franchise be allocated. Thus ownership is controlled since the frequencies are necessarily limited.

Secondly, control of content resulted largely from the use of the radio medium for propaganda purposes. Following the second world war the use of broadcast to influence opinion was seriously considered. The use of radio advertising led to an increase of interest in the power of radio media and its effects on the public. Effects research and research on propaganda suggested that content of radio broadcast should be monitored and controlled against undesirable material. Resulting from this opinion were legislative clauses prohibiting material likely to promote violence or injurious to the state, and indecent or blasphemous material. The print laws concerning libel were applied to broadcast and libelous material was opened to legal prosecution. Coupled with these negative prohibitions was the realisation that radio could be used to encourage and recommend. Positive propaganda could be used to the benefit of underprivileged and minority groups; to encourage law and order; social morals; campaigns for safety, hygiene or charity. In Ireland positive propaganda was adopted in regard to the use of the Irish language and traditional culture and music.

1.4 CRITERIA FOR CONTROL: The notion that radio and other media are powerful and the implication that those who own stations and who broadcast are in a position of potential power over the public and should therefore be controlled, tends to overshadow the point that those who implement those controls are themselves in a position of power for which they are accountable to the same public. Given that ownership and content have historically been subjected to control, (and not without justifiable reasons), the question follows:

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"Under what criteria are ownership and content controlled?" The legislator seeks constantly for the best possible system for control, one which will satisfy as many opposing opinions as possible whilst remaining true to the legislator's own political beliefs and those of the political party to which s/he belongs. Yet in Ireland there exists no overall media policy nor indeed any detailed specific party policy for local radio. A number of proposed pieces of legislation exist for examination, but no underlying political policy. The various pieces of proposed legislation seem only to be alternative ways of satisfying the interested contenders with a difference in emphasis. They do not reflect opposing political aims and objectives. There exists no fundamental differences between the two major Irish political party proposals for control of local radio. The present proposed legislation and the various previous proposals are merely ad hoc proposals based on the British Independent Local Radio system with a few amendments to satisfy the Irish audience. This ad hoc legislation seems to be designed for the sake of expediency and not for any political party reasons. The situation is similar to that which existed in the debate to establish the semi-state broadcast company Radio Telefis Eireann. In the establishment of both RTE and local radio, advisory committees were set up. In the case of local radio also the legislative result will have little regard to the issues discussed by those committees but will instead reflect the governmental desire for financial solvency and political expediency.

The criteria for restricting ownership and content in Ireland do not appear to be political, and certainly not ideological. The criteria that shape the controls are based on dominant value judgments representing an outlook on life, a "way of thinking" that

permeates all the major political parties. These criteria have become
the accepted norms and through a period of socialisation these
norms are reflected unquestioningly in the legislative procedure.
That the norms and criteria behind the status quo of broadcasting
happen to favour the interests of a power elite is conveniently
overlooked by most politicians and is certainly not questioned by
the commercial interests favoured. It is not suggested that the
criteria for legislation and in particular for controlling content
and ownership of local radio are deliberately favouring any elite.
The process of socialisation works instead by unconsciously
enforcing a "way of thinking" so that certain norms exist and are
legitimised. Thus a local radio system that will be financially
self-supportive, will satisfy the majority public taste and will
be generally open to free competition, is politically acceptable;
and is seen by the public to be in keeping with democratic norms.
A government appointed authority will be established to ensure
"the public good" and the content of "wall-to-wall" pop music will
be only occasionally criticised with the annual support of minority
groups complaining of lack of airtime. That ownership has been
in any way restricted is largely unknown to the public and stories
of multi-national financial investments are easily ignored by the
mostly uninterested public. The democratic norm is seen to be
observed and through the democratic process the public needs are
satisfied; what the people want the people will get.

1.5 CRITICISM OF SOCIETY: The criticism of this view is based
on criticisms of the society which encourages such a view, and which
uses the term "democracy" to control and perpetuate the status quo
which gives power to a political and commercial elite, either through
direct and deliberate means, or through indirect and subconscious

means. The "democracy" of such a society is a myth since it stifles any true alternatives which might challenge that status quo and bring about a change in the power structure. The process of "democracy" which exists is controlled by power groups exerting pressure to influence legislation in their favour in the cause of giving the people what they want and satisfying public demand.

Even a brief study of "pirate" local radio in Ireland challenges this view. "Pirate" radio originated solely as a commercial venture trading airtime to advertisers for private profit and depending on the services of enthusiasts to provide and maintain broadcast output. Started for commercial gain, but learning quickly from the British experience the "pirates" justified their existence by arguing that they had public support from listeners and advertisers, and that they were entitled to use of the airwaves as a public resource which had hitherto been dominated by a government sponsored monopoly, RTE. Thus the argument that commercial radio satisfies public needs, is open to free competition, and exercises a democratic right to freedom of expression. Valid sounding arguments. However the only stations that are truly established to satisfy public needs and demands are those set up by a community group and not a commercially minded individual who creates the audience and then argues that the demand exists. If the public truly feels the need for a local radio station could it not organise a co-operative and establish its own station with a listenership group to ensure programming does indeed satisfy listeners' tastes and interests? Such community stations originated by the community itself and run in accordance with demands are the only stations which can claim to satisfy public wishes. These stations which are not run for any profit motives, being strictly non-profit-making in design, do not depend on majority tastes and advertising ratings to provide financial returns. They are free from

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competition and thus truly "independent" in nature. Being unencumbered
with profit motives and the strait-jacket of "popular" programming,
community stations allow for freedom of speech in a way no commercial
station with advertisers to please can afford. The growing trend among
community stations of encouraging the "right of reply" protects the
station and if used honestly avoids the seeming hypocrisy of the
journalistic professional terms, impartiality, objectivity and balance.
The independence of community radio from the societal powers and the
status quo acknowledges a potential for freedom of expression in a
manner that commercial radio can never hope to equal. Community radio
offers a democracy that is free from elitist control and it is for
this reason that it is feared by both politicians and business
interests.

1.5.1   If public demand exists for commercial local radio then
it could only have grown from the experience of commercial "pirate"
stations. Previous to the growth of "pirate" stations which were
primarily set up for private gain, the public was largely ignorant
of local radio. News of "pirate" radio in Britain, the introduction
of the Independent Local Radio, and the BBC local radio, and
experience of broadcasts from foreign commercial stations along the
East coast comprised the total knowledge of the Irish public on local
radio: the only model of local radio known to the majority of the
Irish public was that of commercial local radio. Local radio
therefore has come to mean for many commercial "independent" radio
which is limited in its service area. With this connotation of
local radio fixed in the minds of the public majority, it is hard
to expect public demand for any new innovative local radio system.
What the public are ignorant of they cannot want. The argument
"give the people what they want" is empty when the public has no

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choice as to what it wants and knows only one form of local radio
- all other models being unimaginable. Those who may dislike the
form of commercial local radio cannot imagine an alternative:
most are limited to criticising the present conditions without
being able to offer practical suggestions for an alternative
system. Knowledge of alternative local radio systems and experiences
of countries other than Britain should be circulated at the time of
media discussions of local radio. In the minds of the Irish public
local radio is a choice between public service output by RTE on a
local scale, and output from a commercial station similar to that
broadcast by the biggest "pirates", Nova and Sunshine in Dublin,
ERI in Cork and Carousel in the North-East. For the majority
the choice between these two forms favours the less demanding and
challenging output of the commercial stations. Music is pleasant to
listen to and demands no listener involvement.

1.5.2   Given this presentation of public choice in the issues
of local radio the question follows, "Why have the wider issues not
been explained to the public?" The issues of control of local
radio, and their reflection on the control of society, are not seen
or heard in the media and so remain unknown to the public, who
possibly care little in any case. It is in an examination of
control, (in the following chapter), that the underlying reasons
for the superficial treatment of local radio and similar issues
which could potentially question the centralised control of
society are to be found. Stephan Lukes, (1974), argues that it
is the "most insidious" form of control to shape the very desires
and wants of the public so that their outlook on life legitimises
the status quo and sees it "as natural and unchangeable", and even
"as ordained and beneficial". The mere surface treatment of the

issues of control of local radio suggests an example of Lukes'
"insidious" form of control, where the deeper issues of centralised
power over society are ignored, and tentative opposition to it is
smothered. Such an instance of what Lukes terms "manipulated
consensus by definitional fiat" gives rise to the crucial question,
"Who benefits from the resolution of the local radio issues?" From
knowing who is likely to benefit from the outcome of ILR in
Ireland, Lukes' argument of "manipulated consensus" is either
supported or denied. The likely results of the proposed local radio
system are best predicted from an examination of the controls imposed
upon the system.

1.6 TWO FORMS OF CONTROL: Control of local radio takes two
forms, a direct and obvious control through legislation and secondly,
an indirect and more subtle control through market forces and societal
norms. Both these forms of control will shape the outcome of local
radio and both illustrate the purposes of the controllers.

Legislative controls are imposed on local radio by the
government. These represent a direct and obvious control. Their
implementation is deliberate and conscious. They are an explicit
example of state intervention for the "public good" or for whatever
reasons. However by regarding this form of control in Marxist
terminology, (following the work of Lukes and R. Miliband), it can
be seen that in most instances government legislation favours the
business interests by encouraging the open market and industrial
competitiveness in the open market. The profit motive supports the
maximisation of audiences by local radio stations through popular
programming which fails to question the "reality" that is legitimised
by society. Since those who ultimately benefit from legislative
procedure, in this case those who support commercial local radio,

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are most often the business interests, (that is, those who are already engaged in commercial enterprise), it follows that legislation is biased in favour of business interests to the detriment of those who might wish to promote a challenge to that societal structure. If this is so, as Lukes, Miliband and others argue it to be, then society, and also the economy, are indeed managed by both the government and business interests through legislative procedure. The status quo is protected and perpetuated by those in power, preventing change and development. Legislation imposes its control by enforcement of authority; if not obeyed the station risks losing its licence to broadcast. In Britain this extreme has never been enforced though it has been documented that some ILR stations do infringe the law, (cf. LRW reports, 1983). The infringements however have always been on the side of commercial interests. If instead they had been in regard to speech content restrictions a larger case could immediately be made against the station. In Ireland it can be seen that RTE's failure to provide Irish language, music and cultural programming can be overlooked by those in authority since RTE's failure here is largely due to commercial reasons, but whenever RTE has come close to infringing content restrictions in relation to Section 31 broadcasts, (forbidding interviews with members of proscribed organisations), then control is quickly enforced - in 1972 the RTE Authority was dismissed over an alleged breach of Section 31. The profit motive itself acts as a control by the vicious circle of stations' dependence on advertising, advertising's dependence on audience ratings and audience ratings' dependence on popular programming. Without the profit motive there exists no income for local radio under the commercial system. This circle itself is a control imposed by business interests ensuring both programming

content and ownership remains in "safe" hands.

There also exists a more subtle, indirect form of control which acts alongside or often behind the economic and legislative control. This indirect control is subconscious in the minds of the authorities and is hereby chosen as illustrative of the term "influence". Influence involves the forces which socialise the individual into accepting the societal norms as "the way things are", unchangeable and for the "public good". Influence is the force behind Lukes' "most insidious" form of control. Being largely unconscious, since it involves attitudes and expectations, it remains difficult to detect. Bachrach and Baratz, (1970), write that influence is to be observed when the state of play, the status quo, consistently favours an elite. Thus when one group in society are consistently in a position of power; or are consistently benefitting from the exercise of power; or are supported consistently by the societal and economic norms, then it may be assumed that that group is an elite which is in a position of influence or potential power. No direct legislation is needed to enforce this control but legislation will be seen to be of benefit to this elite, protecting and perpetuating the process of socialisation and societal and economic norms that support the status quo. For example there will be few legal restrictions on ownership of local radio or on local radio content but the competitive market forces will eventually shape the local radio system into a commercial local radio system with non-challenging broadcasts and depending on a diet of popular programming. That influence is indirect consisting of subconscious attitudes and acceptance of the "haves and have-nots" means that this form of control is easily negated and denied. Influence is difficult to make explicit without external examples other than the investigation of a consistent elite and the recognition of the process of socialisation. The questions

which must be asked are: "Is there any one group which consistently benefits from a particular issue?" and "Is this group supported in its arguments by an appeal to the common sense reasoning and an expectation of acceptance by society?" In the issue of local radio in Ireland the group which stands to benefit most is the commercial interests which also benefit consistently from government legislative policy. These commercial interests, together with the majority political parties argue that their system of local radio is the most rational system possible and, while allowing room for more public service orientated stations, they point out that a station must be commercially viable to survive the competitive market forces. That a station may choose to be non-profit-making in design and may be open to controversial broadcast content is considered impossible, irrational and not wanted by the public majority. By appealing to the public majority, and by having the support of societal norms, the social elite (the commercial interests and its governmental supporters) can claim their process of imposing an ILR system in Ireland is democratic and is giving "the public what they want". Influence when legitimised by society becomes authority and is at once accepted and unquestioned by those who belong to "normal society".

1.7 A RADICAL ALTERNATIVE: What is suggested here is that for democracy to exist a choice must be made available to the public for a majority to decide upon. That choice should not be a difference between outward expressions of the same internal system; instead the choice should represent a "radical alternative", (borrowing Lukes' phraseology), to the status quo. If the claim is to be made that the people's wants have been democratically satisfied, the people should first have been presented with at least two radical alternatives from

which to choose. From the period of "pirate" radio in Ireland the public have experienced, to a greater or lesser degree, both commercial local radio and local community radio, and also on occasions RTE community radio. The alternatives open to the public are commercial local radio, RTE semi-state local radio and community radio. RTE have been providing an occasional local radio service for communities since 1974 and have requested permission for a permanent service in 1976 which was refused. RTE have stated that any local radio station which they might establish would follow an invitation from a community which would retain editorial control of the station in compliance with existing broadcasting legislation. RTE's claim that editorial control would remain in the hands of a community committee has been greeted with scepticism by some "pirate" broadcasters and community groups. The output broadcast by RTE community stations is not of a nature that could be indefinitely sustained without drawing from RTE national radio or depending on a music format for support. RTE have outlined proposals for an "opt-out" system for local radio stations which would broadcast national programming and "opt-out" for a period of locally generated programming, similar to RTE Cork local radio. RTE would hope to provide technical expertise and equipment for their local radio stations and so maintain present staffing levels. Community radio offers a fully local service while retaining editorial and technical control for a locally elected committee. The "pirate" community stations have joined to form the National Association of Community Broadcasters, (NACB), with the support of the National Co-operative Movement, and other community associations. The NACB outline a structure for local radio that has elected representatives on a management board, a programmers' board and a listeners' board.

These three structures together plan for the station policy and
decide on the running of the station. The structure is open to
community involvement encouraging participation and depends on local
voluntary effort. The station is non-profit-making covering running
costs only and investing any surplus from advertising revenue
into station development or development of community projects.
The nature of community stations obviously depends on public
interest and allows the community to decide for itself what should
be broadcast on their local station and what type of station the
community itself wants. Granting the community the power to
control their local radio station, investing in the community
the responsibility of control and making the community accountable
only to itself demands a level of maturity which the government
fails to recognise in the community. Such an investment in the
community would offer a "radical alternative" to the commercial
system; an alternative which RTE community radio does not provide.

1.8 TOLERATED ALTERNATIVE: Yet is community radio as exemplified
by those NACB "pirate" members a true model of alternative broadcasting
or is it merely a tolerated accepted alternative model which fails to
seriously challenge the dominant commercial system? The content of
"pirate" community stations which subscribe to the NACB conditions
for community radio is not radically different from RTE, nor from many
of the commercial stations. There is a greater amount of minority
music programming but few discussion programmes, documentaries or
new format programming. The same style of presentation is often used.
News programming is limited and "pirate" community stations depend
on a music format to the same extent as the commercial stations. The
excuse for "pirate" community stations is the same excuse used by
commercial stations. The "pirates" have always stated that they will

develop a news service when legalised but until then it is not worth investing in an expensive news service which demands time, personnel and money. Speech is expensive and "pirates" either claim it is unprofitable or that they have not the necessary finance and personnel. However for community stations even if legalised this situation is unlikely to change and it may not improve for commercial stations either. The excuse given for failure of "pirate" stations in Ireland to provide more speech programming are the answers given by British local radio stations when faced with similar criticisms. British legislation provides for the setting of a minimum speech control which is defined at a acceptable level by the Independent Broadcasting Authority, (IBA), in the case of the ILR and by the BBC for their local stations. The Annan Report of 1976 criticised minimum speech content controls since they tend to become the normal levels for speech output. This indeed is what has happened in Britain with DJ's fulfilling speech content requirements with record introductions or with anecdotes from newspapers or other sources. Speech programming is broadcast at off-peak hours at weekends or late at night in order not to interfere with peak-hour listenership figures. News coverage is often limited to bulletin broadcasts on the hour with little background investigative reportage. A more detailed service, (not necessarily an in-depth exploratory service), is again shelved for an off-peak hour of the evening or the traditional Sunday programming. If the British local radio service has failed to provide "meaningful speech content" broadcasts then there is no reason to expect Irish local radio stations to do any better, and with the history of the "pirate" stations, neither commercial nor community offer any hope that a "radical alternative" may grow from them.

1.8.1   Community radio offers a "radical alternative" in framework
and structure yet the "pirate" community stations have shown that
an alternative system does not immediately give rise to alternative
broadcast output. Perhaps it is for this very reason that the
community stations are tolerated and accepted by government and
commercial interests and may even be encouraged as a graphic image
of government decentralisation. Yet the fault of community radio's
failure in respect to output can be explained in relation to
context and not design. The structural potential of community
radio's design allows for a "radical alternate" output but the
social context in which it operates hinders its potential. The
context in which commercial and community radio exist is the same.
Both operate under the same conditions of control; the direct
legal and economic controls, and the indirect conditioning controls
of socialisation and legitimisation. If these conditions control
both alternatives of local radio then it is not surprising that
the broadcasting result is so similar despite structural differences.
Community radio as exemplified by Irish "pirates" is subject
to the commercial dependence on advertising to provide financial
revenue, and therefore subject also to the pressures to maintain
audience ratings. This pressure dictates broadcasting output
necessitating popular programming for peak-hours. Thus the
commercial context in which community radio exists is what forces
broadcasting output, not the structural design of community radio.
The difference between community radio and commercial local radio
is that the potential exists for community radio to provide a
"radical alternative" in the terms of both structure and output,
while commercial local radio is a product of the commercial society
which dominates Ireland. The major question which arises is,

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"Is a 'radical alternative' system of local radio possible in an non-alternative society where it is subjected to a dominant ideological context?" The dominant context remains for both community radio and commercial local radio, exerting three forms of control: 1. direct control through legislative procedure, 2. commercial pressure through dependence on advertising revenue and audience ratings and, 3. the indirect influence of societal norms, demands from pressure groups, and the commercial expectations from business interests and others. With this "reality" facing any form of local radio system no "radical alternative" could hope to survive. Within a dominant context, the answer must be "no": a "radical alternative" to the dominant system of commercial local radio is impossible.

1.9 CONCLUSION: Returning to the opening questions: "What is your criticism of the dominant culture?" and, "Do you have the right to enforce your system over that of the majority?" the arguments concerning these two points now appear in a new light. If a "radical alternative" to the prevalent form of "pirate" local radio was developed then perhaps "what the people want", (if it could be measured), would be different. However since no real choice is open to the public, in the absence of any "radical alternative", then the people cannot freely choose "what they want". Without choice, without a "radical alternative" no democracy can fully operate. In the society dominant in Ireland, although termed a pluralistic democratic society, the present conditions of commercial and social controls, pressures, and influences actively hinders open choice and actually forces "what the people want". Democracy cannot exist because choice is not available. Democracy can only exist where there is choice. Worse than the denial of choice is the shaping of

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the desires and wants of the people by the dominant commercial forces, a process Lukes terms "the most insidious" form of control. By this process the public are led to believe that they do have a choice and that they do choose from alternatives. However they neglect to see that these alternatives are not "radically" different. Choice then is denied by the centralised controls of legislation and by the commercial dominance undermining true democracy. These controls, either direct or indirect influence, support and perpetuate the elite which is consistently favoured, (Bachrach and Baratz). The only democratic response to this situation is to control the very controls imposed by the dominant factors. (It was argued that ownership and content have been traditionally controlled since radio frequencies are necessarily limited.) These controls which are needed for the regulation of local radio must be publicly monitored and those with the monitoring authority must be fully accountable to the public. (cf. Caroline Heller, Broadcasting and Accountability, 1978.) It is through challenge only, by providing for "radical alternatives", that real choice can operate and through this operation alone can true democracy exist.

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CHAPTER II

"ON THE NATURE OF CONTROL."

"Control", "power", "authority", "influence", - what do each of these words mean and how are they different from each other? Are there any significant differences at all, or do they merely refer to slight variations of the one concept? Perhaps more importantly, what is their relationship to the words "responsibility", "accountability", "freedom" and "open-access"? Writers on the theory of power and control tend to put forward their own definitions and argue on the extent, for instance, to which influence is separate from power and whether authority is merely legitimized control. The difference between direct and indirect control, the limitations of choice, the use of coercion, the democracy of control - these are all issues which have been treated by theorists of control. Later the major writers and their works will be discussed. First however, an attempt will be made to define the concept of control by reference to neutral dictionary definitions and also by analysing the various definitions put forward by other writers.

2.1 TOWARDS A DEFINITION OF CONTROL: The Oxford English Dictionary implies that there is little difference between the words "control", "power", "authority" and "influence". It uses the words interchangeably in its definitions and also in its definitions of related words. Thus under "command" can be found the words "authority", "influence", "control", "power" and "subjection". Likewise the definition for "power" contains the words "control", "command", "influence" and "authority" as well as a host of other minor words - "rule", "govern" and "sway". Webster's New Dictionary of Synonyms hints that the only difference in the definition of these words lies in the context of

their usage. Control tends to refer to restrictive practices: to regulate, restrain, curb, to hinder or prevent. The use of control restricts the free actions of another - for whatever intended reason. This definition suggests a degree of conscious will. However, control can easily be built into a system of government or business, removing control from an individual and instead making it part of a system. Thus it becomes "the nature of things", unchangeable and accepted as normal. When control is deliberately invested in a person or a system it becomes legitimised and accepted as legal or lawful. An authority has the "right" to control. An individual has "natural" authority over his/her subordinates.

Influence is a form of control gained through indirect means. Authority is gained directly because it has been formally invested in a person, group or system. Influence is an informal use of control by one or more who are in a position to bring pressure on a decision or action. The use of influence may on occasions be direct, (although it is an indirect use of control), but is usually more discreet and often hard to detect. More often the knowledge that a control exists may influence the actions of an individual, as with the programme producer who refuses a programme item criticising government policy knowing the government has restrictions on free speech. The programme item may not itself be in breach of broadcast legislation but the knowledge of governmental attitudes behind the law and fear of reprisals may nonetheless influence the producer to drop the item. Self-censorship is a case where the existence of a control indirectly influences action.

Power is a more abstract concept encompassing the definitions of both control and influence, and it may be legitimised in terms of an authority. Power involves the ability to control either directly, or indirectly through influence. Power may be conferred, becoming

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authority, or may be imposed through coercion or manipulation.
The major difference between power and control, (often used
interchangeably by many writers), is that control involves the
restriction of another's free actions; power in addition involves
compelling another to do some unintended action. One has control
over another when preventing him/her from completing some possible
action; but one exercises power when forcing another to do an
action which would otherwise have offered a free choice.

The degree of consciousness involved in the use of power
or control is a subject of some contention between writers. Can
power or control be unconsciously used and can one be subjected to
either without realising it - perhaps not recognising that a choice
of action exists, not knowing that one is being influenced to think
in a certain manner? Some writers strongly answer "Yes" while others
argue "Impossible". Their very definitions of power and control
reveal these oppositions.

2.2 A PHILOSOPHY OF POWER: Theories of power and control and
their application to society depends much on the approach taken
towards society itself. A Marxist view of society generates a
Marxist interpretation of power and a Pluralist will see power as
being plurally dispersed throughout society. The Marxist-Pluralist
division extends to the study of the nature of control in society.
Before detailing the major writers on power from the sociological
divisions, a brief background will be given on the writings of a
leading philosopher of power who to a large extent transcends the
sociological arguments.

Before the major Marxist-Pluralist divisions took place
in the study of society, Bertrand Russell wrote on power from a
viewpoint that remains outside the sociological divisions. Writing

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instead from a philosophical background, his insights have been useful and adapted by many of the more recent sociologists. The concepts devised by Russell appear in the more recent writings under a different terminology but the understanding of the nature of power and control form a basis to the later sociological writings.

Primarily Russell defines power:

> "Power may be defined as the production of
> intended effects. It is thus a quantitative
> concept: given two men with similar desires,
> if one achieves all the desires that the other
> achieves, and also others,...that A has more
> power than B, if A achieves many intended
> effects and B only a few."
> B. Russell, Power: A New Social Analysis,
> London: Allen & Unwin Ltd.,
> 1938, p.35.

In accepting that an A can have more power than a B, Russell accepts the notion of power being a fixed-sum variable. There is only a certain amount of power available. The extent to which one has power limits the amount of power available to another. The problem with Russell's definition lies in the measurement of who has the greater power. Russell himself points this out giving the example of two painters. There are two painters who equally desire to paint good pictures and become rich. If only one succeeds in painting good pictures and the other only succeeds in becoming rich, how can their relative power be measured? Each have succeeded over the other to the same degree. Such a definition of power depends on measuring the importance of the desired factors. In the given case, which is the more important, becoming rich or painting good pictures? Any answer is entirely subjective unless the societal values and morals are taken into consideration. If society suggests that one who is rich is more powerful than another who paints good pictures, the suggestion is only a reflection of the society. Useful perhaps but not informative on the

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nature of power. Russell's definition suggests that power could depend on the subjective values of society. What a given society deems as powerful is for that society powerful. However such a definition has no universal application, necessitating a prior consideration of societal values.

2.2.1   Some of Russell's other concepts on power, however, have been adapted for use by social scientists. Russell outlines three different types of power and offers cases to illustrate them. First there exists direct physical power; "When a pig with a rope tied around its middle is hoisted squealing onto a ship, it is subjected to direct physical power over its body." (Russell, 1938, p.36.) In the state system such power is examplified by the police and military control. Secondly, there is the use of rewards and punishments to induce control. Russell states that this form of control is used by many organisations but also by the state in the form of propaganda:

> "...when the proverbial donkey follows the
> proverbial carrot, we induce him to act
> as we wish by persuading him that it is
> in his interests to do so."
> ibid., p.36.

The power to persuade others what is in their "interests" is an indirect form of control which may or may not be supported with rewards for compliance and punishments as a deterrent. The third form of power depends entirely on the use of rewards and punishments to induce an opinion or action. Through "education" and the whole process of socialisation, opinions, attitudes and moral values are instilled. Russell gives the example of how performing animals are taught "tricks" by continual reinforced repetition. Likewise, he explains, society frames the individual mind to "perform" in a manner acceptable to that particular society.

Russell summarises:

> "The case of the pig illustrates military
> and police power. The donkey with the carrot
> typifies the power of propaganda. The
> performing animals show the power of
> 'education'...The army and the police exercise
> coercive power over the body; economic
> organisations, in the main, use rewards and
> punishments as incentives and deterrents;
> schools, churches, and political parties aim
> at influencing opinion."
> ibid., pp.36-37.

2.2.2   Each of these three forms of power and control have
been studied by various sociologist and psychologists from many
different perspectives: work; ownership and control; power theories;
coercive control; social structures in organisations. Aspects
raised in the application of some of these areas of study are
outlined in the following section.

The state rarely has recourse to the use of physical
power, unless in a military state. Russell terms this "naked
power". Alternatively a fanatical belief or religion may lead
to a society based on direct repressive control. This is
"revolutionary power". The type of society concerning this study
is founded on what Russell terms "traditional power". This
represents a form of authority which is legitimised and accepted
as natural. It is upon such a form of authoritative power and control
that most Western societies are based. Russell concerns himself
with the expression of traditional state control, the law. He
asserts that the law depends on public opinion for support. (The
public ultimately legitimises the authority of the law, hence the
importance of propaganda and education.) The public must be
convinced that the law "is in their interests". Control of opinion
and attitudes through socialization is crucial to state power.
This realisation underlies Russell's statement:

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> "Law, therefore, as an effective force,
> depends on opinion and sentiment even
> more than upon the powers of the police."
> ibid., p.38.

(This point is emphasised later by Clegg drawing from the writings

of Gramsci.) Russell concludes his work by providing a framework

for the Elitist arguments. Economic power, he generalises, is

possessed by few individuals, those who own and control the economy.

Similarly, possession of power by one precludes its possession by

another. Power is a fixed-sum. Thus:

> "The tendency for economic power to be
> concentrated in few hands is a commonplace,
> ...but this tendency applies to power in
> general, not only to economic power, ...It
> is obvious that the same causes which are
> leading to a coalescence of military and
> economic power are also tending towards a
> unification of both with propaganda power.
> There is, in fact, a general tendency
> towards the combination of all forms of
> power in a single organisation, which
> must necessarily be the State."
> ibid., p.135.

This understanding negates the purely economic deterministic

nature of Marx and opts instead for Gramsci's theory of a ruling

elite. Russell is one step away from recognising that the state

itself is supported by a combination of technical, intellectual

and economic elites. By assigning all power to the state Russell

sides rather with Miliband. His insights, though, coming from

a philosophical background, provide a generous grounding for

many of the social scientists which followed.

2.3 PERSPECTIVES ON CONTROL: The very diversity in the definitions

of the terms power and control reflects an equal diversity in regard

to their application to society. The stances different writers have

taken have often given rise to much argument and counter-argument

between the different "isms". It is not intended to become involved

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in the current detailed arguments between writers, (Polsby versus Miliband, Dahl versus Bachrach and Baratz, Lukes versus Poulantzas), but merely to illustrate how different theories may offer totally different and opposing perspectives on what each insist is "social reality". The fundamental understanding a theory offers presents a world-view, (Weber's weltenschaft), in complete contrast to that proposed by its opposing theory:

> "Each perspective on power implies a view as
> to the basic nature of the social relationship
> between people, and how the exercise and use
> of power influences those relationships."
> P. Hamilton, <u>Power and Social Structure</u>, rpt.,1977,
> in <u>Making Sense of Society-Block 28</u>,
> Open University Press, 1975, p.91.

The choice of which perspective to adopt can only be made according to subjective prejudices and a certain rational pragmatism:

> "The outcome of this competition [between
> different perspectives] depends on the
> ability of one of the perspectives to
> put forward a theory which has the
> greatest ability and scope to describe
> and explain the range of social phenomena
> in both their generality and specificity.
> You will have to judge..., on your reading,
> and on your personal experience which
> perspective offers the best prospects."
> ibid., p.94.

Thus none of the paradigms claim to have the "final solution". None claim to be right or wrong, merely better than other theories. This is the only justification for accepting one theory and rejecting another; that one is better than another. One may offer a more useful criticism of society, a more detailed understanding of societal structures and their inter-relationships. In presenting a summary of the more important trends in Marxism and its criticism of Liberal-Pluralism, the following arguments may clearly be seen to argue against the American Pluralists, but also against pure economic-determinism of Marx's theories. This bias is acknowledged and justified on the pragmatic grounds outlined above.

2.3.1   In a general overview of sociology, Peter Hamilton from
the Open University, explains that sociologists basically use three
units for analysis; Social Structure, Stratification and Social
Order. Social Structure refers to the belief that society is indeed
structured and possesses an organisation that may be determined
and explained. Different ways of explaining that structure have
been attempted resulting in different theories of society. Secondly,
the relationship between the control of society, the existing power,
and the political, economical and social divisions is stratified.
There exist stratified levels of control of economic, political
and social issues. Not everyone has the same opportunity of control.
Finally, this Stratification is arranged on a hierarchy. The units
are ranked to form a Social Order. This order is legitimised and
accepted as normal. The hierarchy, Hamilton states, involves both
class and status, (uniting both Weberian and Marxist terminology).
Advancement on the hierarchy increases access to the scarce
resources of wealth, knowledge, skill and expertise, which, in turn,
are needed for advancement. The Social Order in society forms
stable relationships and institutions, and the values that endorse
them are encouraged. Hamilton argues that all social theories are
merely different answers to the question of the arrangement of
these three social units. He divides the theories into three groups;
the Marxist conflict perspective, the elitist perspective, (that a
minority elite holds ultimate control in society), and the
Pluralist-Functionalist perspective. Rather than discuss Hamilton's
divisions, writers representative of these views will be criticised.
Each theory of power and control, however, represents a stand on the
basic sociological issues, (Social Structure, Stratification and
Social Order); and each of the three perspectives involves a stand

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on their arrangement. Thus theories of power coincide with
sociological perspectives and form a sub-division of the study of
society.

2.4   CONTROL AS OTHERS SEE IT: It is the argument on which
perspective is most useful which forms the basis of Stephan Lukes'
criticism of the approaches put forward by Dahl and Bachrach and
Baratz. These approaches together with his own "radical approach"
are termed by Lukes as the "three dimensions" to any study of
power. Lukes' attack on Dahl and his fellow Pluralists, Polsby and
Wolfinger, is grounded on a criticism of Behaviourists' direct
observation methods of study. The Behaviourist belief that only
directly observable action may be scientifically verified for
study is obvious in Dahl's very definition of power:

> "A has power over B to the extent that he
> can get B to do something that B would
> not otherwise do."
> R.A. Dahl, "The Concept of Power" in
>   Behavioral Science, vol.2,
>   1957, p.80.

This stand is also made clear by Polsby:

> "one can conceive of 'power' - 'influence'
> and 'control' are servicable synonyms -
> as the capacity of one actor to do something
> affecting another actor, which changes the
> probable pattern of specified future events.
> This can be envisaged most easily in a
> decision-making situation." (Italics added.)
> N. Polsby, Community Power and Political Theory,
>   New Haven: Yale U.P., 1963, p.13.

Both Dahl and Polsby suggest that power involves forcing another
towards some unintended action. Whether the force is openly used,
as with instances of coercion, or whether instead, indirect influence
is used, (and here it is argued that "influence" and "control" are
not interchangeable synonyms), the Pluralists insist that the use
of power is observable as a decision-making process or as instances

of open conflict. Lukes summarises:

> "The Pluralists see their focus on behaviour
> in the making of decisions over key or
> important issues as involving actual,
> observable conflict."
> S. Lukes, Power: A Radical View,
>   London: Macmillan, 1974, p.13.

2.4.1   The strongest criticism of this aspect of the Pluralists
view of power is given by Bachrach and Baratz in what they describe
as a theory of Non-Decision-Making. Simply stated, non-decisions
are those issues which are excluded from the agenda of discussion
and which, therefore, are excluded also from affecting the resulting
decision. This form of "gate-keeping" by one party places that party
in a position of power. However, it can be very difficult to detect
occasions of non-decision-making and thus the determination of
"who holds power" becomes impossible unless occasions of direct
observation are chosen. Bachrach and Baratz define non-decision-making
and then seem to say that it is impossible to observe empirically.
Non-decision-making is:

> "...a means by which demands for change in
> the existing allocation of benefits and
> privileges in the community can be
> suffocated before they are even voiced;
> or kept covert; or killed before they
> gain access to the relevant decision-making
> arena; or, failing all these things, maimed
> or destroyed in the decision implementing
> stage of the policy process."
> Bachrach and Baratz, Power and Poverty:
>   Theory and Practice,
>   London: Oxford U.P., 1970, pp.18-19.

This excellent description of one of the results of control becomes
somewhat marred by the provision pointed out by Lukes quoting from
Bachrach and Baratz:

> "If 'there appears to be universal acquiescence
> in the status quo' then it will not be possible
> 'to determine empirically whether the consensus
> is genuine or instead has been forced by
> non-decision-making'."
> Lukes, 1974, op.cit., p.49.

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Bachrach and Baratz are right in drawing attention to the fact that non-decisions can be embodied in the status quo, (ideological assumptions may also prevent "demands for change"), and thus the social order itself can encourage non-decisions. Yet the acceptance of such a superficial consensus merely because of the impossibility of empirically determining the underlying non-decision-making process can only be judged as an academic excuse for not developing a more detailed perspective of society. The importance of non-decision-making is too important to be set aside on account of its difficulties by direct observation. For these reasons Lukes attacks what he terms as Bachrach and Baratz' "two-dimensional" view of power:

> "...is it not the supreme and most insidious
> exercise of power to prevent people, to
> whatever degree, from having grievances
> by shaping their perceptions, cognitions,
> and preferences in such a way that they
> accept their role in the existing order
> of things, either because they can see
> or imagine no alternative to it, or
> because they see it as natural and
> unchangeable, or because they value it
> as ordained and beneficial? To assume
> the absence of grievances equals genuine
> consensus is simply to rule out the
> possibility of false or manipulated
> consensus by definitional fiat."
> ibid., p.24.

This rather strong criticism of Bachrach and Baratz is worth considering because it illustrates Bachrach and Baratz' major fault of having accepted the Pluralist argument in favour of the Behaviourist principles of direct observation. They thereby flaw their own theory of non-decision-making which is, in essence, a discreet and unobservable form of control. What Lukes describes as "the supreme and most insidious exercise of power" is based on a view of society hinted at by Bachrach and Baratz and made explicit in Gramsci's theory of society drawn from the

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notion of hegemony.

2.4.2   Unlike Marx, Gramsci states that ideology is not
confined to class consciousness but that it is also propagated
through the state institutions. Ralph Miliband defines Gramsci's
idea of the role of the state:

> "These are the institutions - the government,
> the administration, the military and the
> police, the judicial branch, the sub-central
> government and parliamentary assemblies - which
> make up 'the state', and whose interrelationship
> shapes the form of the state system...These are
> the people who constitute what may be described
> as the state elite."
> R. Miliband, The State In Capitalist Society,
>   London: Weidenfield & Nicholson,
>   1969, p.50.

The state possesses a repressive apparatus and an ideological
apparatus. The repressive institutions are the military, the police,
legislation and judiciary. The ideological institutions are the
Church, political parties, union, school, media and family structures.
(cf. Westergaard and Resler, 1975, pp.250-251.) Gramsci's concept of
hegemony is incorporated in the Elitist perspective of social order.
The belief that a power elite exists in society and is perpetuated
through the process of institutionalisation and socialisation
underlies Lukes' arguments on power. Hegemony is that invisible
structure which supports and reinforces the social position of
the class elite - a class based not only on economic dominance,
(as in Marx's theory), but also on technical, intellectual and
administrative dominance. Thus the elite class, according to Gramsci,
is intellectually founded, not economically determined. In a detailed
overview of the various theories of power and control, Stuart Clegg
supports Lukes' assertion on the importance of non-decision-making
as a most powerful form of control. In quoting an earlier commentator
on Gramsci, (Williams, 1960, p.591), Clegg observes:

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> "...that Gramsci 'explicitly states' that
> hegemony is the 'normal form of control',
> and that 'force' and 'coercion' only become
> 'dominant' at times of crisis."
> S. Clegg, Theories of Power and Organization,
> London: Routledge & Kegan Paul,
> 1979, p.84.

The definitions of power and control broaden to cover the use
of administration and organisation in society to "determine
consciousness", a consciousness which is accepted as normal and
the very process which prohibits certain issues from being raised;
issues which would possibly question the whole social order on
which the hegemonic structure is based. This is the real importance
of Bachrach and Baratz' non-decision-making and Lukes ' "supreme
and most insidious exercise of power". Gramsci's hegemony is the
process by which the "perceptions, cognitions, and preferences"
of Lukes' subordinates are shared. Clegg asserts:

> "It is only in moments of crisis, when control,
> which is ordinarily structured in and through
> hegemony, slips or fails, that power has to be
> directly exercised in order to attempt to restore
> this control. Such an exercise of power signals
> not the presence of a strong 'capacity' for
> power, but instead indicates that this exercise
> of power flows from a position of weakness.
> This position is one in which hegemony has
> failed and so power is exerted in an attempt
> to reassert the 'normal' situation of control."
> ibid., p.86.

The Behaviourist tendency to study only directly observable
instances of open conflict, mistakes what Clegg calls "a position
of weakness". Bachrach and Baratz, although hinting at hegemonic
control in their definition of non-decision-making, err in failing
to recognise that non-decisions are often unconscious and therefore
cannot always be verified. They are unaware that it is the "unobvious"
nature of non-decisions and the hegemonic system that is crucial to
an appreciation of the definitions of power and control. Clegg is
in agreement with Lukes on the importance of the lack of open

conflict involved in latent power:

> "The absence of the exercise of power does
> not mean the absence of power. It signals
> the presence of a far more subtle and
> powerful power..."
> ibid., p.86.

2.4.3   Lukes' answer to the use of power lies in the provision
of information. If the alternatives were presented with all the
facts necessary for a decision, and with no influence to sway a
decision, then control remains in the hands of the individual
decision-maker. Decisions could be taken in accordance with
what Lukes terms, the individual's "real interests". Due to the
process of socialisation and the acceptance of "the natural
order of things", individuals are often unable to "express or
even be conscious of their interests", (Lukes, 1974, p.25).
Education and the presentation of all relevant information is
crucial to the making of a decision. The definition of the
"real interest", however, is fraught with complications. Lukes
himself illustrates some of the theories raised in through the
different interpretation of "real interests". Liberals, he says,
recognise that people possess wants and needs of which every variation
should be allowed political expression in relation to the size of
its supporters. This answer grows from the early Utilitarian
writings of Jeremy Bentham and John Stuart Mills. The realisation
that not all people are given equal treatment in the political and
social system gave rise to the Reformist writings of C. Wright
Mills and the later statements on people's unconscious interests.
Lukes declares that a "radical view of society" implies that all
man's wants and needs are shaped by the power elite. An individual
can only make a free choice of what is in his/her "real interests"
after observing the results of each option involved in the choice.

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Each of Lukes' three perspectives, (dimensions), posit a different interpretation of what man's "real interests" are:

> "In brief, my suggestion is that the
> one dimensional view of power presupposes
> a liberal conception of interests, the
> two-dimensional a reformist conception,
> and the three-dimensional view a radical
> conception."
> Lukes, 1974, pp.34-35.

2.5 PLURALISM: The Utilitarian principles of Bentham and Stuart Mills became adapted to the Republican and democratic systems of the late 19th century. The defence of the democratic system rests on the notion of "power by consent". In an explanation of the basis of a Republican state, Lukes quotes H. Arendt, (1970). The power of the state, argues Arendt, derives from the consensus of the people. Without this consensus no state system could exist. "Power is never the property of an individual" but is created by consensus and depends on it for support. This consensus is itself the power in society and the state merely acts on behalf of the people, in their interests. By having the power to withdraw consent and thus ending the state's role, the people retain control over the state. This is the ideal of the democratic system:

> "...under conditions of representative
> government the people are supposed to
> rule those who govern them."
> H. Ardent, On Violence, 1970, pp.28-29,
>   in Lukes, 1974, ibid..

Whilst supporting this stand on democratic state control, Talcott Parsons carries the notion of "power by consent" a stage further. Parsons focuses on what Duverger, (borrowing from Bachrach and Baratz), calls the "second face of power": power as integration, (Duverger, 1972). The power of the state granted through consensus becomes a necessary tool for the unity of society. The position of the state creates an ordered society based on a harmony of interests

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through co-operation and compromise between various opposing groups. This plurality of interests is monitored and governed by the state which acts as "honest broker" in the multiplicity of rivalling interests. The power of the state allows it to act in the furtherance of collective social goals, "in the interests of the people". Thus by surrendering themselves to a certain degree of control individuals may eventually gain a goal which they could not independently achieve. This is the system upon which the welfare state exists. Power under Parsons' argument becomes:

> "...a facility for the performance of function in and on behalf of the society as a system."
> T. Parsons, "The Distribution of Power in American Society", in World Politics, 1957, p.139.

Power under Parsons' definition is a variable-sum measurement. The attainment of power by one party does not mean the exclusion from power of another party. Parsons' arguments draw heavily from the earlier work by Thomas Hobbes, (Leviathan, 1914). Using Hobbes' metaphor of a Leviathan, Clegg illustrates the Pluralist distribution of power:

> "The characterization of power as pluralist theorizes order in the absence of Leviathan through making each person, as a group member, a sovereign entity over something, somewhere, on some occasion. As each group that exists has some sovereignty, no one group is wholly sovereign."
> Clegg, 1979, op.cit., p.61.

In criticising C. Wright Mills' theory of the unequality of power and the presence of a power elite, Parsons argued that the Elitist view of power as a fixed-sum was wrong. In again defining power in his own terms, Parsons comes closer to recognising authority, the legitimisation of power, and fails to take into account the fact that power is exercised over others.

> "[Power is]...the capacity to mobilize the
> resources of society for the attainment of
> goals for which a general public commitment
> has been made, or may be made. It is the
> mobilization above all, of the actions of
> persons and groups, which is binding on them
> by virtue of their position in society."
> Parsons, 1957, op.cit., p.139.

2.5.1   The positioning in society of certain persons and

groups is never questioned by Parsons. He accepts power as

legitimate, (hence it becomes authority), and never questions

these legitimising structures. Likewise, he fails to accept that

a public commitment could be contrived either through influence

or by not presenting all the alternatives. In a most exhaustive

criticism of Parsons, Anthony Giddens argues against the above

definition of power, pointing out:

> "that 'collective goals', or even the
> values which lie behind them, may be
> the outcome of a 'negotiated order'
> built on conflicts between parties
> holding differential power is ignored."
> A. Giddens, "'Power' in the Recent Writings
>   of Talcott Parsons", Sociology,
>   vol.2, no.3, 1968, p.265.

Parsons can ignore this point since his description of conflict

only covers "legitimate conflict"; that which cannot upset the

status quo's favouring of the social elite. Giddens states:

> "The most radical conflicts in society
> stem from struggles for power, are
> defined out of consideration."
> ibid., p.265.

The most blundering of Parsons' omissions is his failure to

recognise the restrictive nature of power and control. Again

Giddens puts this succinctly:

> "what slips away almost completely in the
> Parsonian analysis is the very fact that
> power, even as Parsons defines it, is
> always exercised over someone! By treating
> power as necessarily (by definition)
> legitimate, and thus starting from the
> assumption of consensus of some kind between

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power-holders and those subordinate to them,
Parsons virtually ignores, quite consciously
and deliberately, the necessarily hierarchical
character of power, and the divisions of
interest which are frequently consequent
upon it."
ibid., pp.264-265.

2.6 IN BRIEF: The major difference between Pluralist and

Marxist-Elitism is not merely in their opposing definitions of

power but also in their notions as to where it is to be found

and how it is exercised. The Pluralists argue that power can

only exist in its direct exercise. The Marxists contend that

power also exists in the ability to prevent action. The theory

of a hegemonic society takes into account the support that the

status quo and societal institutions give to the ruling elite

making their position legitimate to society so that there exist

basic premises and suppositions which remain unquestioned. Thus

the elite is never seriously challenged, or can refuse any such

challenges as "unconstitutional" and "dangerously hostile to the

public interests". Yet it is precisely those challenges that should

be considered by society in order for it to progress and grow. It

is only through change that society can advance. In this study of

the control of local radio, the very role of the media in society

and the possible systems for political control must be examined

realistically. Adopting the Marxist-Elitist view of society, which

incorporates the theory of hegemony, implies a definition of control

which is related to freedom and also to responsibility. In a summary

of Oppenheim's definitions for "power", "control" and "influence",

(Oppenheim, 1961), Clegg paraphrases:

"Control either consists in the determination
of choice or operates through the management
of possibilities in such a way that no choice
is available...Oppenheim introduces a further
way of relating 'power' to the concepts of
'freedom' and 'possibility' implied in the

> notion of 'choice'...It is this latter
> concept of 'control' which comes closest
> to a more structured conception of power."
> Clegg, 1979, op.cit., pp.41-42.

The fact that control involves making decisions on behalf of another, or preventing a decision from being made, implies that freedom is being limited to some degree, and also that those exercising control have a responsibility to account for their use of control to those over whom they are exercising that control. If control is to be used, then:

1. The determination of the interests being supported should be made explicit,

2. The whole process of control, (where possible decision-making and non-decision-making alike), should be made public.

3. An amount of responsibility and accountability to those over whom the control is being exercised should be accepted by those exercising the controls.

These three basic premises should be adopted by any individual or group having control and by any authority given legal control.

CHAPTER III

"SYSTEMS OF CONTROL IN IRELAND."

Theoretical definitions of control take on new complexities when applied to a given society. Irish society is no exception to the complexities of power structures. There is a fine division between issues which are solved diplomatically involving influence and indirect control, and the public solution operating through open conflict and political authority. Behind many public issues there exists a situation involving non-direct use of power and influence among the various rivalling groups. Thus when studying any issue, account must be taken of both the public solution and the "behind-the-scenes" solution. This chapter will concern itself more specifically with control of local radio in Ireland; first, by covering the stand taken by the Irish political parties to local radio and secondly, by investigating the rival groups which are seeking government influence. Finally a more direct aspect of control will be treated, namely, the legislation concerning local radio. A number of attempts to introduce Bills controlling the broadcasts of "pirate" radio stations and to introduce a legal form of local radio have been attempted since 1979, and each of these Bills will be discussed.

3.1 POLITICS IN IRELAND: An understanding of Irish history and of the history of the Irish political parties is crucial to an explanation of politics in Ireland. The political system is similar to most Western democracies. The parliament is elected by universal suffrage using a proportional representation system with a single vote transfer. There are two houses in parliament, (the Oireachtas). The upper house is the Seanad. From its sixty members forty-three are elected by civil, cultural and economic

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institutions; eleven are appointed by the Taoiseach, (Prime Minister), and the remaining six are elected by members of the national universities. The Seanad has the power to refuse legislation and to propose amendments to any piece of legislation coming before it. However, the Seanad can only delay legislation for a period just under a year after which it automatically becomes law. In fact the Seanad has relatively little power in Irish politics. The lower house, (Dail Eireann), holds the power to make law. It is composed of 148 seats and is elected for a period of five years.

There are three major political parties in Ireland and a number of smaller parties. The party with the continual majority is the Fianna Fail Party. Founded by Eamon de Valera in 1926 after the Irish Civil War, Fianna Fail has regularly been in government, (including a period of uninteruppted office from 1932 to 1944 and again from 1957 to 1969.) The second largest party is Fine Gael. This party was founded from an earlier political grouping, Cumann na Gaedheal, the party that took office following the War of Independence. Fine Gael has only ever formed a government in coalition with Ireland's third largest party, the Labour Party. Based on the socialist ideals of James Connolly the Labour Party is the oldest of Ireland's political parties. Yet it has never been strong enough to seriously threaten the other parties but has served in coalition with Fine Gael for a period from 1973 to 1977, and later briefly in early 1981. Presently Ireland is governed by a Labour and Fine Gael coalition. The remaining Irish parties are the Communist Party with no seat in the present parliament, the Workers' Party with only two seats, and the Sinn Fein Party with no seat. A number of independent candidates were also elected and form part of the Dail.

3.1.1   Ireland to a large extent inherited its political system

from its previous British rulers. The Irish civil service closely

reflects the British model. Its workers are chosen on merit in

open competition from publically advertised jobs. Changes in

government are not reflected in the make-up of the civil service

and thus it has remained stable irrespective of the political

climate. Tom Garvin commenting on Irish nationalist politics has

observed that:

> "Because of its political indispensability,
> the civil service was able to retain its
> corporate integrity and resist all except
> the more subtle pressures towards
> politisation."
> Tom Garvin, The Evolution of Irish Nationalist
> Politics, Dublin: Gill and
> Mac Millan, 1981, p.205.

The civil service execute the policies of the government and thus

government indirectly depends on its goodwill. There appears to be

an unspoken agreement between the civil service and the government

to remain independent of each other's affairs. However, government

controls the financing of the civil service and also advises on

the appointment of chief executives. Government ministers are still,

at least in theory, head of the civil service departments.

However, the civil service hold the threat of strike at

worst, or delay and even postponement of government policy. Partly

in order to avoid the civil service, repeated Irish governments

have opted instead to set up semi-state bodies and numerous

"independent authorities" to control areas rather than depend

entirely on the civil service. Thus together with the civil

service there exists a large public sector which is controlled

in the same way by government.

The power of the government extending into both the

civil service and the public sector would seem to be an

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important factor in the control of the state. This power is tempered in Ireland somewhat by a desire on behalf of the politicians to appear not to be involved in controlling either the civil service or the public sector. The civil service and the semi-state bodies must be seen to be independent, and any politician caught involved in their affairs for personal benefit would create a public scandal. There appears to be a careful balance in how far a politician is allowed to influence the civil service or semi-state bodies. Politicians have ultimately become a stepping-stone for access to the attention of semi-state and civil service officials in operations involving the use of influence and the exchange of favours. This role of politicians and the civil service is implicitly accepted by the public, although breaking of the implicit rules does lead to public outcry and even to the wrecking of a political career. In a detailed study of what he terms "party and parish pump politics", R.K. Carthy describes this "behind-the-scenes" role of Irish politics:

> "Deeply ingrained is the conviction that the government can be successfully tapped for needed goods and services, but only if approached through an intermediary of influence...Successful politicians operate as brokers because widely shared cultural norms predispose the electorate to expect it of them, but in doing so they reinforce these norms, perpetuating the pattern."
> R.K. Carthy, Party and Parish Pump: Electoral Politics in Ireland, Canada: Winfrid Laurier U.P., 1981, p.23.

Numerous suggestions from Irish history have been offered to explain what amounts to the almost "gangster-type" character of Irish politics. Perhaps it is due to the absentee landlords and the system of middlemen rent collectors, (Gombeen men); perhaps

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it is due to the successful political methods of Charles Stuart
Parnell and the Irish Parliamentary Party's block-voting and
interventionist tactics in the British House of Parliament from
1860 to 1916. Many secret societies have existed throughout Irish
history, some violent others non-violent, all illegal under the
previous British law. Certainly British dominance and the Irish
struggle for independence has affected the Irish public's
expectation of politicians who in the past were always the people
"who got things done" by whatever method and often against the
authority's wishes. Respect for authority has never been an Irish
characteristic, and the law to some degree is still not strictly
observed but instead is "made to be broken". R.K. Carthy is
correct in stating:

> "The struggle for national self-determination
> was fought within the evolving structures of
> British parliamentary government. This unique
> experience had a profound impact on Irish
> political culture, especially on the values
> and attitudes held by the political elite
> and the structure and character of the
> nation's political organisation."
> R.K. Carthy, ibid., p.16.

3.1.2   The political instability from the late seventies to the
election of the present government in 1982 has led to a re-emergence
of political bargaining and "back-scratching". There have been
three general elections in two years between 1980 and 1982 with the
government alternating between a coalition and a Fianna Fail
minority government. The present coalition majority over Fianna Fail
is only eleven with seventy seats held by Fine Gael, sixteen by
Labour, and the remaining five seats held by independents and the
Workers' Party. The composition of seats in the previous Dail led to
a situation where the minor parties and independents sided with
Fianna Fail and voted against the government. The combination forced

a general election. After the numerous elections of the recent years and the changes in government there has been a rise in public apathy, (only 72.8 % of the electorate voted in the last general election - a fall by Irish standards). This trend together with economic difficulties has given rise to an atmosphere of political instability despite the current government's ability to survive the combination of the opposition.

This instability, it is claimed by some political commentators, is due partly to the lack of any clear political choice between the major parties. The Irish fight for independence was fraught with the founding and failure of many organisations, some of which suffered inter-party divisions and internal disputes. Although united in the desire for independence Irish revolutionaries have long differed over the best way of gaining that independence and the actual degree of independence desired. These differences are reflected in Irish politics, and are the founding differences between the major political parties. Both Fianna Fail and Fine Gael can trace their history to before the Civil War between the pro-treaty and anti-treaty sides, (the Irish Free State Treaty). The Labour Party alone remains the only major Irish party founded on political ideology. However, the Labour Party has never gained a following strong enough to seriously threaten the other two main parties. Irish history then has to a great extent depended on the popularity of a political leader. It is the names of great Irishmen that are remembered not any particular party or political philosophy. This remains true today:

> "A hierarchically organized and centrally
> controlled organisation bound the masses
> to the leadership, ensuring the party's
> continuing pre-eminence across the country." (sic.)
> R.K. Carthy, ibid., p.17.

The party loyalty to its leader is a continuance of a national

fixation with great men. Irish politics is largely dominated by the character of its politicians and not by political issues. Indeed even today there are few political differences between the two major parties, other than historical differences. Both command a similar range of followers, appealing to city and country voters alike. There is no real class vote in Ireland - even the Labour Party is not restricted to city working class voters. Both Fianna Fail and Fine Gael have centre to right-wing policies and Labour follows a more Liberal policy than strict socialism. R.K. Carthy commenting on the extreme similarities between the political parties claims:

> "The Irish party system is unique. In no
> other European policy does a small number
> of programmically indistinguishable parties,
> each commanding heterogeneous electoral
> support, constitute the entire party system."
> R.K. Carthy, ibid., p.85.

This is the truth of Irish politics. The only party with any marked difference to the major parties are the smaller radical parties, (the Workers' Party, Sinn Fein and the Communist Party), and it is noticeable that they are all of socialist origin. However, none of them command a large following. Though Labour has been losing seats, it is not to the benefit of these outside parties. The Workers' Party has been maintaining its two seats in the Dail, but its support seems to be largely from the working-class areas of inner-city Dublin. Its policies are not entirely class based but tend towards attracting working class voters.

When later examining the legislation on local radio proposed by the two governments, (the previous Fianna Fail and the present coalition), the lack of any real difference between the options will be made clear. The similarity of the proposals reflects the similarity between the political parties. It is the degree of

strength of the Labour Party's influence which provides the unknown
element in attempting to surmise the proposed legislation. The
coalition has promised to draft a bill on local radio before the 1985
summer recess; such promises have often been broken. How strong
Labour's influence will be in shaping the bill is difficult to
assess. However, there will be many groups and organisations vying
with each other to influence the bill. The underlying network of
bargaining and the exchange of favours among the political
parties and between politicians and outside power groups seems
likely to eventually force a compromise on the draft bill.

3.2   THE BROADCAST MEDIA IN IRELAND: Ireland can boast of being
the country from which two broadcasting "firsts" were made.
The first trans-Atlantic wireless message by Marconi was sent from
Clifden in Connemara and also the first wireless "news" was
broadcast during the 1916 Rising from the Irish School of
Wireless Telegraphy in O'Connell Street. In these incidents
alone has Ireland pioneered radio history. Ireland's first
Wireless Telegraphy Act was not passed until 1926. In Britain
the BBC was established in 1922, (then the British Broadcasting
Company), and in America the first independent companies were
broadcasting as early as 1920. In many respects this should have
left Ireland in an ideal position to watch and learn from others'
mistakes. As it transpired, Ireland insisted on experiencing the
confusions of the early squabbles for licences among the wireless
manufacturers that both Britain and America experienced.

        The Marconi Company first applied for a licence to
broadcast in 1922 but any decision on radio was postponed for the
duration of the Civil War. When an Irish consortium later applied
to be given the monopoly for wireless manufacture and broadcasting

the official reply from the Postmaster General was against any monopoly, but it stated that all Irish companies should be entitled to broadcast, "as is provided for in the case of the British Broadcasting Company". (cf. Maurice Gorham, Forty Years of Irish Broadcasting, 1967.) Thus as early as 1922, the Irish were to look to Britain for the example in broadcasting matters. After a history of British rule perhaps it is not surprising that Ireland should seem to depend on the British lead in areas of legislation among others. Ireland's links to Britain were never severed in this respect;

> "The effects of the British connection still
> influence many aspects of Irish life...In many
> areas of law, social reform, technology,
> organisation and communication, what Britain
> does today Ireland does years later."
> D. Fisher, Broadcasting in Ireland:
> Case Studies on Broadcasting Systems,
> London: Routledge and Kegan Paul,
> 1978, p.4.

In areas of broadcasting law this statement certainly holds true.

3.2.1   The 1923 White Paper on radio broadcasting suggested the union of five interested manufacturing groups which was to be given the sole right to broadcast. The company was open to any other firm which wished to join and was allowed fifteen minutes of advertising time per day. This proposal was very similar to the situation in Britain. However, it was decided that a special government committee be appointed to discuss broadcast legislation. This committee gave rise to the first broadcasting scandal in Irish history. Typically enough, it involved the political and commercial association of one of the committee members with an outside interest party. Much allegation and denial was entered into by both sides and there was much personal abuse. The situation was never clearly resolved. It appears that the owners of one of

the companies applying for a licence, (Mr. Belton), had a previous financial arrangement with one of the leading politicians on the appointed committee, (Mr. Darrell Figgis). Mr. Belton, it was alleged, had hoped that Mr. Figgis would "use his great influence with the Government" on behalf of Mr. Belton. He had entered into a financial arrangement with Mr. Figgis to that purpose, (not only in connection with radio broadcasting but also in connection with other projects, mostly building contracts which were to receive government finance). More damagingly, Mr. Belton was said to have promised Mr. Figgis money to support his election finances for a number of independent candidates with whom Mr. Figgis had political allegiance. In return for his financial assistance, Mr. Belton expected the co-operation of Mr. Figgis to arrange the government contracts. The strength of these allegations was demonstrated by numerous letters between the two men which were produced seemingly in defence by both parties, but which only served to further entangle the situation. The public scandal which grew around the affair finally led to the resignation of Mr. Figgis from the committee, and was to continue to shadow his political career. In a second controversy the Postmaster General, Mr. Walsh, became involved in accusations with another of the committee members, Mr. McGarry. In an effort to support his own plans for radio, (outlined in the White Paper), Mr. Walsh accused the committee of harbouring ill-feelings towards him and trying to discredit him. He then accused Mr. McGarry of being financially involved with one of the firms applying for a licence. Mr. McGarry had declared his involvement with an electrical firm which could conceivably have manufactured wireless components or could have been connected with another firm which manufactured components.

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However, he denied being partisan in the matter of issuing licences
and denied using either direct or indirect influence on behalf
of any company. Yet he later refused to sign the committee's
report because of his connections with an electronic firm. The
whole political muddle tends to disprove the notion that the
committee ever seriously discussed Ireland's future radio system.
In an understatement, Maurice Gorham comments on the committee's
final publication:

> "Its proceedings make fascinating reading
> for anyone interested in the history of
> broadcasting, and cast some light on
> the political personalities prominent..."
> M. Gorham, Forty Years of Irish Broadcasting,
> Dublin: Talbot Press Ltd.,
> 1967, p.10.

Not only does the controversy surrounding the committee serve to
examplify Irish political intrigue and the use of influence to gain
control, but it also illustrates the nature of the decisions
taken in regard to broadcasting.

3.2.2   The Wireless Telegraphy Act of 1926 established a
public service broadcasting institution controlled by the
state with responsibility for broadcasting radio programmes.
The institution was only to broadcast programmes it did not
involve itself in the manufacture of radio sets. The station
was financed from the issue of radio licences, from an import
duty on radio sets, and also from advertising revenue. When
necessary, and it soon became necessary, the government could
provide additional finance. The government retained control of
all financing and expenditure and the first Director General was
a civil servant, Seamus Clandillon, who was to hold this position
until 1934. The first station, 2RN, began broadcasting from
Dublin in 1926. A year later a Cork station, 6CK, was opened

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which had the facility to generate programmes but also relayed
Dublin produced programmes. Much later in 1932 a 60kw transmitter
was constructed in Athlone and the Dublin signal was finally
available for nationwide reception. It is a reflection of Irish
priorities that this transmitter was hurriedly made ready for
operation for an International Eucharistic Congress which was
held in Dublin in June of that year. The transmitter was
operational in time for the congress but the building was not
completed until the following year. Radio Athlone became the
new name under which 2RN continued to broadcast and is still
seen marked on old wireless sets but the service became known
generally as Radio Eireann, and with the introduction of
television in the early 1960's its present name was adopted,
Radio Telefis Eireann, (RTE).

3.3 MEDIA PROFESSIONALISM: RTE has often been criticised for not
being politically impartial throughout its history. These criticisms
have mostly come from politicians who have believed themselves
"wronged" by RTE or who declared that the opposition have had more
airtime than has been given to them. Sometimes even it has
been said that RTE, or an RTE department, is staffed by
sympathisers of a particular party who produce a certain bias in
programme output. Such accusations are largely unfounded. None
would be tolerated in the state broadcasting station who were
known to be consciously and deliberately producing what would
amount to propaganda. If there exists any bias within the minds
of RTE broadcasters and producers it must certainly be
unconscious and greatly disguised:

> "Whatever influence supervisory authorities
> may have over broadcast output - unobtrusively
> and by retrospective comment far more than by
> active intervention - the test of tolerance

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> in broadcasting, in the end, is the content
> of output itself; and the limits of tolerance
> are likely to be set, in practical terms,
> mainly by broadcasters' own conceptions of
> how the world ticks, and especially, of
> what they themselves are about."
> Westergaard, "Power, Class and the Media" in
> Mass Communications and Society,
> Curran, et al., eds., rpt., 1979,
> London: Arnold & O.U. Press, 1977,
> p.106.

The argument that individuals reflect the societal values to

which they have been conditioned returns to the themes outlined

earlier in the second chapter. Relating the Marxist-Elitist

theories to the media has been a primary task of John Westergaard.

Together with Henrietta Resler, Westergaard gives a thorough

analysis of contemporary Britain illustrating examples which

support his Marxist-Elitist premises. The role of the media is

crucial to the maintenance and self-perpetuation of the societal

elite. Developing Bachrach and Baratz' work on non-decision-making

Westergaard argues strongly on the importance of unconscious

acceptance of the status quo:

> "In fact no control could be firmer and more
> extensive than the one which embraced the minds
> and wills of its subjects so successfully
> that opposition never even raised its head."
> Westergaard and Resler, Class in a Capitalist
> Society: A Study of Contemporary
> Britain, 1982 rpt., Middlesex:
> Pelican Books, 1975, p.145.

The consequences of non-decision-making have three implications

on the nature of power and control:

1. First, power can exist in the structure of an organisation as

well as residing in individuals and groups. This gives power a

more intransigent quality. It is not merely a quality possessed

by individuals it is a force which to exist must be used. Power as

a force can exist therefore in structure.

2. Power exists also in "routine application", in everyday

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procedures. The channels of communication, the functions of employees, the exercise of authority, all represent forms of power.

3. The unquestioned assumptions, the acceptance of "how things are done" as natural and legitimate illustrates power over the minds of people. Conflict is allowed, to a degree, but not enough to threaten the control by the elite. Consensus cannot be positive in this situation because it is a forced consensus - the issues have already been decided, the options defined. The result of this must necessarily restrict the alternatives open to suggestion and therefore the range of conflict is narrowed, confining it to mere "legitimate" opposition. Power of course, "lies closest to the interests that benefit most from this pre-determination of the boundaries of conflict." (ibid. p.147.)

Applied to the media these three areas of control relate to the authority structure, the everyday operation of the media company, and the often unconscious values behind non-decision-making. The make-up of the organisation's authority from producer to Director-General and the RTE Authority,in the Irish case, is the first area of control. The routine behaviour and operation of the media company, the work of its employees, is covered by the second area. The third area of control involves the personalities of those engaged in decision-making, how they consider "reality". It becomes obvious in Westergaard and Reslers' threefold definition of control that concrete examples will be hard to obtain, and therefore proof of control may often be difficult to illustrate. This may be due to the unconscious nature of individual assumptions which support the status quo of the elite, but may equally be due to the lack of desire of individuals in the media, to seriously question their conceptions and the structures of authority. Such

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internal questioning may give rise to a discomfort and a sense of criticism which would make work in the media a threat to the status quo and would lead to a situation intolerable to its controllers.

3.3.1   Ireland is fortunate in having a well-documented example of three ex-members of RTE who resigned, mainly as a matter of conscience, and who provided an insight to the Irish media as it was in the late 1960's, and as it probably largely remained. (Philip Schlessinger and the Glasgow Media Group provide a more scientific study of the British media.) Summarising the necessity of questioning the media's role in society, and also the likely results of such questioning by any of its employees, Bob Quinn wrote in an open letter to his colleagues at RTE:

> "...query its sacred cows, its gods and its
> liturgies, its systems, its impeccable phrases
> imported from the respectable corruption
> of business management. Ignore above all its
> offers of a comfortable place in the technocratic
> womb; its bribes of security, status and free
> burial service. Having ignored all of these
> expressions you will find yourself out of a job.
> And you can't afford this because you have a
> mortgage, an overdraft, a hire-purchase agreement
> and a realisation that you were never free."
> Doolan, Dowling and Quinn, Sit Down and be Counted,
> Dublin: Wellington Publishers Ltd.,
> 1969, Appendix III, pp.xxxiv-xxxv.

It is precisely this type of critical outlook encouraged by Bob Quinn over a decade ago that should be prominent in the media and it is this same outlook that is actively discouraged by the media controls. It is the purpose of the media to reflect the consensus within society, the consensus encouraged by the elite who decide what it and what is not consensus. The broadcasters are required by law to maintain balance and to be impartial and objective in all matters, especially those matters likely to give rise to controversy. Politics, news, current affairs and discussion

programmes must all be balanced with representatives from all sides given equal time to put forward their views. The views of the presenter or interviewer must not be broadcast: s/he must remain impartial and be objective in questioning and discussing the issue. This is a requirement of law. It ensures that the media reflects the interests of the majority consensus and is arranged to prevent the broadcast of radical minority opinions which would be unrepresentative of general public opinion and which might threaten the fabric of national cohesion. In Britain at the time of the General Strike the BBC demonstrated that it was on the side of government and Lord Hill has commented in relation to Northern Ireland that "the BBC is not and cannot be impartial." In Ireland also, a former Minister for Posts and Telegraphs, responsible for RTE, has said that RTE was "responsible to the Government who appointed the Authority and provided the capital." (Mr. Erskine Childers.) A former Taoiseach, Mr. Sean Lemass stated in the Dail that:

> "RTE was set up as an instrument of public
> policy and as such was responsible to the
> Government...To this view the Government
> reject the view that RTE should be, either
> generally or in regard to its current affairs
> programmes, completely independent of
> Government supervision."
> Doolan, Dowling and Quinn, op.cit., pp.90-91.

These statements may seem somewhat archaic compared to today's standards of liberal media freedom. However there remains the fundamental nature of the media's support for a majority consensus by the use of "professional standards" of impartiality, objectivity and balance. Westergaard and Resler note the frequency of emphasis these professional standards receive by both the broadcasters themselves and also by government. In contrast Westergaard and Resler observe:

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> "But there is, of course, little in the way
> of corresponding formal prescription to
> define what the limits of consensus are -
> to lay down what will, and what will not,
> offend against good taste or decency, or be
> likely to encourage crime and disorder, or
> be offensive to public feeling."
> Westergaard and Resler, op.cit., p.270.

3.3.2   This lack of "formal prescription" means that the producer

and director must interpret themselves what is meant by the

terms of professional standards. There may exist an internal

reference, such as the BBC's "Blue Book", but it is largely

up to the individual to define the terms and their application

to a particular programme item. This decision may partly be

based on previous experience of what has been "allowed" and what

has been refused, but eventually the decision comes to rest on

the producer's own subjective opinions of what is "in the

public's interest". This must necessarily be subjective if there

exists no exact definition of professional standards nor of

their application to programming. To know that programme content

depends on a subjective interpretation of the legal restrictions

on broadcasting places the producer in a difficult situation,

and an extremely responsible position in regard to public

accountability. Given these circumstances the response of

broadcasters becomes predictable;

> "Producers generally play safe. They
> work to formulae - unwritten professional
> assumptions and codes of practice - that
> keep the content, tone and perspective of
> most programmes within accepted moulds."
> ibid., p.271.

It is this type of "playing it safe" that leads to the unquestioning

attitude that Bob Quinn in his open letter deplored. This

passive acceptance of the status quo is based on fear; fear for

job security, promotion and the desire to quieten the conscience.

False consensus exists where none can imagine or dare imagine an alternative. The media can only become stagnant in these conditions and any hope for an actively critical form of thinking by broadcasters is lost.

3.3.3   In a democratic state the media are seen ideally as being a "third estate" - a force that monitors state activities on behalf of the public and provides for the broadcast of opposing views. However, this function of the media is a myth. The media hampered by state controls and professional codes of conduct cannot in reality be a "honest broker" to the state. It cannot be impartial when its impartiality is subjectively defined by the media producers themselves; it poses a contradiction. It is this contradiction however, that is accepted by the media and society. The very notion of media impartiality is part of the conditioning necessary to the maintenance of the status quo. The public need to feel that the media are representing their interests and acting as a third estate on their behalf, and the media producers also must believe this to be their purpose. It is only when the media come close to actively fulfilling this role and going beyond the structures provided for investigation, transcending the traditional boundaries of reportage, that the producer realises that it is not the job of the media to seriously criticise the status quo. Doolan, Dowling and Quinn's book chronicles numerous incidents in early RTE programming which attempted to question political and social issues and which met with severe disapproval by the RTE authorities. Two programmes in particular are mentioned, 7 Days and Home Truths. 7 Days was a political current affairs magazine programme and Home Truths was a consumer affairs programme orientated towards the middle to lower income groups. Both programmes were eventually

dropped by RTE after numerous arguments between the programme

producers and the RTE authorities. Explaining the underlying

reasons for the ending of these two programmes Doolan, Dowling

and Quinn comment:

> "Programmes which had sought to test the
> public's maturity inevitably increased
> the testyness of national leaders.
> '7 Days' did such programmes and underwent
> such pressures, not only from enraged
> public servants but from within the
> Authority itself, whose political and
> temperamental predictions favoured
> the status quo."
> Doolan, Dowling and Quinn, op.cit., p.112.

and on Home Truths they quote a statement by the Advertising

Sales Manager of RTE, Mr. R. Gahan:

> "While the programme said nothing untrue,...
> the station could not afford to express
> the kind of truth the programme was
> transmitting."
> ibid., p.96.

This appears to be the regard RTE holds for any programme

initiating critical inquiry. Numerous examples are recorded

of items which have been refused on the grounds that they may

compromise RTE with outside interests, both government and

economic powers:

> "Mr. Dowling was ordered by the Controller
> of Programmes to get a graphic artist to
> change the name of a brand of toothpaste...
> An item on Mr. Charles Haughey was ordered
> to be removed...Mr. Dowling refused. It was
> taken out of the tape without his knowledge
> by means of a razor cut...the disappearance
> of three programmes which had been completed
> prior to the transfer of '7 Days' to the
> Head of News; these were, an item on
> property sales at Mountpleasant Square;
> housing conditions as seen by Father Sweetman,
> S.J., and Special Branch activities in
> student circles."
> ibid., Appendix III, pp.L-Li.

Government and business powers combined to pressurise RTE to

reprimand the producers of 7 Days and Home Truths and

succeeded in eventually forcing the resignation of the producers - Doolan, Dowling and Quinn.

3.4   THE ROLE OF THE MEDIA: The public's conception of the freedom of the media from, especially, political pressure is part of the general public conception of the state as being an institution concerned with the protection of each individual citizen. Introducing his theories of the press, Siebert recognises that:

> "the press always takes on the form and
> coloration of the social and political
> structures within which it operates.
> Especially, it reflects the system of
> social controls whereby the relations
> of individuals and institutions are
> adjusted. We believe that an understanding
> of these aspects of society is basic to
> any systematic understanding of the press."
> Siebert, Peterson & Schramm, Four Theories
>   of the Press. rpt. 1979,
>   Chicago: University of Illinois,
>   1956, pp.1-2.

The press and the media are a creation of the society in which they exist. An opinion of the role of the media in society then must be based on an opinion of society itself, an opinion subject to the biases and pragmatics outlined in the second chapter. In believing in the concept of a liberal society, as described from Stuart Mills to Parkins, to be an optimistic fallacy it follows that Siebert's description of a libertarian media system must also be based on a misconception of society.

The Libertarian theory is founded on a view of mankind as rational and essentially good. Thus man's actions are predictably good when given freedom, education, basic comforts and security. Each individual has the right to seek fulfillment from life and on the sole conditions that his actions do not injure another the individual should be given as much freedom as possible. The state's function is to facilitate the citizens

in their quest for self-fulfillment and happiness by providing

the requirements for existence: health care, housing, security

and the finances necessary for the attainment of goods and

services. This belief in the underlying rationality of

mankind leads to the liberal-pluralist belief in the self-righting

nature of society; what is best for society will eventually

win over all opposition if given the freedom to do so. The

open-market principle holds equally for the media. The "truth"

will find more favour with the public than any falsehood and

the freedom of expression of all opinions will eventually give

rise to the "truth". If the individual has the right to knowledge

then the media has the duty to provide it. It becomes the

responsibility of the media therefore to provide the public

with information and opinion from all sides of a given issue -

especially political issues which affect their well-being. The

degree of press freedom in relation to state security has always

been a divided issue. It is accepted that the individual has

a right to privacy from the press, (and all media), but the

amount of secrecy allowed the state is questionable. Clearly

the media's freedom must be limited to some degree - but to what

extent? Summarising the functions of the media in a liberal

state Siebert concludes:

> "Basically the underlying purpose of the
> media was to help discover truth, to
> assist in the process of solving political
> and social problems by presenting all
> manner of evidence and opinion as a basis
> for decisions. The essential characteristic
> of this process was its freedom from
> government controls or domination...it was
> to provide a check on government which
> no other institution could provide."
> ibid., p.51.

3.4.1   The Marxist-Elitist view of society, (covered in chapter

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two), throws doubt on whether the media can ever fulfill such functions. If it is against the interests of the state to allow the expressions of certain opinions which, the state declares, are contrary to public interest, then the media will be forbidden to broadcast those opinions on the grounds that they are offensive to public morality, may incite to crime, or whatever. The freedom of the press exists to question anything that lies within the constructed consensus but does not allow the investigation of what lies outside that consensus. Neither is the questioning of the structure of the consensus itself allowed nor especially, any investigation of the real interests the consensus may support. Those interests are the power groups upon which society is based; economic and political institutions. As long as the public believe the press to be concerned with safegarding the public good and believe in the privilege of the freedom of the press those power elites remain secure. It is only when the media become critical of the societal institutions and begin stretching the limits of their conventional freedom that direct measures must be taken to control the media. Normally such measures are unnecessary. The three forms of control suggested by John Westergaard are sufficent; administration usually confuses and smothers any queries before they have time to surface. The process of socialisation and the promise of promotion usually succeeds in quietening any questioning mind. It was a vain attempt by Doolan, Dowling and Quinn to arouse public consciousness that caused the conditions forcing their resignations, not any one specific incident. The legal constraints of impartiality, objectivity, balance and the maintenance of public order serve to constrain any attempt to widen the boundaries of consensus and suffocate the inquiring

attitude that is necessary for growth. Work in such an environment
can only lead to the production of routine programmes which
cover the same content with only a different presentation. News
and current affairs become a mere broadcast of facts with no
attempt to analyse or search beneath the surface for explanations.
RTE is caught in such an atmosphere and is suffering from
stagnation.

> "Intellectual and imaginative daring, the
> desire to try new forms and procedures
> are all progressively neglected or even
> actively suppressed...Management has
> substituted for these qualities a nervous
> self-censorship...[authorities] have no
> real interpretation of RTE's role of
> impartiality other than a shrewd and
> cynical anticipation of external pressures
> and censures."
> Doolan, Dowling and Quinn, op.cit.,
> Appendix III, p.xxxvi.

It is perhaps expecting too much to hope that the qualities
outlined above could prevail in the Irish media given its
history. If as Westergaard suggests:

> "in the selection of news and background
> information the tone of commentary...,
> in the emphasis of interviewers and
> discussion-chairmen, in choice of
> spokesperson, the broadcasting media are
> not 'neutral' between those who accept
> and those who appear to threaten the
> established order..."
> Westergaard and Resler, op.cit., p.273.

then the media should stop pretending to be "neutral" and
should no longer cloak itself behind the professional terms
"impartiality", "objectivity" and "balance".

3.5 RIVAL GROUPS: Local radio represents a possibility for a
new media force in Ireland. The potential for control of local
radio is an opportunity for the various economic and social
groups in the country to assert themselves, to gain dominance

over their rivals. Access to local radio has become an important issue reflecting the relative power these groups have with the ultimate controller, the state. In turn, it is a reflection of what Irish society considers important in determining which of the conflicting interests is to be given dominance in this new media system.

3.5.1   The present coalition government set up an interparty committee which investigated the various interests' proposals for local radio. This Oireachtas Committee is part of a plan to open government legislation to public involvement. The success of the Committee system has already been questioned with the Magill Book of Irish Politics, 1984 commenting:

> "Instead of revitalising the Irish Parliamentary
> system, these new committees [of which the
> committee dealing with local radio legislation
> is but one] appear to have added another
> sluggish layer to Government..."
> M. Farrell, ed., Dublin: Magill Publications Ltd.,
> 1983, p.102.

Outlines for government legislation were published and the public was invited to submit reactions to the proposal to the committee. Most of the organisations and individuals interested in local radio wrote to the committee. It is fair to assume that all parties seriously interested in local radio submitted their opinions to the Oireachtas committee. Some of these were selected to give further oral testimonies to the committee. The committee was not obliged to issue a report nor to offer any recommendations to the Minister for Communications who has the responsibility for preparing the bill on local radio. However, it is assumed that the public may influence legislation and that legislation would take account of public attitudes. In any case the system gives the government the ideal opportunity

to declare that it has satisfied public interests and given
all parties equal opportunities to express an opinion and influence
policy. These submissions provide access for analysis of the
opinions of groups interested in influencing the control of local
radio in Ireland.

The opinions of the various interest groups may be
broadly defined as falling within two distinct categories:
those who support what has been termed "community radio" and
those who propose "independent commercial radio". Within these
two groups are other interest groups who in supporting one or
another side hope to further their own interests by using the
local radio medium. Some see community radio as offering the
best opportunities for their interests; others support commercial
radio for their own benefit. Since the terms used in the local
radio debate have often been misapplied and confused, (community
radio and independent radio have been popularly used as attractive
descriptions), definitions will be given to distinguish between
the usages. Drawing from the few definitions which have been
offered and attempting to apply them to the Irish case, final
definitions will be given which will be adhered to when describing
the proposals to the Oireachtas Committee.

3.6 INDEPENDENT RADIO: "Independent" local radio finds its origin
in the early British arguments for an "independent" radio and later
television service. Independent was taken to mean independent from
government influence and later, independent from the BBC. The phrase
grew in popularity with the advent of "pirate" radio stations. These
"pirate" stations claimed independence from all forms of authority,
government, commercial and the established broadcasters. The "pirate"
stations appealed to the anti-establishment attitude among

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teenagers and the popular culture prevalent in the late sixties
and early seventies. Being independent meant being free from
restrictions; anyone could broadcast any content without fear
of intervention. In theory this should have led to true impartiality
and the freedom of access for all. That this did not result
undermines the hope of any such "independent" media system.
The "pirate" stations were under three controls: control from their
dependence on advertising, control from their fear of transgressing
the unofficial approval that tolerated their existence in exchange
for their unquestioning attitude to the status quo, and control from
the initial expense and knowledge necessary to set up a radio
station. Subject to these basic controls, even "pirate" stations
can never be independent.

3.6.1   In Ireland also the existing "pirate" stations are
subject to these restrictions. There is no "pirate" station that
broadcasts material challenging the established order. Indeed an
interviewer for a "pirate" station was dismissed for planning to
broadcast an interview with Ken Livingstone, Danny Morrison and
Gerry Adams, (the Labour leader for the Greater London Council
and two members of the Sinn Fein Party, all elected local
representatives). Mr. Gavin Duffy, the interviewer, received
a written message from the then Minister for Posts and Telegraphs
asking him to refrain from continuing the interview. When Mr.
Duffy publically declared his intention of ignoring the Minister's
warning he was dismissed by the station, Radio Leinster, and the
interview never took place. Both interviewees were elected public
representatives, (although not Irish), but were known to be
highly critical of the British government's policy in Northern
Ireland and would probably be equally critical of the Irish

government. Such a broadcast at any hour and despite the probably small number of listeners was too great an embarrassment for the government who gave proof of their influence with the owners of "independent" "pirate" stations. Radio Leinster did not have a large listener area and was not one of the major "pirate" stations. Following the 1983 raids on the "pirate" stations Radio Leinster closed and has not broadcast since. It has remained the only Irish example of a "pirate" attempt to broadcast a controversial issue. (see Irish Times, 24-12-82, p.1.)

All the Irish "pirate" stations depend on advertising to provide the finance needed for broadcasting and all depend on popular music for content with only a few stations attempting a current affairs discussion; usually a weekly round-up of local news and events with an occasional interview. Any coverage of local politics is restricted to presentation of facts only and opinions and analysis are rarely broadcast. There are no radical "pirate" stations. The only attempt to broadcast what is termed anti-establishment material, (by H-Block hunger strikers in 1981), ended after the general election in that year, probably because of lack of funds and due to technical difficulties. Any hope for such broadcasters to evade the predictable Posts and Telegraphs' detector van would be to use a portable transmitter, which would certainly limit the broadcast area. Such a station would need to be self-financing since it would be unlikely to receive advertising subscriptions.

3.6.2   None of the Irish "pirate" stations can be said to be entirely independent of outside pressures and no plan for true "independent" local radio is likely to be acceptable to those who hold state control. If the state cannot control what is broadcast

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it will seek to silence such broadcasts; and if the state or any other controls broadcast material then the broadcaster cannot be "independent". Various degrees of independence can be achieved and one station can be closer to independence than another but none can claim total independence, so long as the three basic controls outlined above exist.

3.7 COMMUNITY RADIO: The ideals of community radio have been put forward, usually by a minority, in most countries. Whilst never finding full nationwide application in any country community radio systems have developed in some major countries, most notably Canada and Sweden, and Australia. Universally community radio is taken to imply a system whereby control of the station rests, to varying degrees, with the listeners served. The degree to which control actually rests with the community is what makes the term "community radio" controversial. All community stations proport to serve the interests of the community; allowing access for local people to broadcast, catering for minority interests within the community and being owned by local people. However with such general definitions it is easy to understand how some commercial stations can claim to be community radio stations without fulfilling the spirit of true community radio. A specific declarations of the aims and purposes of community radio was given by the British Community Communications Group, known as COMCOM. This 1979 charter has been widely used by community broadcasting groups and remains the tightest definition of how community radio should be structured. COMCOM outlines ten principles:

Community broadcasting should;

 1. serve either local communities or communities of interests;

 2. be legally organised on a non-profit basis;

3. have a Governing Board democratically elected and representing all the community interests which includes the station workers, paid and voluntary, and decides programming policy and manages the general running of the station;

4. provide entertainment, information and education, encouraging the two-way communication of all interests and opinions;

5. have a variety of funding, from spot advertising, local sources and public funds;

6. allow for flexible job allocation, union membership for paid personnel and the use of voluntary workers;

7. provide equal employment opportunities for women and minority and ethnic groups; [a legal requirement for all industries,]

8. provide local people with access to production and transmitting facilities and provide for training;

9. transmit predominately local programme material;

10. encourage a programme policy that develops participatory democracy, combats racism, sexism, and all other discriminatory attitudes. [Perhaps in Ireland, including religious discrimination.] The right of reply for individuals and interest groups was later added. [Taken from the Community Broadcasting Charter, COMCOM, July, 1979.] This charter outlines a system for community radio that is essentially non-profit-making in character, represents the community through a democratic body made up from the interests groups in the community and which controls the station and material broadcast. These aims have been summarised by Peter Lewis in an overview of community radio models;

> "...community radio programming is initiated by
> community groups or individuals broadcasting by
> themselves for themselves. The initiations are
> locally inspired and operated on the bias of
> low cost technology...and are not financed for
> profit. There is room for considerable variety
> in structure and philosophies, a reflection,

> indeed, of the varieties, social and cultural,
> of the communities which initiate and sustain them."
> Peter M. Lewis, <u>Different Keepers: Models of</u>
> <u>Structure and Finance in</u>
> <u>Community Radio</u>, London:
> International Institute of
> Communications, 1977, p.6.

The major problem for organisers of community radio is how to finance the service. Funds for initial costs and continual running costs have to be met. Some stations in America depend on listener subscriptions; most though sell spot advertisements, (the same as commercial stations.) Other stations allow private investment; in return the investor is allowed the same voting right as other community representatives on the management committee.

3.7.1   In Ireland the system corresponding best to the ideals of community radio is presented by the National Association of Community Broadcasting, (NACB). Its charter owes much to COMCOM's documentation but also incorporates the Irish Co-operative traditional models, although not all NACB stations are co-operatives. The NACB aims and directives are briefly:

1. representation on any Local Radio Authority appointed by the government;

2. that community organisations be given priority in the allocation of licences. These organisations should include all interested community groups and individuals, with no one group having a controlling share. RTE, provincial newspapers and local businessmen may all participate equally with the community.

4. The NACB will represent all such community stations that comply with the non-profit and democratic control guidelines that constitute a community station. The NACB will undertake to provide technical information and training services for all community stations.
[NACB, "Submission to the Oireachtas Committee on Legislation".]

3.8 COMMERCIAL RADIO: A degree of rivalry exists between community stations and the commercial local radio stations, the latter including the most profitable and successful "pirate" stations in Ireland. The commercial stations do not suggest neglecting the community entirely; they encourage local societies and individuals to seek access and broadcast interviews, community announcements, provide "job-spots" for the local unemployed and have participated in local charity fund raising. The commercial stations recognise the need for community support and encourage participation as a method of gaining local popularity. The major differences between commercial and community "pirate" stations is not so much an issue of content, (although community stations tend to play more local and Irish music, and also have more speech content), but more an issue of control. Community stations have a committee structure that allows control to be evenly spread among elected representatives of the interest groups and societies in the community, the business investors and the station workers. This committee decides on policy and management of the station. The commercial stations are operated like any other commercial enterprise with the investors owning and controlling the station and the workers and listeners being restricted to non-participatory roles. Financial returns tend to influence policy decisions and limit the choices available to the station managers.

3.8.1 Among the proposals to the Oireachtas committee from those preferring commercial local radio are some organisations and some "pirate" stations which attempt to propose a community-type local radio system but whose proposals remain outside the strict definition provided for community radio. Together with these exceptions are the commercial radio stations who suggest benefits for the community but also fail to meet the criteria set for community radio. These two

groups propose community attractions but offer no community control. Submissions were made to the Oireachtas committee also by a number of social and cultural societies who wished to be recognised and protected by the proposed legislation. Some of these organisations merely wished to stress the importance of their aims and purposes; others either proposed amendments to legislation which would further their interests or supported the proposals of others. By examining the supporters of a proposal it is possible to understand more of both the supporters and those who initiated the proposal.

3.9 THE OIREACHTAS COMMITTEE SUBMISSIONS: The proposals made to the Oireachtas committee can be divided into those made by the NACB and its supporters; those made by commercial local radio supporters, including "pirate" stations; and those outside these two groups, RTE and Gael Linn. The inter-party committee is made up from both Dail and Senate members and has responsibility for studying many pieces of new legislation not just that on local radio. It is headed by Mervyn Taylor, a member of the Fine Gael party. Fifty-seven written submissions were made to the committee by individuals and groups interested in local radio, some were asked to make further oral submissions. The written submissions varied from large detailed studies to one-page letters. From these submissions sixteen can be judged to be purely community proposals and fifteen purely commercial, (in accordance with the definitions for community and commercial radio outlined earlier). Ten are community-type proposals but outside the strict definition of community stations; three are commercial proposals with reference to community influence and the remaining fourteen offer no proposals but wish to have their opinions and hopes acknowledged. Some of the written material is extremely well researched and presented; others contain highly personalised views. (One writer criticised the

content of a Dublin "pirate" station characterised by the "blasting
out of the drug-taking, sex-obsessed singer..."). Those proposals
that are well presented are, most often, from the commercial
proposers.

3.10 COMMERCIAL PROPOSALS: The proposals for commercial local
radio stations place a strong emphasis on the need for an authority
to supervise the local radio system. They propose an Independent Local
Radio Authority separate from the RTE Authority but similar in all
respects to the RTE Authority: government appointed, responsible to
the Minister, with the duty of issuing licences under the guidelines
given in the ultimate legislation. Most suggest that an Advertising
Control Council be established to monitor advertising content and
duration. Not all agree that the Authority should own the radio
transmitters and lease these to the station contractors for a
reasonable charge which would be used to cover the Authority's expenses
and also provide a fund for less profitable stations. Not all agree
that less profitable stations should be given financial assistance.
When these stations write of "independence" they imply independence
from RTE and not from governmental control. These broadcasters firmly
believe in professionalism, the duties of impartiality, objectivity
and balance and the freedom of the press. It is this professional
attitude together with the complete separation from RTE and public
service broadcasting that will give them their "independence".

This is not the independence of self-determination for the
individual that is supported by the authors reviewed in the second
chapter. The controls advocated by the commercial stations leave no
room for the possibilities of the community to determine the nature
and policy of the station of which they will be the listeners; nor
to decide whether their own community actually may want a radio

station. (cf. Peter Lewis's example of the Thames Valley community which decided against a ILR station but nevertheless received one; Lewis, Whose Media? 1978.) The commercial proposals are based firmly on the British model of Independent Local Radio, discussed in the following chapter. The commercial nature of the stations are founded on the ideals of the open market system: a mixture of free competition among the stations with a supervisory authority to control the competition in the interests of the community. This Pluralist model and the media system developed from it negates the freedom of the community to choose for itself and consistently fails to enforce the responsibility of the station to be accountable to the community which it proports to serve.

The importance of finance and marketing is stressed by the commercial proposers. There cannot be too many stations concentrated in the one area since there will not be the market to support the station. The competition for advertising would lead to the collapse of some stations. Thus the service areas of the stations should not overlap and the service area should contain a minimum population to attract advertising. Most agree on the figure 100,000 as the population size required to support a station. The problems of population spread in the country, (half of the Irish population reside in communities of under 1,500), are solved by proposing a system of "twinning" stations. They propose establishing major stations around the country in the major population areas and then allowing for "satellite" stations which would depend on the major station for its content but would "opt-out" to broadcast their own local content for a set period of the day.

3.10.1   Perhaps the most reasoned submission from the commercial proposers is from Robbie Robinson, owner and broadcaster with the

second biggest Dublin "pirate" station, <u>Sunshine Radio</u>. Robinson
had considered his plan for local radio since the first suggestion
by the government of legalising local radio in Ireland. As a result
his plans are well thought out and detailed. He recognises the
importance of community involvement and his "pirate" station has been
active in supporting community ventures and in providing community
announcements, usually free of cost. His standards for local radio
are based on those of the British Independent Local Radio. He is a
firm believer in professionalism. In his office a map of Ireland
illustrates localities for five major stations, (two in Dublin,
one each for Cork, Galway and Limerick), and ten satellite stations.
The five regional stations would provide the capital necessary to
support the ten satellites. These need not be owned by the same
people but there may be some mutual shareholders. Shareholding would
be limited to 20% with the majority being owned by the station
manager and broadcasters. This gives an incentive to the station
operators to provide the best service possible to their listeners.
The more listeners that are satisfied with the station's service,
the greater the listenership figures and the greater the advertising
revenue that will be generated. (This is the same logic as that behind
the arguments for commercial radio given in the first chapter.) If
the service is not supported by the listeners then the advertising
revenue will not be sufficient to maintain the station. This returns
to the public service versus private enterprise controversy, "Do you
give the people what they want or what you think they ought to have?",
an argument treated in the first chapter.

3.10.2   Another of the Dublin-based "pirate" broadcasters, Eamon
Cooke of <u>Radio Dublin</u>, one of the first "pirate" stations to begin
broadcasting, submitted detailed plans for a local radio system. He

outlines three station types: a "professionally" run 24-hour station in a city, a rural station run on similar lines but taking into account local conditions, and a community station with minimal staffing and relying on volunteers. He provides costing for a total of 85 staff; 75 full-time and ten part-time and replacements during an annual four week holiday leave, in all costing approximately 52,000 pounds per week - an enormous expenditure. The costs for the community station with a staff of 37 is estimated at 17,000 pounds per week. Naturally Cooke points out that with such costings the originally proposed thirty stations could not be feasible. (The number of thirty local radio stations originated in 1978 and has been in public use since.) In detailing the initial capital for the rural stations, Cooke estimates a gross income from advertising at 3,000 pounds per week. His figures are well above those given by any other submission. The proposed eleven stations of all three types are situated as follows: three in Dublin, two in Cork, one in Donegal, Limerick, Dundalk, Waterford, Athlone and Galway.

3.10.3   The Eire Broadcasting Corporation, (EBC), is the commercial proposer which submitted by far the most lengthly, and certainly most detailed, documentation to the Oireachtas committee. Composed of a number of commercially interested groups, this corporation has been active since 1978 when it made its first submission to the Minister for Posts and Telegraphs. Consequently the first piece of proposed legislation on local radio which was published corresponded almost exactly to the EBC's recommendations with only a few alterations. These differences were covered in subsequent proposals made by the EBC and were presented to the committee with detailed technical advice on frequencies and power outputs for stations. The EBC recommended that the proposed legislation for local radio be extended to include

other forms of community broadcasting; closed circuit television and relay systems of locally produced programming. (Already a temporary licence for a closed circuit community television system has been issued on an experimental basis to a group in Ballyfermot, Dublin.) The proposal to establish a Local Broadcasting Authority with responsibility for all forms of local broadcasting seems likely to be accepted by the government. If it meant a serious review of broadcasting in Ireland and the development of a broadcasting policy for the country, then indeed, this proposal might well be beneficial. However it seems rather to have been accepted as a means of legislating for the future without giving due regard to the future needs and problems. There still remains the lack of any fully considered policy on broadcasting for Ireland and the indications are that the local radio legislation will fail to produce any debate on broadcasting policy. The EBC also proposed a ten year contract for broadcasters with a re-appraisal after the first seven years and a system of a "rolling-contract" every following year. A news service should be established to provide national and international news relays to the ten local radio stations and the subsequent twenty satellites, (hence the original number of thirty stations proposed by the government). The licence for this news service should be linked to a Dublin station similar to the British ILR system in London. The EBC argue that no "pirate" be allowed a licence, that religious advertising be allowed, that excess profits be used not to support other stations but for community projects and that the owners and directors be allowed to express opinions on current affairs since many owners may also be broadcasters and disc jockeys.

3.10.4   The reasoning of Robbie Robinson's arguments for commercial radio contrasts sharply with the more obvious arguments of the EBC.

The EBC comment:

> "Indeed we believe that the need to maintain
> revenue by the maintenance of high audience
> levels and the need also to gain a varied
> audience are two of the important motivating
> factors for the provision of good entertainment,
> news and education provided by the independent
> local radio stations."
> EBC, "A Case for Independent Local Radio in
> Ireland, 1978", presented to
> The Joint Oireachtas Committee
> on Legislation, Oct., 1983, p.22.

The veneer of public service broadcasting is spread very thinly over this statement. Such attitudes call into question the motives behind the commercial proposers. The phrases used are reminiscent of the marketing talk of the larger British Independent Local Radio stations. The EBC remain one of the less public but more obviously commercial-minded proposals. Recalling the close similarity between the early proposals made by the EBC and the early legislative proposals made by various governments it is important not to dismiss the blatant commercial attitude of the EBC but to compare it to the more public but less obviously commercial-minded comments made by Robbie Robinson:

> "I don't like to labour too much on the
> financial side, but that's the thing
> that's going to make it work. If there's
> no money in the thing it will not work.
> Without the cash, without the commercials,
> without the popular music vehicle, none of
> this community message, none of the community
> involvement, will have an opportunities -
> because it won't be there."
> (Interview with the author, July 15, 1983.)

Robinson's arguments appear to make perfect sense. He seems to be suggesting that the content of community radio can be best provided by professionals with financial investment. This service will be arranged with the consent of the public through the market forces for nominal financial return for the investors. A simple commercial transaction with both the public and the investors mutually

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benefitting. Ironically the underlying point is made by the EBC which
forms the crux of the opposing arguments of the community broadcasters:

> "We venture to suggest that the single most
> important question which the Irish Minister
> for Posts and Telegraphs has to decide, is
> who should control broadcasting." (Italics added.)
> EBC, "A Case for Independent Local Radio in Ireland,
> 1978", op.cit., p.4.

3.11 COMMUNITY PROPOSALS: The National Association for Community
Broadcasting, (NACB), submitted a report which received the support of
a number of separate organisations which have indirect links with the
NACB. The NACB report contains a description of the organisation, its
aims and members. It is a relatively small but very precise
document which captures the essence and potential of community
radio. A summary is given of the charter and the structure of
community stations, (outlined earlier), its advantages to the
community and the function of the NACB organisation itself as
a co-operative administration not a bureaucratic authority.
More interestingly, the report comments on the alternative to
the "professional" mode of broadcasting. It argues that local
radio can be seen as a medium for community self-expression
and growth. The development of the station by being controlled
"from the grassroots" and from the "bottom upwards" reflects
the development of the community which it serves. This model
of communication necessitates the democratic structure proposed
by the NACB in its charter and insists on direct broadcasting
by the community itself, not "mediated through a third person".
The aim of broadcasting undergoes a significant change; its aim
becomes orientated towards social action; the "aftermath of the
programme is its purpose." This radical approach to the purpose
of broadcasting is better described by the Conradh na Gaeilge:

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"Development, in short, is a process
through which people in community
gain more control over their own
lives...Communication itself must
become an integral part of the
development process through which
people gain more control over their
own lives...A full role for broadcasting
in the process of development can only
be achieved if (a) the ownership,
control and execution of broadcasting
is democratic, (b) broadcasting
encourages attitudes which are supportive
of development."
"Proposals to the Joint Oireachtas Committee
for Legislation." pp.14-15.

The NACB also included a brief report on technical details emphasising

a preference for a number of small low-powered stations rather than

a few high-powered stations for areas of high population.

3.11.1   Supporting the NACB document is the submission by the

Muintir na Tire organisation. Muintir na Tire is a voluntary

community based group representing the major interests of the community

and seeking the further development of the community. Quite often

Muintir na Tire provide social services in co-operation with the

local government bodies. It was founded in Tipperary and consequently

has a strong presence in that area. Muintir na Tire give details

of both the Tipperary and the Dublin community radio stations;

TCR AND Concord Community Radio. TCR was initially set up

by the Tipperary group of Muintir na Tire. Among the aims of

Muintir na Tire are, the increase in community social consciousness,

the dissemination of community information and the facilitation

of two-way communication in the community. To further these aims

Muintir na Tire sought the advice of the NACB to establish a

democratic community controlled radio station, and being satisfied

with the NACB objectives, fully endorsed the NACB to speak on its

behalf. Muintir na Tire is strong in its criticisms of those

who propose a community service station while retaining financial

and editorial control;

> "What value local community radio, if what
> a community may wish to say to itself is
> controlled, packaged, trivialised and
> ultimately minimised by an elite brokerage
> group whose first consideration may be
> financial."
> Muintir na Tire, "Submission to the Oireachtas
> Committee on Local Radio.", p.ix.

3.11.2   Another major supporter of the NACB is the Society of the

Knights of Saint Columbanus. This society was founded on the religious

principles of the Roman Catholic Church and is composed of lay members

of that Church. Its purpose is to encourage the principles of the

Church in the establishment of a Catholic society. The lengthy

document submitted by it is composed of several reports, some

concerning general aspects of broadcasting in Ireland. It offers

its full support to the NACB approving especially the open access

of the airwaves for the local community. A detailed report on

the Kilkenny community radio, KCR, and its constitution is

included, and this model is offered to the committee as an example

of a community station which should be endorsed by the committee.

The Knights of Saint Columbanus further propose the establishment

of a monitoring body to oversee the work of the Local Radio Authority.

Members of the public, organisations and local radio stations would

all have the right of appeal against any decision of the Authority

with the monitoring body having the final ruling. The monitoring

body would also undertake to research the effects of local

community radio and to ensure the inclusion of cultural and

linguistic programming by the local radio stations. What is

proposed is the separation of the administrative and technical

sections of the Authority from the monitoring role and the appeal

body.   By suggesting that both Authority and appeal body be

government appointed, the Knights of Saint Columbanus at once remove the opportunities for effectiveness such a scheme could offer. Naturally, the cost of two separate bodies each with its own personnel and directors would also disadvantage any such proposal. The idea of separating the monitoring and appeals sections from the Authority has its advantages but only if the control is removed from the government that appoints the Authority. Perhaps if the monitoring and appeals commission was made up from an elected representation from the station management, personnel, administrative authority and other cultural and interest groups, then the commission could be truly separate from both the Authority and the government while also being fully representative.

3.12 OTHER PROPOSALS: Supporting the desire for community involvement but retaining the arguments for professionalism and private ownership are a number of proposers who may be loosely associated with the principles of the NACB yet do not wholly subscribe to the definition of community radio. Among these are some national organisations and some "pirate" stations who claim that the NACB merely impose yet another unnecessary control on its members, and that by remaining outside any such umbrella group, they are more independent than the NACB community stations.

3.12.1 In this latter group is a submission by Community Radio Wexford, a "pirate" station. Written mostly by Pierre van Osselaer, one of the major financiers, the report shows a lot of thought and preparation and illustrates how important an issue some individuals consider local radio. An amount of background reading and study is obvious from the information and detail given. Again there is a serious appeal to the committee for an overall communications and broadcasting policy and for legislation for all manner of possible community

broadcasting. Van Osselaer hopes the final draft legislation
"will be based on original thinking and inspired by national
contingencies and relevant experience..." A detailed structure for
the administration for a Communications Council is provided, with
regional co-ordinators overseeing the local stations' content,
equipment, staffing, frequencies and technical advice. The final
Authority over the Communications Council would be responsible
to the Minister and would be composed of representatives from
socio-economic institutions, academic institutions, media industries
and at least two foreign consultancies, (the necessity of foreign
consultants on a permanent basis seems extreme). The Communications
Council would be composed of representatives from the Authority,
from the regional co-ordinators, station managers, An Bord Telecom,
RTE and representatives from the personnel of the regional
administration. (An Bord Telecom has responsibility for the advising
on frequency allocation.) Each region would have a revenue fund with
a regional commercial manager. Each station would contribute to the
fund in relation to its income and each station would be allocated
research tasks according to relevant knowledge and interests, thus
encouraging expertise and educating the station personnel. Suggested
content controls are given with minimum percentage limitations,
including serials and dramas, educational and community programming,
and Irish and foreign language and culture programmes. Minimum
equipment standards are provided. Finally the structure of a
station with its constitution is outlined. The structure proposed
is similar to that of the NACB model. A community committee and
a staff committee are democratically elected and both are
represented on the programming committee. The directors retain
the position of chairperson of the community committee whose

two-thirds majority decisions are binding. In return the directors agree to allocate 20% of the station profits to the community committee and to await the community committee's agreement on the disposal of shareholdings in access of 20%. The constitution is very similar to early drafts of the KCR's constitution in Kilkenny.

The major division between the Wexford station's proposals and those of the NACB is in emphasis; the Wexford group wish to acknowledge the right of the individual to finance and profit from a station, while the NACB argue that the community has the right to finance and profit from the use of their airwaves. The argument is whether the individual or the community should benefit. The "pirate" station confirms the belief in the free market economy and the individual's right to make and dispose of profit as individually chosen. The NACB state that the community good should come before any individual benefit and that the community should own and control what should be a community resource. What is behind the NACB proposals is a Marxist belief that the collective good outweighs the individual right to profit.

3.12.2   The national television and radio network, RTE, naturally has an interest in the allocation of control of local radio. RTE understandably feels annoyed that it made proposals for the provision of RTE local radio as early as 1976 before the large scale growth of "pirate" stations. The RTE proposals were for the establishment of stations that would be run by local committees with RTE providing technical and editorial advice: technical advice to provide for the installation and maintenance of RTE equipment and editorial advice to ensure compliance with broadcast legislation on matters of libel and adherence to balance,

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impartiality, objectivity and section 31 of the Broadcasting Act,
(on the interviewing of illegal organisations, the IRA, etc.).
RTE claim that their experience with the mobile local radio unit
has been highly successful and has proved a genuine need for the
type of service that, RTE believe, is not and will not be provided
by independent commercial radio. The RTE document Radio Pobal na
Tire outlines plans for a number of major stations in the large
population centres in Ireland with smaller satellite stations with
an "opt-out" facility, (again the original number was a total of
thirty). The local community would be consulted on specialist
programmes on local interests and a community committee would be
elected as spokespersons. Ultimate control, as far as can be determined
from the rather general descriptions given by RTE, would rest with the
RTE Authority. Why appoint another bureaucratic administration, RTE
asks, since the present RTE Authority could serve instead? RTE points
to the loss in advertising revenue taken from it by the broadcasts
of "pirate" stations. This revenue has to be replaced by the government
from the taxpayers. If RTE were allowed to set up local radio
stations it would reduce the money needed from the taxpayers. RTE
speaks of being the quiet patient sufferer in the long-standing
"pirate" situation. Arguments in favour of the public service
principal are also put forward. RTE claims that, as a public
service institution, it can have no other interests than those of
the public in mind in establishing a local radio service. (The
same argument could be used in favour of community radio.)
RTE has been accused of merely wishing to provide "jobs for the
boys"; RTE Trade Union Group freely admits to trying to maintain
job levels, and uses this as an argument in favour of its
proposals. RTE points to the broadcasting facilities and studios
which it has in most of the major population centres in Ireland.

Little extra expense will be needed to establish an RTE local radio service, it argues. RTE has been waiting since 1978 for permission to carry out its local radio plans while "pirate" stations have been allowed to broadcast relatively unhindered and have been taking advertising revenue which might otherwise have gone to RTE. A perfectly justifiable attitude. RTE readily agrees that the type of material broadcast during the community week of its mobile local radio unit could not be sustained to provide an indefinite service, but that it could provide the framework for a service. Supplementary content from the national and regional service could help increase broadcast hours. RTE local radio sounds like a patchwork of Cork local radio content coupled with the best and worst of RTE Radio 1 and 2 and some local request and phone-in programmes. The exact function and power of the community committees which RTE says will "run the station" remains unclear.

The proposals made by the RTE Trade Union Group are much more concise. Stephen Cass is the spokesperson for this union group which represents all the unions involved in RTE. The document is large, detailed, well written and receives the support of the ICTU, (Irish Congress of Trade Unions). First the Group point out that in a number of years, local radio will have to compete with "direct broadcasting", (DBS), via satellite from other European and even world countries. The Group fear that DBS will give rise to sound-only channels and will lead eventually to "narrow-casting" - specialist radio stations broadcasting one type of music, or news-only stations. With such a level of outside competition could local radio survive, - could the national RTE network survive? The Group admit that in such a situation a community owned and controlled station would probably

have the best chance of survival. It would be supported by the
community involved. The Group state that programme content "should be
the determining factor in the structure, control and physical resources
of these stations" and that content should only be determined by the
local community who will be the listeners of the station. In this
aspect the RTE Trade Union Group support the NACB and indeed
have quite a friendly relationship with them exchanging ideas
and opinions. The Union Group propose a community-type station
that differs from the RTE administration's proposals. Their
suggestions are more explicit, and they openly criticise some
foreign forms of local radio. Britain and America, they state,
provide useful guidelines, "showing how not to structure a
Local Community Radio Service". What the RTE Trade Union
Group suggest is that the RTE authorities provide the technical
facilities and resources but, unlike the RTE authorities, that
the local community retain all other control. They point out
that this system would be less expensive and would standardise
the equipment used by all stations. Programme exchange and the
opt-out system is also referred to, and it is suggested that all
professional staff should receive union wage rates. The aim of the
Union Group, and in this it is supported by the ICTU, is twofold:
to protect the present union jobs in RTE and to promote the
"most efficient" local radio service that is possible for the country.
Both the RTE administration and the RTE Trade Union Group are emphatic
in asserting that:

> "RTE does not, repeat not, seek monopoly control
> of local radio in Ireland, but rather control
> by the community of local radio as being confined
> to existing broad statutory supervision of the
> County Community Services to ensure compliance
> with the Broadcasting Acts, and to provide the
> transmission and technical facilities necessary
> to achieve optimum coverage at minimum cost in
> each service area."

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The Union Group would support the NACB community structural

organisation but would like assurances that professional journalists

(NUJ), would be hired to insure adherence to the legal restrictions

on current affairs and news broadcasts, and also that RTE technicians

control all technical affairs.

By wishing to maintain these controls the NACB and RTE

remain in disagreement. The NACB point out that the present "pirate"

stations in existence have proved that there are individuals outside

RTE with sufficient technical expertise to establish and service

local radio stations and that the cost of equipment has not been

prohibitive to the "pirates". The NACB itself has four "pirate"

community station members and has published detailed documentation

on frequency plans and station equipment which would be perfectly

feasible. (Technical proposals for local radio are considered in

chapter four.) By seeking to obtain technical control RTE would be

establishing a technical elite and thereby continuing a level of

dominance over the public and the community. RTE may be justified in

trying to maintain current job numbers, but not at the expense of the

community's right to control a public resource.

3.12.3   One of the first national interest groups to involve

itself in local radio was the Irish language and culture group,

Gael-Linn. In 1981 Gael-Linn commissioned two British journalists

with personal interests in local radio to report on the possibilities

for local radio in Ireland. The resulting document remains one

of the more interesting pieces submitted to the Oireachtas Committee,

and one which has never received the media attention which it

richly deserves. Blanchard and Coe, the two journalists, list a

number of points to be considered and outline some factors which
any proposed legislation should take into account. Four brief
points should be remembered by the legislators:

1. that local radio will most likely be funded by advertising;

2. that it will be expected to act as a public service, (to a varying
degree);

3. that there are two distinct options for local radio - community
stations and commercial stations;

4. that Ireland's population trend is over half the total population
being under twenty-five years old.

Blanchard and Coe provide a detailed criticism of the Fianna Fail
Bill, published in 1981, which was based on the British local
radio legislation, (see 3.13.3). The report stresses the importance
of public discussion and debate on the local radio issues and also
on broadcasting policies in general. This debate should present
all the options available to the country and give examples of
local radio systems in other countries. The realistic feasibility
of each suggestion should be carefully weighed and its likely
consequences for the community should be outlined. A national
frequency plan should be drawn up networking the whole country
and should attempt to define what is meant by "local" radio -
the service area and radius of the station. The importance of
this plan is that it decides the number and possible location
of stations as well as their service area. Thus the frequency
plan should involve the widest possible discussion. The report
proposes the establishment of three major institutions: the
Local Radio Authority, the Irish Radio Institute and the Local
Radio Workshops. The Authority is similar to that proposed by
the government but Blanchard and Coe speak of the need for an
appeals procedure. The Irish Radio Institute will be a national

body involving RTE, the local radio stations and any others
interested in researching the effects of radio, providing a
sound archive and library, a general information service, and
the development of educational and cultural radio programming.
This Institute would provide a discussion ground for Irish radio,
helping to broaden the consciousness of radio broadcasters. The
Institute would also be responsible for the establishment of the
Local Radio Workshops. These Workshops would be a series of public
sessions teaching the basic principals of radio broadcasting with
the aim of teaching the public to "do it for themselves". The
Workshops should provide the public with a better understanding
of their local station and should encourage participation. Also
it would provide a forum for discussion of the local radio service.
The cost of these bodies would be offset by the rental charges
of the local radio transmitters, which, the report states, should
be owned by the Authority.

Unfortunately, however much these institutions and
workshops may be needed, it is unlikely that they could be afforded
in the bureaucratic sense outlined by Blanchard and Coe. Gael-Linn
are also concerned with the propagation of the Irish language and
are eager that local radio encourage the use of Irish. This has
always been a requirement written into any proposed legislation, but
many language and cultural groups consider the wording used in these
requirements to be far too lax. With their experience of the use
of the Welsh minority language in Britain, Blanchard and Coe agree
that the protections written into any legislation to date have been
far too weak to be effective. Most Irish language and cultural
groups would argue that broadcasters should be forced to use a
certain percentage of Irish and should be penalised in some way

if they do not adhere to the minimum requirements. The Gael-Linn
report suggests that a "code of linguistic practice" be drawn up
with Bord na Gaeilge, (the Irish Language Board), acting as
a monitor. Failure to comply with these regulations would lead
to revocation of licence after a number of warnings. The report
favours the establishment of community stations only insofar as they
seem to offer the best protection for Irish language and cultural
values. Blanchard and Coe summarise their warning to the government;

> "We cannot stress too strongly that if resources
> are not found to give institutional life and
> staying power to substantially enhance public
> debate and practical involvement with radio as
> a medium, then any hopes that the projected
> local radio system will operate as a genuine
> public service and in a culturally innovative
> way are bound to be disappointed."
> Blanchard & Coe, "An Outline for the Development
> of Local Radio in Ireland."
> Dublin: Gael Linn, 1982, p.7.

3.12.4   The role of the provincial press in local radio in Ireland
is a contentious issue which has given rise to some heated
accusations on both sides, from members of the press itself and
also from those involved with "pirates" or interested in the media.
Those seeking an "independent" form of local radio claim that
the provincial press have already gained control of one media
system and should not be allowed to diversify into yet another.
The monopoly of ownership, it is claimed, will cause a distortion
in news content and will lead to the dominance of a media elite.
The owners of the provincial press argue in turn that local radio
will threaten their advertising revenue which they depend on for
their income. In return for this loss of income the provincial
press declare they have a right to a minimum shareholding in a
local radio station. Also, the provincial press have an established
news gathering network of local journalists and "stringers",

which would be unnecessarily duplicated by any new local radio news team. Competition between the provincial press and local radio, argue the press, will only lead to the eventual loss of either local radio or the provincial press, or both. Alternatively, it is argued that competition can only benefit the content of both the press and local radio, and that the two media should be seen as complementary and not as alternatives to the advertisers, as has been the case in Britain.

The effect local radio will have on the provincial press is uncertain and parallels cannot be drawn with the British situation where the provincial press are often owned by larger media conglomerates and where the "local" area served may contain well over 100,000 potential readers and advertisers with large budgets. The provincial press in Ireland do not depend on national advertisers for their primary advertising income but, instead on local businesses, hotels and small advertisers, with "local" meaning a potential readership of only approximately 20,000. For many of these advertisers it may well involve a choice between the local newspaper or the local radio. In order to preserve journalists' jobs it could perhaps be agreed that local journalists co-operate and provide news for both the local radio and newspaper. Such an arrangement could satisfy the demands for NUJ, (National Union of Journalists), staffing and wage levels. However working agreements and a great deal of co-operation would have to exist between the local radio station and the provincial paper: this level of co-operation does not exist presently with the "pirate" stations. Past legislation has recognised the provincial press's right to a quarter share in any local radio station. The Provincial Newspaper Association of Ireland in its recommendations to the Oireachtas Committee suggested increasing this 25% shareholding to "not less

than 49%" - an extreme demand. Two other representatives from the provincial press, (the Leinster Leader and the Clare Champion, Limerick Leader and Nenagh Guardian amalgamation), stated their satisfaction with the 25% shareholding.

There are a number of concerns in allowing an interest group an immediate share in the ownership of a local station. The only group with an immediate recognisable right to ownership is primarily the local listeners themselves and each should be allowed equal right to ownership with no majority controlling ownership. A 25% ownership, (not to speak of the suggested 49% ownership), gives a possible controlling advantage over other shareholders. The ownership patterns among the provincial press newspapers shows the spreading monopoly of ownership, especially by one particular group, the Independent Newspapers group. This one company owns Ireland's most popular national daily newspaper, evening newspaper, two Sunday newspapers and up to seven of the provincial papers. In addition it owns several printing and newspaper marketing companies, some investment holdings and two magazines. It also has similar media companies in Britain, Germany, France, Australia, Canada, Mexico, Liberia and America, (where it owns two radio stations), and speaks of "indirect shareholding in Reuters". (Extel Statistical Services Ltd., 1984.) A 25% immediate shareholding for provincial newspapers in such monopolistic conditions may well give rise to concern. If each of the provincial newspapers owned by the Independent were allowed 25% ownership in their local radio station, the Independent would have access to the ownership of up to seven possible stations. Admittedly the Independent group is one of the country's largest conglomerates, but it does illustrate how indirect ownership can

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lead to a monopoly situation.

3.13 EARLY LEGISLATION: In 1978 RTE were involved in public
discussions on the establishment of a second national television
channel. The discussion centred on what content RTE should broadcast
on this new channel; there was no serious question that the channel
be given to some group other than RTE. At this time RTE requested
that it be given government permission to develop a local radio
service for the country following the success of its Community
Radio Project, that is the provision of a local radio service for
one week in a given locality using an outside broadcast van. Plans
for such a service were being considered by RTE and proposals
for a small Dublin based station were well advanced. At this
time there were few "pirate" stations, mostly Dublin based.
Instead when RTE was given the second national television channel
it was also announced that the government intended to introduce
"independent" local radio. By 1979 a Broadcasting Wireless Telegraphy
Bill was introduced by the then Minister for Posts and Telegraphs,
Albert Reynolds. This Bill was to end the "pirate" broadcasting.
It was withdrawn to await the establishment of the independent
local radio. The Independent Local Radio Bill was prepared by
Albert Reynolds in 1981 but the defeat of the Fianna Fail
government prevented its passage. This lost opportunity was
responsible for the present chaotic "pirate" situation where
approximately ninety stations are broadcasting on unassigned
frequencies outside the law. Although declared "illegal", these
stations are not directly breaking the law since there has been
no law covering local radio or television broadcasting. The
Broadcasting Act covering RTE's right to broadcast merely states
that anyone wishing to broadcast must apply to the Minister

for Posts and Telegraphs for a licence. However the Minister
cannot grant any licence until legislation is passed stating the
conditions for such licences. In the absence of this legislation
the "pirates" claim they are not breaking any law and are merely
exercising their constitutional right to freedom of expression;
a freedom which they believe is hindered by the press and RTE's
monopolistic control over the media. An energetic spokesperson
in defence of this argument is Fr. Jerry Joyce, who has broadcast
for KCR in Kilkenny;

> "Community radio is about allowing people to
> take their place...KCR is of the people and
> by the people. Now that's very different in our
> book from professionals doing it on our behalf.
> So the professionals as we see them are modelled
> on voluntary organisations and not the existing
> media...If we have a professional, the professional's
> task is not to broadcast but to assist me, Joe Soap,
> to go broadcast. Anything else is censorship by
> professional elitism."
> (Interview with the author, March 24, 1983.)

Following the defeat of the 1981 Fianna Fail government a
coalition government was elected and the new Minister for Posts and
Telegraphs, Mr. Cooney, withdrew both Bills. He undergave an
obligation to introduce a system of local radio with "genuine
community involvement". In March 1982 RTE published its proposals
for RTE community radio, Radio Pobal na Tire and asked that the
government reconsider RTE's position in relation to local radio.
The coalition was defeated in turn and a Fianna Fail government was
re-elected. The Fianna Fail Minister, Mr. Wilson, promised
legislation but had done nothing when the 23rd Dail was defeated.
The present coalition government appointed a Junior Minister for
Communications, Ted Nealon, to act under the Minister for
Communications, Jim Mitchell. The Oireachtas Committee on
Legislation was given the task of preparing a new Bill taking
into consideration the headings published by the government. These

headings form the only guidelines on what, if any, legislation

may be forthcoming. The present government took action against the

"pirates" in May of 1983, when two of the major Dublin stations

were closed by Department of Communications officials, and a number

of other stations closed voluntarily. However the Dublin stations

quickly reopened, though in reduced numbers.

3.13.1   Any legislation for local radio will form two parts. One

Bill will forbid the broadcast of material by anyone other than those

licenced by the Minister on behalf of the government. It will also

apply sanctions to those broadcasting illegally, both broadcasters

and advertisers. A second Bill will detail the local radio system:

ownership restrictions, content rulings and the composition and

functions of the Authority. The existing legislation concerned with

broadcasting is the Wireless Telegraphy Act, 1926, amended in 1972,

and the Broadcasting Authority Act, 1960, amended in 1976. This

latter legislation details the provisions for the RTE licence and

is therefore concerned mainly with television broadcasting. It also

gives the duties of the RTE Authority. However the former piece

of legislation is the only present protection the state has against

"pirate" broadcasters. This legislation was first written in 1926

and marked the introduction of radio to Ireland, (see 3.1). In 1972

it was updated to increase fines and to include television

transactions. The purpose of the Wireless Telegraphy Act, 1972 is

summarised as enabling the Minister of Communications:

> "to prohibit the manufacture or importation of
> certain apparatus for wireless telegraphy and
> to make certain declarations in relation to
> the issue of licences for apparatus for wireless
> telegraphy,..."
> The Wireless Telegraphy Act, 1972, Dublin:
> Dublin: G.P.S.O., No.5 of 1972.

The Act requires that persons with wireless equipment capable of

transmitting a frequency specified by the Minister should notify
the Posts and Telegraphs Department with information concerning
the equipment, its location and the name and address of the owner.
The Minister is given the power to restrict the sale, manufacture
and importation of wireless equipment, "for the purpose of
preventing or reducing the risk of interference with wireless
telegraphy". In order to avoid "undue interference" the Minister
may arrange and alter allocations of the radio frequency spectrum
for particular types of broadcast and users will be issued with
licences stating these conditions and restrictions. Infringement
of licence conditions by the user or by any persons without a
licence will result in prosecution and a fine of twenty-five pounds
for a first offence.For subsequent offences a fine "not exceeding
one hundred pounds" and the confiscation of all equipment. Any
person using, installing or providing premises for any such illegal
equipment, or assisting in the illegal use of equipment will also
be subject to prosecution and a fine.

3.13.2   Even in 1972 a hundred pound fine was not excessive and
certainly today it is considered an ineffective deterrent. The Act was
first used in 1975 against Eamon Cooke the owner of Radio Dublin,
one of the first "pirate" stations to start broadcasting. The case was
dismissed on the grounds that the wireless transmitter could be used
for purposes other than the transmissions of radio broadcasts. This
court ruling tended to undermine the effectiveness of the Act and as
a result it has been rarely used. Potentially the Act would
allow the Minister for Communications to prevent the "pirates"
from obtaining their equipment, whether imported or made in this
country. The Act was used again in May 1983 to authorise "raids"
on the premises of the two largest Dublin based "pirate" stations,

Radio Nova and Radio Sunshine. On this occasion the court
upheld the government's case and ruled against the stations which
were fined and lost their equipment to the courts.

The case provoked much argument on whether the "pirates"
were actually causing interference with European radio signals and
emergency and defence services in this country. In the Dail the
official reply was that interference was caused to Dublin, Meath and
Louth ambulance services, to Dublin Airport and the defence forces.
Television and national radio reception was also claimed to have
suffered as a result of "pirate" broadcasts. However if the results
were as serious as the government claimed, then the government was
responsible for not having acted sooner, and also for having failed
in the action it did take. The "pirates" were broadcasting again in
a matter of days after having been prosecuted, and although some
stations voluntarily closed in fear of further government action,
they soon reopened once it was obvious the government had felt its
duty done. If the "pirates" were causing the interference claimed
then the government would have been forced to take further action.
Why exactly the government did act at that time is a matter for
speculation. Perhaps there was some request made by the European
Broadcasting Union. Perhaps rumours of extension plans by Radio Nova's
owner Chris Carey forced the government to demonstrate its power.
The lack of any clear reasoning behind the "May-raids" served to
increase the government's authority and remained a cautionary warning
to the "pirates", who were well behaved until Nova's phone-in
competition in October 1984, when the Dublin switchboards were
jammed with phone callers answering the Radio Nova competition.
The switchboard at the station's offices was unable to cope with
the number of phone calls and overflowed causing a large section

of Dublin city phones to jam. The resulting chaos took an hour to return to normal.

Certainly continual use of the 1972 legislation could severly curb the activities of the "pirate' broadcasters. It would however require the time and manpower of the Department of Communications officials, as well as involving court action; it would also cause an amount of public sympathy for the "pirates". If the legislation had been used in the mid and late 1970s the "pirate" stations would not have gained the hold they now have over the public and government alike. Threats to close down the "pirates" in May 1983 caused such a public outcry that the government promised that the stations would not be closed until the new legal system was fully prepared. Thus it has been long accepted that the introduction of legislation completely banning "pirate" broadcasting would await the introduction of legislation containing the conditions for legal local radio.

3.13.3   The Broadcasting and Wireless Telegraphy Bill, 1979 was a tight concise piece of legislation prohibiting the broadcast of any type of material without a licence. In the words of the Bill itself:

> "It makes it an offence for anyone to provide
> accommodation, equipment or programme material
> for unlicenced broadcasts, or to advertise by
> means of, or take part in, such broadcasts."
> Broadcasting and Wireless Telegraphy Bill, 1979,
> Dublin: G.P.S.O., No.12 of 1979.

This Bill is likely to become law with the introduction of local radio. Prepared in 1979, it was shelved with the collapse of the then Fianna Fail government. It is based on the British legislation which ended the British "pirate" broadcasting problem in the early 1970s. It effectively prohibits the provision or leasing of premises in the knowledge that the premises will be used for

"pirate" broadcasting. Those providing equipment in the knowledge

that it will be used for "pirate" broadcasting; those advertising

with "pirate" broadcasters; those taking part solely or in an

interview or providing music for a "pirate" broadcast; those

producing or directing a programme for "pirate" broadcast or

providing a pre-recorded programme for "pirate" broadcast; those

employed in any capacity by a "pirate" broadcaster may all be

prosecuted under the provisions of the Bill. The possible sanction

imposed by the Bill is a maximum fine of $10,000 and the

confiscation of the equipment. Summary convictions and the impeding

of an Officer licenced by the Court in the execution of duties

carries a maximum fine of $300. Prison sentences, either accompanying

or instead of a fine, range from a maximum period of two years on

conviction to three months on summary conviction. The Bill, it has

been generally agreed, would be a successful deterrent against "pirate"

broadcasting, and it avoids the clause in the 1972 legislation which

made convictions difficult. The 1979 Bill gives a clear definition

of broadcasting which not only covers radio but also television and

possibly other forms of telecommunications, satellite broadcasting;

> " 'broadcast' means a broadcast by wireless
> telegraphy of communications, sounds, signs,
> visual images or signals, whether such
> communications, sounds, signs, visual images
> or signals are actually received or not..."
> Broadcasting and Wireless Telegraphy Bill, 1979,
> ibid., Sect.1, para.20, p.2.

In 1981 Reynolds introduced the Independent Local Radio

Authority Bill, 1981 which has remained the manifestation of

Fianna Fail's policy on local radio with only a slight amendment

made later by Terry Leyden in the form of the Independent Local

Broadcasting Authority Bill, 1983. In his dismissal of Leyden's

attempt to reintroduce this Fianna Fail Bill, Mr. Mitchell described

it as "legislation by tippex!" Mr. Leyden in turn spoke of the government being "inert and either incapable or unwilling to respond to the crisis situation that has arisen in broadcasting". That Fianna Fail itself had not responded while previously in government was a point Mr. Leyden did not recognise. Fianna Fail introduced this latter Bill in response to the "May-raids" in 1983, and claimed that with its passage, local radio stations could be operational by the end of the following month. This claim inadvertently explains the simple purpose of the Fianna Fail policy on local radio - to merely licence the better "pirate" stations and to allow for the development of commercial local radio. The Fianna Fail Bill closely resembles its British counterpart with whole sections being modelled on the British wording. Yet there are parts of the Bill which will certainly set the precedent for any new piece of legislation by the government.

The government-appointed Authority will number between eight and twelve members, who may be dismissed by the government at any time. Members of the Dail, Seanad or the EEC Assembly will not be eligible for membership, and any member with an interest in a company bidding for a licence will be obliged to declare that interest, and refrain from any decision regarding that particular licence. In considering an application for licence the Authority is to take into account:

1. the views of the community in establishing that there is a "genuine demand" for local radio,

2. "the quality and range" of the proposed programming, including programming in the Irish language and relating to Irish culture,

3. "the expertise and resources" available to the proposers,

4. "the extent to which each proposer is based in or associated with the local community",

5. "the extent to which employment will be created",

6. "the existing involvement...in local broadcasting".

(Sect.22, paras.5-25, p.14.)

These conditions are likely to apply to any forthcoming legislation. The British system of local public meetings is endorsed and the article for the protection for the Irish language and culture will probably become mere lip-service for most commercial broadcasters. Section 18 details the major considerations the Authority should apply in the licencing of the contractor, (a term borrowed from British legislation):

1. that "high standards" be maintained,

2. that "the varied interests and concerns of the whole community" be provided for,

3. that "due regard" be given to the "Irish cultural traditions",

4. that the service "offer a broad range of news, information and entertainment consistent with the local character of the services",

5. that "Irish produced, recorded, published and performed material" be utilised "to the greatest possible extent",

6. that programming from the various stations does not "consist of identical or similar material to such an extent as would be inconsistent with the character of the services as local broadcasting".

(Sect.18, paras.20-30, p.9.)

A Broadcasting Complaints Commission is to be established under the Fianna Fail Bill covering mainly complaints on the impartiality and objectivity of programmes broadcast by established stations. It notably does not allow for complaints either against a station or against the Authority with regard to failure in the fulfillment of the conditions of either the two above sections.

Despite the fact that these sections will set the precedent

for future legislation, it is obvious that the enforcement of these
considerations depends solely on the inclinations of the Authority.
The terms are quite vague and indeterminate and it is most likely
that they will be loosely applied by the Authority. Similarly in
British legislation the responsibility for enforcement lies with
the Independent Broadcasting Authority for the control of the
commercial stations. The following chapter describes the British
system which offers a suggestion on how the Irish commercial
local radio will develop, the role the Authority will play in
response to their responsibilities, and the effect that lack of
public accountability has on an Authority. The British result
is quite discouraging and holds little comfort for community
radio supporters.

3.14 **PARTY POLICIES:** Party policies on local radio vary according
to public opinion and political convenience, swaying from the desire
to "directly encourage public participation and community involvement"
to a more general approach emphasising the "financial viability" of
the "independent contractors". The Fianna Fail policy on local radio
has never been clearly enunciated but can be discerned from their
previous Bills. An emphasis is placed on the introduction of
commercial local radio with consideration to community interests;
the Irish language and culture; the prohibition of controlling
interests by provincial papers, record manufacturers, distributors
or other media promoters. The Fianna Fail Bills first included the
clause on the "financial viability" of potential stations, implying
that proposed local radio stations should have secure funding
before applying for a licence. This clause makes it difficult for
community co-operatives to compete with commercial contractors.
RTE received little sympathy from Fianna Fail being allowed, however,

a mandatory shareholding in each station of 25%.

3.14.1   The major policy of interest, and likely to become quite controversial, is the coalition policy between Fine Gael and Labour. Fine Gael published a document entitled, "Fine Gael Policy on Local Broadcasting" which, though now superceded by Ministerial statements, remained their sole publication until 1982, when headings for proposed legislation were announced by Ted Nealon. The document describes conflicting opinions voiced at the 1978 Ard Fheis, (Annual Conference), between the majority opinion favouring an "Independent Broadcasting Authority" and a "substantial body of opinion, principally reflecting the rural viewpoint" which were concerned with the coverage of uncommercial sparsely populated regions. This latter group obviously succeeded in gaining the Fine Gael support for the minority shareholding for RTE and the clear-cut statement that "local radio should be genuinely local in character — as far as possible owned, organised and run on a local community basis". This represents a commitment by Fine Gael to community radio, but of course, without clearly defining what exactly is meant by "community radio". However, with continual pressure by the community radio interest groups this statement, together with Labour's insistence, could lead to coalition legislation for a limited community radio system. This Fine Gael document unfortunately still retains the proviso that local contractors "must have adequate finance". A suggestion was made for "twinning" stations but more recent announcements by the Minister Jim Mitchell, have replaced this idea with a "two-tiered" structure of regional commercial stations and smaller community stations owned and operated by community co-operatives. However, even in the 1978/9 policy document Fine Gael had stated that,

"preference should be given to non-profit-making trusts based
in an area, e.g., widely based community co-operative organisations
especially established for this purpose". (n.p., n.d., Dublin: Dorset
Press, Ltd. Available from Fine Gael Press and Information Services.)

It is a matter of speculation to what extent Fine Gael
policy has been influenced by its Labour Party coalition partners.
Certainly Fine Gael's usual favour for the private sector has been
substantially curbed. However, the present proposal for a "two-tiered"
structure may merely represent the best commercial possibility for
profit for the regional stations, with the assurance of a service of
some kind for the uncommercial low population areas, whilst at the same
time seeming to allow for community radio. The commercial interests
will be satisfied with regional radio since this gives the best
opportunity for private profit. The community stations will also be
facilitated but will present no commercial threat since they will be
restricted to smaller areas and will be non-profit-making. Local
radio will, therefore, be provided in uneconomic areas at no cost
to the government. The content of community radio will be sufficiently
restricted by legislation and the market forces, (since they will
be allowed advertising), to remove any potential threat to the status
quo that may arise from the community co-operative structure demanding
greater control and self-determination.

3.14.2   In April 1984 the Labour Party published, "Labour Party
Policy Position on Community Radio" replacing its earlier document
on local radio. The position as outlined in this latest document
seems likely to prove to be a stumbling-block to the Fine Gael
and Labour coalitin relationship on the local radio issue. This
issue is not considered important enough to seriously threaten
government but may be the cause of some embarrassment if Labour

stand firm on their position. The Labour policy as stated in 1984 closely resembles the policy of the RTE Trade Union Group whose spokesperson is Stephen Cass. The Labour document pledges "support for those seeking the introduction of <u>genuine democratically controlled local community radio</u>". However, it continues: "The best mechanism to achieve this,..., is for RTE to make available transmitters and studio facilities to local community interests who will decide on programme content within guidelines laid down by the new Authority". (n.p., n.d. Available from the Labour Party Press Office.) The new Authority would "concern itself with broadcasting standards" whilst RTE would maintain control of transmitters and the allocation of frequencies. The policy recognises a Local Board of Management for each station with mandatory youth representation. The NACB proposed structure is supported and the NACB "pirate stations" are seen as a possible model. A statement from the NACB proposal to the Oireachtas Committee is quoted and emphasised: "There are grave doubts that local commercial radio could ever reconcile its essential commercialism with real commercial broadcasting." The distinction made by the Labour Party is in terms of structure only: no mention is made of the potential differences in content and community development. The document does make the enlightened prophecy that, "The entry of private commercial interests into local broadcasting would... create a precedent for a similar approach to television broadcasting." The most critical statement in the Labour policy document in regard to the coalition's proposed legislation states, "We do not see the proposals put forward by the Minister of State as representing the optimum model for community local radio." This relates to the outlines made by Ted Nealon which resembled the Fianna Fail Bill and which have since been superceded by Jim Mitchell's "two-tiered" model.

It remains to be seen whether the Labour Party as a whole will accept the coalition compromise which does not allow for the RTE involvement which the document clearly desired. The relationship between Fine Gael and Labour will force a compromise between community radio in some form, and commercial local radio which will form a basis for the eventual legislation.

CHAPTER IV

"ALTERNATIVE SYSTEMS OF CONTROL."

In the introductory chapter it was argued that Ireland lacked any "radical alternative" to the dominant social and political structures. Similarly there is a lack of suggestions for a radically alternative system of local radio for the country. It was questioned whether community radio represents such a "radical alternative" to the commercial models for local radio, or whether it merely represents an accepted, tolerated alternative since it actually fails to radically oppose the dominant commercial values while seeming to offer a choice of alternative radio. In the examination of the Irish political context and the major proposals to the Joint Oireachtas Committee that considered legislation for local radio, it became obvious that the local radio debate will be solved by political expediency, as the forerunner of RTE was formed in 1926, and not by any serious in-depth investigation of the issues involved in local radio. It is therefore seen that local radio is but one example of centralised control in Ireland, control that depends not on overt intervention but on the unquestioned assumptions and operational framework of the country.

In this chapter possible alternatives from other countries will be outlined in regard to their suitability and adaptability to Ireland. In particular local radio in Britain will be critically examined since it is on the British model that Irish legislation has largely focused. However, the more imaginative systems from other countries will be described in the hope that a progressive system of local radio does exist which offers a challenge to the dominant ideology in which it operates. Any model of local radio depends on the technical control of the frequencies available to

it, and so a concise guideline for an understanding of frequency limitations will be offered with reference to Ireland's particular problems in this area. This necessary information together with the knowledge of foreign local radio systems should assist in the preparation of practical recommendations for local radio in Ireland which will make up the final chapter.

4.1 THE BRITISH MODEL: The British duopoly ultimately depends on governmental control through the Home Office. Both the BBC and the IBA operate a local radio system which caters for the major population centres throughout Britain and Northern Ireland. The IBA commercial system is the Independent Local Radio, (ILR), and tends to emphasise the commercial marketing necessary for a successful station whilst, simultaneously, maintaining a public profile of consumer services and community involvement. This double-sided nature of the ILR system is evident in the IBA annual review, The Television and Radio Guide. The section on local radio highlights the professionalism of the service and its financial success as well as listing its consumer services and instances of community involvement and special announcements. No contradiction is seen between the two sides of the ILR and this description is the norm for each station. In contrast the BBC local radio stations are portrayed in the annual BBC Review as being primarily a public service but the BBC hurriedly assure the public that its local radio service is extensive in its subject and geographical coverage and that it has a high listenership competitive with that of the ILR. Similarly though, the BBC describes a service that provides for community involvement and broadcasts community information using music as a medium for these other services:

> "Local news and information is the bread and
> butter of every station, but each of them
> broadcasts a wide range of other programmes:
> features about local music and the arts,
> discussions about local issues, programmes
> for schools, religious programmes including
> local services, programmes for the blind,
> for old people, for immigrants, for local
> shoppers, programmes on local sports and
> hobbies."
> BBC, Broadcasting in the Seventies,
> London: BBC, 1969, p.6.

The IBA description hardly differs:

> "Mixing local and national news and sports,
> a wide range of popular and specialist
> music, information and features,
> advertisements and entertainment, each
> station provides stimulus, companionship,
> knowledge and public service."
> IBA, Television and Radio 1979,
> London: IBA, 1978, p.135.

The IBA Guide makes attractive reading describing a lively

service with exciting programming, interesting discussions, plenty

of local information on a vast range of interests; a caring staff

to provide additional 24-hour phone-in services on jobs, youth

information, general consumer advice and news and traffic. The

sponsorship activities of many stations in local drama, music

and arts bodies are referred to and examples of stations providing

vital information and assistance during snow and flood emergencies

are outlined. The overall picture given of the ILR by the IBA is

predictably positive. No hint of criticism is tolerated and no

suggestions for improvements are made. The Television and Radio Guide,

from which all public information on the ILR is derived, cannot

be taken as a valid reference but is purely an exercise in

public relations. The annual BBC handbook is not such an extreme

example of public relations but contents itself instead with the

phrases, "public service broadcasting", "providing local news and

information services", "allowing for greater public participation"

and "meeting the needs of the community". Similar generalisations

are often used by RTE. The content of the BBC local stations

hardly differs from their commercial counterpart and the criticisms

of them hardly differ either as this warning by Anthony Wright on

the authenticity of BBC and IBA statements demonstrates:

> "In general, though, the evidence reported
> here suggests the need to treat with
> caution some of the official claims made
> for the performance of the ILR stations
> and BBC stations in the field of public
> affairs broadcasting...For example,
> some of the claims made for the BBC
> stations by Michael Barton, "BBC in the
> Community" (BBC Lunchtime Lecture, Oct.
> 1976), and for the ILR stations by John
> Thompson, "The Creation of Independent
> Local Radio in the U.K." EBU Review,
> Jan, 1979." (sic.)
> Local Radio and Local Democracy,
> London: IBA, 1979/80, p.34.

BBC local radio may best be described as an attempt to copy the

ILR service on a reduced budget. The following description of

the BBC's London station in comparison to the ILR London station

applies equally to all of the BBC local radio stations:

> "The BBC response appears to have been to
> concentrate their available resources in
> a desperate battle to increase the audience,
> not for commercial reasons, but to present
> a justification for spending public money
> (licence fee) on its services."
> Local Radio Workshop, Nothing Local About It:
> London's Local Radio,
> Comedia Series No.14,
> London: Comedia Publishing Group & LRW
> revised edition, 1983, p.15.

4.2 LOCAL RADIO HISTORY: A history of British local radio

exemplifies the considerations which initially influenced the

local radio system and which still underlie the system. This

history provides a useful comparison to the Irish situation,

demonstrating the basic commercial incentives covered by a concern

for the public interest, and it offers an insight to those powers

which have benefited most from local radio. The decision in 1971

to expand the BBC local radio system to include the new ILR system
stemmed from the earlier decision in 1954 to introduce commercial
television. The lobby for commercial broadcasting harried the
Beveridge Committee although at that time, 1951, it was quite
small. The growth of this lobby and its final success with the
introduction of the Independent Television Act, 1954 is an example
of political lobbying at its best by those with a considerable
degree of indirect influence. H.H. Wilson's book Pressure Group:
The Campaign for Commercial Television, gives an excellent detailed
account of how a relatively small but powerful group of Conservative
M.P.s backed by commercial interests forced government legislation
over a period of four years on an issue that was of marginal interest.
The Beveridge Report recommended the continuance of the BBC
broadcasting monopoly though advising the decentralisation and
regionalisation of the BBC. Beveridge also suggested the development
of local radio stations by the BBC on the VHF waveband. However,
the Beveridge Report, like those before it and since, was destined
for library shelves and not for government policy. What has become
the most important feature of the Beveridge Report was the minority
note of dissent by Mr. Selwyn Lloyd. Selwyn Lloyd was at that time
a little known Conservative backbench M.P. His report urged for
a commercial broadcasting service to provide competition for the
BBC and to break what he considered to be an unhealthy monopoly
of broadcasting held by the BBC. "He was partly critical of the
conception °that it is the BBC's duty to decide what is good for
people to hear or to see, and that the BBC must evaluate the
public taste'." (Wilson, 1961, p.56, quoting from Lloyd's minority
dissent in the Beveridge Report, 1951.) Lloyd seemed to suggest
that the public be given a choice in "public taste" and be allowed

to decide for itself "what is good for people to hear or to see".
He failed to recognise that choice would not exist since both services
offer the same level of output. The only system where people might
have such a choice is where they themselves have direct access to
the management of the broadcasting station.

4.2.1   Lloyd was not content to let the commercial
broadcasting issue rest with the publication of the Beveridge
Report. He organised an informal group of Conservative M.P.s
with ideas similar to his own into the Conservative Broadcasting
Policy Committee. The aim of the group was to organise a lobby
for the forthcoming debate on the government White Paper on
Broadcasting. The Labour government had decided to extend the
BBC's Royal Charter for a further fifteen years and proposed
the introduction of regional committees to advise the BBC on
programming for Scotland, Northern Ireland and Wales similar
in structure to those recommended by Beveridge. By the time
the Labour government had settled on the terms for the Regional
Advisory Committees the debate on the White Paper was imminent,
(July 1951), and Lloyd's group had finally become the Broadcasting
Study Group with the acceptance of the Conservative Whip. The
sole interest of this group may indeed have been the establishment
of a commercially based service which they sincerely thought would
benefit the nation, but since such a service would also have clearly
been of personal benefit to the members of the group, their motives
must be suspect. Most of those involved in the lobby for commercial
broadcasting were financially involved in broadcasting and related
industries, and would have directly gained from the introduction of
commercial broadcasting. H.H. Wilson relates the involvements of
members of the Broadcasting Study Group. Together with Selwyn Lloyd

was Mr. John Rodgers, a director of J. Walter Thompson Ltd.;

Mr. Charles Orr-Ewing of A.C. Cosser Ltd., a radio electronics

firm; Mr. A. Fell from Pye Radio Ltd.; Sir Wavell Wakefield,

a director of Broadcast Relay Services, Rediffusion and Hulton

Visual Productions; and Mr. John Profumo, who Wilson satirically

states, was:

> "an exception in not having direct financial
> interests in developing a commercial system."
> (italics added.)
> Pressure Group: The Campaign for Commercial Television,
> London: Secker & Warbug, 1961, p.82.

(Profumo was, however, unfortunate in later being credited with the

downfall of the Macmillan government after which he resigned from

active politics.) Other involved were Lady Tweedsmure, a public

relations consultant and director of an advertising agency;

Mr. Ian Harvey, also a director of an advertising agency; Mr. F.P.

Bishop, another director from Broadcast Relay Services, and

Chairperson of an electrical firm and Chairperson of the Executive

Committee of the Advertising Agency; and Sir William Darling,

the president of the Incorporated Sales Managers' Association.

(cf. Wilson, pp.82-84.) Wilson comments:

> "It could hardly be said that this Study Group
> was representative of general Conservative
> thinking with regard to broadcasting."
> ibid., p.84.

Neither was the group representative of the public's thinking

on broadcasting, since it had obvious vested interests in

pressurising for the introduction of commercial broadcasting.

The Labour debate on the White Paper in July 1951

showed a House divided on the issue of the BBC's monopoly. No

Labour member argued for the introduction of an alternative

service but the Conservatives were far from being united behind

the Broadcasting Study Group. The tactics of the Study Group was

to disguise their interest in commercial broadcasting and they
instead:

> "decided to emphasise their devotion to
> public service broadcasting and the
> continuation of the BBC, focusing their
> argument for an alternative system on
> the dangers of political bias under a
> monopoly, and stressing the right of the
> listener and viewer to enjoy freedom of
> choice."
> ibid., p.86.

The Broadcasting Study Group received support from an unexpected
quarter in the Lord's debate. Lord Woolton was the most outspoken
supporter of the Study Group. His speech centered on the dangers
of monopoly and, following the war experience of Goebbels propaganda
machine, the fear of the BBC "falling into the hands" of a communist
group. Though this may have seemed extreme, Lord Woolton spoke of
the need for an alternative service "with some form of free
enterprise". His was the only open support Lloyd's group
received in the Lords and Woolton qualified his statements by
implying "that he was being pressured by a small minority of
backbench supporters for the commercial cause". (Wilson, 1961,
p.77.) However, Lord Woolton's support was to become influential
to the commercial campaign when later Woolton replaced Lord
Salisbury on the Cabinet. Following the White Paper debate, the
broadcasting issue was shelved, and during the summer recess a
General Election was called. With the change in government to
a Conservative majority the decision regarding the BBC's future
and the future of British broadcasting lay with a Conservative
government. Lord Woolton was appointed President of the Privy
Council and was later to become a member of the Cabinet. With
this influential ally the Broadcasting Study Group was set to
turn government opinion in favour of commercial broadcasting.

4.2.2   As the new Conservative government prepared a

White Paper on broadcasting the Study Group reached a compromise

with Lord Woolton. In a document circulated to all Conservative

M.P.s entitled, The Future of British Broadcasting, the group

settled for the introduction of commercial broadcasting only;

radio was to remain the monopoly of the BBC. It was television

that most attracted the Conservative M.P.s who had financial

interests in advertising. During the eventual parliamentary debate

on these proposals when they became consolidated in a White Paper,

the Home Secretary, when introducing the Bill, admitted that, "as

a medium for advertising, television offers certain advantages

over the sound programmes". In acquiring the Cabinet's approval

for their plans, the Study Group carefully worded their arguments

stressing the need for viewer choice, the importance of the

television medium, the national benefits of free enterprise

and the improvement in quality that competition would effect.

Wilson describes this public relations work of the group:

>"The whole campaign reflects the public
>relations stress on manipulation, the use
>of 'gimmicks' to sell a pre-packaged policy.
>Thus the great play on 'monopoly', the
>discreet substitution of 'independent' for
>'commercial', and the emphasis on a
>hypothetical danger of partisan control
>of the BBC,..."   (italics added.)
>ibid., p.210.

Public relations and advertising techniques probably came easy

to the Conservative M.P.s who were involved in these industries.

These were tactics that were used later by the lobby for the

ILR and have been put forward in Ireland. The Conservative

White Paper on May 15the, 1952, prepared for the ending of the

BBC monopoly. The White Paper, however, still only represented

a largely disinterested attempt on behalf of the Conservative

party to introduce commercial television. "Analysing events

after May 15th, one may observe how skillfully those interested

in commercial television manipulated events and pressures to

keep the government committed to what at first appeared to be

no more than a feeble, half-hearted gesture to a rather persistent

Party minority." (Wilson, 1961, p.92.) The final debate in the

Commons produced no in-depth argument, but rather a lot of shouting

and emotional pleas on behalf of the opposition led by Mr. Herbert

Morrison: "I believe with absolute sincerity...that this proposed

development is totally against the British temperament; the British

way of life and the best or even reasonably good British traditions."

The only interesting point put forward during the whole debate

on British broadcasting was from a Lords' speaker, Viscount Samuel,

who during the earlier debate on Labour's White Paper, asked:

> "'What kind of civilization do we wish to live in?
> What sort of mental atmosphere do we wish to have
> around us?...our modern 20th-century civilization,
> by common consent of intellectual people, is already
> far too much commercialized by the selling of things
> we use and consume. These are aspects of human life
> which receive undue prominence in the modern age...'
> Now with radio and television this influence would
> enter every home and affect 'the intellectual and
> mental environment of every family'."
> ibid., pp.73-74.

The Conservative decision to promote commercial television was a

post-election decision and so a public election debate on the merits

of commercial television was never developed and even those who

voted for the Conservatives in the 1951 General Election could not

have anticipated the introduction of commercial television.

The Bill eventually passed through both Houses and was

enacted in 1954. During its passage the aspects most debated were

with regard to the prohibition of ownership by newspapers and those

involved in the entertainment business, and the type of advertising

to be allowed: spot-advertisments or sponsorship of programmes. This

period of over a year in the passage of the Bill did allow the development of public debate but seems that the debate took for granted the acceptance of the Bill and was therefore limited to discussions on the form of commercial television. However, the delay did succeed in including in the final Act an emphasis on the "public service" nature of broadcasting and the consideration of the "public interest". Despite the lack of legal definitions of these terms, it that they are included at all is to be welcomed. The lack of clear definitions in the 1954 Act and the cheery claims for the public service aspect of the British commercial television service were cynically regarded by its American counterparts. Clear-sightedly an editorial in America's leading media magazine satirically joked in the manner of Punch:

> "We submit, one can't be just a 'little bit'
> commercial. Either it is or it isn't...
>   Dear little John Bulls,
>   Don't you cry;
>   You'll be fully commercial
>   Bye and bye."
>   Broadcasting, Nov. 19, 1953,
>   in Wilson, 1961, op.cit., pp.190-191.

Wilson makes a good argument in the defence of "public service" broadcasting and argues against the social effects of advertising in any form. His arguments are worth reading, (pp.189-215), but it is not fitting to present here a critique on the effects of adverising. His final comment on the conduct and motives behind the pressure group for commercial broadcasting are indicative of his view on the overall drive for commercialisation, a drive that became acceptable to a degree that allowed for the introduction of the Independent Local Radio service, (ILR), in Britain:

> "Throughout the controversy it was apparent that
> the commercial advocates [including government
> members] were contemptuous of efforts to uphold
> either cultural or intellectual standards;
> the decisive consideration was that television
> was a great marketing device." (italics added.)

ibid., pp.214-215.

4.2.3   During the pressure for commercial television the
inclusion of commercial radio on both a national and a local
basis was considered. The commercial incentive that made television
attractive was only a little less strong with regard to radio. That
the 1954 Act did not include radio was a result of a compromise
between Lloyd's Study Group and the Conservative Cabinet. Commercial
radio supporters waited an opportunity and were equally prepared to
compromise in the short-term if it meant an eventual success. That
there is no national commercial radio in Britain is the result
of a compromise but also an accident of history which allowed the
BBC to first gain access to the necessary frequencies for national
radio broadcasting. How long this "accident" will be tolerated is
a matter for some conjecture but the sole justification referred
to by the Minister, Christopher Chataway, was that: "The case which
is now largely accepted for competition in television is no less
strong in radio." Alternatively it is as easy to say that if an
idea is argued often enough by enough people it will eventually
become the right opinion. That there may exist any contrary
argument made by less powerful people becomes irrelevant since
the more powerful group's idea will become accepted by a majority
too apathetic to consider all the arguments and decide rationally.
Thus the minority become labelled as "radicals", "obsessive" and
even "revolutionaries".

Commercial television made the introduction of the ILR
inevitable, yet it took from 1954 to 1971 for that transition to
take place. The intermediary years saw the mushrooming of "pirate"
radio stations and the reluctance of numerous governments to enact
controlling legislation. This hesitancy was largely a result of
insecure governments without a decisive majority and, as time

passed, a lack of desire to enact legislation that in closing the "pirates" would result in the loss of popularity with the "pirate" audience. With the passage of the 1954 Act, Selwyn Lloyd's interest in broadcasting seems to have dissolved, and with John Profumo's resignation in the early 1960's and the forced change of government, the Conservative's pressure group became ineffective. Without an active pressure group, commercial radio was dropped until a new group was formed in the late 1960's that in combination with events in radio "piracy" forced the Conservative government to support an ILR service in their 1970 election manifesto.

4.3 "Pirate" History: The story of "pirate" radio in Britain is full of the imagery of Hollywood films: adventure on the high seas, Robin Hood ethics, the struggles of the "under-dogs", heroic escapes from the authorities, rivalries and physical conflict between different "pirates", and between "pirates" and the authorities - some resulting in death. Many stations were able to capitalise on this public image and made money. Others tried to live in accordance with the independent spirit and lost heavily. The successes and the failures and the whole story of the British "pirates" makes exciting reading and gives plenty of opportunity to use nostalgia to give the impression that the "pirates" did represent a democratic system of broadcasting free from the restrictions of a national service, truly "giving the people what they want". (cf. Paul Harris, <u>Broadcasting from the High Seas</u>, 1977, for this type of history of "pirate" radio in Britain.) Behind this facade can be seen the commercial incentives which resulted in a commercial television system and it was with the support of these same incentives that the British "pirate" radio became the ILR. An examination of the ownership and directorship of the ILR stations illustrates this clearly.

4.3.1   "Pirate" radio began in Europe as early as 1958 when
Radio Syd began broadcasting from a converted ship anchored
in international waters off Sweden. Radio Veronica, broadcasting
also from a ship to the Dutch people, began broadcasting in English
in 1962. "Pirate" radio was established in Britain when an Irishman,
Ronan O'Rahilly, sought to use it as a medium to compete with the
four big record companies. Phillips, Pye, EMI and Decca provided the
records for most European and British radio and O'Rahilly first
considered "pirate" radio as a means of breaking the record monopoly.
Since he could not persuade the BBC to play any of his "pop" records
and since he was also refused by Radio Luxemburg, O'Rahilly
realised he could broadcast his own records from a "pirate" ship
similar to Syd and Veronica. He discussed his plan with an
Australian businessman, Allan Crawford, who was also interested in the
entertainment industry. The two men proceeded to fit out ships with
radio masts and transmitters in Greenore Harbour in Ireland - owned
by O'Rahilly's father. Later the two resulting ships united to
broadcast under the one name, Radio Caroline, positioned to provide
coverage of a large part of Britain. O'Rahilly took the name Caroline
from John F. Kennedy's daughter since Kennedy was the first Irish-
American President and represented success and independence. The
success of Radio Caroline soon encouraged other entrepreneurs
and Radio City, Radio London, Radio 390 and Radio 270 all started
broadcasting in 1965. By this time, "pirate" radio in Britain was
well established. Only three years earlier the Pilkington Report
had recommended that the BBC be allowed develop a number of
experimental local radio stations, but this was dismissed by the
government who alleged that no public demand existed. Government
inaction during this formative period of "pirate" radio allowed for

its continual growth and spread. Paul Harris comments on the
experience:

> "Pirate radio, with its romantic associations
> and lucrative temptations, began to capture
> the imagination of all sorts of people who
> went out in small boats with primitive
> transmitting equipment, a selection of °pop'
> records and a record player...Amateurs quickly
> disappeared from the air, for to run a pirate
> station was expensive, and risky too."
> Broadcasting from the High Seas,
> > Edinburgh: Paul Harris, 1977, p.43.

Some of the risks involved ships breaking anchor in storms
and running aground. Other risks involved the unpredictability of
advertising revenue, since advertisers were naturally wary of the
semi-illegal nature of the stations. However, the first deaths from
the "pirates" came in December 1964 when one of the owners of Radio
Invicta died with two employees in a storm at sea. The owners
of this station situated in an abandoned fort in the Thames estuary
were known to have had previous arguments, some violent. Following
the 1964 General Election the Labour government introduced a White
Paper in 1966 encouraging the BBC to experiment with eight local
radio stations and to establish Radio 1, an all-music station -
a lesson learnt from the "pirates". In 1967 another death was to
occur among the "pirates" that finally ended the romantic image
of "pirate" broadcasting.

Radio City had resulted from an exchange between
"Screaming Lord Such" and his "pop" music manager, Reg Calvert.
The station was situated on another of the Thames estuary forts
known as Shivering Sands. Calvert had been in partnership with
a Major Smedley and Allen Crawford, who had earlier merged with
O'Rahilly. In June 1967 Calvert was found shot dead in the home
of Major Smedley. The Major, who was arrested, claimed that
Calvert had cheated him and an associate, Kitty Black, by selling

the Radio City transmitter to Philip Birch from Radio London.
Birch had entered into an agreement with Calvert for the transmitter
and the station on the Shivering Sands fort. The Major and Kitty
Black met with Calvert and Birch after having sent a group of men
to forcibly take control of the fort from Calvert's men. During
the meeting Calvert had threatened the Major's life and when he
later visited the Major's home the Major shot him in self-defence.
The resulting court hearing and the publicity which surrounded it
did much to shatter the romantic image of the "pirates" who were
being renamed "sordid gangsters in ruthless competition". In
July Tony Benn announced impending legislation and this time
legislation was introduced, but not by Mr. Benn who was moved
shortly after to become Minister for Technology.

The Marine, Etc., Broadcasting (Offenses) Act, 1967 was
introduced in July of 1967 by Mr. Edward Watson Short, the new
Postmaster General. It was a very thorough piece of legislation,
on which an Irish Bill was later modelled. It effectively prohibited
unlicenced broadcasting by any medium and also prohibited advertising
and participation in such broadcasts. The supply of equipment to those
engaged in unlicenced broadcasting and the rental of premises to
"pirates" is outlawed. The comprehensiveness of the Act served well
and almost all of the British "pirates" closed when it was enacted.
The "pirates" did not give up without a fight but the determination
of Mr. Short made up for previous years of inactivity. Though
Radio Caroline was to continue broadcasting periodically for the
next few years the British "pirate" era was ended.

4.4 COMMERCIAL PRESSURE: As early as 1964 the first commercial/
political consortium had been set up. Mr. John Gorst, M.P., and
John Whitney established the Local Radio Association. (Whitney was

later to become Managing Director of the ILR station Capital Radio.)

Gorst had a background in advertising and public relations and had

connections with the media company, Pye. The Association represented

approximately 150 companies with interests in commercial local radio.

In 1960 Wigmore Broadcasting had been registered by Lord Wigmore,

Ian Hunter, (a major festivals promoter), and Hughie Green. Wigmore

Broadcasting later became involved in the bid for the London

entertainment franchise. By 1967 several other groups had been

established: the Local Radio Services by Whitney and Philip Waddilove;

The Free Radio Association by Geoffrey Pearl; the Campaign for

Independent Broadcasting by Philip Prewitt; and the Free Communications

Group the Commercial Broadcasting Consultants Ltd. by Hughie Green and

Tony Cadman, who declared that there was frequency space for 115 low

powered medium wave stations. The background to these names is similar

to those involved in the commercial television Study Group.They had

interests in the entertainment business, record and bands promotions,

radio manufacturing, and most were Conservative party supporters or

members. Those who benefited financially from commercial television

were set to become involved in commercial local radio.

4.4.1   In 1969 the Labour government which had been in power

since March 1966 allowed the BBC to extend its local radio service

to twenty stations, following the success of its original eight.

In response to the mounting pressure by those involved in the

commercial campaign, the Labour government announced an independent

inquiry which was to examine British broadcasting and would be

headed by Lord Annan. Local radio would be included in the Committee's

brief which would report in 1973. However, by 1970 another General

Election was to interfere with the future of British local radio.

The Conservatives entered the election with a manifesto pledged to the

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introduction of an independent local radio service. The pressure

group had learnt well the tactics of its forerunners in commercial

television. John Stonehouse outlined the Labour party's response:

> "The Government don't want commercial local
> radio to happen in Britain. That is why we
> have decided that local broadcasting should
> be through proper community stations, not
> run by commercial interests, who will only
> be concerned with maximum profits, but by
> local broadcasting councils interested in
> projecting community interests. [By this
> Labour meant BBC local radio stations.]
> Mike Baron, <u>Independent Radio: The Story</u>
> <u>of Independent Radio in the</u>
> <u>United Kingdom</u>, Suffolk:
> Terence Dalton, 1975, pp.58-59.

Labour, however, did not get an opportunity to further develop

its plans concerning local radio since the 1970 General Election

returned the Conservatives. At this lost opportunity the Local

Radio Workshop expressed their frustration:

> "Had the BBC been more democratic, flexible,
> and better financed, and had the Labour
> government had a more progressive broadcasting
> policy, the lobby for commercial broadcasting
> would not have been able to make such political
> capital out of the exploitation of popular taste."
> <u>Capital: Local Radio and Private Profit</u>,
> Comedia Series, No.15,
> London: Comedia & LRW, 1983, p.105.

This sad expression applies equally to the analysis of both commercial

television and local radio in Britain.

4.5 1970 GENERAL ELECTION: The 1970 General Election was

noteworthy in that it was the first election to be held since the

extension of the voting franchise to the 18-21 age group. It was

to this age group especially that the "pirates" had appealed.

During earlier elections it had become obvious to "pirate" operators

that their hopes for legal commercial radio would be best met by the

Conservatives. This knowledge had led to urges to "Vote Conservative

for Independent Radio!" during previous election campaigns. In 1970

this unorganised appeal was consolidated by Radio Northsea
International. The story surrounding this station is controversial.
It first began broadcasting in April 1970 and ended abruptly in
July. During that brief period, RNI broadcast overt anti-Labour
propaganda and was jammed first by the Labour government and then
by the newly elected Conservative government when the station
continued its anti-Labour broadcasts after the election. The
details of this official jamming were never released and are
restricted under the Official Secrets Act. This unprecedented
action by the British government is speculated on by both Harris
and Barron, and Barron points out that: "An analysis of the results
show that in the constituencies nearest Radio Northsea, the swing
against Labour was greatest...It is possible that Radio Northsea
played a decisive role in the Election." (Baron, 1975, p.60, sic.)

Irrespective of RNI, the election pledge by the
Conservatives to the newly franchised 18-21 year olds probably
helped to ensure a Conservative victory. Once in power, the Minister
for Posts and Telecommunications, Christopher Chataway, dismissed
the Annan Committee, (later re-appointed by Labour), and announced
a new White Paper, An Alternative Service of Radio Broadcasting.
By 1972 the Sound Broadcasting Act, 1972 was passed establishing
the ILR, and a year later broadcasting legislation was consolidated
in the Independent Broadcasting Authority Act, 1973. The BBC
local radio service was limited to twenty and proposals for nine
ILR stations were advanced. This number was later extended by a
further ten stations. The commercial pressure group which had first
began its lobbying in 1951 had succeeded at last in a full commercial
system.

4.6 RESPONSIBILITY AND ACCOUNTABILITY: The relative ease with

which the 1972 Conservative government introduced the ILR was partly
due, it has been seen, to the public acceptance of the commercial
television service, the ITV. The theoretical difference between
the BBC and the ITV service rests on the difference between public
service broadcasting and broadcasting for private commercial gain.
These differences, overwhelming to the academic observer, have been
successfully set aside by the IBA throughout a decade of public
relations, in which it has portrayed itself as a collection of
companies concerned not so much with profit as in providing a service
useful to and acceptable by the public. The ITV service certainly
has been accepted, (market figures alone prove that), and is of a
standard directly comparable to that of the BBC. Indeed there has
been a subtle reversal of roles whereby the BBC now seems to be in
a role where it is necessary for it to justify its existence and its
dependence on public funds for the provision of a service which
ITV seems to have equalled if not superceded. No longer is there
a question of the IBA needing to prove itself since its television
companies have provided an acceptable service and have also added
to the income of the British economy. Now it is the BBC that must
prove that its services fulfil a need not answered by the IBA and
that it is worth the heavy investment of public funds in the form
of licence fees and additional expenditure from public finances.

In the field of local radio this rivalry has become even
more strident with the indirect support of the Conservative government
for the IBA's commercial enterprise, (almost as if the removal of the
BBC from local radio broadcasting may be a prelude to its breakup).
The BBC have become more and more involved in the battle for audience
figures to the detriment of its services. Not only by this attack on
its financial viability has the BBC been undermined by the IBA

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services, the very nature of the BBC's ethos of public service
broadcasting has been replaced by the IBA's notion of "independence"
and "giving the people what they want". The IBA public relations
campaign has stressed its responsibility to provide for "a public
service...[of] a high general standard", as outlined in the
Independent Broadcasting Act, 1973, and its accountability to
the government and the public through the Broadcasting Complaints
Commission. The IBA indirectly assert that a broadcasting system
securely based on legislation is more trustworthy than its BBC
counterpart which cannot be entirely free from governmental
influence since it depends on the government for finance. The IBA
would have it that their "independence" makes it a more responsible
service with greater public accountability. Whichever may prove to
be the "better" system in this regard, both the IBA and the BBC
systems are found wanting in the important area of accountability
for the failure in the fulfilment of their responsibilities and
duties.

4.6.1   Both services are headed by a government appointed
body with administrative powers over finance and appointments
and responsibility for the broadcasting output. Each service
has a Director General with authority for the daily management
of the organisation and the relationship between the Director-General
and the government appointed body is often unsure and confused. The
BBC Governors seem to have a less influential role than that of the
IBA. This is partly due to structural differences. The IBA authorise
contracts with independent companies to broadcast, leasing equipment
and transmitters, and assigning frequencies. The BBC Governors
oversee the functions of a single corporation and liase between it
and the government through the Home Office. Both the IBA and the

BBC Governors are ultimately responsible for the broadcast output
and for ensuring the fulfilment of their organisation's duties.

4.7 BBC GOVERNORS: The Royal Charter outlines the duties of
the BBC Governors but this has been interpreted and re-stated in
a variety of forms by successive Director Generals, government
ministers, Governors and investigative committees. A number of
instances throughout the BBC's history exemplify the complexities
of the Governors' role. Stands taken on these occasions of external
pressure have provided guidelines for successive Boards of Governors.
From the time of the British General Strike in 1926, Lord Reith made
it obvious that the BBC could be relied upon by the government to
provide support for the status quo and the dominant powers in society.
The General Strike marked the first occasion since the transfer
from the British Broadcasting Company, that the Director General
assumed responsibility for making the new British Broadcasting
Corporation's policy clear. It was not the Governors who made
the public statement on behalf of the BBC. Four years later Reith
consolidated the power of the Director General's position by
engineering the publication of the Whitley Document, which detailed
procedures for the relationship between the Governors and the
Director General, and made some significant changes to the position
recommended by the Crawford Commission in 1926. In an analysis of
the subvention, Caroline Heller quotes first the Crawford Committee's
description of the role of the Governors: "to act as the trustees for
the national interest in broadcasting" and compares this to the
Whitley Document: "The Governors act primarily as Trustees to
safeguard the Broadcasting Service in the national interest."
In Crawford's terms the national interest takes precedence over
broadcasting service but in the Whitley Document it is the broadcasting

service which is protected, albeit, in the national interest. More

directly, the Whitley Document continues to describe the functions

of the Governors:

> "Their functions are executive, their responsibilities
> are general and not particular,... [they are]
> responsible for seeing that the many purposes for
> which broadcasting was established...are carried out.
> With the Director General they discuss and then decide
> upon major issues of policy and finance, but they
> leave the execution of that policy and the general
> administration of the service in all its branches
> to the Director General and his competent officers."
> Heller, Broadcasting and Accountability,
> > BFI Television Monograph, No.7,
> > London: BFI, 1978, pp.16-17.

4.7.1 An attempt to break away from this relationship between

the Governors and the Director General was made during Lord Simon

of Wythenshaw's term as Chairperson, (then Sir Ernest Simon). In

the Governors' report to the Beveridge Committee, Lord Simon likened

the relationship to that between a departmental Minister and the

Permanent Secretary. The Permanent Secretary is the administrative

head of the department with the knowledge of years of civil service

experience. The Minister, usually appointed for a fixed term of

office, has the responsibility of ensuring the government's policies

are enforced by the department through its activities. Similarly

Lord Simon assumed the Governors should be able to enforce their

policies, (reflecting the public interest), on the management

structures of the BBC. In the words of the Beveridge Report, the

Governors should:

> "perform effectively the functions of a
> Minister in keeping his department in
> touch with public opinion and subject
> to external criticism. The channels of
> informed democratic control of broadcasting
> must lie with the Governors." (italics added.)
> Lord Beveridge, Report of the Committee
> > on Broadcasting, 1960,
> > London: H.M.S.O., 1962,
> > > comnd.1735, para.408.

Despite the noble aspirations recommended by Beveridge on how the Governors should act, it is worth recalling the satirical reflections on the nature of Ministerial control in the television and radio series, Yes Minister. Justifying this pessimistic view of the Governors' struggle for power is Heller's reference to a remark by a Postmaster General that, "the Governors were still unable to exercise any real influence, and appeared to be governed by the professionals." (R. Bevens, The Greasy Pole, London: Hodder & Stoughton, 1965, pp.116-118.)

4.7.2   The BBC Governors are naturally eager to publicly assert the importance of their position. Lord Normanbrook in the 1965 series of Lunchtime Lectures emphasised that it is the Governors who appoint the Director General and the heads of staff, and he outlined a referral system within the BBC hierarchy which allows for the dissemination of influence from the Governors throughout the organisation. It is this referral system, Normanbrook stated, that replaces a direct system of control from the Governors. The problem with this view is that it may merely be a justification on behalf of the Governors for their inability to directly control the affairs of the BBC. Normanbrook himself admitted:

> "I am ready to admit that the control which they
> [the Governors] exercise is mainly by retrospective
> review - by comment, whether praise or blame,
> after the event. It is, of course, easy to say
> that this is not enough, that there ought to be
> a tighter control and a more strict enforcement of
> views and attitudes of the Board."
> The Functions of the BBC Governors,
> BBC Lunchtime Lectures,
> 4th Series, No.3, 1965, p.15.

The frustration implicit in this comment together with other cynical comments by other previous BBC Governors calls into question the usefulness of this system of supervision. (The purpose of the BBC's General Advisory Council has also been variously

criticised by members themselves, (cf. Heller, 1978, p.43). Sir

Michael Swann's written apology to a number of M.P.s following

their appearance with an especially hostile audience on The People

Talking programme was a result of a full meeting of the Governors

and the Director General, and yet Sir Michael was still severely

criticised by BBC producers and newspaper journalists. Whether or

not the incident merited an apology, it was insisted upon that

the Governors were unduly interfering with the BBC and that

they had no right to make an apology on behalf of the BBC - an

attitude which supports Tom Burns' comment:

> "It is probably nearer the truth to regard BBC's
> position as one of responsibility without power."
> The BBC - Public Institution and Private World,
> London: Macmillan, 1977, p.13.

Presuming the audience admitted to the programme were general

members of the public, or representatives from public groups,

Sir Michael may be questioned on the grounds of his reasons for

needing to apologise for what was a public reaction to the M.P.s

present. The Governors are representative of public opinion but

should recognise the legitimacy of a public audience to express

their opinion no matter how contrary it may be to that of the

Governors themselves. Sir Michael need not have apologised to

the M.P.s for public opinion. This incident therefore also gives

rise to questions on the representativness of the Governors and

the overall conclusions by John Scupham are valid:

> "No organisation, nor combination of organisations,
> can speak with authority for the common viewer.
> No committee representing sectional interests
> could usefully sit around a table weighing one
> of them against another, or arrive at a balanced
> overall view of the total programme output."
> Broadcasting and the Community, No.3 in
> > The New Thinker's Library,
> > Raymond Williams, ed.
> > London: Watts & Co., 1967, p.59.

and it is for this reason that :

> "It is proper that the BBC in particular should
> be informed, persuaded, lobbied, and generally
> pursued and pestered by the community that it
> exists to serve."
> ibid., p.60.

The Governors should be open to the various interest groups and individuals who complain and applaud, instead of consistently taking a defensive stand on behalf of the BBC management.

4.8   INDEPENDENT AUTHORITY: The Independent Broadcasting Authority, IBA, is also government appointed but differs from the BBC Governors in many respects. The functions of the IBA are stated in the Independent Broadcasting Act, 1973 and are briefly fourfold:

1. The IBA own and are responsible for the operation of the television and radio transmitters, assigning frequencies and maximum transmitter powers;

2. They select the contractors who run the television and radio stations and issue them with licences;

3. The IBA are responsible for the enforcement of legislative conditions and for the adherence of the contractors to those conditions. (Contrary to popular assumption, the contractors are not legally bound to their original broadcasting but merely to their contract to provide programming in accordance with broadcasting legislation);

4. The IBA regulate the amount of advertising and its content through the Advertising Advisory Committee, - by law, a maximum of nine minutes per hour is allowed for radio advertising.

The IBA are restricted in their reliance on the independent companies to supply them with information. They may request information, and are entitled to annual reports, but remain dependent

on the details when making decisions. With up to 38 ILR companies and 15 television companies, it may be appreciated that the IBA's task of informing itself on details of each company is demanding. Considering the staff of 1,600 in 1983, the Authority's twelve members are more concerned with administrative duties than with the general overview of the system and the particular services of the ILR stations. From that staff number, the greatest percentage are electricians and engineers solely involved with the building and maintenance of the IBA transmitters. The two functions which are probably seen as the most important to the Authority are the selection of broadcasting contractors, and the supervision of content in accordance with legislation.

4.8.1   The Authority is not required to give explanations for their choice of contractors and have established their opinions of incidents of controversial programming content. In 1973 following newspaper reports on a documentary on the painter Andy Warhol, which it was asserted would contain indecent material, a member of the National Viewers' and Listeners' Association, Mr. Ross Mc Whirter, was granted a temporary injunction against the programme. The Court in upholding the appeal criticised the Authority for not having previewed the documentary. The Authority defended itself by arguing that it was not its role to act as public censor, and that the documentary producers had a professional responsibility for programme content and would only refer a programme to the Authority if they were uncertain of public opinion. That the producers had not felt the need to refer the programme to them implied that its content was not in question. The Authority fully supported the producers and had trust in their professional decision. However, the Authority was pressurised by the publicity from the Court

hearing into previewing the documentary, and thereby overturning

their original stand of confidence in the producers. The Authority

finally agreed that the programme was neither indecent nor offensive

and the programme was broadcast. The relationship of trust between

the Authority and the programme-makers was irrevocably breached

and the Authority's decision was upheld by the Court. In the words

of the Times Law Report:

> "The Authority were the people who mattered.
> They were the censors. The courts had no
> right whatever...to interfere with their
> decisions so long as they were in accordance
> with the law."
> Feb. 5th, 1973, in Heller, 1978, op.cit., p.36.

4.8.2   It is one of the most irritating points to the numerous

pressure groups that the IBA is not required to offer public

explanations for its choice of contractors. Yet that choice itself

has on occasion provided an insight to the nature of people

chosen for ILR membership. The contracts are awarded mainly on

consideration of financial viability and the programme proposals.

A. Wright describes the importance of these proposals and then

illustrates the ease with which they are later dismissed:

> "However, in the case of the ILR stations there
> is the additional evidence and argument provided
> by the programme plans submitted to the IBA by
> the successful applicants for each local radio
> franchise, and these constitute one of the
> important elements on the basis of which the
> applicants were considered. The mention of these
> programme plans tends to occasion a good deal
> of mirth, on account of their blandness and the
> fact that specific programme plans seen often
> not to have been fulfilled."
> Local Radio and Local Democracy,
>   London: IBA, 1979/80, p.13.

These programme plans which are "treated with a good deal of mirth"

by the contractors, cause an equal degree of anger to many pressure

groups criticising the IBA's closed-door policy. The Authority's

lack of accountability in this area leaves unanswered questions

on the fulfilment of their broadcasting responsibilities. (When
the IBA withdrew their offer to Northside Sound, (a community group
in Derry, Northern Ireland), to licence an ILR station no adequate
reason was given despite public questioning on Ulster television.)

4.9 CAPITAL - LOCAL RADIO? Using Capital Radio as a case study,
based on information from the Local Radio Workshop study, it can be
seen that the circumstances of the IBA's contract award points to the
emphasis the IBA places on financial investment over considerations
of content and local needs. Capital Radio Ltd. holds the London
franchise for both the all-news station and the general entertainment
station. The company shareholders include a large number of investment
companies and wealthy individual shareholders including Sir Richard
Attenborough, Bryan Forbes, Barclay-White, Rediffusion and Observer
Holdings. Following financial difficulties in 1974, the Standard
Broadcasting Corporation was invited to become a shareholder. The LRW
speak of the "slapdash and insubstantial nature of their programme
plans". These programme plans are the only published material which
the public has to attempt an understanding of the IBA's decision:
"the rest of Capital's application, and the entire applications of all
the other contenders, are unavailable". (LRW, 1983.) Again the IBA
appears to have been invested with public responsibility without
being accountable to the public. That the IBA should be held
accountable seems urgently necessary.

An example from Capital's programme plans quoted in the
first of the LRW's studies is worth repeating at length. Concerning
womens' programming, (a large number of local radio listeners are
women at home):

> "...there are certain fundamentals that women
> enjoy. Women are sentimental, or they care
> deeply about emotions. Women are fanatical,

or they can see through plausible rationalisations
...They are escapists, or are not sufficiently
cold-blooded to enjoy drama which, if taken seriously,
would represent alarm and despondency. This is what
gives them their bias towards stories about hospitals
and against stories about guns; towards local issues
(where they can see plainly enough what is at stake)
and away from foreign news (of dubious implication);
towards happy endings, but happy endings to sagas
which are as grittily tough as they know real life
usually is."

Nothing Local About It: London's Local Radio,
Comedia Series, No.14,
London: Comedia & LRW, revised ed.,
1983, pp.179-180.

That the writers of such a patronising attitude towards women,

(who make up the bulk of their listenership), should have been

granted a licence demands a closer investigation into the relationship

between the owners of the station and the members of the IBA. The

finance behind Capital and its impressive list of supporters initially

won for Capital the London franchise and when it came up for renewal

in 1983 Capital easily retained the licence despite lobbying from

several protest groups.

4.9.1   Concerning Capital Radio's links with the IBA and with

the broadcasting industry, it is worth noting the career of Capital's

Managing Director from 1973 to 1982. John Whitney formerly produced

sponsored programmes for sale to Radio Luxemburg during the 1950's.

In 1964 he co-founded the Local Radio Association on behalf of several

commercial interests to pressurise for independent local radio. John

Whitney left Capital for a more influential position: he became

Director General of the IBA. His is only one of the numerous examples

of the close connections among the IBA, BBC and private industry. The

effect of this cross positioning must be the closed, self-protective

attitude prevalent among the Governors and Authority members who

are supposedly responsible for the broadcasting service in Britain

and accountable to the British public.

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> "One Chairman of the IBA has become Chairman
> of the BBC; one Vice-Chairman of the BBC has
> become Chairman of the IBA. The Chief Secretary
> of the BBC has become Director of Television
> at the IBA. Three Channel Controllers since 1967
> have accepted posts in senior management in
> various commercial programme companies. Managerial
> miscegenation has almost become complete and it is
> almost inevitable, therefore, that one convergent
> set of ideas and cultural purposes will come to be
> expressed by British broadcasting, despite the
> differences of structure and constitution within
> the double system."
> A. Smith, Television and Political Life,
> London: MacMillan Ltd., 1979, p.38.

Smith's description suggests the role of the BBC Governors and the

IBA Authority membership has been devalued to the level of job

promotion. If this is the case, neither can remain "independent"

from the organisation they are supposed to oversee and their interests

cannot be "independent" from those organisations. This implies that it

is not the "public interest" nor the "national interest" that is being

safeguarded by either the Governors or the Authority. Instead it is

the self-perpetuating commercial interests of the elite group from

which the Governors and Authority members are appointed which are being

so carefully guarded and protected.

4.10 LOCAL ADVISORY COUNCILS/COMMITTEES: The BBC and the IBA

are continually eager to point to the Local Advisory Councils/

Committees, (LACs), to illustrate local participation in the local

radio services. The ILR is obliged by law to establish LACs to

advice and monitor the local station's service. The BBC likewise

encourages public participation, through LAC representation, to

influence and advise on matters concerning local listenership

views and opinions as outlined in the BBC Charter. The functions

of the ILR Local Advisory Committees are as stated in the 1973

Broadcasting Act:

> "to give to the Authority,..., such advice as in
> the opinion of the committee would be appropriate

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> for reflecting so far as is reasonably practicable,
> the range of tastes and interests of persons
> residing in that area."
> Independent Broadcasting Authority Act, 1973,
> Section 11, Subsection 5.

This somewhat vague and general terminology leaves the ILR

Advisory Committee with an equally vague and general function.

They are "representatives" of the "tastes and interests" of their

locality and as such are chosen for their "normality". It therefore

seems unusual that many of the Advisory Committee members have

high-sounding names, as may be noted from the IBA Television and

Radio guide.

The ILR Advisory Committees are appointed by the

IBA and report directly to the IBA regional officer for their

locality. The BBC also appoint their Advisory Councils but they

report instead to the local station manager. The role of the BBC

Advisory Councils is rather more confusing. The 1966 White Paper

which extended the BBC's Charter to include a local radio service

stated that the Local Advisory Council:

> "will play a fully formative part in the
> development of the station both as regards
> programme policy and as regards finance...
> [and] will have the maximum possible voice
> in the [station's] direction..."
> Broadcasting, London: H.M.S.O., 1966.

This definition of the BBC's LACs' role is quite specific giving

the LACs an important involvement in the stations' policy and

financing. The LACs thereby play a part in the actual shaping of

the stations. However, the BBC re-defined the Advisory Councils'

role by 1975 in their evidence to the Annan Committee:

> "[The LACs'] primary purpose is to provide
> the station manager and his staff with
> a feedback of information and comment
> about programmes and to make suggestions
> for covering subjects or areas hitherto
> neglected."
> BBC, Memorandum for the Committee on the Future
> of Broadcasting, 1975,

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The BBC and the Public,
London: BBC, 1975.

No mention is made of the earlier duties related to the more

important areas of policy and finance. In no way could the BBC's

LACs, as described in 1975 and as most likely functioning ever since,

be said to "play a fully formative part in the development of the

station". The opportunity for the local public to become fully

involved in their station has been conveniently removed by the

BBC public service.

4.10.1   The representativeness of the LACs has been variously

defended by both the BBC and the IBA. The BBC first enthused about

their Advisory Councils in optimistic tones:

> "A Council has an average of twelve members
> widely representative of the community -
> including youth, women, social services,
> sport, religion, education, industry, and
> commerce. They are chosen not as delegates
> of any sectional interest but for their
> personal qualities and their ability to
> think for the community as a whole."
> BBC Local Radio: Some Questions Answered,
> rpt. 1968, London: BBC, 1967.

The confident tone of these early descriptions, however, soon gave

way to the mid-seventies criticisms of both the BBC's and the ILR's

LACs by the Annan Committee and others. Annan comments that many

of the LAC members had doubts about their effectiveness, generally

describing themselves as being, "middle-class, middle-aged and

middle-brow". Annan concluded that: "Certainly they cannot be

regarded as part of the mechanism through which the broadcasters

are made accountable to the public; they are appointed by, and

operate through, the BBC and the IBA", (Annan, 1977, p.55.).

Unfortunately Annan only recommended that the LACs be made more

representative, and that perhaps the stations should advertise to

the public in an attempt to encourage a more democratic membership

of the LACs. Annan also suggested that the LACs be nominated
"by interest groups", - though who might be included in these groups
is not defined.

In a reply to the Annan Report, Peter M. Lewis extends
his criticism of the LACs quoting from the Community Communications
Group, (COMCOM), publication:

> "Little or no public participation is permitted
> in their selection. The members of the Councils
> are far removed from and incidental to any
> decision-making process. They have no powers.
> They meet infrequently and in confidence. No
> record of their meetings is publicly available;
> all correspondence is directed through the BBC/IBA.
> No public participation or even attendance is
> permitted...we therefore recommend the abandonment
> of advisory councils."
> Whose Media? The Annan Report and After.
> London: Consumers' Association,
> 1978, pp.71-72.

Yet it is through these LACs that the local radio system is expected
to "provide for community involvement".

4.11 HOPES AND POTENTIALS: The Annan Report and other early
commentators on local radio were full of hope for the influence
local radio could have on the public. A. Wright succinctly summarises
these hopes with satire gained from hind-sight:

> "Certain phrases recur: 'stimulate local democracy',
> 'promote public awareness', 'encourage community
> participation' - and so on." (Quoting from the
> 1966 White Paper, the 1971 White Paper, and the
> Annan Report, 1977.)
> Local Radio and Local Democracy,
> London: IBA, 1979/80, p.1.

Wright conveys the optimism with which the potentials for local radio
were viewed. In the early 1970s in Britain the local government system
was under review and local radio was seen as being able to play a part
in encouraging interest in local government, and in creating an
atmosphere of self-sufficiency and independence in an attempt to
decentralise the nation. The growth of interest in small industry,

self-employment and entrepreneuralism, together with an emphasis on community information and co-operation, injected into the plans for local radio the belief that local radio could actively promote economic and social revitalisation in communities. There were few interest groups in Britain which did not claim that local radio would be an invaluable asset in the promotion of their aims. This enthusiasm for the new medium was also to encourage many who declared that local radio would facilitate the opening of the channels of communication which had hitherto not existed in communities. Furthermore, open-access to local radio would allow for two-way communication with the exchange of views and opinions by many who would otherwise never be heard. For these reasons local radio was welcomed by minority groups as well as by local councillors, the social services, and arts and educational interests. Wright describes these varieties of claims for local radio:

> "Many people (including Annan) regarded local
> broadcasting as the most suitable arena for
> access and participatory programming. It was
> relatively cheap, informal and local; its
> ideology proclaimed its openness and
> accessibility to the local community...In other
> words, local radio would not merely serve and
> reflect a more participatory society, but it
> would itself help to build such a society...
> A media system that was both local and interactive
> could be seen as having a central role to play in
> a reconstructed democracy committed to widespread
> citizen participation."
> ibid., p.3.

Unfortunately Britain still awaits this "reconstructed democracy committed to widespread citizen participation". Instead British local radio has seen the continued concentration of ownership among interlocking directorships and shareholdings; the increase in multinational shareholdings in the ILR services; the exchange of personnel between the BBC, ILR and other commercial media organisations; and increased cutbacks in both staffing and finance of the BBC local radio service. The pressure on the BBC to maintain

audience ratings has led to a decline in its standard of broadcasting,
whilst the ILR rivalry for advertising has led to an emphasis on the
need for programming to "sell".

4.12 ACCESS PROGRAMMING: The access programmes encouraged by
Annan, and promoted by both the BBC and the ILR, have been reduced to
phone-ins on banal and pretentious subjects given surface treatment
only, with no investigation of background information. In their survey
of a week's programming on Capital Radio, the Local Radio Workshop
recorded the following example of a phone-in:

> "man presenter: (to caller 2) Have you got a bad
>   voice there?
> woman caller: I got a bad stroke, b...
> man presenter: (interrupting) Pardon?
> woman caller: I got a bad stroke, b...
> man presenter: (interrupting) Ah, have you?
>   Oh I see, lovely, thanks very much
>   for voting. I can't hear you very well
>   unfortunately. Lets go on to the next
>   caller..." From BBC Radio London.
> Nothing Local About It: London's Local Radio,
>   Comedia Series, No.14,
>   London: Comedia & LRW, revised ed.,
>   1983.

The example hardly represents the sympathetic contact between presenter
and listener on which the public relations' literature enthuses and
which both services claim to have achieved. The criticisms of the ILR
put forward at the time of the Annan Report are still valid and extend
now to include the BBC local radio. (cf. Annan, 1977, Section 11.28
to 11.40, pp.156-161, for Annan's appraisal of the ILR service.)

Dismissing the claims made by station managers, Wright
concludes that access broadcasting has not lived up to its initial
promises. The fault is not due to the interest groups which seem to
have given up "pestering" the local radio stations for airtime,
but rather the fault is due to the station broadcasters themselves
who do not wish to risk upsetting the audience ratings by broadcasting
material which may be only of marginal interest:

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"...where are the less organised, the less
powerful and the less respectable groups?
Access was supposed to provide a voice for
the voiceless, yet these established access
slots seem cosily consensual and provide an
additional voice for those groups and
organisations whose voice is already powerful
and whose participation in political and
social life is already considerable."
Wright, op.cit., p.66.

4.13 PUBLIC MEETINGS: Public consultation also takes the form of

public open meetings prior to the establishment of a local radio

station. Annan recommended that these meetings be better advertised,

and praised the opportunity these meetings afforded the public to

acquaint themselves with the broadcasters, their intentions, services,

programming, technical details and possible financial involvement.

Also the public meetings enabled the broadcasters to meet those who

would become their audience, and learn directly from them, what are

the community needs and interests. Annan's favourable encouragement

of these meetings is gratifying but ill-founded. At one point the

report states; "About 60-70 people turned up at most of these

meetings: sometimes as many as 200." Following what they fail to

recognise is a dismal turn-out for British cities ranging from

populations of 300,000 to London's 3 million, Annan cheerfully adds:

"This is an excellent way in which the public can be brought into

the discussion of broadcast policy." (Annan, 1977, p.157.) Indeed

the public meetings represent an ideal opportunity for the public to

openly confront and discuss with the broadcasters and owners of their

local station. However, these meetings have obviously failed to

attract a representative number of local citizens, who most likely

realise that the meetings offer them no possibility of enforcing any

decisions upon which they as local radio listeners may agree. The

public meetings, therefore, like the hopes of open access, fail to

involve the public in local radio and fail also to make the stations more accountable.

4.14 OFF-AIR ACTIVITIES: The third area in which the 1973 Broadcasting Act attempted to give the ILR public responsibility was in its "off-air activities". The IBA encourages stations to promote local cultural and community activities and to involve themselves in the interests of the locality that they serve. In an attempt to copy the BBC's cultural involvements in national orchestras and drama societies, the ILR stations have established and sponsor numerous musical, drama and dance associations, art foundations and charities, as well as setting up 24-hour phone services on job vacancies, youth information, traffic, weather and general information services. Capital Radio in London was the first ILR station to start a 24-hour phone service. Now Capital Radio provides "Helpline", "Jobfinder", "Flatshare" and "Help a London Child" charity appeal. It financially supports the Wren Orchestra, the Duke of York Theatre, the National Youth Orchestra, the London Choral Society and a number of festivals and charities. These off-air activities makes Capital the leader in ILR cultural and social activities. Whilst these services are beneficial to the locality served, they can also be regarded as a public relations act disguising the station's detachment from social service content in its broadcasting. Such off-air activities will not affect audience ratings and advertising income but will help to present a facade of involvement in community activities which is good for the station's image. In this way also, the ILR stations claim a refund on the secondary rental paid to the IBA from the stations' profits. This type of channelling of profits into cultural organisations and charities is practised by many businesses. The ILR have succeeded

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to a particularly high degree in promoting these off-air activities

to enhance the stations' image of cultural involvement and the IBA

year book endorses this promotion. However, occasionally reports

are made of the stations' real level of commitments to these

projects. The LRW refer to this:

> "The broadcasters themselves have a cynical way
> of describing these items - they say they are
> necessary in order to gain 'brownie points'
> from the IBA."
> Nothing Local About It, 1983, op.cit., p.26.

Again it seems that British local radio has found a means of obeying

the letter of the law without regard to its spirit. The LRW make the

further point that:

> "Capital's off-air cultural activities are in
> areas of the arts which have traditionally
> been patronised by wealthy sections of society.
> Their appeal to the company lies in the prestige
> which can be earned for the station among those
> influential groups, and the occasional cultural
> input into programming helps the station to win
> a more up-market audience..."
> Capital: Local Radio and Private Profit,
> 1983, op.cit., p.77.

4.15 ALTERNATIVES: The major criticisms of British local radio

have come from minority groups, who perhaps have been ignored by the

established media, but have been disappointed most by the local radio

service which had initially promised local participation and access.

At the time of the Annan Report, many of these dissatisfied minority

groups organised themselves and united to form protest groups. The

groups which have been most successful in their organisation and still

exist, are the Community Communications Group, (COMCOM), and the Local

Radio Workshop, (LRW). Together with these two groups are a number of

individuals who have published their views in minority magazines and

occasional publications. Some of these critics of the established

local radio services propose the setting up of a community radio

service; others make suggestions for the improvement of the existing

services; still others have run the risk of legal action and have set up mobile land-based "pirate" stations to varying degrees of success. The alternatives offered by these critics will be briefly outlined and a more detailed criticism will be offered on the actual recommendations of the Annan Report. Finally the more imaginative alternatives existing in foreign countries will be discussed.

4.15.1   The 10-point definition of community radio referred to in Chapter Three was devised by COMCOM to differentiate between what they consider the true meaning of community radio and the popular application to which it is put by proponents of commercially-based local radio. COMCOM's definition provides for a democratically elected administrative structure comprised of those involved in the station and its listeners and shareholders. The community station is non-profit-making, covering running costs, and depends on voluntary support. Its material is of local content and should aim at promoting activity, not mere passive listening. Time is therefore allocated to various local interest groups to produce their own programming. For this reason, emphasis is placed on training and the "right of reply" is encouraged.

4.16 COMMUNITY RADIO LITERATURE: The arguments for community radio in Britain first surfaced as early as 1973 after the Conservative government's introduction of the ILR with Nigel Turner's light-hearted look at community radio. Without providing a definition of community radio, Turner mourned the loss of the excitement of the British "pirate" stations, and the sense of community some "pirates" had established with their listeners. His booklet, Community Radio in Britain: A Practical Introduction gives broad examples of American stations, a BBC local radio station, and Radio Jackie, a 1970s land

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based "pirate" station. With advice from David Gardiner, Turner sets out diagrams and details for the construction of medium wave and VHF transmittors and enthusiastically encourages the continuation of radio "piracy". What Turner does succeed in capturing in his booklet, is the emotion generated by those involved in community radio towards the potential of this form of broadcasting, and a sense almost of exasperation with the local radio authorities, something shared by many of the Irish "pirate" community broadcasters. This early booklet set the scene for future work by Peter Lewis and Simon Partridge, both linked to COMCOM, and articles by journalists Blanchard and Coe.

4.16.1   Lewis's Council of Europe publication, Community Control of Local Radio, saw the first attempt of a definition of community radio upon which later definitions were based, and descriptions were given of community radio projects in Canada, Sweden and Italy. In a later publication, Whose Media?, (1978), Lewis broadens the concept of community broadcasting to include video and closed-circuit radio. (Universities and hospitals in Britain use an induction loop to transmit programmes within campus or hospital grounds.) This book was published in answer to the Annan Report and follows some of the arguments raised in the post-Annan debate in Britain. His proposals for community radio remain strictly within the confines of British legislation, and mainly involve suggestions on forming interest groups, lobbying politicians and local radio stations for improved community commitment, and providing information that may be useful for those likely to follow his advice. Lewis's advice illustrates the limits of the local radio system. Other than offering ideas for cable radio and "piracy", Lewis can only say, "Heave to and wait for the dawn of an age (it could be as early as 1979) when a Local Broadcasting Authority could grant you a licence", (Lewis, 1978, p.149). 1979

passed with no mention of community broadcasting by the government.
The inadequacies of Whose Media? were partly answered in a slightly
earlier booklet, Different Keepers: Models of Structure and Finance
in Community Radio, 1977. This publication is much more valuable
in that it provides the much needed examples of community radio systems
in other countries and offers suggestions and applications to the
British situation. This booklet is equally useful in the Irish context
and is well worth consideration. Again published soon after the Annan
Report in May 1977, Lewis takes the then new-found interest in
community radio as a starting point. Underlining what he considers
important to any study of community radio is the recognition that:

> "Local control and the local finance which is
> ultimately the key to local control, is seen by
> community broadcasters as the distinctive difference
> between community radio and that provided nationally.
> A station which exists to serve local needs as defined
> by local people and which have been developed by sharing
> in programme production and policy decisions..." (p.3).
> [Community radio] "is usually alternative radio –
> alternative to neglect of local affairs, of particular
> sections of the community or of special tastes; or
> indeed to a professional outlook which arrogates to
> itself the definition of 'what the people want'." (p.23).
> Different Keepers, London: International Institute
> of Communications, 1977.

4.16.2   Simon Partridge's book, Not the BBC/IBA: The Case for
Community Radio is a more straightforward book dealing specifically
with community radio. Partridge outlines a brief history of the term
"community radio" as first used by Rachel Powell, (1965), and the
broad suggestions made by both Beveridge and Pilkington. Partridge
continues with examples of community radio stations from America,
the Swedish experiments, Australian community radio categories, and
the work of British groups using either cable radio or recording
programmes for use by the ILR and the BBC. Partridge's relatively
up-to-date book, (1982), is useful in its description of the Report
of the Home Office Local Radio Working Party, (HOLRWP), established

by the Labour government in 1978. The report investigated the forms

of possible community stations, their potential and the need for such

stations. The Report inconclusively suggested further study of the

issues involved and questioned the "demand for community radio in the

UK as a whole", (Partridge, 1982, p.37). Partridge quotes

COMCOM's reply to the HOLRWP from an open letter to the Home Secretary

and responds to the HOLRWP comment on public demand, asking:

> "if there was any community in the UK
> which had been asked whether it wanted
> a local radio station and, if so, how
> it wanted this controlled."
> Not the BBC/IBA, Comedia/Minority Press Group Series,
> No.8, London: Comedia, 1982, p.37.

The lack of response from the parliamentary parties to community radio

provoked Partridge into warning of the growth of land-based "pirates",

and he directly encouraged readers to involve themselves in "pirate"

broadcasting following the structures for community radio. A democratic

framework of control is provided, (closely resembling Irish "pirate"

community radio structures), and specific technical information is

provided on equipment, radio frequencies, costs and operational problems.

How Partridge expects individuals or groups to set up stations according

to his specifications, and then to await the pleasure of the Home Office

in issuing licences is not made clear. Obviously his plans are not for

those wishing to broadcast illegally since the stations, according to

his designs, would be completely open to prosecution under British law

and, very likely, all equipment would be confiscated. Partridge's book,

however, is a spirited summary of the aims and opinions of the COMCOM

organisation. COMCOM was set up in 1977 in a response to the Annan

Report in the hope of bringing about the "experimental" community

stations recommended by Annan.

4.16.3   Annan's recommendations for local radio were quite weak in

comparison to its strongest criticisms of the ILR:

> "Some members of the Committee think that
> the prospectuses of these stations cynically
> set out the bare minimum of public service
> broadcasting consonant with their being
> allocated the franchise; and then, having
> got it, the stations flagrantly failed to
> provide what little they had promised.
> Capital Radio seemed to be the type of
> station which, though financially successful,
> was the antithesis of what a local radio
> station should be."
>   Report of the Committee on the Future of Broadcasting,
>   London: H.M.S.O., comnd.6753, 1977,
>   Section 11, para.32, p.157.

Unfortunately not all of the Committee members agreed with this

scathing criticism and Annan made the contradictory recommendation

that both the ILR and the BBC services be allowed to continue.

However, Annan did recommend that a separate authority be established

to oversee the local radio service and that the control of the BBC's

stations be handed over to this authority. The stations themselves

would not change but the controlling authority would be changed. Annan

encouraged a "greater diversity" in the ownership and format of local

radio stations, and said that "at least some of the stations be run by

non-profit-distributing trusts based in the locality". Advertising

would, nevertheless, remain the primary source of income. The LACs

were dismissed as ineffective and were not to be replaced. Instead

there would merely be "public hearings from time to time". The new

authority would be responsible also for other forms of local

broadcasting and for hospital and student radio. Annan's

recommendations, (which were largely ignored in any case), were

all the more disappointing in relation to some of the sharp insights

that were made in the report. The quality of some of the observations

was not matched by the final recommendations; but even the quality

of these observations was inconsistent. Annan remarked in its

conclusion:

> "We want the broadcasting industry to grow.
> But we do not want more of the same. There
> are enough programmes for the majority;...
> What is needed now is programmes for the
> different minorities which add up to make
> the majority. That is why we want to expand
> local radio..."
> ibid., Section 30, para.4, pp.471-472.

4.16.4   For similar reasons the Annan Report was greeted with mixed

feelings by COMCOM and others. Much of what Annan had to say about

local radio was approved: its general attitudes, ambitions and

criticisms. However, COMCOM disapproved of the weakness of the

observations. Clearly a new authority would not be favourably received

by the government, yet the logic of such an authority could only be

supported on the condition that its powers be fully recognised. COMCOM

suggested that "one of the main objectives of the LBA, (Local

Broadcasting Authority), should be to initiate and encourage the

development of a °third force' in British broadcasting", (Partridge,

1982, p.14). The "third force", as opposed to the BBC and the IBA,

would consist of voluntary based, non-profit-making stations owned

and operated by a democratically elected co-operative trust. The

quiet shelving of the Annan Report left COMCOM silent until their

publication of "The Community Radio Supporters' Open Letter to the

Home Secretary" in response to the HOLRWP's report, mentioned earlier.

In this reply, COMCOM severely criticised the HOLRWP's conclusion

that the purpose and framework for community radio remained undefined

and that no need existed in the public's mind for a community radio

service. Instead COMCOM pointed to its previous publications outlining

in detail structures and possibilities for community radio and demanded

that the Home Office prepare immediately, (1981), an experiment in

community radio broadcasting. To this end a body would have been

established with representatives from the Home Office and community

radio enthusiasts, (the Community Radio Working Party), to facilitate

and monitor the introduction of community radio. The letter continued
to list the responsibilities and duties of this proposed working party,
and illustrated how the stations could be allocated frequencies from
the existing VHF waveband. Partridge summarises this letter and the
technical advice it contained. Of course, COMCOM met with no favourable
response from the Home Secretary but its proposals remain a well
formulated plan with precise information on the use of equipment and
frequencies. The most recent spokesperson from the Home Office,
Mr. Clive Soely, has stated that: "There are no such things as community
stations" in Britain but that an experiment of ten to twenty stations
might be feasible" in the near future"! With no pressure group with
political and commercial connections, it is unlikely that the "near
future" will be soon, (1985). These then are the proposals and the
underlying philosophies of the community radio enthusiasts in Britain,
who have been waiting patiently for permission to establish a "third
force" in local radio broadcasting. Some have readily acknowledged
the influence that local radio systems in other countries have had,
and it is to these other countries that attention will now be focused.

4.17 OTHER COUNTRIES: Sweden, Canada and Australia have developed
local radio systems that are "alternative" to the national network
and may be broadly termed community radio. In addition the Netherlands
have an access system for local participating groups to broadcast to
local receivers. Some self-styled community stations exist in America
receiving official recognition from the Federal Communications
Commission, (FCC), and are tolerated by their competitive neighbouring
stations.

4.17.1 The American experience of local radio has led to a
"narrowcasting" of output whereby stations specialise in a type

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of music or entertainment product. Narrowcasting has meant that in a single city many different stations may compete for listeners but since the size of the potential audience is often so great it is possible for a number of independent stations to exist, all depending on advertising for financial revenue. Most of these stations are owned by the American broadcasting "giants", the ABC and NBC networks. In a reaction to the quality of programming and the lack of informative and educational content, a move was made to set up a new type of local radio station, one for which profit was not the major motivating factor dictating content. Ironically America, which is hailed as the world leader in commercial radio, originated the threefold description of the purpose of radio broadcasting which has popularly been used in legislation. David Sarnoff, the General Manager of the Radio Corporation of America in 1922 was the first to say:

> "Broadcasting represents a job of entertaining, informing and educating the nation, and should therefore be distinctly regarded as a public service."
> John Scupham, Broadcasting in the Community, No.3 in
> The New Thinker's Library,
> Raymond Williams, ed.,
> London: C.A. Watts & Co., 1967, p.22.

The general trend in American radio broadcasting has been towards an emphasis on entertainment to the neglect of information and education. A 1977-1978 survey showed that:

> "Fewer than half the nation's radio stations listed news directors on their payrolls...
> High profile, top-40 stations try to make news a tune-in inducement and emphasise sex and violence, Hollywood gossip and police news."
> Donald C. Mathews, "Potomac Fever: Deregulating Telecommunications", in America, vol.141, July 14, 1979, pp.6-8.

It was in this atmosphere that the first non-profit community stations were developed. KPFA in Berkeley, California, was soon joined in the 1950s by KRAB, Seattle, and KBOO in Oregon. These stations depend on listener subscription to maintain running costs and on

volunteers to assist in programming. Many have united to form the National Federation of Community Broadcasters and are not funded by the educational grant given to the Corporation for Public Broadcasting by the FCC. The community stations have a democratically elected structure representing staff, listeners and volunteers. Funding is the all-important issue for American community stations. With no advertising revenue listener subscriptions are supplemented by fund-raising events, sales of programme guides, (which do carry advertisments), and donations. Lewis makes the point that contrary to what happens in other countries, in America community stations start off with a small amount of capital and gradually build up resources. (Different Keepers, 1978, p.7.) Content on American stations is dramatically different with "unheard art forms that extend from the medieval to the avant-garde." (Partridge, 1982, p.18.) As well as unusual music and plays, ethnic minorities and live performances are well covered. Local news and politics are catered for and the unemployed, handicapped and women are given airtime. Open access is encouraged and often school children compile and present programmes. The only content rule that applies to American community radio seems to be, "expect the unexpected".

4.17.2   Perhaps nowhere else in the world has community radio been hailed as such a success as it has been in Canada. The Canadian Radio, Television and Telecommunications Commission, (CRTC), has provided an example that has been closely watched and studied with interest by many other countries. (The Annan Committee visited Canada and Irish Ministers have referred to the Canadian experience.) The development of community radio resulted initially from its population problems. Small isolated communities, especially in Northern Canada, were unattractive to the commercial network, CTV. In response to their

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lack of broadcasting facilities, these communities suggested a system of small non-profit volunteer stations. This offer must have appeared fortuitous to the CRTC, who would have otherwise have been obliged to supply a service to disadvantaged areas at large cost. In keeping with the principles of commercial broadcasting the CRTC stipulated that "those who provide the funds shall not interfere with the licencee's control over management and programming decisions of the station". (Lewis, Different Keepers, 1978, p.10.) Lewis refers to the importance of the National Film Board of Canada, and its influence on the CRTC and Canadian broadcasting policy.

The National Film Board has consistently emphasised the role which broadcasting can play in safeguarding and promoting the ethnic and linguistic minorities of a country. Canadian minorities are quite outspoken in their demands and have tended in the past to fragment the society. Broadcasting has been seen as a medium for allowing the freedom of expression for these minorities in a manner that allows for a national unity in the celebration of its diversities. Thus community radio was supported by the National Film Board and both are now seen as successful examples from which other countries with similar minority problems are seeking to learn. (The National Musicians' Federation of Ireland has used the Canadian example in their proposals to the Oireachtas Committee.)

Community co-operative ventures are widely supported in Canada and there are examples of cable networks and a number of self-help groups operating housing schemes, environmental clearance and small industries. Community radio is seen as merely one of many illustrations of community initiatives, but one that has worked particularly well. Perhaps the success of community radio in Canada depends primarily on the nature of its people and their willingness to involve themselves

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to the benefit of their community. Such a nature cannot be transported into another nation and the success of community radio depends not so much on its structure as on the willingness of the community itself to fully participate. Canadian community radio shows the gains that can be achieved in the realisation of the community and the hope for continuing community development; but it also stresses the dependence on volunteer effort.

4.17.3   Community radio broadcasting is also officially recognised in Australia since the publication of the report by the Green Committee in 1976. Before this community radio was established on an experimental basis by the Public Broadcasting Association of Australia, (PBAA). From this experimental period, three distinctive types of stations emerged which were designed in accordance with community principles: non-profit-making with democratic representation and accountability. These three types were consolidated into three categories under which an application for community broadcasting can be made to the Australian Broadcasting Tribunal. Category E covers educational and cultural bodies; Category S covers "communities of interest"; and Category C covers geographical communities. The PBAA which now represents the community broadcasters send forward two representatives to become members of the Broadcasting Council, on which the national and commercial networks are also represented. The Broadcasting Council has advisory powers only. The community stations are forbidden to advertise but depend on subscriptions, sponsorship and fund-raising events for their running costs which are kept relatively low through the use of volunteers. A variety of structures exist for community stations, but all include nominated members from listeners, staff, volunteers and the various ethnic or interest groups involved in station output. An important body in providing funds for many community

stations is the Australia Council which sponsors arts and cultural projects and helps to provide a financially secure foundation for the community stations.

4.17.4   Swedish community radio, Narradio, (NR), is still being developed following a recent survey of a three year experiment which started in 1979. The development of NR followed the earlier experimentation by the national broadcasting agency with local radio, then Sveriges Radio, (SR). In 1973 SR conducted experiments with the intention of ascertaining the level of demand for local radio. Following the success of its three initial stations, SR established a further twenty local radio stations in 1976. These stations were primarily under the editorial control of the SR and as such were under the legal restrictions of the 1966 Radio Act. Resulting from a parliamentary broadcasting report, demand for a more democratic system of local radio with greater public access increased. The Narradio project was initiated allowing for non-profit trusts to found and operate small community based stations. These stations, although being geographically limited, serve mainly communities of interest on a "proportz" system. Political, religious, social, ethnic and environmental pressure groups are given access to broadcast with airtime related to percentage size of the interest group. All groups then elect representatives to a management board which allocates time and funding. Financial support comes from the interest groups and local and national institutions. No commercial advertising is allowed. These community stations are not obliged to comply with impartiality and balance restrictions, but are merely governed by the laws of the land and the libel laws that apply to newspapers. Overseeing technical standards and allocating frequencies is the National Telecommunications Administration.

An analysis of broadcasting in Sweden must take into account
the liberal theory underlining Swedish legislation. As the first
nation to institute the role of an Ombudsman, Sweden has a tradition
of accountibility and freedom of speech. It is partly this tradition
that has shaped the Narradio experiment. However, there also exists
an intuitive system of censorship on social issues which are nationally
held "taboo" by citizens and broadcasters alike, and this unwritten
code does restrict the broadcast matter of both local and national
media.

4.17.5   The 1967 Broadcasting Act established the Dutch
"pillarisation" system under the national broadcasting organisation,
NOS. NOS, together with the institutions it represents, (political,
educational, leisure, religious and social), provides the facilities
and studios for the various organisations' broadcasts. The allocation
of airtime is decided by the government in accordance with the signed
and paid public membership of each organisation. The organisation,
in an attempt to boost membership and thus gain more airtime, provides
programme guides in the form of magazines to subscribers. A separate
advertising organisation, STER, is responsible for all advertising
and is again allocated airtime by government. A Broadcasting Council
is also government appointed and has the responsibility of overseeing
the standards of broadcasting and is available to advise government.
An appeal body, the Council of State, supervises the allocation of
airtime and the admission of organisations to broadcast which, under
the 1967 legislation, must have a minimum paid membership of 100,000
and must aim to satisfy a need which no other organisation claims to
satisfy. Following the growth and eventual restriction on "pirate"
radio, the Dutch radio, and subsequently television, service changed
to admit the popular tastes of mass audiences. Radio Syd and Radio

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Veronica were among the first "pirate" ships to broadcast off the Dutch coast. Owners of Radio Veronica eventually formed the broadcasting company VOO and was granted a licence and airtime. By 1977 there existed four radio channels but the all-music organisations have the greatest listenership and hence the largest amount of airtime. (cf. Kees van Haak and J. Spicer, Broadcasting in the Netherlands, 1977.)

The local radio service was reviewed in 1977 and an experimental system, Werkwinkle, was established. Werkwinkle was an attempt to extend the "open-door" policy system of allocating broadcasting time to local participating groups. Again membership decided the allocation of airtime and advertising was controlled by STER. The success of Werkwinkle has called for the re-organisation of local radio in conjunction with the national radio system which has disintegrated from its original aim to the provision of entertainment only broadcasting. Whilst the system regarding membership of participating organisations has its failings, the Werkwinkle experiment illustrates the potential revitalisation of community interests and organisations that local radio can initiate and the development of community participation and self-help that can result from the involvement of community organisations in local radio broadcasting.

4.18 SOME TECHNOLOGY: The most frequent defence of the introduction of the ILR is that it provided for the regulation of the radio frequencies. The "piratisation" of this public resource was ended and an orderly service of independent local radio was established. Similarly in Ireland, repeated calls are made for the regulation of radio and an end to the "open chaos" caused by "pirate" broadcasters. Since the widespread interference caused by early broadcasters in America prior to the introduction of legislation, it has been taken for

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granted that the airwaves must be regulated by some agency. How aware the public is of what is meant by "interference" or what the worst result from unrestricted broadcasting might be is unmeasurable; yet it is accepted that the public is generally ignorant of even basic radio technology and quite simply believes the claims of the media and politicians that the Irish "pirate" situation cannot be allowed to continue on account of the "harmful interference" it has caused. The public lack of knowledge of radio technology gives credibility to politicians' statements against "pirates" and demands for governmental authority over radio frequencies and their use. By not understanding the issues involved, the public remains ignorant of what amounts to the technical control of a public resource, the airwaves. This in effect leaves the government free to control the airwaves whilst remaining unaccountable to the public.

> "it would be good and useful, not to say without precedence, if the debate as to who gets the right to generate which signals could be conducted in public; and if the public were to know and understand the terms in which it was being conducted. It is surely bad enough to have the wool pulled over one's eyes. It is doubly bad if the wool can be easily removed but is allowed nevertheless to befuddle and obscure."
> Brian Winston, "Dangling Conversations", in Hardware Software: A Background Guide to the Study of the Mass Media, Series No.2, London: Davis-Poynter, 1974, p.71.

4.19 TECHNICAL CONTROL: The sounds received by a radio set are broadcast from a station on a radio frequency and the listener in changing from one station to another is changing the frequency to which the radio set is tuned. However, there is a limited number of frequencies available to radio broadcasters and therefore a limited number of stations can broadcast without causing channel interference. This is the "noise" experienced when changing stations, or the cross interference of two station signals breaking into one anothers'

frequencies and interrupting listening. The frequencies available
for broadcast are allocated to the IBA and the BBC by the British
Home Office, (to RTE in Ireland by the Department of Communications),
which has the authority to decide which frequencies should be
allocated for radio and television broadcasting, radar and satellite
use, emergency and defence services, and personal business and private
communications. In this way the government can control which service
be allowed to expand and which is to remain restricted. More
importantly, it decides in co-operation with civil service directives
whether the BBC or the IBA be allowed to extend its local radio
services. The decisions made in regard to frequency allocation have
shaped the local radio network in Britain, and have been used to justify
the positioning of stations. It has been claimed that the frequencies
do not exist for a large number of small community based stations; that
a large number of these stations could not broadcast without causing
interference and also that the technical standards insisted on by the
IBA in Britain are a minimum standard to ensure professional quality
output which would be acceptable to the public. Without a knowledge of
radio technology, it is impossible to assess the validity of these
claims and thus a technical elitist control is exerted over the public
and over the broadcasters themselves since the Home Office in Britain,
the BBC and the IBA are not obliged to account for their decisions.
Yet again decisions taken behind closed doors affect the local radio
service available to the public:

> "Decisions about the sort of communication systems
> we, as a society, establish are often taken behind
> firmly closed doors and are couched in a scientific
> language that is totally incomprehensible to most
> people. And this situation is going to get worse."
> ibid., p.63.

4.20 PRIORITIES: Ireland has been allocated eight medium wave
frequencies and twelve VHF frequencies under the last meeting of the

International Telecommunication Union. These are held at present by
RTE. In deciding the use of these frequencies a number of factors
should first be considered. In Britain there exists the tendency to
first allocate the frequency space, and then to design the system in
relation to the available frequencies. Thus technical considerations
take priority over policy decisions. Annan, in a controversial
assessment of Britain's frequency allocation, refers to this tradition
and recognises it as proper:

> "Both the Sykes Committee in 1923 and the
> Crawford Committee in 1926 recognised that
> any consideration of broadcasting must be
> dominated by the fact that it depends on the
> use of radio frequencies and is one of many
> services, such as telegraphy, telephones and
> radio navigation, which use radio frequencies."
> Report of the Committee on the Future of Broadcasting,
> 1977, op.cit., p.8.

Certainly the frequency availability is important in the design of
a national frequency plan. However, technical considerations should
not have priority over the needs of communities, and should be
accommodated to the national interests so that community needs are
first considered. Technology should be the servant of the national
good and not its master. The questions that are relevant in the design
of a frequency plan are as follows:

1. What are the frequencies available to Ireland under international
agreement? How many extra frequencies may be shared under Article 8 of
WARC Copenhagen Conference, 1948? This total should allow for sufficient
services for both RTE and a community radio service.

2. In the allocation of frequencies, the characteristics of AM and VHF
should be taken into consideration. Medium wave signals are stronger but
are open to night-time interference. VHF frequencies are needed for FM
transmissions for quality music output but have a shorter range and
require a complex aerial system. Should both AM and VHF frequencies be

allocated to each station?

3. What geographical conditions and topographical problems of
population distribution affect the design of a frequency plan for
Ireland? How will the less populated areas be served?

4. What maximum transmitter power and aerial height will be proposed
for each station? How does this relate to the proposed coverage area
and will there be much "spill-over" of service areas?

5. Who will own and inspect the equipment and transmitter? What
standards are likely and are they reasonable? Who will retain ultimate
control over the equipment?

6. How many radio sets in Ireland can receive VHF signals? Are
VHF sets available to elderly listeners in remote rural areas?

4.21 IN BRIEF: The development of local radio in Britain has
many similarities to the Irish context. Both have grown out of a
demand created not so much by the public as by commercial incentives.
The "pirate" history of the ILR in Britain illustrates the likely
consequences of commercial local radio in Ireland. Previous proposed
legislation has been clearly based on the ILR model, and the continued
dominance of the profit motive over broadcast content and community
service throughout the ILR system is a forwarning of what commercial
local radio will become in Ireland. The ineffectiveness of the British
systems of authority over their respective local radio services shadows
the failures of the existing RTE authorities, and makes evident the
lack of accountability of such government appointed authorities. In the
neglect of their duties and the enforcement of their responsibilities
the IBA and the BBC are equally at fault. The structures for public
involvement are hopelessly inadequate, and the whole British system of
local radio represents a failure in community development. The forces
which pressurised for commercial local radio in Britain were obviously

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commercially motivated and their primary interest in private gain has resulted in the establishment of a system to the detriment of the BBC public service and the localities served by the ILR. The commercial forces which control local radio in Britain have succeeded in drawing the BBC into a battle for audience figures with the claim that such competition improves the national service. The commercial elite is supported by the government since local radio has cost little and provides yet another facade of "independent honest brokers" to monitor the system without actually challenging the status quo. The method of frequency allocation and technical standards presents yet another layer of elitist control over the interests of the communities served. Public ignorance of radio technology has never been expelled by those in control although it would be quite simple to educate the public on the possibilities and potentials for the development of a local radio, (and other), frequency plan. The provisions for frequency allocation are unnecessarily restricted and decisions regarding technical control need not be closed to the public. The systems of other countries suggest possible directions for alternative designs for local radio. Some of these systems would be unsuitable to Ireland and Irish needs, others offer hope for the potential role local radio could have in community and national affairs. The practicalities of these systems and the realistic likelihood of their adaptability will be reviewed together with a collation of the major arguments put forward will be presented in the concluding chapter.

CHAPTER V

"CAN LOCAL RADIO SUCCEED?"

The first chapter opened with the question posed for the legislator: "How best to control local radio?" Throughout these chapters a Marxist-Elitist argument argument has been supported, that true democracy does not exist in this country since society is managed by political and economic forces which consistently favours a dominant elite. In the context of such a society the only local radio system possible is one which is submissive to the system and does nothing to threaten the establishment. The proposals for community radio which have been put forward, (a non-profit, democratically structured station), cannot hope to succeed in offering the "radical alternative" necessary to provide for the open choice which should be encouraged in a democracy. The NACB proposals which structurally coincide with the ideals of community radio fail to recognise that the final legislation together with economic conditions will force a "non-alternative" broadcasting content. It was put forward in the opening chapter that given the dominant societal context an "alternative" system to commercial local radio cannot possibly succeed.

5.1 SUMMARY OF ARGUMENTS: The underlying concept behind community radio is the diffusion of the centralised power contained by the social and economic elite, and its redistribution amoung the community. Community radio represents community power, community control of a means of expression, its structure and its output. Unlike the ownership of provincial newspapers, community ownership and control is fully open to each individual in the community. Such a redistribution of control of a local radio system would

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herald demands for community control over other affairs, and would
eventually result in a threat to the established control of the
elite which has dominated since the conception of the state. For
this reason any possible introduction of community radio will be
surrounded by restrictions and regulations either directly or
indirectly, to prevent its ever becoming an "alternative" voice
in local radio broadcasting. Directly, it will be limited by
legislation imposing the restrictions of Section 31 of the
Broadcasting Act, and by demands for "financial viability" and
the "professional" code of conduct which effectively prevents the
type of critical reportage necessary to a "radical alternative".
Indirectly, community radio will be pressurised by the influences
of societal norms and expectations which affect listenership. The
economic forces which demand high listenership figures and profits
as a measure of success will eventually erode any controversial
or provocative material. Through the operation of both direct and
indirect forms of control, the control of local radio can be seen
as but an example of the operation of control throughout the
wider institutions of society to the continual benefit of the
socio-economic and political elite.

5.1.1   This outlook, of course, necessitates a prior
acceptance of the Marxist-Elitist theories on the nature of
control and its role in society. The current argument between
the Pluralist writings of Dahl and Polsby with that of Stephen
Lukes, and between Parsons and Giddens, were reviewed in the
light of the previous work of Bertrand Russell and his belief
that power is a constant, a fixed-sum. Russell's work on the
types of power and their manifestations paved the way for
Bachrach and Baratz's concept of non-decision-making. However,

as pointed out by Lukes and Stewart Clegg, Bachrach and Baratz
were trapped in the Behaviourist tradition of direct-observation
and thus limited in the application of their theory.

5.1.2   John Westergaard becomes useful in the furtherance
of the study of the indirect forms of control and the use of
influence. In an attempt to follow his methods, instances of both
formal and informal control over programme-making were provided
in the third chapter, drawing from the experiences of Doolan,
Dowling and Quinn in RTE. It was shown that in its very conception
RTE was an instrument of political expediency and not of conscious
planning and ideological thinking. The early political scandal in
the establishment of RTE is echoed in the political ineptitude
concerning the broadcasting by "pirate" stations. The political
instability of previous governments partly explains the continuation
of "pirate" broadcasting but their duration has given them a certain
legitimacy which strengthens their pressure for licenced commercial
local radio. Together with many other minority interest groups,
the "pirates" recognise the advantages of legalised local radio
for those who obtain licences. Instead of assessing the proposals
and the needs of the communities, the recommendations for the final
local radio system will most likely again represent the satisfaction
of as many interests as possible in accordance with political
expediency. The lack of urgency with which the local radio has
been treated and the obvious thoughtlessness of the draft legislation
to date, copied mainly from the British Independent Local Radio
model, suggests that the potential for community development
which community radio could initiate has not only been ignored
by the government, but purposely ignored.

5.1.3   Similarly in Britain, the potential for community

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development has been undermined by the profit motive. The introduction of "independent" broadcasting in Britain was primarily the result of a well co-ordinated pressure group of economic and political interests. H.H. Wilson gives a detailed account of the history of Independent Television, ITV. This background guide together with Bachrach and Baratz's definition of an elite as "those who consistently benefit", provides a clear picture of the forces behind the "independent" broadcasting services. The same picture emerges from a history of the ILR and its "pirate" radio origins. In Britain circumstances eventually made local radio legislation a necessity. The introduction of the ILR was an easier task for its political and economic promoters with the prior establishment of the ITV. The degree to which the commercial powers succeeded can be seen in an analysis of the failure of the Independent Broadcasting Authority, IBA, to fulfil its public responsibilities, and in its lack of accountability to its critics. Caroline Heller describes instances of the failures of the IBA and questions the role of the BBC as a public service. The BBC's own local radio system has been seriously threatened by the ILR and the BBC's response to provide a "cheap imitation" of the ILR stations has only resulted in the quickening decline of the BBC local radio service.

Studies from the Local Radio Workshop, LRW, and observations from John Westergaard point to the dominance of the business interests in local radio over the ideals of public service. The early hopes of the potential of local radio as outlined by A. Wright are easily recognised as being unfulfilled. The response of British community radio supporters has been to

draw from other countries systems which may be adapted for a trial period in Britain. Peter Lewis and Simon Partridge are the key writers on community radio in Britain and in his support for the COMCOM group, Partridge has called on the British Home Secretary to allow for experimental community radio stations.

Among the most effective areas of control wielded by the IBA and BBC in collaboration with the Home Office is the control over the technical resources necessary to local radio. The allocation of frequencies, the number and positioning of the local radio stations, the ownership of equipment and the transmitters is all tightly controlled and information on decision-making is difficult to obtain. The decisions taken regarding all technical matters are strictly confidential and are closed to public discussion. In an attempt to break through this technical elitism, a basic introduction to the technical issues of local radio could be attempted by the media, although more questions would be posed in relation to Irish local radio than could possibly be answered since the Irish Department of Communications, whilst friendly, is also tightly closed to public questions.

5.2 THE IDEAL MODEL: The potential that community radio represents for community development is an ideal that is unlikely to ever reach fulfillment. Despite this, it is worth detailing a possible framework for control, and the worthwhile effects that it may have on a community. The co-operative structure of ownership, listenership and staff management has been outlined previously. The diagram below illustrates how shareholders with equal voting rights elect representatives who, together with elected representatives from the interested listeners and community

organisations and the elected representatives from the part-time
and full-time staff form the Management Committee. Separate from
the Management Committee is the Programming Committee. Representatives
from the staff and listener groups are elected to the Programming
Committee and are responsible for the provision of programmes and
scheduling.

Diagram 1: Model of Community Radio Co-Operative Structure
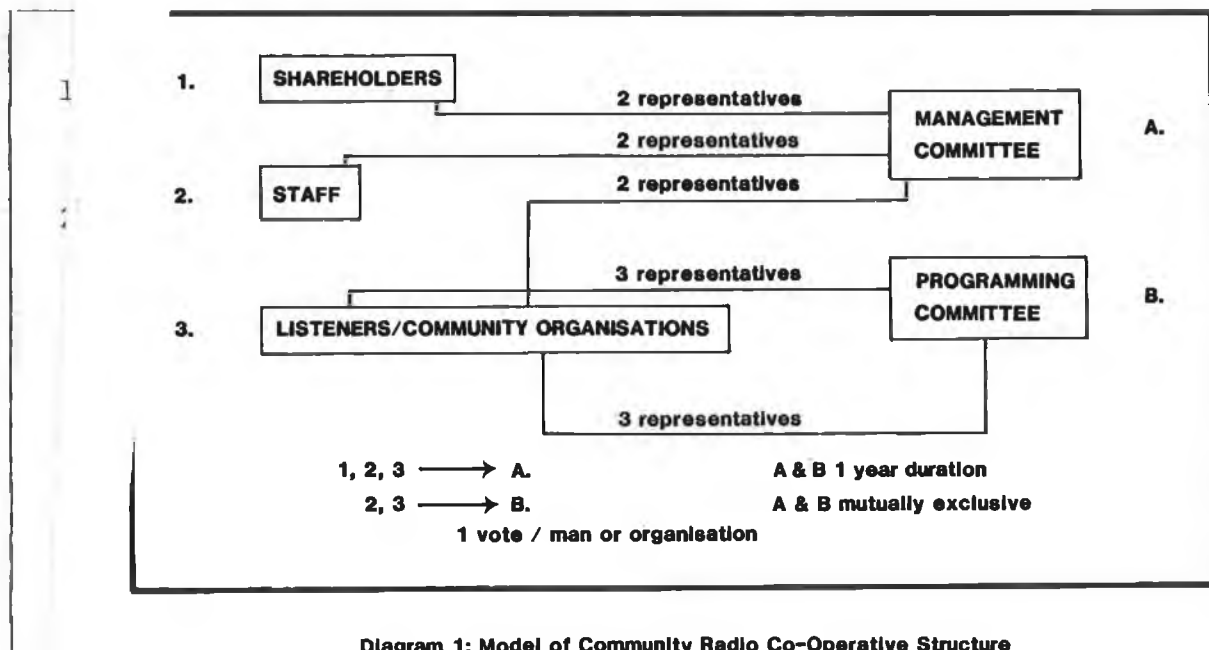
The Management Committee has no direct involvement with the
Programming Committee but, indirectly, both may have members from
the one interest group. However, members from the Management
Committee may not become members of the Programming Committee,
and vice versa. Minutes from the meetings of both Committees
are publically available and meetings are open to the public.
No individual nor organisation can be excluded from membership
on application. The right of reply and the laws of the state
pertaining to libel, public order and morality as defined by
the courts of the state are the sole safeguard and restriction
on the freedom of speech.

5.2.1   A network of such community stations acts as
regulators of the system. Within each region, (or Province),
the stations nominate members to the Regional Council. The
nominees need not be members of either the Management or
Programming Committees. In their nominations the stations
must ensure that members of the Regional Council have the
adequate knowledge of technical, social and legal issues
available to it that are necessary in the planning and
maintenance of the region's community radio service. At all
stages elections are open to every community individual and
all meetings are public. In this way, the structures are open
to public monitor and are fully accountable. The system depends
on public involvement and commitment but it is this involvement
that gives due regard to the responsibilities of membership.

       Political influence will be limited to the equal
opportunity for influence of other pressure groups, economic,
religious, social and leisure. The dominance of any one group or
an alliance between groups depends on the willingness of the
other community interests to oppose any dominance. The burden
of responsibility rests fully on the community itself. Community
participation is needed to make the system work and to ensure
equality between the various community interests. The onus
is on the community alone, not on any central administrative
authority appointed by a government in response to political
pressures and convenience.

5.2.2   The usual criticism of such community models lies
in the question; "Who provides the finance?" There are only
five possible primary sources of financial backing: private
investment, government funding, donations from cultural

institutions, advertising revenue and public sponsorship. The
government, (and in particular the present coalition), has
continually refused to provide for local radio. The cultural
institutions in Ireland, including social and leisure
organisations, have not the resources to establish a national
local radio network and while some may assist an individual
station, a local radio system could not depend on this source
for financing. A private investor would surely look for a
return in the initial investment which would not be possible
for a non-profit-making station. Dependence on advertising
revenue leads to the need for high audience levels which
necessitates non-controversial broadcasting material, and
returns eventually to the profit motive. However, community
radio already imposes a large responsibility on the involvement
of the community without also demanding community sponsorship.
Sponsorship provides the necessary funding for some stations in
America and Canada together with larger donations from public
bodies and, in some cases, private industry. In the Netherlands
and Sweden each participating organisation pays a membership fee
which covers initial capital and running costs. Australian community
radio depends on a mixture of sources from the Australia Council
and similar educational and cultural institutions and also from
public sponsoring. Sales of tee-shirts, stickers, badges, booklets
and programming guides also provide minimal funding for community
stations in Australia, Canada and America. Canadian community
radio depends on the National Film Board, and a subsidy from commercial
stations to help pay for the community radio costs. Subsidies from
commercial stations have been proposed in Ireland whenever a two-tiered
system for local radio is suggested. Suggestions for "twinning"
stations also allow for a commercial station to subsidize a smaller

community station. Yet for community radio to remain independent
it must have an independent source of finance which it can call
upon with a clear conscience, and which will in no way affect
broadcast content or the control of the community station. The
most effective of the five possibilities is public sponsorship.
It is not a satisfactory solution, but seems the only possible
solution within the confines of the proposed framework. Two points
should be noted which relate to sponsorship. First, the standard
of the broadcasting will affect public willingness to fund their
station. The better the quality of programming, the greater the
likelihood of sponsorship. This forms a reciprocal relationship.
Secondly, as Peter Lewis notes in Different Keepers, (1977),
stations in both America and Australia start with an initial low
amount of capital from a primary source and only later diversify
their income sources, spending their increased income on improving
station equipment and thus improving the service to the public.
This later improved service, in return, improves the public
sponsorship. Finance need not be a problem, Lewis implies. It is
only a problem to the bureaucratic administrators because they
have made it a problem. With the right attitude, Lewis faithfully
asserts, the finance necessary to the establishment and maintenance
of a station can be found. Perhaps the financial difficulties and
collapse of some of the British ILR stations can be attributed
to the lack of community involvement and commitment to the
"independent" commercial stations.

5.3 THE REALISTIC MODEL: The reality of the Irish context as
described throughout these chapters recognises that the dominance
of a political economic elite will control any possible opportunity
for a "radically alternative" system of local radio. The introduction

of a form of community radio will only result in a minority system
of local radio with the firm dominance of commercial local radio.
The dependence on advertising which will be forced on community
radio will weaken "alternative" programming. Community radio will
eventually become an accepted, tolerated system which will be
publicised as an "alternative" but which will not be fulfilling the
requirements as laid down by Lukes, (1974). Instead community radio
will be a recognition by the government of the demands of the
community radio supporters and interest groups but not a commitment
to those demands.

5.3.1   The latest outline by the Minister Jim Mitchell,
is for a "two-tiered structure", (22nd-April-85). A number of
regionally based commercial stations will be complemented by a
larger number of community based stations controlled by community
co-operatives. The numbers and locations of these stations will be
decided by the government appointed Interim Local Radio Commission.
This twelve member Commission, (CORA), is made up from political
representatives, (with a predominance of Fine Gael and Labour
supporters), business interests, an educational correspondent,
an Irish "pop" singer, a director of the National Youth Council,
(25 years old), and Mr. George Waters a former Director-General of
RTE with a background in broadcast engineering. The Commission has
been virtually left with the responsibility of designing the local
radio system for Ireland within the political confines of the
legislative outlines for the two-tiered structure described by
Mr. Mitchell. The Commission meets once a month and its meetings
are closed to the public. Since the Oireachtas Committee was unable
to make any recommendations or to publish a report of their
proceedings, the Commission is unable to call upon any advice from

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previous bodies. A member of the Commission confidentially
complained that the Commission would be unable to study in-depth
the various arguments since it is expected to complete its task
by the middle of 1986, (an unlikely deadline).

The Commission has also been "warned against other models"
from countries with a local radio system and presumably this implies
that the mistakes and advantages of other systems cannot be applied
to the Irish situation. However, the failures of the British ILR
stations and the ownership and content patterns, do carry important
lessons of which the Commission should be aware. Similarly the
enthusiasm of the American community radio broadcasters should be
analysed and compared to the Canadian spirit of community initiative
and self-help. The Australian venture with the narrowcasting of
communities of interest should be considered as an alternative to
the commercial regional stations. Perhaps communities of interest
could be allocated AM frequencies and could provide a service
similar to that provided for the Irish language by Radio na
Gaelteacht. Funding for this type of service could possibly come
from the interest groups concerned since there would only be a small
number of these national stations.

5.3.2   Instead the two-tiered system will comprise a few
well-situated commercial regional stations. In addition, the
community stations will not be "radically" different except in
nominal structure. Without community involvement these stations
will only be a mild alternative to their commercial counterparts.
Despite the best possible community involvement, dependence on
advertising and legal controls will restrict provocative
controversial content and thus effectively mute the potential
community radio has for development and consciousness-raising.

5.3.3 The biggest loser in the system as outlined by
Mr. Mitchell will be RTE, the state-sponsored public service
network. The outlined legislation suggests that RTE will be
allowed to apply "either alone or in a consortium" for a
regional-type licence. Irrespective of its application RTE
"would be entitled to a 25 per cent share", (Irish Times,
13th May, 1985). RTE will not be allowed to apply for a community
licence, is seems, but will not be restricted from advising and
assisting community stations whenever asked. With RTE's financial
cut-backs in services it appears unlikely that the organisation
could afford involvement in the regional stations. Yet neither
can RTE afford not to become involved in local radio if it is to
remain a national enterprise. Unfortunately for RTE, the government
refusal in 1976 of RTE's plans for local radio heralded its
failure in the battle for local radio. The only hope for RTE to
retain any credibility in this situation is for it to establish
a close relationship on a professional basis with the regional
and community stations through the exchange of news and programming
features and possibly in the provision of technical expertise and
resources. In this way RTE may salvage some respectability in an
issue for which it cannot, in full measure, be blamed.

5.4 FINAL IMPLICATIONS: The most realistic model for the
eventual local radio system in Ireland then, is likely to be a
commercial system closely resembling the British ILR stations
with a number of smaller community based co-operative controlled
stations whose content will be hardly indistinguishable from the
larger commercial stations. The government and the commercial
hierarchy will retain effective control over this new medium and

no change in the status quo will result. Thus no community development will grow from community radio. The growth of community awareness and the re-distribution of power which community radio has the potential to foster will be crippled. The Irish government is right to fear and suspect community radio with its philosophy for radio "of the people, by the people, for the people." Government paranoia of what the media may say if uncontrolled and what the result of uncontrolled speech may be is wholly justified. If unleashed, community radio could threaten the societal hierarchy and lead to greater demands for self-control of local resources and an increase in governmental accountability. In order for the government to maintain the socio-economic status quo, control must be centrally administered and democracy must continue to be managed. The public must remain ignorant of possible change and views on Marxist-Elitist applications to society must be restricted. The economic and financial powers profit from this social order and lend support to the "managed" political democracy. The hegemonic network teaches that it is best to concede to the social structure and work within it, gradually improving your position in the social order. "If you can't beat the system, then join it." Thus the proposal that suggests itself to those involved in "pirate" community radio is to first gain a licence and then slowly educate the listeners' taste to tolerate and later want more demanding and non-conformative material. "Challenge slowly" is the motto; no dramatic revolution of "radical alternatives". The community radio members have no alternative but to conform to the commercial model and to fight within the system. Through their structure eventual content change will evolve. Their hope lies in the future and in the development of listeners' desire for change. The greatest fear with this argument is that the conformity needed to survive in the commercial climate will become irreversable, and the community radio supporters

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themselves will become contaminated by the power structures and dominant values they are seeking to change. Secondly, it may be argued that this slow process of change from within is too slow and has existed in other institutions for many years with little result. Both these arguments are used by those familiar with the age-old revolutionary/ democratic opponents of early Marxism. There is no overall answer to "Which is best?" Again, it depends on personal perspectives and useful application. In relation to local radio in Ireland, the argument is redundant since there exists only one rational course of action for those seeking change. The community radio supporters have only one opion open to them and that is to work within the system and hope for the growth of community development.

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