

**New Media and Democratic Accountability:
The Growth of Government Access TV**

J. H. Snider
Political Science Department
Scott Hall
601 University Place
Northwestern University
Evanston, Illinois 60208

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ABSTRACT

Government-subsidized and controlled public affairs TV, which I refer to as “government access TV,” usually features coverage of legislative bodies such as the United States Congress, state legislatures, school boards, and city councils. It is often described by drawing an analogy to C-SPAN.

Government access TV—whether delivered via traditional TV or the Internet—has a place in America’s democratic information system because of market failure in the provision of political information. Over the last few decades government access has continually grown and changed. The plummeting cost of information technology suggests the growth and change will continue.

Since 1972 government-subsidized and controlled public affairs TV has been gradually expanding toward covering every nook and cranny of United States government. This type of TV, which I refer to as “government access TV,” usually features coverage of legislative bodies such as the United States Congress, state legislatures, school boards, and city councils. It is often described by drawing an analogy to C-SPAN—e.g., the programming is “C-SPAN-like.”

By the end of 1997, in addition to C-SPAN at the national level, 19 states and approximately 2,800 communities offered government access. C-SPAN and 12 of the 19 states also provided government access on demand via streaming audio and video over the Internet. With streaming media, the audience does not have to download a program before viewing it. This greatly increases the efficiency of Internet viewing.

With the exception of C-SPAN, political scientists have given little attention to the growth and impact of such TV coverage. Reasons for this neglect may include a traditional focus on national mass media, minimal promotion and visibility for government access within the commercial media, the difficulty of getting community-level data on government access, false (“blue-sky”) promises about the potential of government access dating back to the late 1960s, and the prevailing sense that since few people watch government access, it is not politically important.

Of particular importance is the presumption that government access at the state and local level both does and should follow the widely admired example of C-SPAN. This presumption, while not without merit, has two major flaws. First, C-SPAN is the product of unique economic and political forces that rarely apply at the local and state levels. Second, C-SPAN has successfully cultivated myths about itself that, while perhaps commercially and politically astute, provide a faulty model for understanding either what government access does or should do.

This is the first in a series of articles on government access TV that cover 1) its growth, 2) its impact, and 3) public policy recommendations. This article exclusively focuses on its growth.

My interest in government access originated when I served on a televised school board in the early 1990s. I observed that only a tiny fraction of the community watched school board meetings on TV, yet the school administration and board seemed acutely sensitive to and fearful of the TV cameras. Later, Vermont's Secretary of State appointed me chair of a task force on information, technology, and democracy. The task force recommended a "V-SPAN" for Vermont. The speaker of the Vermont General Assembly objected to the proposal, and it was never implemented.

This study is also based on evidence from annual conventions of the Alliance for Community Media ("ACM"—the trade association for public, educational, and government access managers), the National Association of

Telecommunications Officers and Advisors (“NATOA”—the trade association of city officials responsible for government access and other local telecommunications), State Public Affairs Television (“SPAT”—the trade association for managers responsible for state government access), and state chapter meetings of both ACM and NATOA. I produced and moderated panels at the ACM annual meeting on “Developing Ethical Guidelines for Government Access” and at the NATOA annual meeting on “Government Access at the National, State, and Local Levels.” I interviewed dozens of local government access managers, a half dozen at the state level, and more than a dozen C-SPAN staff members. I spent several days observing C-SPAN operations at C-SPAN headquarters in the fall of 1996. I gathered unpublished surveys regarding government access from municipalities, cable operators, franchising consultants, and state governments. I also administered my own surveys regarding government access to members of ACM, NATOA, and SPAT; to city councilors throughout the state of Vermont, and to a random sample of residents in the city of Burlington, Vermont.

Literature Review

Much has been written about C-SPAN over the years. The authoritative book on C-SPAN is Frantzich and Sullivan’s The C-SPAN Revolution (1996). Fenno provides an excellent summary of the debate over whether to televise the U.S. Senate (1989). Many scholarly books and articles

mention the growth and congressional impact of C-SPAN (e.g., Clancey 1990; Cook 1989; Hess 1991; Mann and Ornstein 1994; Uslaner 1993).

Much less has been written about state government access TV. The most significant work on state public affairs TV is Westen and Givens's The California Channel: A New Public Affairs Television Network for the State (1989). The explosion in state government access TV coverage during the mid-1990s is virtually unknown to scholars. The variety of institutional and financial mechanisms for providing state government access TV coverage is similarly unknown.

At the local level, great attention has been paid to public access TV, very little to government access TV. Public access, which is often confused with government access, is usually available to any member of a community on a first-come, first-served basis. City councilors, mayors, and average citizens often complain about the offensive speech and behavior found on public access. Thousands of popular articles and even one movie, *Wayne's World*, have addressed public access. Legal scholars have written many articles about public access and the First Amendment. Nevertheless, government access is arguably far more politically important than public access. Increasingly, it is also better funded. The best review of the paltry literature on local government access is contained in Fuller's Community Television in the United States: A Sourcebook on Public, Educational, and Government Access (1994). For a brief discussion of

local government access, see “New Media, Potential Information, & Democratic Accountability” (Snider 1996).

Definition

Government access TV comes in an extraordinary array of different programming and administrative permutations. SPAT describes itself as “The network of networks providing unedited television coverage of state governments.” C-SPAN describes its core mission “to provide our audience with access to the live, gavel-to-gavel proceedings of the U.S. House of Representatives and the U.S. Senate and to other forums where public policy is discussed, debated and decided—all without editing, commentary or analysis and with a balanced presentation of points of view” (C-SPAN Networks Viewers’ Guide, October 1996).

The flagship of government access programming is usually unedited televised coverage of public meetings. Like C-SPAN, many channels also provide a broad array of public affairs programming, including election eve coverage, candidate debates, candidate position statements, press briefings, and call-in talk shows. Government access can generally be distinguished from other subsidized media, including commercial TV and public TV, by its emphasis on frequent, comprehensive, and unedited coverage of public meetings and other forms of highly structured public deliberation.

As an ideal type, government access TV can be defined as a response to market failure. This market failure stems from three sources¹:

1) Market Power: Markets for certain types of products such as sewer, water, electricity, local telephone service, and cable TV tend to be natural monopolies. A characteristic of such markets is high fixed costs relative to the size of the market. Government access may be such a market. For example, it can be wasteful for a small town to have two different sets of equipment and labor crews covering the weekly meeting of the board of aldermen. Most towns cannot afford to support a single channel of public meeting coverage, let alone a raft of competitors. The conventional response to natural monopoly is either government provision of the good or government regulation to make sure that price is set to marginal cost (first best solution) or average cost (second best solution).

2) Non-Existence of Markets: Markets for so-called “public goods” such as national defense, clean air, and lighthouses tend to be smaller than socially optimal without government involvement. Government access tends to be such a public good. A public good is defined as a good whose consumption is non-rival and non-excludable. A good is non-rival when the marginal cost of another person consuming the good approaches zero. For example, it does not cost anything more for an additional person to enjoy the benefits of a strong national defense. Neither, once a public meeting has already been recorded and

distributed over an existing cable system, does it cost more to transmit the public meeting to an additional person.

A good is non-excludable when it is impractical or impossible to prevent anyone from benefiting from the good who is not willing to pay for it. For example, it is impractical to exclude a single individual from the benefits of national defense. Whether or not he contributes to the national defense, he benefits from it. Likewise, good government is often considered a public good (e.g., Popkin 1991). Whether or not an individual invests his time and effort in becoming an informed citizen (e.g., watching government access TV), he can benefit from an efficiently run government.²

3) Political Inequality: Government takes many steps to reduce political and economic inequality through such vehicles as public schools, welfare, restrictions on special interest groups, and progressive taxation. Support for political equality is especially important in democratic countries because democracy is built on the premise of political equality. According to democratic theory, not only should every citizen have a single, equally-weighted vote, but all citizens, regardless of wealth, should have reasonable access to the information necessary to vote in their own interest (Dahl 1989). For example, if the elderly, the disabled, and the poor cannot afford to attend public meetings in person, they are at a disadvantage. Government access may reduce these barriers to entry into the political process.

Note that in popular discourse the phrase “market failure” is rarely used. Instead, a contrast is drawn between earning profits and serving the public interest. A classic example from the mid-1960s is the resignation of Fred Friendly, president of CBS News, because CBS management insisted on running a fifth rerun of “I Love Lucy” instead of carrying important hearings on the Vietnam War in the United States Senate. Friendly accused CBS of placing dollars before the public interest (Friendly 1967).

Of course, the existence of market failure does not preclude the existence of even worse government failure. For example, government will usually produce goods and services less efficiently than the market. In particular, government’s potential conflict of interest in providing information about itself creates especially strong worries about government failure. When government failure is more severe than market failure, the solution may be to live with market failure. But in other cases, market failure may be intolerable. Even the most ardent free market advocate is likely to believe it appropriate for the government to subsidize the creation and distribution of public records via a public entity such as the National Archives. The question whether government access enhances or diminishes democracy is central to this investigation and is the focus of the second paper in this series.

One preliminary observation is that private media tend to support government access TV rather than see it as a competitor or violator of the First

Amendment. The press tends to describe government access in terms of the public's "right to know" rather than in terms of self-serving government propaganda. One reason for this may be that government access tends to have small audiences, thus offering minimal competition to commercial media. Another reason may be that government access tends to serve as yet another subsidy for the media. Over the years the media have happily accepted (and often vigorously lobbied for) many government press subsidies. Following in this tradition, government access tends to lower the media's cost of gathering information. For example, broadcast stations seeking legislative footage no longer have to pay for their own crew to get it; they can simply get it off a government feed. Finally, for the reasons enumerated above, the press may recognize that government access is a legitimate response to market failure.³

An important qualification is that market failure in the provision of political information varies largely as a function of three interrelated variables: market size, potential advertising support, and federal policy.

Market size: Large markets, such as the United States with its 260 million people, can sustain private public affairs TV coverage in a way that small markets, such as a state of 5 million or a suburb of 30,000 people, cannot. Large markets help solve the problem of large economies of scale leading to natural monopoly.

Advertising: Some types of public affairs programming, such as the talk show, are more conducive to advertising than other types, such as the gavel-to-gavel public meeting. Advertising, which reduces the marginal monetary cost of political information to zero, helps solve the problem of political information as a public good.

Federal policy: The government has heavily subsidized national and regional over-the-air broadcasting at the expense of local over-the-air broadcasting.⁴ The United States has more than 20,000 communities but the FCC awards television licenses (free use of the public airwaves) in only 211 metropolitan service areas, thus making local over-the-air political coverage all but uneconomical except in the largest cities. In other words, federal policy not only subsidizes media entities least subject to market failure but actively works against potential media entities most subject to market failure.⁵

Another important qualification is that there is no assertion here that government policy toward political information is set in a rational way based on an assessment of market failure. Subsidies for political information have largely been a response to political power rather than market failure. The point is illustrated by comparing funding for the National Archives versus home shopping TV broadcasters. According to the criteria enumerated above, it would appear that the National Archives (the main U.S. depository of national public records) would be a model case of market failure and home shopping on broadcast TV a

model case of market success (Table 1). Between 1992 and 1997, however, indirect government subsidies to home shopping networks probably dwarfed subsidies to the National Archives. During the same period, government subsidies (again indirect subsidies) to just three TV broadcast owners—Rupert Murdoch (Fox Television Stations Inc.), Lowell Paxson (Paxson Communications Corp.), and Barry Diller (Home Shopping Network) probably dwarfed subsidies to the National Archives and the Library of Congress combined.⁶

Table 1 about here

History

From its founding, the United States government has subsidized the provision of political information (see Cook 1998). The vast majority of the subsidies have benefitted for-profit news organizations. Such subsidies have included free delivery of newspapers, 2nd class postal subsidies for periodicals, free airwaves for broadcasters, rent-free sidewalk real estate for newspaper news boxes, federal land at below market rates and zoning exemptions for broadcast towers, special libel protection and shield laws for all news organizations, tax-free advertising sales, special exemptions from copyright laws for broadcasters, and a massive public relations infrastructure catering to the needs of the news media, including press secretaries, free use of rooms and facilities in public buildings, free use of government transportation (e.g., the President's plane), and free or discounted access to public records. The government has also subsidized

information directed at the general public including the congressional franking privilege, public financing of election campaigns, and public TV. Government access falls somewhere in the gray area between these two types of subsidy.

The origins and distinctiveness of any new type of institution are subject to dispute. From nearly the time television first became a mass medium in the United States, public meetings have been televised in depth. In the 1950s, for example, the McCarthy hearings on communism and the Kefauver hearings on organized crime received substantial television coverage on commercial TV.

Extensive TV coverage of political party conventions, candidate debates, elections, and news conferences have also been staples of commercial TV.

Where commercial TV has lagged, public TV has often filled the gaps.

Beginning in the 1970s, many public TV stations began extensive TV coverage of state legislatures; for example, putting on a 30 minute program highlighting state legislative activities for the week. Neither commercial nor public TV, however, has provided the regular and lengthy coverage of public affairs provided by the phenomenon I am calling government access.

The beginnings of government access can be traced to 1972 when the FCC required cable television systems in the 100 largest markets to set aside one or more channels for what was then commonly called “public access” and is today commonly called “community access” or “PEG access” (Public, Educational, and Government access). In this acronym, public access typically refers to non-

commercial programs produced by citizens on a first-come, first-served, free basis; educational access to long-distance learning; and government access to C-SPAN-like public affairs programming (Fuller 1994; Pool 1983; Abramson et al. 1988).

At the time of the 1972 FCC ruling, only a handful of local cable channels provided any type of government access. Although the Supreme Court overturned the FCC requirement in 1979 (just before the big cable TV franchising boom of the early 1980s), government access continued to be a common provision in franchising agreements negotiated between cities and cable companies. Today an estimated 2,800 municipalities have regular television coverage of city council meetings (see Figure 1a, Table 4, and Snider 1996). The collective budgets and programming hours of these stations dwarf the \$24 million annual budget and gavel-to-gavel congressional coverage of C-SPAN. Local government access is usually also given preferred channel position over C-SPAN.⁷

Figures 1a, 1b, and 1c about here

By 1992, 16 of Iowa's 30 largest communities (all with populations over 9,000) had local government access (Snider 1996; data compiled by Ames Cable Television Commission). By 1994, 14 of 35 communities in the Northwest suburbs of Chicago, Illinois had local government access (Snider 1996; data compiled by Northwest Municipal Conference). By 1995, 22 communities in

Vermont serving more than 50% of the total population had local government access (Snider 1996; data compiled by author). By 1996, 18 of 20 communities in metropolitan Washington DC had local government access (“Channel Guide,” Washington Times, August 18-24, 1996, p. T1).

Televised coverage of the United States House of Representatives started in 1979 with the advent of C-SPAN (see Figure 1b). By providing a widely admired model, C-SPAN greatly encouraged the development of both local and state government access.

The origins of state government access are a bit harder to track. Dennis Heck, the president of SPAT, which represents the 19 states with government access, pinpoints 1978 as the first year. Between 1984 and 1994 the number of states with government access grew from 4 to 9. Between 1994 and 1997 the number grew from 9 to 19 (see Figure 1c).

The growth in the number of governments with government access does not adequately convey the growth of government access. Two other factors are important: 1) the changing amount and diversity of programming, and 2) the number of households with access to legislative TV within each political district.

1) Diversity of Programming: Government access programming often extends beyond legislative meeting coverage to include coverage of courts, press conferences, inaugurations, candidate debates, candidate position statements (i.e., free ads), and other public events. Government access, like the mainstream

media, also often creates its own programming, including public affairs talk shows, election coverage, news, and candidate debates. The programming on C-SPAN is more varied than that available on most government access, but there are notable exceptions. One is that C-SPAN does not provide coverage of federal courts (federal courts do not allow TV coverage) whereas a number of state government access channels do cover judicial proceedings. Another is that local government access channels are more likely to create programming, including edited community news. Commercial TV broadcasters may create such custom programming for large cities but make no effort to provide it to the vast majority of America's smaller communities.

In general, government access programming diversity tends to increase over time. Consider the growth of legislative TV coverage. At the national level, both the United States House and Senate have comprehensive television coverage of floor proceedings. Individual committee chairs may also request coverage. Up to seven committee hearings can be simultaneously covered over the in-house cable TV system in both the House and Senate. Within the next few years the Architect of the Capital expects to have the capacity for unlimited coverage of all committee hearings. Actual coverage will continue to be at the discretion of the congressional leadership. C-SPAN and C-SPAN II carry comprehensive coverage of House and Senate proceedings and a small sampling of important

committee hearings. C-SPAN, which covers the House, started in 1979. C-SPANII, which covers the Senate, started in 1986.

At the state level, government access typically starts with coverage of either the House or Senate floor proceedings. Eventually, both chambers are covered and then an increasing number of committee hearings (see Table 2). In the state of Washington, both the House and Senate have comprehensive television coverage of floor proceedings and, via streaming audio and video over the Internet, comprehensive coverage of committee meetings. Such comprehensive committee coverage, where a readily available public record is made of every meeting and every word spoken at every public meeting, may be unique to the state of Washington.

Table 2 about here

At the local level, many communities start with select coverage of public meetings and gradually move to comprehensive gavel-to-gavel coverage.⁸ Committees of city councils and school boards are rarely covered, except for special events such as a hearing by a budget committee on a school tax referendum. However, coverage often extends well beyond city councils and school boards, including planning commissions, electric commissions, zoning boards, library boards, parks and recreation boards, and so on.

2) Household Access: The number of households covered by government access within each political district tends to increase over time. C-SPAN's

household penetration grew from 0 in 1979 to a little over 30 million in 1985 and over 60 million in 1995. C-SPANII grew from 0 in 1986 to over 40 million in 1995. Since C-SPAN has national satellite distribution, the key factor determining growth is the decision of the local operator to carry the channels.

State government access typically starts with a closed circuit television system only available within the statehouse (Table 3). The capital area usually is the first region outside the statehouse to get government access. Then different cable systems gradually pick it up over a number of years. In the state of Washington the number of households picking up the state government access channel increased from 540 thousand in 1995 to over 1 million in 1998. Many people that live in states with government access may not know it because government access is not available in their community.

Table 3 about here

The result of the above factors combined—more political districts covered, more programming per district, and more households per district—is that the growth of government access has been exponential. Nevertheless, fewer than .1% of public meetings covered by open meeting laws are probably currently covered by television. Only about 12% of United States communities have any type of city council TV coverage.⁹ Only 19 of 50 states have any type of gavel-to-gavel legislative TV coverage and only a couple of those have state supreme court coverage or any type of court coverage at all. The vast majority of the more

than 500,000 elected officials in the United States have never appeared on any type of government access. Of the 84,955 local governments in the United States, including county, municipal, township, town, school district, and special district (Statistical Abstract of the United States—1997, p. 297), fewer than 5% have probably ever had any type of television coverage.

Management

The management structures of government access show extraordinary variation, far more than for public TV, which evolved under the umbrellas of the Corporation for Public Broadcasting (CPB) and the Public Broadcasting System (PBS). Government access has evolved in a highly decentralized environment with many key organizational decisions made on an ad hoc basis. Here I attempt to provide some order to this apparent chaos.

Management structures can be divided into three major categories: internal, external, and mixed (see Table 3). An **internal structure** has both the production and distribution of government access managed by the covered branch of government. In Texas, for example, legislative employees both produce legislative TV and feed the signal into the Austin (Texas's capitol) cable system, the only cable system with government access in Texas. An **external structure** has both the production and distribution of government access managed by an external entity. In Washington State, for example, an independent entity known as TVW both produces and distributes legislative TV. A **mixed structure**

separates production and distribution functions into different entities. For example, the U.S. Congress produces comprehensive coverage of the House and Senate floors and select coverage of House and Senate hearings. C-SPAN picks up the legislative feed, may enhance the coverage with its own graphics, and distributes it across the United States. At the state level, there are six internal, nine external, and four mixed structures. All internal, external, and mixed structures are considered “non-partisan.”

External structures can be categorized according to the sources of their funding and the membership composition of their board. Some external structures such as C-SPAN and the California Channel are completely funded by private entities. However, such exclusive non-governmental funding is the exception rather than the rule. Only two states have such funding and, to my knowledge, no local government access entities. All of these completely funded external entities are controlled by cable companies. At the state level, government access funding is typically treated as just another line-item in the state budget. At a local level, government access is frequently tied to cable TV franchise fees and often paid by cable TV companies directly to the government access entity. As cable TV revenues increase, so does government access funding (see Table 4). In the early days of government access, many channels were both funded and managed by cable companies. Today management is rarely in the

hands of cable companies. Most government access managers report to either the mayor or city manager.

Table 4 about here

At a local level, government access is mandated either by local laws or some combination of state and local laws. In five states, mostly smaller ones, cable TV franchise provisions regarding government access (and community access more generally) are dictated largely by state law. In the other states, cable TV franchise agreements are negotiated at a local level. These agreements typically specify that up to 5% of cable TV revenue will be allocated to community access, including government access. Even when cable TV companies provide the funding, however, the funding level is mandated by government officials. To my knowledge, no cable company contributes significant monies to government access that are not mandated in its franchise agreement.

External structures may further be categorized according to their level of specialization. As earlier noted, community access was originally conceived to have three components: public, educational, and governmental (or “PEG” for short). Most early government access was provided as part of a comprehensive PEG channel, where the G component may have been a relatively small component of the overall programming. Such early channels also tended to follow the public TV model of an independent and diverse board. Although many

smaller communities in such states as Vermont and Massachusetts still have such PEG entities, they are increasingly the exception. Most government access is no longer under the same administrative structure as public and educational access. As a result, outside boards, where they exist, are typically composed of government representatives.

At a state level, there is also great diversity in external management structure. Where government access is run by contract with a public TV station (a station affiliated with the Public Broadcasting System, not a public access TV station), as in 5 of the 19 states, the management structure of government access is the same as for public TV. Where government access is run by the cable TV industry, as in California and Pennsylvania, the government has no direct involvement. Where government access is run by a specialized entity funded mostly by government, as in the state of Washington, the board is non-partisan and often includes a representative selection of government officials and prominent community members.

The basic rationale for an external structure is to provide a shield from political influence. Perhaps the greatest impact of having an external management structure is much greater diversity in public affairs programming. External entities, following in the mold of C-SPAN, are more likely to provide candidate debates, public affairs talk shows, press conferences, election coverage, and speeches by prominent community leaders. Inside entities, by contrast, are

more likely to fill channel space with news and safety tips from government departments such as police, fire, and transportation. Internal entities appear to be crippled from providing more diverse programming for two reasons: fear of being accused of political bias and distaste for providing political opponents with a platform.

Internal structures may be categorized into those controlled by the executive branch and those controlled by the legislative branch. At the local level, most government access stations appear to be administered by personnel reporting to the executive branch of government. At the state level, the opposite is the case: government access stations are administered by personnel reporting to the legislative branch of government. At the state level, the governor appears to be relatively unimportant in shaping government access. At a local level, the mayor or school superintendent is likely to be key. An important distinction may be between cities with strong mayors and cities with weak mayors or appointed city managers. Strong mayors in large cities with abundant media coverage (e.g., Boston, New York, and Chicago) tend to be much more resistant to government access. This may arise out of fear of giving the city council a platform on which to challenge the mayor.

Multimedia, Convergence, and Economies of Scope

Over the years technologies for recording and accessing meetings have expanded from print to audio to video to multimedia (Figure 2a). Multimedia

includes the seamless integration of print, audio, and video information in a digital format that allows for non-linear searches. Public records law has not kept up with technology. No state requires video records for local public meetings. If a public meeting is both aired and taped, only a handful of states designate the tape as a public record. Even here, however, video records are usually under less stringent requirements than print records. For example, an adequate annual public record of meeting tapes might consist of a random selection of tapes covering just two meetings from a public body that may have met dozens of times over the course of a year. No state requires the use of digital technologies to integrate the different types of records and allow for access over the Internet.

Figures 2a and 2b about here

Of great importance for the future study of political communications, the production of mass media and media archives tends to be developing economies of scope. In other words, the technologies and institutions of record keeping and mass media tend to be converging (Figure 2b). Until now, there has been a natural separation of the two spheres. For example, video was primarily used for mass distribution and not thought to be practical for convenient and affordable records access. The advent of the Internet and video-on-demand changes the economics of video and makes the creation of easily accessible records integral to the production of TV broadcast media. Similarly, newspaper companies primarily provided newspapers for mass distribution and let libraries serve as

newspaper archives. With the development of electronic news rooms, the Internet, and online news services such as NEXIS, Dow Jones Interactive, and ProQuest Direct, newspapers have become full service providers of both mass and archival media.

Corresponding to the convergence in technologies is a convergence in institutional structures. Government access TV, which cannot readily separate its mass media from its record keeping functions, is an example of this convergence. Government access TV, compared to commercial media, may be most remarkable for the strong political opposition to this convergence. Politicians like visibility but they do not like giving opponents a video record they can easily comb through and attack. Political scientists also are resistant to this convergence, although for different reasons. Those who study mass media and those who study public records still tend to be in different departments, use different methods, and study different institutions.

Explaining Growth

The most important long-term factor driving the growth of government access is probably changing technology (see Tables 4 and 5). New technology lowers the cost of government access production and distribution. It makes feasible new information services and increases the demand for those services that are provided. The widespread applicability of Moore's Law to the computer industry—the doubling every 18 months of the capacity per dollar of computer

equipment—has increasingly come to play a factor in the economics of government access.

Table 5 about here

Over the last three decades the cost of video production has plummeted. In the mid-1970s a VCR cost over \$1,000. In 1998 a superior VCR costs less than \$100. In 1983 the average factory cost of a two hour VHS tape was approximately \$8.50. By 1996 the cost had dropped to \$1.75. The costs of videocameras, character generators, and other production equipment have shown similar drops.

The use of automation to reduce labor costs is one of the most significant changes. In Washington State 39 robotic cameras cover the state supreme court and every floor proceeding and hearing room in the legislature. Each robotic camera has dozens of presets so that it knows where each member of the legislature sits. Only two individuals working from a master control room are needed to control all 36 cameras. In the past, each camera would have to be operated by a separate individual. If multiple cameras were used for a shoot, an additional person would be needed to coordinate the cameramen. Yet additional personnel might be needed to provide lower-thirds (the text at the bottom of the screen identifying each individual who is speaking) and other informative text. With computer automation, lower-thirds and other text can be inserted by machine. The result of the new technology is that much higher quality

government access production (e.g., three camera shoots with explanatory text versus one camera shoots with no textual clues) can be done at a small fraction of the previous cost.

The cost of cable TV distribution has also plummeted. In 1975 only 9 million American subscribed to cable TV. By 1997 the figure was 64 million. Moreover, the average number of channels available per household increased from under 12 to over 40, thus making room for more government access channels. The advent of digital TV over the next few years will allow cable operators to compress up to 20 standard definition channels into the space previously taken by 1 standard definition analog channel. Public meeting programs are considered among the most bandwidth efficient in the digital world because compared to sports and movie programs they have little on-screen motion, which requires a lot of information to render.

The evolution of government access at the national, state, and local level has largely followed the changing economics of distribution. Government access started at a local level largely because that is where the only feasible distribution system, cable TV, existed in the early 1970s. By the late 1970s improvements in satellite technology led to an explosion of national programming on cable TV. Previously, cable TV had primarily been used simply to retransmit over-the-air-broadcasting in rural communities where over-the-air reception was poor or non-existent. Now cable TV operators could buy a satellite dish and receive national

programming. This development of a satellite distribution infrastructure made C-SPAN feasible because C-SPAN, until the advent of the Internet, has primarily relied on satellites to distribute its programming to local cable TV stations.

The states were last to develop government access largely because of distribution bottlenecks. One factor that has changed this situation is the growing consolidation of cable TV systems. Cable TV systems have increasingly come under the control of a handful of large systems. Moreover, those groups have increasingly been clustered in geographically concentrated areas, thus making widespread distribution of state programming more feasible. Another factor is the declining cost of satellite time. It has cost the same amount of money to distribute programming over the entire United States as to the state of Delaware. Declining satellite costs have opened satellite distribution to the states.

An important recent trend is the plummeting cost/megabyte of using the Internet. The Internet promises to eliminate the cable TV and satellite distribution bottlenecks. TVW in Washington State, for example, only has access to a single channel for government access on local cable TV systems. But through the Internet it has an ability to send out multiple channels of streaming audio and video, albeit at much lower resolution than is possible on cable TV. If the Internet continues to break down cost barriers based on the distance of transmitting bits, distance-based cost barriers separating the delivery of national, state, and local government access may well break down.

Central to the rise of the Internet is the declining cost of interactive information, including video-on-demand and audio-on-demand. As of early 1998 C-SPAN and 12 of the 19 states were sending out streaming audio or video on demand. With this technology, people can access government hearings when it is convenient for them rather than when it has been scheduled for someone else's convenience.

For all its importance, technology is only a necessary but not a sufficient condition to explain the growth of government access. Perhaps the most striking observation regarding the growth of government access is that only a small fraction of communities of a given size and wealth have government access. For example, Barre Town, Vermont (population 7,419) and Rutland Town, Vermont (population 3,869) have TV coverage of the "city council" but Chicago, Illinois (population 2,768,483) and Boston, Massachusetts (population 551,675) lack such coverage.¹⁰ Thus, for any given community, economic factors are a poor predictor of the existence and scope of government access. What appear to be central are political considerations (who wins and who loses) and differing perceptions about whether government access is in the public interest (does it enhance or diminish democratic accountability). Such concerns raise the general question of the impacts of government access, the topic of the second paper in this series.

Conclusion

Government access has a place in America's democratic information system because of market failure in the provision of political information. Over the last few decades government access has continually grown and changed. It is likely that in coming years it will show even more rapid growth and radical change. As the cost of information technology plummets, it is likely that political rather than economic forces will become increasingly important in explaining the use of government access.

For a variety of reasons having little to do with its intrinsic importance, government access has grown outside the radar of the academic and public policy communities. The result is that one of the most innovative and potentially important forms of media in the United States has been all but ignored.

Government access is a daring and controversial solution to the problem of market failure in the provision of political information. It provides models for public policy that are unknown to national policymakers, making some of their discussions (such as the recent congressional debate on campaign finance reform that assumed that free airtime for political candidates was a radical idea) seem surreal in their ignorance of what is happening in their own backyards. Government access is also a vivid example of converging technologies and the corresponding need to merge the study of mass media and public records into a single discipline.

Whether government access can be designed to avoid government failure as well as market failure has not been addressed in this paper. Nevertheless, it is arguably the central question determining the long-term viability of government access and should be a subject of further research.

¹For a discussion of market failure, see Stiglitz (1986) and Rosen (1995); for a discussion of political information as a public good (“rational voter ignorance”), see Downs (1957) and Popkin (1991).

²The problem of political information as a public good has often been alleviated by the existence of advertising. The American system of commercial broadcasting, for example, has often been hailed for its reliance on advertising rather than government subsidies for the provision of information necessary to create an informed electorate. As of now, however, the format of public meetings and other typical government access programming has not lent itself to such advertising support, either because it is thought to be impractical or undesirable. Such a conflict between commercial TV and the public good may have been felt more acutely in the days before C-SPAN. In one highly-publicized incident, Fred Friendly, the respected president of CBS news, resigned because CBS management refused to provide comprehensive coverage of the 1966 Senate hearings on the Vietnam War. Friendly called the hearings “one of the crucial debates of our time” (Friendly 1967, p. 249). CBS management did not disagree with his characterization of the hearings, but disagreed that the network could survive financially if it carried such non-commercial programming.

³This is not to say the press has not frequently objected to government control of legislative TV coverage. The TV networks, for example, wanted to control the cameras in the House and Senate chambers just like they do at the national party conventions (Fenno 1989; Frantzich 1996). But unlike other issues such as the fairness doctrine and free airtime for political candidates, where

mass media organizations engaged in major lobbying campaigns to reduce government interference in the provision of political information, the mass media have never aggressively attacked government access.

⁴⁴The subsidy of national and regional broadcasting has been done in the name of “localism.” American broadcasting has been considered “local” because licenses are awarded on a regional level rather than on a national level as is the case in many other, especially smaller, countries. To be fair, since 1984, the FCC has licensed 2,074 low power TV stations. But these are given second priority to high power TV stations and are usually only available in rural communities. The vast majority of American communities remain without dedicated over-the-air TV. Moreover, the Telecommunications Act of 1996 awarded new spectrum to existing large power broadcasters at the expense of the low power ones, thus further marginalizing the principle of localism. It is noteworthy that some low power TV stations, such as KWI-TV in Hawthorne, Nevada, provide local public meeting TV coverage.

⁵Broadcasting magazine, a mouthpiece of the broadcasting industry, put it best: “pad-and-pencil reporting is not enough... when the incomparable reporting instruments of radio and television are at hand. To deny the use of modern communication is to deny the electorate a service it is owed” (cited in Barrett 1975, p. 54). Broadcasting penned this editorial in support of television coverage of important congressional events, but it could equally well be said of the 20,000 or so communities that have for all practical purposes been shut out of over-the-air TV coverage.

⁶**The politically powerful** TV broadcasters say that government subsidies to preserve free, over-the-air broadcasting are necessary if we are not to become a society of information-haves and have-nots. Without the public affairs programming provided free by TV broadcasters, political inequality would ensue and our democracy would be endangered. While such arguments might be

plausible, they have been used to grant massive subsidies to TV stations, including home shopping networks, that have traditionally done little public service programming.

The two largest subsidies to commercial over-the-air TV, including homeshopping channels, were contained in the Cable Act of 1992 and the Telecom Act of 1996. The Cable Act of 1992 forced cable companies to carry UHF channels, like home shopping channels, that they otherwise would have dropped or demanded sales commissions from. Such must-carry was worth billions of dollars to the UHF broadcasters. The Telecom Act of 1996 let broadcasters trade spectrum capable of carrying a single standard definition channel for spectrum capable of carrying a half dozen standard definition channels plus digital information services. The value of this spectrum was estimated by the FCC to be worth between \$11 and \$70 billion. The annual budget of the National Archives is approximately \$200 million and the annual budget of the Library of Congress also \$200 million (excluding the Congressional Research Service and the Copyright Office). Total annual government expenditures for government access TV at the national and state levels combined are probably under \$50 million. In 1997 alone, the value of TV broadcast licenses (i.e., access to the public airwaves) increased by approximately \$19.5 billion. In 1996, TV broadcast licenses increased in value by approximately \$15 billion (Higgins 1998). ⁷In metropolitan Washington, D.C., 18 communities have local government access TV. Of the 18, 16 have channel positions lower on the dial than C-SPAN ("Channel Guide," Washington Times, August 18-24, 1996, p. T1). The average channel position of local government access was under 20 whereas it was over 35 for C-SPAN. Channel position is widely fought over by cable programmers because low channel position leads to higher viewership.

⁸An important qualifier is that gavel-to-gavel coverage is often not comprehensive. All that gavel-to-gavel coverage signifies is that meeting coverage is not edited within a legally defined segment.

If a school board covers one meeting but not another, or it covers a meeting up to the point an executive session is held (but not after it comes out of executive session late at night) it can still claim to provide gavel-to-gavel coverage.

⁹According to the 1997 Statistical Abstract of the United States, there are 19,279 municipalities and 16,656 towns or townships. Of the 16,656 towns or townships, there are 5,416 towns (derived by adding up the figures for the 9 individual states with town governments). The 12% figure (rounded up from 11.3%) was derived by dividing 2,800 televised city/town councils by the number of municipalities and towns combined, 24,713. The reason for not adding the number of municipalities to the number of towns and townships and dividing by 35,845 rather than 24,713 is that there is substantial overlap in certain parts of the United States between townships and municipal governments. In the United States there are also 3,043 county governments, 14,422 school districts, and 31,555 special districts, for a total of 84,955 local governments.

¹⁰¹⁰Although many tiny communities find money to support government access, the most common reason given by government officials for not televising city council meetings is the expense. Thus, mayor Daley's cable coordinator, Joyce Gallagher, investigated TV coverage of the city council and decided it would be too expensive given the need to fund other city priorities. Another official in the Daley administration, speaking on background, disputed Gallagher's account. The Daley administration didn't want TV coverage for political reasons; expense was merely a plausible excuse.

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