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REFLECTIONS FROM A SOCIO-ETHICAL
PERSPECTIVE ON

THE FUTURE OF
EU MEDIA POLICY
IN THE
INFORMATION SOCIETY

COMECE Working Group on Information Society,
Communications and Media Policy

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Reflections from a Socio-Ethical Perspective on the Future of EU Media Policy in the Information Society

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Introduction	3
The Internet: Some Ethical Issues <i>Dr Jim McDonnell</i>	4
Challenges for EU Audio-visual Policy in the Information Society <i>Hermineke van Bockxmeer</i>	10

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Introduction

Culture and media are inextricably interconnected. The media, however, are not just an instrument to organise culture, but rather they reflect the culture that they create themselves: the self-image and identity of a culture are apparent and can be determined in both their form and their contents. Examining culture implies studying the media and their structures.

This is particularly true at a time when our European cultures have an ever-wider range of media at our disposal in what is referred to as the “information society”.

The Catholic Church, given its place in European history and culture, considers it to be its duty to participate actively in these processes of cultural self-reflection and formation. This also entails intensive dialogue with the media.

For the Church, this dialogue with the media means analysing and evaluating the opportunities and risks associated with developments in this sector, and reconciling them with the anthropological prerequisites of a Christian philosophy of humanity and the aims of a social community. In the Christian tradition, attempts have always been made to understand the circumstances of communication in which people live, how different structures of communication can open up or close off opportunities for interpretation and formation in people’s lives.

The primary concern of the Catholic Church in the communications and media sector is therefore not technical and economic. The key question is rather, to what extent do new technologies and communication services characterise our understanding of both ourselves and of the world? Are they primarily for the purposes of communication, interpersonal comprehension and the interests of social co-existence?

Adapted from Comments on the Green Paper on Convergence and its Effect on Regulatory Policy, April 1998

The Internet: Some Ethical Issues

Dr Jim McDonnell

Introduction

Every new communication technology raises both Utopian hopes and arouses scepticism and apprehensions. Today the reactions to and comments on the growth and expansion of “cyberspace” and the Internet in particular, has begun to stimulate a similar mixture of reactions.

Those who are excited by the new possibilities of the Internet see it as a system which will, this time, increase everyone’s access to information and knowledge, enhance educational opportunities, improve global understanding, strengthen community bonds, encourage social tolerance and open up new economic possibilities.

The more sceptical fear a growing inequality between ‘information rich’ and ‘information poor’, the diminution of personal privacy, increasing commercialisation of the Internet, the wider propagation of pornography, racism and other socially undesirable messages and the weakening of interpersonal relations and communities as people become more attached to computers than people.

The key issue that needs to be discussed is this: how can these improvements in the technical systems of communication actually enhance the quality of the content of communication? However impressive the Internet is as a technology, its potential to produce the social benefits we seek will depend upon how it is used, regulated, and integrated with other modes of communication.

Social and Political Implications

The Church should be in the forefront of those who are demanding that people be alerted to the social, cultural, political and ethical implications of the Internet and information technologies generally.

Will poorer sectors of society be seriously disadvantaged as the Internet becomes more and more important as an instrument for delivery of educational, commercial and government services? The Church has insisted that “the right to communicate is the right of all”; “it is the task of communication to bring people together and enrich their lives, not to isolate and exploit them”.¹

However, the danger of a “digital divide” between the “information rich” and the “information poor” has been recognized for a considerable time. Ownership of computers and Internet access in the UK, for example, is still strikingly dependent upon income. (In 1998-99 70% of households in the top income bracket had computers but only 10% in the lowest income group and 32% of the top income group had an Internet connection compared to only 1-4% for the bottom five income groups.)

¹ Pontifical Council for Culture, *Pastoral Instruction on Social Communications, Aetatis Novae*, 1992, n. 15: *Briefing* 22/9, May 1992. Pope John Paul II, *Message for World Communications Day 1998*, n. 4: www.vatican.va/holy_father/john_paul_ii/messages/communications/index.htm; *Briefing* 28/4, April 1998.

Moreover, how much will users have to pay to access information when they get online? The commercial exploitation of the Internet may lead to a situation in which valuable information is only available to those who can pay a premium. (Just as many sports events formerly available on free-to-air television channels are now only available on premium cable or satellite television channels.) That is why it is important that there should be public sites, such as that provided by public broadcasters such as the BBC, that make good quality information freely available to the widest range of users.

The Church has an important role to play in helping to ensure that poorer communities and individuals in the “real world” are not further disadvantaged by exclusion from or limited access to the “virtual world” of the Internet. As Pope John Paul II has said, “We must hope that the gap between the beneficiaries of the new means of information and expression and those who as yet do not have access to them will not become another intractable source of inequity and discrimination”.² In this area the Church has many natural allies among those groups, like UK Communities Online, which are working to create a public space on the Internet in which all communities and sections of the community can find a way to share in the benefits of information technology.³

The Church also joins with many other groups in emphasizing the wider issue of global inequalities in access to, ownership and use of information technologies.

Regulating the Internet

Another set of questions arises in relation to how and to what extent the Internet can or should be regulated. There are ongoing debates about the protection of children and minors from undesirable content, the protection of privacy and personal data, the extent to which freedom of speech should be protected, copyright etc. These debates are often technical and complex. There is a growing consensus that the global nature of the Internet and the nature of the technology itself make extensive public regulation very difficult if not impossible. The onus is then placed on developing self-regulatory regimes that will have some chance of working. Self-regulation depends upon the willingness of the ISPs (the Information Service Providers) that provide access to the Internet, to adopt and enforce codes of conduct and to block access to or remove from their computers websites that fail to comply with such codes.

But however stringent such codes of self-regulation are, they will have only a limited effect. And even software programmes that claim to act as “filters” of undesirable content have limitations and drawbacks. The main responsibility for monitoring access and content on the Internet lies with the user. This is why the United States Catholic Bishops’ Conference has issued a very useful paper giving guidance to parents on how they might regulate their children’s Internet usage.⁴

² *Message for World Communications Day 1997*: www.vatican.va/holy_father/john_paul_ii/messages/communications/index.htm; *Briefing 27/2*, February 1997.

³ A useful introduction to this area is to be found in *Putting People First* by Michael Mulquin which is available on the Web site of UK Communities Online (www.communities.org.uk).

⁴ *Your Family and Cyberspace*, 2000: www.nccbuscc.org/comm/cyberspace.htm; *Briefing 30/8*, August 2000.

The US bishops' paper also makes some helpful points on how parents can help children avoid being drawn into relationships on the Internet that are potentially dangerous. There are also the dangers of becoming addicted to the Internet or becoming socially isolated. The basic point is that parents need to know what is happening and to build good relationships with their children so that problems can be spotted in advance. It is also clear that many parents need to improve their basic knowledge of the Internet so that they can understand what their children are doing.

From the Church point-of-view the aim must be to support efforts to strengthen public and self-regulation where appropriate and to encourage and help parents and children to acquire the "virtual literacy" that will help them to use the Internet responsibly.

Virtual Communities

The success of the Internet and the phenomenal growth in email have raised anxieties about the potential of new information and communication technologies to undermine rather than strengthen human relationships. Many commentators have warned against the potential erosion of community caused by the Internet. As the Pontifical Council for Social Communications observed, "Might the 'web' of the future turn out to be a vast, fragmented network of isolated individuals – human bees in their cells – interacting with data instead of with one another?" The Anglican Archbishop of Canterbury, Dr George Carey, has helpfully pointed out "the Christian emphasis is on relationships, not just connections. ... We must be sure that the virtual community is at the service of real communities, not a substitute for them."⁵

The Church needs to avoid encouraging a polarization between "real world" and "virtual" communities. The task of the Church should be to encourage and assist the building-up of community links and community feeling. The churches, like many other social groups, are already using the Internet to support existing "real world" communities by providing information and products for their members. E-mail is already an important tool of communication and many church members find belonging to Internet chat "forums" and "news groups" stimulating and enriching. These activities can happily co-exist with the provision of services on the Internet that demand a much lower level of participation but offer the Web surfer more than a data-base to access.

Some groups have set up virtual communities, that is, the community only exists on and through the Internet itself. These 'virtual' communities exist primarily as 'text based' interactions. In this sense a group has actually created a 'world' out of information that can be accessed by anyone on the Internet. The existence of virtual communities opens up a huge set of questions. Is the word 'community' in the Internet context, any more than a fancy way of saying that groups use the Internet as a communications link between people in different locations? Is there any real difference between an Internet "community" and an Internet "network"? Can there be a real community on the Internet when there is no face-to-face interaction or physical presence?

In order to pursue these questions we need some working definition of community. The definition offered by Bernard Lonergan seems helpful: "Community means people with a

⁵ Pontifical Council for Social Communications. *Ethics in Communications*, n. 29. Dr George Carey, speech, 23 February 2000, www.archbishopofcanterbury.org/speeches/000223.htm.

common field of experience, with a common or at least complementary way of understanding people and things, with common judgments and aims.”⁶ To be a member of community in this sense is first of all to recognise and wish to be part of a “community that is the carrier of a common world mediated by meaning and motivated by values”.⁷

In the Lonergan sense, therefore, a ‘virtual’ community is quite feasible. A “virtual community” attempts to build a “common world” for those who wish to belong to it. It differs from “real world” communities in that members of the community interact with one another as participants in online discussions or correspondents via email. The greater the extent of interaction the greater the degree of community cohesion and the more one could argue that the community is likely to encourage personal attachment and commitment.

Virtual communities may be successful because they invite people to feel part of a community of thought and feeling but leave them free to decide whether and when to reveal themselves and their opinions. (The Samaritans have discovered recently that many people find it easier to contact them via e-mail than by telephone. The computer offers a blessed anonymity to those in distress). And when people wish to make contact with the heart of this “virtual community” they have only to click their mouse and send an email. The Web in this sense, therefore, offers the possibility of both personal encounter and impersonal freedom. One can ‘belong’ and remain independent at the same time. But is this so different from what happens in “real world” communities? All communities are composed of people with varying degrees of involvement. The Internet does not alter that basic reality but it does open up the potential catchment area for the community to the whole world.

Information and the Challenge to Authority

The potential of the Internet to enhance learning and the notion of the “virtual university” has excited many people. The Internet seems to offer huge advantages in spreading knowledge more widely and giving unparalleled access to the intellectual riches of the world. Countries across the globe have promoted the Internet in all areas of education and training.

However, the actual use of information technology in education has often proved to be more complex and ambiguous than its proponents have assumed. In particular, the sheer volume of information available on the Internet, often claimed as its great advantage, has also been raised as a matter of concern by a number of commentators. Are we drowning in too much information? In 1995, Dr John Habgood, the former Anglican Archbishop of York, put forward the case that the Internet would be the cause of serious problems “*The sheer quantity of available information, quite apart from the way it is presented, can have a disorienting effect. ...To be overloaded with information reinforces the sense that knowledge is just an endless succession of human opinions, and that there are no abiding truths and principles by which human beings ought to live*”.⁸

⁶ A Third Collection. (ed. F.E. Crowe) New York: Paulist Press, 1985, p.5-6

⁷ .ibid, p.7.

⁸ *The Priestland Memorial Lecture*, BBC Radio 4, 8th October, 1995.

On the Internet all information sources and groups have equal weight and standing. An individual's web pages can compete with those of much larger organizations. Received opinion and the most maverick of ideas can share the same "virtual space". This equality of standing has obvious benefits in terms of freedom of information but has the drawback of making it more difficult for users to judge the accuracy, currency or completeness of the information on offer or the standing or credibility of the source of information. It is easy for a group or an individual to create a website using the designation 'Catholic', for example, that purports to give the 'official' view even if the views expressed are extreme or misleading. Even more worrying are those websites that peddle racism or pornography or other extreme views under innocuous sounding names. There are obvious dangers here for the inexperienced or vulnerable user.

The points that Habgood and others raise have to be taken seriously particularly when one considers how the advent of word processing and the Internet has intensified the sense that every text is impermanent and subject to endless correction. To some extent digital technology can be seen as a partial reversal of the process begun by printing. For printing made it possible to conceive of fixed authoritative definitive texts which could be endlessly duplicated. And even if there were varying translations and variant readings it was still possible to conceive the notion of an ideal edition that would reconcile all possible readings. The Internet, however, encourages the reader to create their own personal text out of a variety of sources. Habgood sees such freedom to create new worlds as a danger, "*To have almost limitless power to call up any image, to convey and receive information without any restraints, to create, as it were, one's own world, could reinforce the dangerous perception that life has no purpose beyond individual self-gratification*".⁹

Virtual Literacy

However, the creation of "one's own world" on the Internet has similarities with the imaginative process of creating one's own world through print. So, in one sense, the problem can be seen as an old dilemma in a new guise. There is, however, a real problem of helping users to discriminate among the sources of information they access and to learn how to evaluate what is being presented as "fact".

In addition the structure of the Internet is crucially determined by the extent to which particular Web sites are linked to other sites. Users rely on a variety of 'search engines' to help them find the information they seek. How comprehensive and impartial these 'engines' are is a crucial issue. As the Web becomes more and more dominated by commercial organisations there are serious questions to be asked about how people can be guided through the wealth of information available in a competent and disinterested manner. There is a great need for "trusted intermediaries" on the Internet and there is a strong public interest in the encouragement of such bodies (once again this is a role aspired to by some public service broadcasters).

The Church should have a strong commitment to, and be a vocal advocate of, the promotion of "Internet or Virtual literacy". Those who fear that we are creating a world in which intellectual and moral discrimination will disappear in an ocean of information have a responsibility to help people find ways to navigate that ocean successfully. The uncharted waters of the Internet need to be explored and charted. In the preoccupation with the sea monsters of pornography, racism and cults, society should not neglect to teach the

⁹ *The Priestland Memorial Lecture.*

navigational skills that will help people discover, use and evaluate the information routes that will be intellectually and imaginatively enriching.

The Church and Internet in the future

The Church should experiment with the Internet in a creative way but the Church in the 21st century must have more than a mere presence. It has a distinctive contribution and vision to bring to cyberspace: “a vision of human persons and their incomparable dignity and inviolable human rights, and a vision of human community whose members are joined by the virtue of solidarity in pursuit of the common good of all”.¹⁰

There are more and more people, at all levels, who are trying to exploit the Internet in imaginative ways. They need to be encouraged and emulated. Above all, the aim should be to strengthen the possibilities for real communication and interaction between people. Only in so far as the Internet is a true medium of communications will it be a true medium for the building of communities.

¹⁰ *Ethics in Communications*, n. 30.

Challenges for EU Audio-visual Policy in the Information Society

Hermineke van Bockxmeer

Introduction

The *purpose* of this paper is to raise the key questions that occur as a consequence of recent developments in the media industry and that will strongly effect the way in which the media is regulated in the future. I shall try to focus in particular on the field of public service broadcasting and the way in which public service broadcasting will develop in the digital age.

The *aim* of the COMECE Working Group on *Information Society, Communications and Media Policy* is to monitor EU policy regarding these areas and to promote a political philosophy at the service of the common good of citizens and society.

Previous statements of the COMECE Working Group

In 1998 COMECE reacted to the Green Paper on Convergence. This reaction was a first step in pointing out the importance of developing a social dimension to the information society. In that respect we mentioned a number of elements which remain important in today's context:

- Future approaches to regulation should take account of users' needs without limiting them to the role of consumer;
- Regulation is not an end in itself but serves to achieve objectives and to safeguard values both in the interest of the individual and of the public good. A broad discussion should be held in the public arena on the values and objectives of the future communications system, and should not concentrate on the economic and technical aspects alone;
- We must ensure that the specific objectives of journalism, in the service of the public interest, continue to be safeguarded in a democratic Europe, that is dependent on responsible citizens.

Developments in the Media and Communications sector

Before focusing on the consequences for regulation of developments in the media sector, let us briefly summarise some of these developments. The long-expected and ongoing convergence of the media, telecommunications and software sectors leads to a number of trends in the development of new (public) services:

- actors from different backgrounds in the media sector have had to do reconsider their position. Mergers and acquisitions take place on a daily basis. There is a development towards an **integrated media and entertainment sector**. Internationalisation and an intermingling of business cultures occurs and new, hybrid companies emerge. We also see that the production and exploitation of information are more and more connected. Parties who did not previously worry about the content (such as telecom operators) are suddenly active in this field.
- There is a commercialisation of the internet, in which, after experimenting for a while, parties come and go. The major news companies (such as CNN, the Wall Street Journal) have all announced cuts in their online services and people working in them. Successful initiatives by citizens (public initiatives) are taken over by major companies with commercial objectives. Information, entertainment and advertising are more interwoven than ever.
- Since the emergence of the internet we also see **new arrivals** in the media industry. We see actors who were not previously active in content services (such as cable and telecom

operators), and we see companies which used to inform people via the media (a 'filtered' means of communication) using the internet to communicate directly. We also see many individuals and groups of citizens operating as information providers. All kind of parties are fighting for the attention of the people.

- Because of these developments and of (technical) convergence, **new services** will be offered. The consequence for the public character of the provision of information is that new services are emerging with a hybrid character (information? entertainment? communication?)
- As a consequence of these developments there is a **discussion about the remit, function and financing of public service broadcasters** in the digital age.

Broadcasting today stands at a crossroads: 'commercialism and convergence combine to produce a new content universe in which relative certainties are giving way to new diversities' (Whittle, 2000).

The developments in the media industry bear consequences not only for the context in which broadcasters operate (increased competition and commercialisation, fragmentation of the public) but also for the way in which programmes are produced, distributed and consumed. Furthermore, the relationship with the public is fundamentally changing. Traditional mass-media like broadcasters have, more than ever, the ability to communicate with the public. But what is their ambition, what are the opportunities? What will be their role in the information society? Before we get into that question, it is good to look into the emerging public policy issues concerning public service broadcasting.

A new perspective on old questions?

With the emergence of mass-media in the last century (newspapers, radio, television), governments were concerned with a number of issues relating to the position and use of mass media in society:

- Plurality of content and of content-providers
- Quality of public service
- Accessibility of services
- Social cohesion as a function of mass-media
- Independence of the media from the government and commercial influences

These issues were raised because of the perceived impact of the mass-media on society and because of the sense of responsibility of governments for this. In time, these concerns were translated into remits of public service broadcasting.

Historically, policy is made in reaction to the technological developments in new forms of information retrieval. Motives for regulation are traditionally:

- Scarcity of the spectrum (terrestrial broadcasting);
- Impact of mass-media on society;
- Democratic function of mass-media in society;
- Freedom of speech and the possibility for different groups to have access to media;
- Diversity of language and culture;
- Protection of minors, consumer protection;
- Business-model and financing of broadcasting (licensing, advertising).

As a consequence of the way media are 'produced' and brought to society, regulation was focused mainly on intermediaries like the press, journalists, broadcasters but also on networks like telecom operators and cable companies. Governments developed a certain role towards

these intermediaries. On the one hand, this was an active role in stimulating content-provision, quality and plurality of services, questions of access etc. On the other hand, it was a more distant role in the sense of ensuring freedom of expression and information, the free flow of information and ideas and media freedoms and no censorship. Regulatory policy in the media sector was traditionally aimed at safeguarding public interests. These public interests were strongly connected with the intermediaries and the services they offered.

The radical changes that have taken place in society and in the media sector have not only raised questions about the role of public service broadcasting but also about the role of the government and the principles on which policy is made.

What we see is that the new media are different from the traditional media in several ways:

- Not linear but a network;
- No borders: between countries, between media;
- No clear identification of the media organisation;
- Abundance rather than scarcity of spectrum;
- Unknown business model: who pays for what? For access, content?
- Information services and interaction services (forums, chat rooms);
- No clear distinction between editorial and commercial information;
- Different position of the public towards information providers;
- Increasing fragmentation of the public in terms of social cohesion.

These differences have without a doubt had an impact on the way in which public services develop, and in which content is produced and distributed, as well as on the function of media in society and on the way in which people use media.

Towards a new concept of public service broadcasting?

What are the consequences for audio-visual policy of these developments in the market and media? What are the most important considerations for the future framework? What are the driving forces behind the development of public services in the digital age? And, in what way will the ‘traditional’ media conquer these challenges? What is the role of public service broadcasting in a multi-channel, digital universe?

These developments lead to the following issues and questions:

- What is the impact on pluralism of the development of new communication and information services and the trend towards greater media concentrations (see also Council of Europe, June 2000)?
- Can one speak about a new concept of ‘digital journalism’ and of ‘public service broadcasting’?
- What does ‘public service’ mean on the internet, how can we promote it and what role should the media play?
- What should be the public service broadcasters’ remit, organisation and funding in the digital age?
- How can we promote social cohesion in the digital age and what should be the role of the media?
- How can we promote pluralistic and quality programming by public service broadcasters in the digital age?
- How can we promote public service broadcasting in the digital age and the development of new communications and information services (eContent)?
- Who are the new intermediaries (varying from international media corporations to initiatives of citizens/civil society)?

- Issues of trust and truth: who is the sender of messages, and how do I know what the value of information is?
- What are the consequences of digitalisation for the ‘Television without frontiers’ directive (2002)

Other Key Issues

Clearly this is not the first time that such questions have been posed. To complement this series of questions, this is a brief selection of some of the key topics raised by the European Union Institutions themselves and by the European Broadcasting Union:

The vision of the European Union for Audio-visual Policy in the digital age

- A very important step in the regulation of broadcasting in Europe is the Protocol of the Treaty of Amsterdam (1998). The protocol states that public service broadcasting is directly related to the democratic, social and cultural needs of each society and to the need to preserve media pluralism. It also states that it is up to the Member States to define the remit of their public service broadcasters and how they are funded.
- The rapid growth of the audio-visual sector will involve new forms of content and new means of providing it. The audio-visual media play a major role in the transmission of social and cultural values and there are therefore major public interests at stake. Regulatory policy is aimed at safeguarding certain public interests. These are not called into question by technological developments. A balanced approach to public service broadcasting is needed and self-regulatory mechanisms may well play a bigger role in achieving public interest objectives (EU, 1999)
- In July 2000 the Committee for Culture, Education and the Media of the European Parliament stated that: European audio-visual policy in the digital age must be able to compete at international level while also guaranteeing pluralism, cultural diversity and consumer access to networks and content. Competition policy for the audio-visual sector must take into account the cultural uniqueness of the industry. Public service broadcasting plays an experimental role at the forefront of the digital audio-visual industry. It should be provided free-to-air, with universal transmission and access ensured (EU, 2000a).
- The EU Culture Ministers recently discussed the place of public television in the new audio-visual landscape. “Public television must not be allowed to be prevented from finding its place due to a too rigid framework, designed for another era”, Commissioner Viviane Reding (EU, 2000b)

Issues raised by the EBU

The following issues are raised by the EBU in relation to the European Commission’s eEurope initiative (EBU 2000a, b and c):

- Digital television and radio are fundamental vectors for democracy and for access to culture, education and participation for all citizens;
- Quality European audio-visual content production needs to be encouraged along with creativity in the development of new media;
- Public service broadcasting must have the resources to fulfil its mission on the same scale in the new digital environment;
- The mixed funding system guarantees the pluralism of opinion and ensures the development of a dynamic broadcasting industry. The editorial independence of the media is safeguarded. There is no direct interference from political forces on the one hand and from financial interests on the other.
- To guarantee freedom of expression, member states must be able to introduce appropriate limitations and exceptions on copyright and related rights.

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