

Introduction

In the foothills of the Himalayas, 100 kilometers north of the birthplace of the Buddha, is the Nepali village of Madanpokhara. It is a long walk from the nearest road. A dirt track winds up the hillside and into the village, passing homes and small outbuildings, temples and teahouses, workshops and stores. Beyond the village center a narrow path leads through the woods to the hilltop, where a white brick building sits close to a tall red mast. This is the home of Radio Madanpokhara. Inside is a simple radio studio, powered by solar batteries and a backup generator. A team of local producers, broadcasting in Nepali and other local languages, mobilize community participation in programming that is informative and educational as well as entertaining. Radio Madanpokhara broadcasts across a rural agricultural community in which few people have access to electricity or a telephone. Yet almost every household now has a radio receiver, and the radio, with its network of listener clubs and district correspondents, has become the principal means of local communication and discussion of local development. According to an independent listener survey,¹ Radio Madanpokhara, on the air since April 2000, contributes to improved agricultural techniques and a reduction in social discrimination, raises awareness of the rights of women, and improves access to news and information. It is also a voice for peace, dialogue, and democracy in the face of conflict and political turmoil.

Radio Madanpokhara is just one of thousands of broadcast services worldwide whose contribution to development is both measurable and significant and whose emergence has been a product of political reform

¹Guragain, *Prospects for Promoting Equality, Development and Social Justice through FM Radio* (Kathmandu: MS Nepal—Danish Association for International Co-operation, 2005).

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and of democratic social change. This guide, *Broadcasting, Voice, and Accountability: A Public Interest Approach to Policy, Law, and Regulation*, was written to illuminate the issues and their impact on civic society such as this. The growth of media, giving a voice to excluded people in most countries and in all regions of the world, and the media's emerging influence in the global struggle against poverty and social injustice, stimulated the production of this guide. A free, independent, and pluralistic media environment, offering the means and incentives for the widest participation, can have a profound influence on people's opportunities to access information and services, to understand and be able to exercise their rights, to participate in decisions that affect their lives, and to hold to account those in positions of power and responsibility. This is reflected in a growing recognition, in the context of international development, of the central importance of effective and inclusive communications systems.

The broadcast media, radio and television, have a unique and particular role to play both in enhancing governance and accountability and in giving voice to poor and marginalized communities. In addition to traditional means of expression, "voice" in this context means the capacity, opportunity, and resources of diverse segments of society to signal government as to their needs and their perception of the quality of governance, to have their views represented in mainstream media, and to develop their own media. Broadcast media, as we argue later, are especially relevant and accessible to remote communities, cultural and linguistic minorities, the very poor and illiterate people. Policies, laws, regulations, and other public actions that govern the broadcast media are central to their ability to play that role, and they form the main focus of this guide.

The guide maps out a public interest approach to fostering free, independent, and pluralistic broadcast media. Its objective is to provide guidance on how to design a policy, legal, and regulatory framework that can contribute to the achievement of public interest goals such as transparency of government and accountability to the people, enhanced quality of and participation in public debate, and increased opportunities for marginalized groups to develop and articulate their views. The guide draws from the experiences of a wide range of countries in all regions of the world and is illustrated extensively by country-level examples of policies, laws, and regulations.

The guide is intended as a tool for media reform particularly in developing and transitional democracies. At the same time, it should be

useful anywhere people aspire to a deeper democracy. Building democracy is a process, often long-term, and promoting free, pluralistic, and independent media should be a central part of it. It should not be left until after the legal system has been transformed or democratic attitudes are in place; rather, it should be part and parcel of efforts to reform the social and institutional system and to build democracy in all of its aspects. As such, while the guide may not be immediately applicable in dictatorships or war zones,² it can help inform strategies in countries—such as those in transition or recovering from conflict—where democratic foundations are being set in place.

The guide adopts a normative approach—it is about good practice—but two further observations should be made concerning its application. The first is that the media and communications environment is dynamic, almost everywhere undergoing rapid change. The second is that vast disparities exist not only in the state of media development but also in the pace of change, and these disparities exist both between countries and between different groups of people within countries. Thus the tools themselves do not and cannot offer a “one-size-fits-all” solution and must be regularly reviewed to respond to a changing environment.

Part I offers an overview of the rationale for a public interest approach and its role in enhancing governance, development, and “voice.” The focus on broadcasting is explained and justified on the basis of its reach and its enduring importance in people’s lives. The different broadcasting sectors are described, along with their main trends and characteristics. Part I then turns to a regional review of broadcasting characteristics and trends and concludes by summarizing the evidence for an emerging paradigm in broadcasting policy and regulation.

The good practice guidelines are set out in Parts II and III. These are not designed to be read end-to-end but to be consulted selectively for issues of interest. To facilitate this navigation, good practices are organized under clear headings that identify and describe features of the policy, legal, and regulatory environment that are critically important for media development in the public interest. While recognizing that reform necessarily involves social, political, and institutional processes of change that take time and require adaptation to

²For further discussion on this point see Putzel and van der Zwan, *Why Templates for Media Development Do Not Work in Crisis States* (London: Crisis States Research Centre, LSE, 2005).

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local circumstances and interests, these topics provide a framework that can help guide evaluations of the status quo and provide options for reforms.

Part II examines the general enabling environment for media and communications, including standards of freedom of expression and access to information, the use and misuse of defamation law, and general content rules that apply to all media, including print media and journalists.

Part III is dedicated specifically to broadcasting, including the role of regulatory bodies, broadcast content rules, the distinctive sectors commonly referred to as public service, community nonprofit, and commercial private sector broadcasting, as well as the regulation of broadcast spectrum and channels.

After short introductions to Part II and to Part III, each chapter is prefaced by a good practice checklist. The elements of good practice are elaborated and explained in the narrative and supported by country examples that illustrate their implementation. These chapters form the core of this guide and offer a tool kit for those involved in analysis, advocacy, and policy making for media and communications reform.

The final section of the guide presents a research agenda that is intended to address the lack of relevant and systematic data and information on broadcasting encountered during the process of researching and compiling this guide. It concludes by presenting some options and practical opportunities for development assistance to support a more coherent approach to reforming broadcasting in the public interest.