

## INDEPENDENT MANDATE

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The history of independent producers at the gates of public television is not encouraging. Independents are outsiders by definition and commonly "mistrusted, though more likely ignored and unknown. Stations have not been responsive to our work. Programming formats have rarely been designed to accommodate the diversity of independent production, and even its occasional programming represents only a very narrow and cautious selection of available independent work.

This situation has been aggravated by stations inadvertently placing themselves in competition with independent producers. Having built up their own houses -- production facilities, staff, etc. -- the stations' first priority is naturally to sustain themselves. Hence money for independent production has too often meant in-house production or independent production forced to "affiliate" with the station in a way that ensures station control and, through unreasonable taxing of the budget, support for station overhead costs.

In reviewing this history, the Carnegie Commission II reaches similar conclusions about the limits of public television working with independents. The Commission acknowledges the important contributions of stations in providing mainstream programs and services. But it is precisely this daily programming which draws the Commission's most serious criticism of public television.

"We have seen only sporadic efforts to permit artists-- access to the system; only rarely has the system been in a position to seek out the finest American talent, so that the public might benefit from their endeavor. ... We see instead a system where only a handful of people, usually with proven track records and tested formats, are trusted to exercise discretion in program making. 1/

The Commission's explanation for PTV's failure to support creative artists points to the structural organization of the system. Not that stations are unwilling to provide creative and innovative programming, but that they are unable to provide it. As "an instrument of mass communication that simultaneously respects the artistry of the individuals who create programs, the needs of the public that form the audience, and the forces of political power that supply the resources", [2] the stations are being asked to maintain an untenable balance. These political pressures are further compounded by chronic underfunding and a substantial dependency on corporate and private monies -- all implacable factors constraining the ability of the system to take risks. And without this vital freedom, according to the Commission, there is no basis for creative programming. [3]

Citing creative programming as "the most critical continuing need of the system" and certain of the stations' inability to provide it, the Commission has projected a Program Services Endowment -- an autonomous and insulated programming mechanism administered by a chief executive. The Endowment's function is

[1] A PUBLIC TRUST, Carnegie Commission II, p.64

[2] Ibid, p.11

[3] Ibid, p.160

to create the missing innovative programming, specifically by working with and drawing upon the greatest diversity of American artists and journalists: "the reverend and the rude, the disciplined and the rambunctious --a celebration of American freedom in all its unpredictable varieties .... a revelation of : diversity." [4] The Endowment's task then is "to find and sustain the inventive and inspired people who are capable of making the American scene into a hall mark of excellence'," [5] people, the Commission emphasizes, "notably absent from the present system." [6]

Well, who are these people? The Commission never says. It never identifies them except by their exclusion from programming. Where is this teeming diversity of creative American talent?

I see them in the independent producers from all parts of this country who have-consistently been working in the widest range of formats and subjects; independent artists and journalists initiating their-own work, motivated by personal feelings, and free to determine the perspective and shape of what they produce. Seen this way, the Carnegie Commission II Report is a commitment to independent producers and the importance of making their work accessible to the American television audience.

This commitment was recently echoed in the chambers of Congress with the passing of the 1978 Public Telecommunications

[4] Ibid., p.300

[5] bid., p.28

[6] Ibid., p.3

Financing Act. I have excerpted a section of the Conference report that accompanies Congress' new funding bill.

"The conferees also agreed that a 'substantial' amount of funds allocated to programming by CPB should be reserved for independent producers. In agreeing to the term 'substantial' amount for independent producers, it is the conferees' intention to recognize the important contribution independents can make in innovative and creative new programming. By 'independent producer' the conferees have in mind producers not affiliated with any public telecommunications entity and especially the smaller organizations and individuals who,, while talented, may not yet have received national recognition. The talents of these producers have not been adequately utilized in the past ..... the conferees fully expect the Corporation to take the necessary steps to increase the level of participation previously available to these smaller independent producers". [7]

In my estimation we have an independent mandate: substantial new monies from the Government allocated for more independent production to be programmed on public television and the recent all of the Carnegie Commission II for a Program Services Endowment to find and sustain the creative American talent historically excluded from public television.

The vital question this raises for independents is how the mandate will be implemented. Who will identify the diversity of independent producers? How will projects be selected for acquisition or production? How will work acquired or produced be programmed? What will be the link to broadcast? How will work be promoted? These issues have never been satisfactorily resolved for independents. The increased Government funding intensifies our concern that new solutions be more responsive to our needs

[7] Conference Report to accompany HR 12605, p.30

and benefit directly from our experience with the public television system.

On careful consideration all these questions resolve into one crucial concern: the nature of the funding mechanism. : Government funding for independents can be disbursed by three obvious structures: stations, existing independent organizations, and/or newly created national structures like Carnegie's Programm Services Endowment. Certainly there are many variations for each of these models as well as the possibility of more than one operating at the same time. However, for the purpose of this paper I am going to evaluate them as clearly distinguishable, structural alternatives.

First, let us consider the stations. Directing money to independent producers through the stations would be tantamount to a complete de-nial of the findings of Carnegie Commission II. It would be willfully blind to the Commission's conclusion that the stations are not capable of creative and innovative programming; that station programming has historically excluded creative independent talent in favor of safe and conventional mainstream programs. The Commission's explicit concern, and ours, is "not the programs that are made, but the programs that are not made". [8]

The availability of increased government funding for independent production is not going to change the stations' programming bias. Putting the money in their hands would be the equiva-

[8] Op. cit. Carnegie Commission II, p.60

lent of putting independents on staff. We would be enlisted to produce more of their programming and would find considerably less support for self-initiated work.

#### independents

The other problem/have encountered at the stations is the unreasonable amount of money these institutions siphon off the top to cover their large overhead costs. This money should flow as directly as possible to independents at the least possible cost.

The second model is provided by existing independent organizations outside the public television system. These are considerably more promising as distributing mechanisms. The main difference between these organizations and the stations is that authority and control reside with the independents themselves - a design which holds out the promise of visibility to a much greater variety and bolder selection of independent work. As a functioning part of the independent community, these entities do not need to rely on the stations' proverbial "council of advisers" as their bridge to independent production. They are often in direct contact with local production.

Although these organizations of independents could develop solid regional programming, they cannot, by themselves, address the magnitude of the independent mandate. Both the substantial amount of funding mandated by Congress and the great diversity of production sought by the Carnegie Commission II will require the development of a national mechanism which would have the range and vision necessary to meet the full task. The Commission's idea for the Program Services Endowment represents an effort to respond to the perceived need for national organization. Unfortunately, the structure they envisage places the responsibility for all programming in the hands of one chief executive. The risk is immense. One person would unavoidably be subject to enormous political pressures. Furthermore^to rely on the individual taste of one executive to provide national programming for all independent production is self-defeating: it would inevitably limit the desired scope and diversity of independent work.

We, the Association of Independent Video and Film, are proposing the creation of a Center for Independent Media, a national structure with strong regional roots, designed to develop and support the widest variety of independent film and video in all parts of the country. This programming entity would not be a production center. Its function would be to acquire and assign independent production, to package and program... that production, and to broker it to public television.

As is apparent from the preceding discussion, the main problems confronted by a funding mechanism are: 1) the selection of projects -- that is, who has the authority to select production and what is the process of selection? 2) programming and promotion - who will be packaging the work and how will it be programmed? How will the work be promoted? 3) broadcast -- probably the most serious problem for any independent programming entity, how will these programs get air-time?

The task of the Center for Independent Media is twofold: (1) to support independent production by identifying it, funding it, and promoting it; (2) to get it broadcast on public television. The selection process would be organized around a system of rotating panels, not unlike the NEA. This is a peer-review process with all the advantages of an open competition judged by people thoroughly familiar with the field. The fundamental difference between the Center and the NEA is that the Center's awards would be contracts and not grants.

Television distribution is a commitment the Center would make to projects it assigns or acquires (another important difference distinguishing it from the NEA). Panelists at the Center are consequently not merely the peers of application producers. They would include as well representatives from media art centers, community organizations, experienced station programmers, PBS and CPB. Selection will not only be made on the individual merits of each project. Projects will also be evaluated as part of programming formats projected by the Center's staff and panels.

The link to broadcast depends to some extent on the inclusion of representatives from the public television system in the selection process. However, the peer-review panels would naturally be more heavily weighted with independent producers as their function is not to provide more conventional station programming but to take the risks stations cannot take, to program for small and less affluent audiences, to select controversial production that may offend. The Center's job is to broker these programs to public television as soon as they're selected. A panel which includes station representatives as well as independents should increase the likelihood of transmission.

The Center's staff would function as an executive producer in assisting projects to completion within a given time period. If the Center is going to be seen as a national programmer and supplier, it has to be in a position to guarantee its programming. It is the only way to earn the trust of the stations.

Congress has provided us with substantial funding for a three-year period. It is now our responsibility to validate this commitment by devising a national structure capable of identifying and sustaining the wealth of independent production historically absent from the present public television system.