From Cultural Diversity to Social Equality:
The Democratic Trials of Canadian Broadcasting

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I. Introduction

Canada is a wonderful vantage point from which to consider the question that constitutes the theme of this issue of Studies of Broadcasting.

While we will take the issue of cultural “diversity” as our starting point, the question is really one of social “equality”, as we shall see. The demand for “diversity” seeks to express the reality that society is made up of different groups—diverse not only in ethnic, social or cultural make-up, but also in the power that they are able to wield in support of their interests. Even the demand for pluralism is usually found to be articulated by those whose point of view would be crushed if power and position alone were allowed to determine access to the soapboxes of the public sphere.

Seen strictly from a perspective of diversity, the Canadian system might appear to be a model to emulate, as one which provides space for a multiplicity of communities. This would be fudging the issue, however, as upon scrutiny one sees that the diversity that exists is there only by virtue of the struggles and persistence of the communicationally less powerful, and that these struggles are in fact part of broader struggles, first for

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recognition and then for equality within Canadian society.

It is important to note that "Canada" is itself an extremely contradictory ideological construct, an idea originating in resistance to American integration. Canadians have for decades felt and understood the pressures of cultural homogenization that others, even dominant European cultures, are beginning to experience only now. As such, Canada is a community of communities united *only* by a desire to maintain social and cultural difference—diversity—in the northern half of North America.

To some Canadians, particularly the elites of the economically and politically dominant region of central Canada, the national entity of Canada is itself the expression of this distinctiveness. This current has historically provided the principal organizing basis for Canadian broadcasting.

However, a multiplicity of less-than-national, less empowered identity groups have struggled for recognition and their interests *against* the dominance of a one-dimensional Canada, and it is in fact their efforts that have maintained the Canadian difference against the overwhelming forces of continental integration in North America.

While Canadian broadcasting was for a long time officially deemed to constitute "a single system" in a macro sense, different objectives have been ascribed to its various component parts. No single service, not even the publicly-funded national broadcasting service, the Canadian Broadcasting Corporation (CBC), is expected to fulfil all of the officially codified objectives of Canadian broadcasting. The broadcasting act specifies the different responsibilities of public and private broadcasting and distribution undertakings, of educational and community broadcasters. While Canadians are entitled to expect that the system as a whole serve their individual and collective rights, particular broadcasting organizations have a good deal of room to manoeuvre when they find themselves accused of failing to serve those rights. Except insofar as the broadcasting act and the federal regulatory agency, the Canadian Radio-Television and Telecommunications Commission (CRTC), are concerned, there is not one Canadian broadcasting system, there are several.

For historical, constitutional, cultural, and most of all
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political reasons Canadian broadcasting has evolved primarily in two parallel streams, one in English and one in French. Yet, the resulting pair of sub-systems are not equal. In the mainstream of Canadian broadcasting, there are two audiences, two markets, and two publics, but one legal framework, one regulatory agency, and one predominant public corporation. At this level, we already see a relationship of domination and resistance playing itself out.

At another level, however, both English and French “founding peoples” of Canada are in a position of dominance with respect to the multitude of other national or “ethnic” minorities that make their homes in Canada, not to mention the original Canadians, the Amerindian and Inuit peoples. Women, regardless of ethnic or linguistic origin, find themselves in a subordinate position in the system, as do social and cultural minorities of all sorts, and the handicapped.

The Canadian broadcasting system has evolved out of the tensions and conflicts that have pitted these groups one against the other. It has also been marked by an overriding philosophical and pragmatic conflict, between the notion of broadcasting as public service, and the claim that broadcasting is principally a business. Finally, as a major institution of the public sphere, broadcasting has been at the centre of struggles for the general democratization of social life in Canada.

II. The Legal and Structural Framework of Canadian Broadcasting

All broadcasting activity in Canada is governed by the Broadcasting Act, a law of the federal Parliament that specifies the general policy objectives of Canadian broadcasting, and creates two public institutions: the Canadian Broadcasting Corporation, responsible for providing a “national broadcasting service”, and the Canadian Radio-Television and Telecommunications Commission, responsible for supervising every aspect of the system.

The current broadcasting act, Canada’s fourth one since
1932, dates from 1968. A new broadcasting act was introduced in Parliament on October 12, 1989, and was being debated as this article was being written.1)

In Canada, it is common to say that broadcasting legislation is forever out of date—a reflection of outmoded solutions to yesterday’s problems. This is evident when one considers the cumbersome process involved in actually changing the legislation. The new act presently before Parliament, for example, has been in preparation since 1985, when the minister of communications set up a “task force” to advise him on appropriate policy changes.2)

Part of the reason for this is a long tradition of widespread public participation in the policy-making process, at least in the formal sense. Canadian broadcasting has been investigated by three royal commissions, three ministerial “advisory committees”, and more than 30 parliamentary committees. Generally, each of these has held long public hearings and received written or oral submissions from hundreds of interested parties. Their reports have been dissected and rewritten by civil servants, and the resulting legislation subjected to further changes as a result of parliamentary deliberations.3)

The least that can be said about this process is that it generates significant public debate on broadcasting and related issues. The result is a broad consensus in Canadian society on certain basic questions—such as, for example, the need for a strong publicly-funded broadcaster, or the need to regulate commercial broadcasting activities in order to ensure a minimum of “Canadian content” in broadcasting. It also provides a way of placing on the public agenda the concerns of social groups that do not have direct access to the corridors of power.

One way to get an idea of these concerns, as they figure in contemporary Canadian society, is to compare the section of the broadcasting act entitled “A Broadcasting Policy for Canada”, in the 1968 and 1989 versions of the act.4)

The fundamental principles that have guided Canadian broadcasting policy since the 1930s remain essentially intact in both versions of the act. That is to say, Canadian broadcasting—is deemed to comprise public and private elements that
make use of radio frequencies that are public property;
—should be effectively owned and controlled by Canadians so as to "safeguard, enrich and strengthen the cultural, political, social and economic fabric of Canada";
—should provide services in English and in French; and
—its programming should be varied and comprehensive, should provide reasonable opportunity for the expression of differing views on matters of public concern, and should employ predominantly Canadian creative and other resources.

But, upon a fuller reading of the act, one finds important changes resulting from the critique of the actual performance of the system that different social groups have articulated during the past twenty years.

In general, the expectations of Canadian broadcasting to fulfil its sociocultural obligations are heightened by the new legislation, which defines the system as "a public service essential to the maintenance and enhancement of national identity and cultural sovereignty".

The broadcasting act of 1968 specified that "all Canadians are entitled to broadcasting service in English and French as public funds become available", but was absolutely mute regarding all other minority, underprivileged, or disenfranchised groups in Canadian society. This is no longer the case in 1989, as the new act not only maintains the entitlement of anglophone and francophone communities, but broadens it to mention the specific rights of other groups as well.

In an important new "human rights" clause, the broadcasting act now states:

"The Canadian broadcasting system should... through its programming and the employment opportunities arising out of its operations, serve the needs and interests, and reflect the circumstances and aspirations, of Canadian men, women and children, including equal rights, the linguistic duality and multicultural nature of Canadian society and the special place of aboriginal peoples within that society."

In addition, the broadcasting act of 1989 contains the following new elements:
The linguistic duality of Canadian broadcasting is specified to mean that “English and French language broadcasting, while sharing common aspects, operate under different conditions and may have different requirements.”

As a result of pressure from other linguistic groups, it is now stated that the system should operate “primarily in the English and French languages.” Broadcasting undertakings in languages other than English and French are exempt from the requirement to be “predominantly Canadian”.

CBC programming, previously required simply to “be in English and in French”, is now expected to “strive to be of equivalent quality in English and in French” (implying the need for equivalent resources, in English and in French). The CBC is also supposed to reflect “the particular needs and circumstances of English and French linguistic minorities” in those parts of Canada where the other language is the majority one. In addition to its other obligations, CBC programming should “reflect the multicultural nature of Canada”, serve the special needs of the different Canadian regions, and “actively contribute to the flow and exchange of cultural expression”.

The new broadcasting act also specifically mentions the right of disabled persons to programming accessible to them, and the right of aboriginal peoples to programming that reflects their cultures. It recognizes, for the first time, the place of educational broadcasting undertakings operated by provincial agencies, and community programming that provides access to local groups. New alternative television programming services should be created to “cater to tastes and interests not adequately provided for by the programming provided for mass audiences, and include programming related to culture and the arts”.

If history teaches us anything at all, however, the translation of all this good will into concrete, meaningful measures will depend entirely on the power relations that the groups concerned are able to establish with the centres of decision-making and authority.

While clearly boiled down to their lowest common denominator, and strictly symbolic except to the extent that they can be translated into concrete policy measures, the policy
provisions of the new broadcasting act represent the result of years of struggle for recognition and inclusion in the system for women, members of ethnic minorities, and native people.

It must be noted, too, that in the lengthy deliberations leading up to the final version of the act, these provisions were modified and rewritten—and generally strengthened—as a result of the agitation and criticism of the groups concerned. The original version made no mention, for example, of employment opportunities, of community broadcasting, of the need for CBC services in French and in English to be of equivalent quality.

Nonetheless, most of the activist lobbies involved in the public consultations were still unsatisfied with the legislation.

Their apprehensions were legitimate enough, if one considers the experience of the principal less-than-national group to struggle for representation in broadcasting over the years, the Québécois, or French Canadians.

III. The Principal Contradiction
—Canada’s Two Solitudes

The origins of Canada’s principal national dilemma have their roots in the British conquest of the two-hundred year-old colony of New France in 1763. The Quebec Act of 1774 recognized the rights of the conquered people to their language and religion—and consequently, although the term was not used at the time, to their culture. These rights were further specified by the British North America Act of 1867, which created the Dominion of Canada and served in lieu of a Canadian constitution until 1982. The BNA Act also instituted a federal system, with divided jurisdictions between the central government and the provinces; one of the areas left to the provinces was education, and this particularly would have consequences for the evolution of Canadian broadcasting.

By the time broadcasting appeared on the scene in the 1920s, constitutional squabbles over jurisdiction had become a regular part of the Canadian political scene. Both central and provincial authorities claimed the right to legislate with respect
to broadcasting, and it took a British Privy Council decision of 1932 to resolve the matter in favour of the central government in Ottawa. Only after that did Canada legislate to place broadcasting under the sign of the public interest, creating a national broadcasting agency, at first called the Canadian Radio Broadcasting Commission (CRBC).

Already at this time, the major questions behind the jurisdictional dispute concerned the way in which the system would evolve with respect to what was then seen as Canada’s cultural and linguistic duality.

Prior to 1932, Canadian broadcasting had evolved largely in the private commercial sector, and a number of radio stations already existed, some in English and some in French. (Significantly, both French and English stations were affiliated to American networks, CBS and NBC, in the 1920s and 1930s.) With the Radio Broadcasting Act of 1932 and the creation of the CRBC, the public authorities were faced with a dilemma in both programming and structural organization. In short, the question was this: how would the two linguistic communities be reflected in broadcasting, now that Canada was to have a "national" system?

A royal commission in 1929 had recommended that broadcasting be placed under a national monopoly, with programming coordinated at the provincial level by commissioners for each province. The government rejected the idea of a monopoly as too antagonistic towards the already-existing private commercial broadcasters, and the idea of provincial involvement as a threatening dilution of its power.

The CRBC thus found itself immediately faced with two monumental problems: how to forge a national system out of whole cloth in competition with private broadcasters, and how to deal with the language question.

It approached the language issue creatively, by establishing its first wholly-owned station in Montreal, then the crucible of the two cultures. National broadcasting in the early days was bilingual, programs alternating between English and French. In regions with small francophone populations—notably western Canada—there was vocal opposition to hearing French on the air,
and the CRBC was obliged to quickly reverse its initial policy, and develop parallel services in English and in French.

This policy, which originated in the mid-1930s, became the essential organizing principle for Canadian dualism in broadcasting, until it was actually enshrined in the new broadcasting act of 1989.

This pattern of historical development has engendered the central paradox of Canadian broadcasting: while the "national" focus of broadcasting has been a unifying force against external domination, the development of specific services and parallel institutions to meet the needs of less-than-national communities has served to undermine the very idea of a single Canadian nation, and mitigates in favour of a social and communitarian view of Canada as a whole, while favouring the emergence of strong counter-nationalisms, regionalisms, and cultural resistance movements of various sorts.

The parallelism of Canadian broadcasting has strengthened the view of Canadian society as one composed of "two solitudes". Unlike other countries with central national broadcasting agencies, Canadians are never universally exposed to the same broadcasting material. The national broadcasting service, the CBC, provides a full range of radio and television services in English and in French, reaching into the most remote corners of the country (even where neither English nor French is the main language). Within the CBC, programming is done separately by English and French language departments, which interpret the corporation's mandate according to their own readings of the broadcasting act. Every corporate position, every department, beneath the office of the president, is duplicated in English and in French. Even in time of a major national event, such as a federal election, or a national crisis, anglophone and francophone audiences receive different interpretations from their national broadcaster.7)

In the private commercial sector, a full range of services have evolved as well, although here they are distinguished mainly by the different characteristics of francophone and anglophone markets. Thus, for example, the English private-sector television network, CTV, operates from coast to coast,
while its French equivalent, TVA, restricts itself to Quebec. The result is a relative deprivation of services for the one million French-speaking Canadians who are scattered throughout the other nine provinces. Similar inequalities have crept into the newer pay-television and cable services for similar market-driven reasons.

The question of program content presents itself differently in English and in French as well. In English Canada, the problem is the high level of audience consumption of American programming—whether via cable-delivered American signals, or the imported US programs that Canadian broadcasters prefer to air for commercial reasons. On the French side, language forms a natural barrier to original US programming—but the disproportionate volume of available English-language (Canadian or American) programming constitutes an increasing cultural threat. Thus, where English Canadians have sought to increase the proportion of available Canadian programming to their audience, French Canadians frame the problem in terms of language of programming, rather than national origin. The problem becomes highly complex when one has to take into account the effect of dubbed American programs on French Canadian channels.

The demographic characteristics of the Canadian broadcasting audience also differ radically according to linguistic group. The federal task force that reviewed Canada's broadcasting policy in the mid-1980s found, for example, that only 29% of English-Canadian television viewing time was spent on Canadian programs (only 2% in the category of Canadian drama). In French, on the other hand, 68% of viewing time was spent on Canadian programs (20% on Canadian drama).8

The task force did a study of the most popular television programs in Canada in January 1986. In English, seven of the top ten programs were imported American serials, while the other three were non-drama CBC productions. In French, only one of the top ten was an American serial, and of the nine others, seven were Québécois soap operas, known as “téléromans”.9

Clearly, this shows how meaningless it can be to speak of a “Canadian” audience. In fact, it may point to the vacuousness of the notion of national audience as a theoretical construct as
well. In 1977, at the height of Canada’s national unity crisis, the Canadian government ordered the CRTC to conduct a study of alleged bias in the CBC’s English and French television news services. Thelma McCormack was commissioned to prepare a background report for this study, and wrote:

“The crux of the issue is not whether the media did or did not inform the Canadian public of the background for the unexpected electoral victory (of a pro-independence party in Quebec); some did better than others. Nor is it whether the media are now interpreting Quebec sentiment fully and fairly for the public. It is whether there is a public, or whether we have become a society so stratified by conflicting and diverse interests that the national media are speaking to everyone and communicating with no one.”10"

The foregoing sociological observations take on a special importance when one considers the implications of a policy stance that, until very recently, refused to recognize this reality. Essentially, the Canadian state’s political need to centralize power and authority as much as possible in federal institutions has historically meant that broadcasting policy has been established centrally, and has been intended to apply across the board. As the task force on broadcasting policy recognized in 1986, this has more often than not been a source of new problems for the French sector.

The task force consequently recommended that “Canadian broadcasting policy should recognize the special character of Quebec broadcasting, both in itself and as the nucleus of French-language broadcasting throughout Canada.”11) It also recommended that the autonomy of French-language radio and television services within the CBC be recognized and that French-language CBC be allowed to develop distinctly from English-language CBC: “The two sectors, serving distinct societies, should be allowed to take different approaches to meeting the objectives assigned to public broadcasting.”12"

This general orientation was accepted by the government, but it has proven so far to be a double-edged sword. In fact,
the new principle illustrates just how deeply go the roots of inequality—deep enough, that even before the policy was in effect it was already being used to legitimate new forms of inequality, in the name of distinctiveness.

“Specialty services”: A case in point

On November 30, 1987, the CRTC approved 11 applications for new satellite-to-cable “specialty programming” television services, in English and French. Beyond the surface issues concerning the nature and priorities of new services made possible by new technologies were new twists on a host of old issues such as the concentration of ownership, the place of the audience-as-consumer, the concentration of power to determine the shape of mass-mediated culture in the hands of capitalist entrepreneurs, the relationship of public to commercial services, and—of principal concern to us here—the issue of the role of television (increasingly, cable) in structuring the public discourse on cultural identity.

Filling the expanded channel capacity made possible by cable technology has been on Canada’s regulatory agenda since the early 1980s, when the CRTC first decided to licence general-interest “pay-tv” services. The distinguishing feature of pay-tv is that the user decides whether or not to purchase the service, generally as a supplement to a basic package offered to all subscribers by a cable distributor. The services are considered “discretionary”, that is to say, you get them only if you want them (and always provided your local monopoly cable company is prepared to offer them). In 1982, a first generation of Canadian pay-tv movie channels was licenced.

In 1984, the CRTC called for applications to provide Canadian “specialty services in a wide range of formats”, and licenced a second set of discretionary services, including 24-hour rock videos and sports which quickly found their markets. Shortly thereafter, it allowed cable licencees to offer a selection of an approved list of non-competitive US specialty services, for which there were as yet no Canadian counterparts. (For example, Cable News Network was licenced for Canada, but not Home Box Office, which would have competed with the
Canadian movie channels.) At the same time it came up with a set of complex linkage and tiering requirements, designed to ensure a presence of Canadian services and the support of the weaker Canadian services by the more popular ones.

One of the problems of the CRTC's pay-tv policy was a dearth of appropriate services that could be offered in French. The early French-language movie services licenced along with the English ones in 1982 experienced great financial difficulty for evident reasons of having to provide an equivalent service in a smaller market. Eventually, only one, a subsidiary of the major English service, First Choice, survived. The first round of discretionary specialty services licenced were all in English, although MuchMusic later developed a truncated spin-off in French called MusiquePlus. And of course, the American services licenced for display in Canada were all in English. So, by 1986, the plethora of new services introduced in the guise of increased diversity had heightened the disquieting cultural-linguistic imbalance already found in the broadcasting system as a whole.  

In August 1986, on the premise that there was a demand for new specialty services among Canadian cable subscribers (by then, 67% of all households), the CRTC called for applications to offer new services. One of its explicit concerns was for the need to provide services designed for francophone audiences, and "the need to equalize the availability of such services to the extent possible and avoid a gradual shift in francophone viewership to English-language services." After 13 days of hearings in the summer of 1987, the CRTC awarded licences for 11 services: 5 in French and 6 in English.

To the CRTC, this represented a carefully chosen "balanced menu", designed to take into account a range of factors. The CRTC explained that its approach was based on a quest for "innovative and alternative methods of generating revenues", the wish to provide Canadians "a degree of programming choice never before available to them", and the concern to take into account the existence of "two distinct markets for television in Canada".

But the CRTC's (correct) analysis that anglophone and
francophone markets in Canada are different, led it to impose different packaging requirements in English and French. In an English market, a cable distributor could decide to provide any combination of licenced services; in a French market, a cable distributor wishing to offer any French-language services had to offer all five.17)

This “take-one-take-all” requirement, the CRTC explained, was “designed to help the French-language services gain an initial foothold in French markets”, where the problem of access (for services) was especially delicate, given the market’s limited size and the domination of a few giant cable distributors, all of which owned other important broadcasting concerns.

This major policy decision invited a confrontation with the cable companies, at the same time as it announced to Quebec consumers an even greater rate increase than in English Canada: in French markets, consumers would have to pay for the development of all new services licenced by the CRTC, or they would have access to none at all.

The CRTC distinguished the new services along linguistic lines, while treating them as similar in all other respects. But the services were far from equal in scope or significance.

The new offerings in English included five private sector services: “TSN” (sports) and “MuchMusic” (rock videos), the two former pay-tv services that had proven marketably successful;18) “Vision TV”, a national multi-faith religious programming service (provided for free by its sponsors); “YTV”, a national service targeted to children, adolescents, and families; and “Weather Now”, a 24-hour weather report service. Finally—and by no means least—the CRTC licenced “Newsworld”, a 24-hour national English-language news and information service to be owned and operated by the Canadian Broadcasting Corporation. The total cost to a subscriber whose cable company chose to provide all six services would be $1.76 per month.

On the French side, the four new private sector services closely paralleled the analogous English ones: “Réseau des sports”, “MusiquePlus”, “Canal Famille”, and “Météo Instant” (there is no religious programming service in French). The fifth francophone service was to provide a Canadian version of
"TV 5", the international francophone satellite service which has been broadcasting in Europe since 1984. Operated by a consortium of 8 Canadian organizations (3 public broadcasters, 3 private broadcasters, the National Film Board of Canada, and a group representing Quebec’s independent television producers), “TV 5 Québec Canada” was billed as “the first intercontinental television service consisting of French-language programs from Europe, Africa, and Canada”. The total cost to cable subscribers for the five services would be $2.07 per month.

At first glance, the proliferation of such a wide range of interesting new services could only be hailed as salutary—something for everyone. In fact, it was not something for everyone, for everyone does not have access to the same things.

The most controversial question, on a Canadian national scale, focused on the awarding of the all-news channel to the CBC rather than to a competing private company that had made an important bid. But in its decision, the CRTC noted a curious anomaly in the CBC proposal: under Article 3 of the Broadcasting Act, in which the CBC’s mandate is defined, the CBC is required to provide services “in English and in French”. The CBC had argued that an all-news service was essential to defend Canada’s “information sovereignty”, but could only lamely respond to concern that a service of this type might be equally urgent for French Canadians by stating “that the provision of services in both languages did not necessarily need to be accomplished simultaneously.” As a condition of licence, the CRTC required the CBC to prepare a feasibility study for the eventual introduction of an equivalent service in French. One-and-a-half years later, the CBC’s application for a French-language all-news service was rejected for being too flimsy, and the CRTC sent the corporation back to the drawing board to come up with a better proposal.

TV 5 was evidently another kettle of fish. TV 5 is an important diplomatic project for the Canadian federal and Quebec provincial governments, who have both invested heavily in it. The plan to introduce TV 5 to Canada was formally approved at the Paris summit of francophone nations in 1986. According to the CRTC decision, “TV 5 has a specific double objective
with respect to Canada. It will serve as this country’s French-language window on the world in exchange for introducing programs from other francophone nations to Canadians.”22) The consortium members—all the major French-language players in the Canadian broadcast industry—view it “as a practical and effective means of putting their know-how to work on an international scale (i.e., promoting their products and production skills abroad) while at the same time strengthening the francophone element in Canadian broadcasting.”23)

The unique nature of TV 5, and its lack of an anglophone equivalent, was mentioned as justification for the lack of a francophone all-news. The two projects, while clearly not equivalent, were cited as the new model for television development in Canada, of specific services tailored to specific needs, as perceived by authorities of the particular communities concerned. In this spirit, it was all right for the decision-makers of English Canada to feel that their clients needed a 24-hour news service, and French Canada to feel it needs a window on la francophonie. The problem lay elsewhere, however.

First of all, there was already a major imbalance in news and information programming resources at the CBC.24) In fact, strapped resources was a major reason why the French-language news service had at first declined to participate in developing the all-news project internally. The competition with American news services, and specifically CNN, was cited as cause for introducing all-news in English, and it was pointed out that no similar threat existed in French. (Yet, curiously, the CBC did not insist, as it could have, that its licence be linked to the cancelling of the cable companies’ right to distribute CNN in Canada on the discretionary tier.) One can question the need for an all-news service for any Canadians, as opposed to a renewed effort to improved excellence in news, but one can not deny that introducing this unilingual service at CBC could only contribute to enhancing the imbalance between English and French television news if there were no equivalent new service in French.

As the September 1988 starting date for the new services approached, a host of other problems appeared. First, Quebec’s
most important cable company, Vidéotron Ltée, refused to offer the French specialty services because it considered that the required rate increase would lead to massive cancellations of cable subscriptions. Then, the cable distributor serving the western half of Montreal island—probably the most demographically diversified district in the country—applied for permission to target services to individual francophone or anglophone households. Meanwhile, cable companies outside Quebec refused to offer TV 5 because they feared a revolt from the English-speaking majorities of consumers. Later, Quebec cable companies declined to offer the CBC's Newsworld service until an equivalent French service became available.

The result of all this was, first, a wave of CRTC scrambling and deal-making with individual cable companies seeking exemptions from the terms of the original decision, and eventually, an unequal offer of services in different parts of the country, on the basis of the demographic majority in each area.

The issue was not without paradox—especially in light of the arduous debates of recent years over the need to redress the imbalance between public and commercial services in Canada, and the need to provide Canadian alternatives to foreign, predominantly American programming.

The Task Force on Broadcasting Policy had made an important recommendation for the creation of a new, non-commercial public service, in English and in French, to do a wide range of programming of the type not generally offered by the traditional services. Falling somewhere between Britain's Channel Four and Australia's Special Broadcasting Service in both structure and mandate, TV-Canada would be distinctively Canadian in the following sense: it would be offered over two channels, one in English and one in French, with each one programmed according to the perceived distinct needs of anglophone and francophone audiences.25)

A project along these lines was also recommended by the parliamentary committee that studied the task force report,26) by the minister of communications in a policy statement published in June 1988,27) and in the new broadcasting legislation, that was first presented at the same time.28)
The new legislation proposed that “alternative television programming services in English and French should be provided where necessary to ensure that the full range of programming... is made available through the Canadian broadcasting system”. Such services should be “innovative” and “complementary”, should “cater to tastes and interest not adequately provided for (by mass audience programming)” and should “reflect Canada’s regions and multicultural nature.”

But, incredibly, in the policy statement—where the government’s intentions for implementing the legislation were spelled out—the minister of communications explained that there was an urgent need for this new alternative service in English and not in French! According to this statement, the market for French-language services in Canada was saturated; francophone audiences already receive, from the CBC, Radio-Québec and TV 5, programming that caters to the whole range of particular tastes and interests; anglophones do not, because the CBC in English provides primarily mass audience programming.29)

This points to the booby trap contained in the new clause in the broadcasting act speaking of the “different requirements” of English and French language services. The official recognition of difference—which stemmed from the Task Force on Broadcasting Policy recommendation to codify the distinctiveness of québécois broadcasting in the law—thus actually opens the way to legitimating the unequal development of the system, as there is no protection against abusive interpretation, and the power to determine the “different requirements” of English and French language broadcasting remains with the central government and its agencies (notably the CRTC and the CBC).30)

In the flap over the introduction of new services, we see the two solitudes of Canadian broadcasting at their most pronounced. Rather than serving to unify a community on the basis of shared experience, television was moving increasingly towards a situation where, in English, one sees a multicultural, regionally diverse Canada, and in French, a Quebec perched on the edge of North America but tuned towards an international, largely European, francophonie.

On the one hand, it underscored the importance of
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remembering, as my colleague Roger De la Garde has pointed out, that “culture is not coextensive with its products, but with the relationships between users and products.” Hence the particularly odious aspect of the CRTC’s effective removal of the users from the picture, in its attempt to reconcile cultural, political and economic imperatives.

At a second level, the controversy highlighted the continuing problematic nature of the question of coexistence, in a single regulatory and legislative framework (read: nation) of two strong and distinct cultures, of which one is politically dominant over the other. It would be too simple (and comfortable) to minimize the extent to which this is a meaningful problem by invoking the genuine capacity of people to resist cultural domination by inventing their own uses for cultural products of all sorts. Within the Canadian federal context, the issue became an eloquent example of the frustration, humiliation and hurtfulness of the French-Canadian experience brought on by the benign insensitivity of anglo-centric federalist imperatives.

Although far beyond the scope of this paper, it must be pointed out that the rewriting of Canada’s broadcasting legislation and the melodramatic birth of the new television services was played out against the backdrop of proposed constitutional amendments promising to proclaim Quebec “a distinct society”, and in the shadow of the “free-trade” agreement with the United States. It was part of a drama as old as Canada itself, and featured familiar themes.

Basically the question boiled down to this: the only way that Canada can work as a nation is if it recognizes not only its sociocultural distinctiveness from the United States, but also the equal basis of its ethnolinguistic duality. Alongside its monumental implications for Canadian society and the Canadian political culture, this issue has been, historically, the structuring leitmotif of the Canadian broadcasting system.

Today, the question takes on a new importance for all of Canada’s other “minorities”, or more accurately, disempowered groups. For French Canadians are after all one of Canada’s “founding peoples”, with cultural and political rights recognized in the constitution, representing 26% of the overall population,
and a solid majority in an economically important geographic region, Quebec, where they make up around 85% of the population.34)

If this group can not achieve full equality under the Canadian system, what hope is there for the others?

IV. ...And the Others

As of this writing, the “rights” provided in Canada’s new broadcasting legislation are essentially a series of good intentions that remain to be specified and tested in practice. They have not only been codified in the broadcasting act, they are mentioned on every appropriate occasion.

In April 1989, for example, the CRTC renewed the licences of 75 local television stations across the country. Summarizing these decisions in its annual report for 1988-89, the CRTC had this to say:

“At the hearings, the Commission discussed various social issues with each licensee, including the provision of service to deaf and hearing-impaired viewers...

“...the CRTC examined local television’s reflection of ethnic groups and native concerns, and the provision of programming relevant to native peoples... [The CRTC stated] it believed that more can be done, and encouraged all licensees to reflect the multicultural reality of Canada in their local programming.

“...while much progress has been made over the past ten years to eliminate offensive sex-role stereotyping, the Commission urged broadcasters to remain sensitive to this issue. The Commission continues to require, by condition of licence, that all broadcasters adhere either to the Canadian Association of Broadcasters’ Code, or to the CBC’s guidelines on sex-role stereotyping.”35)

The rhetoric is appropriate, but there are no accompanying pro-active measures. The history of Canadian broadcasting
shows that the link between the two will be made only when the inevitable pressure from the communities concerned becomes unbearable.

That history is rich with examples of groups struggling to make broadcasting serve a social purpose.36) The present context provides further cases. In addition to the one that we have analysed at length—the struggle of Franco-Canadians and Québécois, who are seeking to build a fully autonomous, free-standing broadcasting system—two other examples from the contemporary Canadian experience provide important models for social action with respect to broadcasting:

—the native peoples’ struggle to create autonomous micro-systems to serve their specific communities, which is a model for creating viable alternatives to dominant broadcasting systems

—the women’s struggle for full and fair representation in the overall system, which stands as a model for a group diffused throughout society struggling for its rights

Native Broadcasting in the North of Canada

According to the Canadian census of 1981, there are 500,000 Indian, Metis and Inuit people in Canada. The Task Force on Broadcasting Policy of 1986 recommended that the broadcasting act “should affirm the right of native peoples to broadcasting services in aboriginal languages”.37) This proposal was supported by the parliamentary committee, and enshrined in the new legislation, which specifies that “programming that reflects the aboriginal cultures of Canada should be provided within the Canadian broadcasting system as resources become available for the purpose”.

Native people do not constitute a homogeneous cultural group in Canada. They speak 53 native languages, belonging to a total of 11 different language groups, and are distinguished by regional differences as well. In many respects, however, they share a common experience, especially with respect to colonization and their struggles for decolonization. Their history is one of determined resistance to acculturation.

According to the authors of a Canadian Commission for UNESCO study of native broadcasting in Canada, “for the most
part, native needs were ignored as Canadian broadcasting developed". In the Canadian north, where many native groups are concentrated, for example, broadcasting was at first developed according to the needs and interests of the dominant, predominantly non-native south. But native groups struggled for and found the resources to create various broadcasting projects that went against the grain.\(^{38}\)

Native broadcasting in Canada began with the extension of CBC services to the north in 1958. The CBC's Northern Service at first consisted only of tapes produced in the south. The first Inuit-language broadcasts were produced in 1960, and by 1972 16% of northern broadcasting, still originating from Montreal, was in the Inuktitut language.

During the 1970s, several small radio stations were established in the north, sometimes with the aid of, or affiliated with, the CBC. By the early 1980s, there were several dozen community stations, often self-defined as "alternative" to the CBC, and providing programming in local aboriginal dialects.

Beginning in 1973, the CBC provided television, by satellite, to the north, and in 1974 the corporation's Accelerated Coverage Plan proposed to extend a whole range of almost exclusively southern English-language programming to the north.

Meanwhile, a range of experiments made possible by new developments in satellite and video technology in the 1970s "showed the need for Inuit-controlled television. (The Inuit people) demonstrated to federal authorities that aboriginal people could successfully manage complex broadcasting projects and adapt sophisticated technology to meet their communication needs."\(^{39}\)

In 1980 a CRTC committee studied the question of extension of services to northern and remote communities. The Inuit organization Inuit Taparisat of Canada proposed a plan for an Inuit-controlled broadcasting service using the CBC's satellite distribution system. In 1981 the CRTC licenced a newly-formed Inuit Broadcasting Corporation, supported by a $4 million grant from the federal Department of Indian and Northern Affairs. Programming began in January 1982.

"IBC's mandate is to provide Inuit with a broadcasting
service designed to strengthen language, culture and identity. Its corporate goals are broader and include education, public debate and provision of information to increase understanding of local, national, international issues and participation in decisions affecting Inuit territories.\(^\text{40}\)

A non-profit corporation registered as a charity, highly decentralized, with five autonomous production centres, “IBC has an informal and participatory management style. Despite a traditional hierarchical chain of command, staff members at all levels of the organization can influence decisions beyond the immediate scope of their responsibilities.”\(^\text{41}\)

The organization also acts as a lobby group, and interprets its educational mandate in a broad sense. According to an IBC position paper cited in the Canadian Commission for UNESCO study, “Our dream is to develop an Inuit communications system that will enhance the strength and dignity of our people.”\(^\text{42}\)

By 1986, IBC was producing 3.5 hours of television weekly, and distributing 2 hours produced by other Inuit broadcasting societies, using production funding from the federal government and transmitting in fixed time slots on the CBC schedule, using satellite time provided by CBC. It was watched by 85% of the 25,000 Inuit who live in the Canadian north.

The federal government published its Northern Broadcasting Policy in 1983, stating that “to maintain and develop native languages and cultures, northern native people should receive relevant broadcast programming, including content they produced themselves.”\(^\text{43}\)

Existing northern broadcasters, namely the CBC, were instructed to carry native-produced programs on their distribution systems, and a Northern Native Broadcast Access Program was set up, with a budget of $40 million to be spent on production over the next four years. The goal was to allow the Indians and Metis of the northwest to catch up to the Inuit of the eastern Arctic, who were already broadcasting near target levels by the time the NNBAP began in April 1983.

As of 1986, northern native programming in Canada totalled 150 hours of radio and 12 hours of television per week, for a
potential audience of 180,000. But native communications societies were still dependent on traditional broadcasting organizations to distribute their programs, posing, at least hypothetically, the question of autonomy, and "piggy-backing programming on someone else's distribution system causes identity problems for some native broadcasters."[44]

But regardless of the problems, the authors of the Canadian Commission for UNESCO study concluded: "Native broadcasting is a new and potent force to enhance aboriginal languages, cultures and broaden native participation in northern affairs."[45]

Northern broadcasting scholars Lorna Roth and Gail Valaskakis go farther, stating that aboriginal communication undertakings effectively reframe the notion of Canadian broadcasting to include non-anglophone, non-francophone products. According to them, aboriginal communication represents an opening up of Canadian media to the communicationally disenfranchised and the culturally diverse, and has thus contributed to both the distinctiveness of Canadian broadcasting and the democratization of the Canadian media system:

"Aboriginal communication undertakings, therefore, act to pry open old relationships and represent new discursive opportunities between producers and consumers of cultural products."[46]

But, far from idealizing the case of aboriginal broadcasting, it should be seen as a model for media that reflect local and regional cultures and their preoccupations, rather than attempting to adapt the logic of (American) commercial broadcasting.[47]

"...in the context of a strong 'nationalist' discourse, some of the most interesting developments in Canadian broadcasting have taken place regionally and locally among non-Anglophone, non-Francophone populations, almost completely outside of 'official' national conversations...

"Canadian unity promoted through nationalist broadcasting discourses will likely remain a myth. But regionalism, local cultures, and diversity have been the forces giving direction to Canadian cultural development."[48]
The Struggle for Equality—Women in Broadcasting

Creating autonomous media to serve a group’s collective interests is one approach to the question, but everyone has a right to full and fair participation and representation in the mainstream of the system. Nothing illustrates the problematic nature of this than the struggle by Canadian women to reform the system that has excluded and misrepresented them.49

Women have been present at every full-scale inquiry into broadcasting, criticizing the shortcomings of the system from a women’s perspective. In the 1970s, women’s interventions at CRTC hearings on CBC licence renewals led to the first concrete measure to deal with the problem, creation in 1979 of an Office of the Portrayal of Women in CBC Programming.

Also in 1979, the minister of communications asked the CRTC to formulate standards for eliminating sexist stereotypes from broadcasting programming. This was the government’s first formal recognition of the problem. The CRTC eventually created a task force to develop guidelines on sexual stereotypes.

The women’s lobby was strengthened with the creation, in 1981, of MediaWatch, a national organization to fight for improving the place and the representation of women in Canadian media. Two years later, the lobby was broadened by the creation of the Canadian Coalition Against Pornography.

The CRTC task force reported in September 1982.50 Among other things, it recommended a two-year period of “self-regulation” by the broadcasting industry, to be followed by evaluation. During those two years, the Canadian Association of Broadcasters (CAB) and the Canadian Advertising Foundation (CAF) encouraged their members to voluntarily respect the guidelines that they had developed. The CRTC, meanwhile, required all broadcasters to file a report declaring the measures they had taken to respond to the task force concerns and respect the industry guidelines.

When the two-year experimental period ended in the fall of 1984, the industry groups reported that self-regulation was working, the problem was being resolved, and no regulation in this area would be necessary. However, 35% of private
broadcasters did not submit the required reports to the CRTC. According to MediaWatch, 65% of complainants either received no answer or were not satisfied by the response they received. The issue of sex and violence in advertising was cited as one on which particularly little progress had been made. The CRTC conducted its own research, and in January 1986 published a report evaluating self-regulation. It concluded that there had been little change during the two years of self-regulation. Feminists generally took this as an admission that the inherent inequality between men and women in the media could not be resolved by a "self-regulatory" approach like the one suggested by the CRTC.51)

The CRTC then held extensive hearings on the question and in December 1986 published its policy on sexual stereotypes, stating that it would henceforth require, as a condition of licence, that all licenceholders increase their efforts to eliminate stereotypes and respect the guidelines of the CAB. The CBC, CAB and CAF would be required to revise and improve their guidelines, revise their procedures for dealing with complaints and present semi-annual reports.

Reactions from women's groups were mixed: the CRTC, it was said, could not enforce the condition unless it checked all broadcasts (or unless the public did it in its place, and complained); the absence of clear goals and deadlines was deplored, especially concerning the increase of jobs for women in the industry.

In sum, the CRTC policy merely established a framework for self-regulation, and relegated the agency to a supervisory function.52) For example, the CRTC chose not to be involved in revising guidelines, leaving that up to the industry.

Nonetheless, since 1987, the CRTC generally imposes on all licenceholders a requirement to adhere to industry guidelines on sexual stereotypes.

The 1986 Task Force on Broadcasting Policy, meanwhile, took the view that discrimination was the result of stereotypes and prejudices, and said that stereotypes were manifestations of more serious problems, such as the under-representation of women and minorities in the industry.53)
However, the task force refused to recommend including a clause on equality and human dignity in the broadcasting act and subject broadcasters to it, in the name of freedom of information and a fear of censorship. Such a clause was demanded by feminist and public interest groups in representations to the task force and the parliamentary committee which studied it. The groups demanded inclusion in the law of a clause on equal rights promotion and employment equality.

The first version of the new law did not mention employment, but after furious lobbying by groups like MediaWatch, and vocal support by the parliamentary opposition, the clause was strengthened.

In spite of this "victory", application of the policy will rest with the CRTC, and it has so far refused to go any farther than symbolic lip service.

According to a leading scholar of Canadian communications policy, Liora Salter, the women's issue is a prototype of the CRTC's general move towards less regulation. Regulatory responsibilities are shifted to the industry, which now develops its own codes for program content; thus the industry, not the CRTC, becomes the protector of the public interest:

"Hence the experiment with the Task Force on Sex Role Stereotyping. Rather than deal directly with the controversial issues involved, the CRTC created a task force which included members from government, industry, and advocacy groups. The task force recommendations became the guidelines for the commission's supervision and for self-monitoring by the industry. The CRTC held a hearing at the end of the trial period to see whether sufficient progress had been made. It concluded that considerably more remained to be done, if sex role stereotyping was to be eliminated. To date, however, the CRTC has no apparent intention of creating regulations or, indeed, of developing its own policy initiatives on the issue."\(^5\)

Thus, "the new (CRTC) attitude reflects a different relationship among the regulatory body, the industry, and the
members of the public.”

The women’s groups meanwhile, take a long view. According to MediaWatch: “The debate has moved from important but narrow concepts of sex-role stereotyping and sexist language to issues of dignity, equality, and freedom of expression for half our population.”

V. Conclusion

Dignity. Equality. Freedom of expression. The struggle for these values surpasses the actual questions around which the struggles take place. On a global scale, the Canadian broadcasting system furnishes a range of interesting features useful for trying to deal with the place of broadcasting in a democratic society. Locally, it represents one of the sites around and through which power and domination are constituted and contested in Canada.

In the interest of focussing, in this paper, on aspects and issues which make the Canadian broadcasting system unique, we have paid relatively little attention to the central problems it shares with all national broadcasting systems: that is, (1) how to enable broadcasting to serve a social purpose in a geo-communicational context that is increasingly, and some would say, inexorably, commercially driven; and (2) how to ensure that the political power of the state, as a structuring authority of vast social systems, is put to the service of civil society and not the self-interested projects of its dominant elites.

In a country like Canada, it is common to apply a colonization model to analysing broadcasting. Thus, the main official justification of Canadian broadcasting policy is said to be “Canadianization”—or the struggle against an American presence in Canadian broadcasting. But the problem that we, in Canada, have identified as the “Americanization” of our media is not a question of national colonization: it is a question of sociocultural colonization by a set of values and assumptions on which the model of popular American television (structures, practices and products) is based.

As the authors of a perceptive study of the major issues in
Canadian communications stated more than ten years ago, this approach fails to ask the crucial question: “If Canada is so intent on resisting American domination, what are we resisting it for?”

As we have seen, “Canadian” broadcasting is not without its own serious contradictions, and for a multiplicity of groups, making up in one way or another a majority of the population, broadcasting constitutes in itself a system of colonization.

The central struggle against this is the struggle for democratization of Canadian broadcasting—that is to say, the reorganization of broadcasting according to democratic objectives such as autonomy, self-determination, equality and social justice.

As more and more social groups in Canada come to realize this, and demand accommodation within the system, the public discourse on broadcasting is becoming less dominated by narrowly “national” considerations.

The most positive aspect of the Canadian situation is thus the fact that broadcasting, and issues related to broadcasting, continue to be generally considered legitimate and important matters for public discussion and democratic debate. Regardless of the political stakes involved, no important broadcasting policy decision gets made without full airing in a public forum. Limited as the results of this may be, there can be no substitute for public discussion in a democratic society.

In short, there is a broad consensus in Canada that broadcasting policy making should continue to be part of the public sphere, and this in itself may be the most hopeful indication that Canadian broadcasting may yet have a democratic future.

Notes

1) A previous version of the new broadcasting act was about to be adopted when Parliament was dissolved for national elections in the autumn of 1988. The re-elected Conservative government spent nearly a year considering further changes, before reintroducing the legislation virtually intact.


4) Canada, Broadcasting Act. Revised Statutes of Canada 1985, c. B-9; Canada, Broadcasting Act, Bill C-40, First Reading, October 12, 1989 (34th Parliament, second session). Important changes were also made to the sections of the act dealing with the CRTC and the CBC, but these are far beyond the scope of this article.

5) Emphasis added.

6) See Marc Raboy, “Public Television, the National Question, and the Preservation of the Canadian State”. In Television in Transition, edited by Phillip Drummond and Richard Paterson, London: BFI Books, 1986 (pp. 64-66); and Raboy, Missed Opportunities, op. cit.


8) Statistics for 1984, cited in Canada, Task Force on Broadcasting Policy, op. cit., p. 210. One of the most important contributions of the task force was to show that these figures were linked to the available program “offer”, not to some inherent consumer appreciation of American television. Thus, for example, only 28% of available English television programs were Canadian in origin (2% drama), while in French, the total Canadian offer was 57% (10% drama).

9) Ibid.


11) Task Force on Broadcasting Policy, op. cit., p. 156.

12) Ibid., p. 217.


15) According to the Task Force on Broadcasting Policy, op. cit., cable is the most important cause of the emphasis on American programs in Canadian viewing habits, and of anglicization of francophone viewing habits.


17) The CRTC defined a French market as a licence territory in which the
majority of the population, as determined by the most recent Statistics Canada survey, has French as its mother tongue. All other licence territories are deemed to be English markets.

18) More than one million subscribers in each case, of a total field of about six million cabled households in Canada, according to the CRTC, *More Canadian Programming Choices*, op. cit.


20) The important aspects of this controversy surrounding the question of public versus commercial services are explored at greater length in Raboy, “Two Solitudes in the Era of Multiple Choice”.


23) Ibid., p. 96. Broadcaster-members of the consortium are the CBC, the provincial broadcasters Radio-Québec and TV Ontario, and private broadcasters Télé-Métropole, Cogeco, and Télévision Quatre Saisons. The other two members are the crown-owned National Film Board of Canada and Film Sat Inc., a firm set up to represent independent producers.


25) Canada, *Task Force on Broadcasting Policy*, op. cit. Some observers have considered this proposal the most important of the task force’s recommendations.


28) *Canada, Broadcasting Act, Bill C-136, First Reading, June 23, 1988 (33rd Parliament, second session).*


30) The new requirement in the broadcasting act for the CBC to “strive to be of equivalent quality in English and in French” was introduced as an amendment to the original bill in the wake of this development.


36) See Raboy, Missed Opportunities, op. cit.
39) Ibid., p. 22.
40) Ibid., p. 34.
41) Ibid.
43) Ibid., p. 27.
44) Ibid., p. 41. For example, viewers apparently did not distinguish between the CBC's Inuititut programs and the IBC programs carried on the same channel. Recently, however, the Canadian government has decided to finance a dedicated satellite transponder for the exclusive distribution of aboriginal programming in the north.
45) Ibid., p. 55.
47) The Task Force on Broadcasting Policy took a similar view with respect to community broadcasting (encompassing aboriginal broadcasting) in general. It said: "In an era when the 'global village' has become a cliché in communications, community broadcasting is at the other end of the scale... We might see it as a form of appropriate technology for the world of broadcasting, providing an antidote to the 'production values' of American broadcasting." (Canada, Task Force on Broadcasting Policy, op. cit., p. 506.)
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1982.
53) Canada, Task Force on Broadcasting Policy, op. cit., pp. 151-158. Prior to 1987, no woman had headed or owned a broadcasting network in Canada; in 1989 there is one woman network head, at the public provincial broadcaster, Radio-Québec.
55) Ibid., p. 383.

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