2 Legal, institutional and research perspectives on broadcast programme quality in Canada

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I. Introduction

Broadcasting generates a lot of discussion in Canada, most of it related to policy issues. Much of this discussion contains an embedded notion of quality: as the various actors position themselves with respect to a particular issue, they tend to imply that if the policy-makers listened to them, the result would be a system of quality.

Thus, we find the discussion of broadcasting in Canada to be laced with recurring arguments that equate quality to ‘Canadian’ (ie national) programming, ‘popular’ (ie mass-audience) programming, costly yet market-competitive programming, programming in the public interest, programming that is fair in its representation of various social groups, programming that is culturally distinctive, and so forth.

It is important to recognize that this discussion is inevitably rooted in social values. There can be no objective definition of quality, only definitions based on criteria established to meet the standards and objectives for broadcasting as they are set by the people writing the definitions.

Furthermore, while everyone talks about quality – or, more accurately, invokes its claim to legitimate a particular point of view – few have seriously tried to explain

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what would constitute a programme of quality. In the following pages, we will review the most significant Canadian efforts to address the question of quality in an explicit manner. Most of these are of a legal/regulatory or institutional nature. Only a handful are the result of concrete attempts to empirically determine what is broadcast programme quality.

As we shall see, the broadcasting policy discourse in Canada has been based on a range of value assumptions that can be classed in four general areas:

(1) market assumptions (where audience popularity is deemed to be a measure of quality);
(2) 'high policy' assumptions (where quality is equated to the national interest);
(3) professional assumptions (based on the standards of the sectors involved in broadcast production);
(4) public interest assumptions (based on the traditional values of public service broadcasting).

The discussion of quality usually takes place in the context of debate over which of these values is to be enhanced or supported. At present, broadcasting is evolving as though this list represented some natural order of importance. In our own view, however, the emphasis should be reversed.

II. The legal and regulatory framework for broadcasting in Canada

All broadcasting in Canada stems from Article 3 of the federal Broadcasting Act, a simple and elegant document entitled 'Broadcasting Policy for Canada'. (Canada, Revised Statutes, 1970). This policy statement enshrines in law the public nature of all broadcasting undertakings (op cit, 3.a), and charges them with a mission 'to safeguard, enrich and strengthen the cultural, political, social and economic fabric of Canada'. (op cit, 3.b)

According to the Canadian legislator:

The programming provided by the Canadian broadcasting system should be varied and comprehensive and should provide reasonable, balanced opportunity for the expression of differing views on matters of public concern, and the programming provided by each broadcaster should be of high standard, using predominantly Canadian creative and other resources. (op cit, 3.d)

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2 See Appendix to this article.
3 A revised Broadcasting Act was adopted by the Canadian Parliament in 1991. Except where otherwise stated, references in this article are to the previous Act, which was still in effect as this was being written.
The obligation of each broadcaster, whether public or commercial in ownership, to be of high standard, is at the centre of discussion on broadcast programme quality in Canada, particularly as this legislation constitutes the main guideline for the activity of the broadcast regulator, the Canadian Radio-Television and Telecommunications Commission.

The 1968 Act was preceded by a government ‘white paper’ (Canada, 1966), which spelled out the justification for including such a standard in the legislation. General regulation of broadcast activity is not enough, it said; broadcasters, both public and private had ‘a positive responsibility to contribute to a wide range of audience choice, to meet certain standards of public service, and to achieve the highest quality of programming they can reasonably afford’. The white paper went on to state that ‘standards of quality and public service should not be formulated on a universally applicable basis’. For example, private broadcasters operating in larger, more profitable markets should be subjected to more stringent requirements.

High quality was recognized in the white paper as ‘more a matter of general excellence than of mere content’. It would not necessarily be proportional to cost, nor could it be easily specified precisely enough to be made a condition of licence. ‘However, judgments about quality can quite legitimately be made in retrospect on the basis of actual observed performance, and should carry a great deal of weight when an application for the renewal of a licence is being considered.’ (op cit: 10)

Research shows, however, that the spirit of the white paper has rarely been heeded in the actual practice of the CRTC, which tends instead to assume a high standard of quality until a broadcaster’s comportment is challenged by the public, usually in the form of a complaint. (Salter and Anderson, 1985; Canada, 1986; Trudel, 1988; Legros, 1990)

The various functions of the broadcast quality standard, as spelled out in the legislation, have been discussed at some length by Trudel (1988). According to this scholar, one of the leading experts in Canadian communications law, the notion of quality has three purposes: (1) a rhetorical function, (2) an enabling function for the regulator, (3) a standard by which to evaluate the behaviour of individual broadcasters. As Trudel notes, while this objective is inserted in an article dealing with the broadcasting system as a whole, it specifically addresses the programming offered by each individual broadcaster.

The problem, and the challenge to the regulatory authority, says Trudel, is to render this objective concrete, for ‘the notion of ‘programming of high standard’ is not defined anywhere; it is almost always invoked implicitly and is at any rate poorly circumscribed: it appears to be undefinable’. (op cit.: 997)

4 It is to be noted that the equivalent wording in the French version of the Act refers to ‘de haute qualité’, which actually translates into English as ‘of high quality’.

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The purpose of the quality standard in the Canadian law is rather ‘to provide an ideal measure of proper social conduct’, in broadcast offerings: ‘The standard of high quality prescribes ‘what ought to be’, or more precisely, the characteristics of ‘what ought to be’. In using this standard, the legislator hopes to give precedence to that which he wishes to become the norm one day’. (op cit: 998)

It is thus prescriptive, but only in a general and long-term sense. This view necessarily implies an openness to social change. The use of a ‘quality standard’ offers both advantages and disadvantages from a regulatory perspective: unlike measures that spell out what can and can not be done, it provides a good deal of flexibility; on the other hand it is so vague and general that no one can really tell what the authority will deem to be a programme of quality.

From a sociocultural perspective, the notion of quality usually sits at the heart of public debate – and even conflict – over the changing nature of social values. Very often the same programme will be considered of poor or of great quality, depending on how one is situated with respect to the programme’s point of view. (This may in itself be a measure of quality, if one considers the role of broadcasting to include the raising of public debate on controversial issues. According to one pair of authors: ‘controversy reflects an attentive audience, an audience who cares about the quality of programming...’ (Salter and Anderson, 1985: 7.) Furthermore, in Canada, quality has often been equated with national considerations, from the ideological (promotion of ‘national unity’) to the industrial (promotion of Canadian broadcasting industries). We shall return to this later.

According to Trudel, as an ‘undefinable’ notion, the quality standard hands over unlimited power to the regulatory agency to set the parameters (and control the accelerator) of change. Whether on matters related to advertising, to the presentation of controversial material, or on journalistic matters, it inevitably befalls the regulatory agency to determine what constitutes quality. (Trudel, 1988: 999) Moreover, the regulator’s judgement ‘must necessarily vary from case to case. The notion of quality ... varies according to time and circumstance. What was determined (as quality) in one case can not necessarily serve as a pertinent precedent under different circumstances.’ (ibid.)

Article 3 of the Broadcasting Act is in every respect a rhetorical statement. This comes as no surprise, in light of the historic role of broadcasting policy in Canadian politics and society over the past 60 years, where it has often seemed as though directing the broadcasting system was almost a residual purpose of that policy.\(^5\)

Although Canada has had a broadcasting act since 1932, it is only since 1968 that the act includes an explicitly labelled statement of policy. As Trudel points out, the ‘architecture’ of any piece of legislation is important: thus, the various provisions of article 3 are not placed in any hierarchical order, but are rather aligned like a gro-

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5 For the historic context, see Raboy (1990a).
cency list, in the hope that the CRTC will be able to balance the various goals and objectives. By prescribing the characteristics of the programming that ought to result from the quality standard, the Act legitimizes regulatory control with respect to the argument that state intervention in such matters as broadcasting content could constitute a threat to freedom of expression. However, as the federal Task Force on Broadcasting Policy reported in 1986, ‘While it is relatively easy to obtain general agreement that the programming offered by the Canadian broadcasting system should be of a high standard, there is a great deal of disagreement about what is meant by “high standard”.’ (Canada, 1986: 163)

The task force report noted that research carried out in the nearly 20 years since the passage of the Act had not developed any programme evaluation tools for determining whether the system as a whole was complying with the quality requirement. Instead, the quality standard had been invoked by the CRTC on a few occasions to justify particular decisions, ‘sometimes with a number of strange twists’. The task force complained that the requirement ‘sets an ideal standard somewhere in never-never land. Nowhere is the concept defined’. (op cit: 164) It authorizes the CRTC to make arbitrary value judgments. Instead, the task force proposed to hold broadcasters accountable to their ‘firm commitments’ made when licences are issued or renewed (a return to the spirit of the White Paper of 1966), and to base the concept of quality on ‘recognized professional standards, depending on the category of the undertaking’. (Ibid.) The problem is that someone still must define the standards.

The question of developing standards for broadcast content (as opposed to measuring programmes a posteriori against an abstract, ideal standard) was also raised by Salter and Anderson, in one of the rare studies of the actual effectiveness of the broadcast complaint mechanism. According to these authors, standards development would be the preferred way of dealing with problems of content without resorting to censorship. Salter and Anderson define standards as ‘criteria applied in the judgment of quality’ (1985: 25) – the key to the dilemma, in their view, for the issue of controlling broadcast programme quality has been cast in terms of an unresolvable opposition between censorship and civil liberties. When conceived this way, they state, ‘any political or social response becomes impossible’. (op cit: 18)

The task force and its recommendations notwithstanding, scholars and commentators have been nearly universal in recognizing the limitations of CRTC interventions with respect to programme quality. The few detailed studies of CRTC decisions have shown that the CRTC, by design or out of impotence, has been unable or unwilling to enforce its own conditions of licence, let alone broadcasters’ promise of performance (see eg Legros, 1990). Salter (1985) has traced the evolution of CRTC decision-making through three stages from its inception in 1968 unto the present. According to her, The CRTC first went through an ‘initiatory’, or pro-active phase (1968–75), during which it manifested ‘a willingness to deal directly with issues
concerning the quality of programming content' (op cit: 3). It did so, however, by issuing general regulations and policy statements aimed at developing services and infrastructures, rarely by decisions concerning the activities of specific broadcasters.6

The CRTC’s fundamental stance during this period was that ‘regulation should be designed to enact rights, to effect a redistribution of resources from the private sector to the public interest goals of the Canadian broadcasting system’:

Public interest was defined not in terms of audience choice, but in terms of those aspects of programming and services that could not be realized even through the most efficient market system. Canadian content was an obligation of the broadcasters ... Access on a community channel on cable was an obligation that cable companies assumed ... Northern service was the responsibility of the CBC. (op cit: 4)

But beginning around 1975, the CRTC moved into a ‘managerial’, or reactive, phase, with emphasis shifting from concern over content to concern about market structures:

In the context of decisions focussed on the system as a whole, regulation of programme content – the quality of service – seemed somehow less appropriate ... the CRTC fumbled with the issue of quality in programming, fearing the complaint that it would be labelled as a censorship body. (op cit: 6)

The focus shifted again in 1982, when the CRTC entered its ‘supervisory’ phase, moving away from direct intervention altogether, and towards the view that the system would be best served by industry ‘self-regulation’. Under this approach, ‘Questions about programme content and quality of service are resolved mainly through mediation (codes, for example) under the supervision (but not direction) of the agency’ (op cit: 10). This process relies on problems of quality being raised by groups in society, but as Salter asks, ‘... how can we be sure that all problems are being identified, especially if there is no funding for public interest groups?’ (ibid.)

Salter thus proposes the need to set up mechanisms for establishing standards of quality for handling complaints about misrepresentation, for public participation in the drafting of industry codes. To this we might add the need to fund public interest groups wishing to intervene in the quality control process.

The CRTC itself described the new ‘supervisory’ approach as the key to a self-imposed reform completed in 1986–87, with the publication of new regulations for radio, television and cable undertakings. This approach was marked by a reduced involvement in detailed regulation ‘particularly in areas that readily lend themselves to self-regulation by the industry concerned’. (CRTC, 1987d)

The new regulations regarding television, for example, contain only the following prescriptive measure with respect to content:

6 For a notable exception, see the CRTC decision renewing CBC licences in 1974 (CRTC, 1974).
A licensee shall not broadcast:

(a) anything in contravention of the law;
(b) any abusive comment or abusive pictorial representation that, when taken in context, tends or is likely to expose an individual or a group or class of individuals to hatred or contempt on the basis of race, national or ethnic origin, colour, religion, sex, age or mental or physical disability;
(c) any obscene or profane language or pictorial misrepresentation;
(d) any false or misleading news. (CRTC, 1987a: 5–6)

In this context, the CRTC accepted a proposal from the Canadian Association of Broadcasters (the industry association of private radio and television broadcasters in Canada) to create a Canadian Broadcast Standards Council, which went into effect in 1989 (CRTC, 1988). Designed to achieve ‘the highest possible standard’ of radio and television, the Council is charged with administering the industry’s code of ethics as well as codes on sex-role portrayal and violence in programming (codes regarding advertising content are self-regulated by a separate council set up by the advertising industry).  

According to the Council’s promotional brochure (CBSC, 1989), the codes allow broadcasters to incorporate specific social concerns and values of the community in their programming decisions (informing broadcasters with respect to emerging social issues and suggesting ways to deal with them is cited as one of the Council’s objectives).

The industry’s self-regulation mechanism is explicitly designed to ensure that broadcasters do not offend, and comes complete with a simplified complaint procedure. Its performance has not yet been subject to evaluation, but the CRTC has stated its satisfaction ‘that it will indeed promote significantly higher standards for radio and television broadcasting’. (CRTC, 1988)

Ultimately, of course, politicians can become directly involved in the debate surrounding quality standards and their structural and social implications. In Canada, one of the most interesting and comprehensive sets of proposals for broadcasting structure reforms originated in an Ontario government commission study of violence in the communications industry (Ontario, 1976). And quite recently, in an important statement to the parliamentary committee on communications and culture, federal communications minister Marcel Masse called on the CRTC, the broadcast industry and the public to undertake a campaign against gratuitous violence on Canadian television, stating that ‘violence goes against the fundamental values of

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7 For a discussion of the context leading to the adoption of a voluntary industry-wide code on sex-role stereotyping in Canadian broadcasting, see Raboy (1990b). See also CRTC (1982).
our society ... (and) broadcasting systems must ensure that they respect the audience preferences based on social values'. (Canada, House of Commons, 1990: 2/10)*

As Trudel points out, the principles enunciated in Article 3 of the Broadcasting Act are meant to be taken into account by the CRTC when it renders a decision. While the CRTC is not obliged to realize each of the principles in each of its decisions (and thus can not be contested for failing to take one of them into account in a given case), it can use any one principle — such as the quality standard — to justify a particular decision.

While ‘it would be laudable for the regulatory agency to do a qualitative evaluation of the performance of broadcasters in terms of their programming ...’ at the time of periodic licence renewal (Trudel, 1988: 1011), research shows that this is not the case. In fact, article 3.d has rarely been invoked in renewal decisions. Generally, it has only been used in cases involving complaints, and in rather extreme ones at that.9

For example, in 1983, the feminist group Media Watch complained to the CRTC after a Vancouver television commentator stated on the air that its members deserved to be placed in the front lines to be raped by the Russians in the event of war. Referring to the quality standard, the CRTC determined in this case that the public’s right to receive programmes ‘of high standard, free from disparaging comments or incitement to violence against an identifiable group’ took precedence over the broadcaster’s right to freedom of expression. In short, the CRTC implied that the question of whether or not women should be raped was one that did not lend itself to balanced debate. (CRTC, 1983; also discussed in Canada, 1986; and in Trudel, 1988)

In another case, the CRTC received numerous complaints after a radio station in Montreal conducted a non-scientific ‘telephone survey’ asking listeners if they approved of a gunman’s shooting spree at the Quebec National Assembly. The CRTC ruled here that such a broadcast, bearing on a matter of public order, did not meet the high standard requirement and served the audience poorly. (CRTC, 1984; also discussed in Canada, 1986)

More recently (August 1990), the CRTC invoked the quality standard to limit its renewal of a Quebec City radio station’s licence to one year instead of the statutory five, after repeated civil suits involving allegedly defamatory comments by a popular hot-line host. In attaching several conditions to the renewal, equivalent to putting the station on probation, the CRTC said it was concerned that the broadcaster’s on-

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8 In this talk, Masse cited statistics showing that the ten most popular television programmes seen in Canada, in English and in French, were ‘nonviolent’. The implied argument that the consumption of popular cultural products is a reflection of prevailing social values would in itself be an interesting project for another study.

9 According to Salter and Anderson (1985), the CRTC receives some 8,500 complaints about abusive and offensive programming per year, most of it relating to violence and stereotyping. Other types of complaints received fall into the categories of personal misrepresentation, representativeness of media content, and coverage of controversial public issues.
air comportment indicated a flagrant failure to meet the standard of high quality imposed by the Act. (CRTC, 1990)

So the CRTC does intervene in the name of high quality broadcast programming, and jurists agree that it has the power to do so under article 3.d (Frémont, 1985). In general, however, the quality standard remains an ideal, an appeal to broadcasters. The Commission could use it to demand that broadcasters improve their performance, but it has chosen to limit its interventions to ensuring that they adhere to currently acceptable norms.

According to Trudel, ‘The standard of high quality is thus an effective measure for bringing radio and television stations to adopt practices and behaviour conforming to the fundamental values widely shared by the Canadian community’ (Trudel, 1988: 1016). But in operating this way, the Commission declines to prod broadcasters in the direction of social change, and can even be seen to retard it, especially in cases where the values involved are conservative ones.

In sum, article 3.d is basically a negative standard, used when a broadcaster fails to live up to accepted norms, rather than a positive one which would be used to oblige them to go beyond actually-existing broadcasting.

III. National interest or public service? Quality as a cultural value

How Canadian do we wish our broadcasting system to be? As Canadian as possible – under the circumstances. How public must our broadcasting system be to be as Canadian as possible? As public as possible – under the circumstances.

Task Force on Broadcasting Policy (Canada, 1986: 265)

Broadcasting in Canada has evolved out of the interaction of a complex and contradictory set of factors, including the pressure to assert and consolidate a distinctive and unified nation-state against forces of fragmentation from without and within, pressure to develop broadcasting as a commercial cultural industry, and pressure for broadcasting as an instrument of social and cultural development. (Raboy, 1990a)

From 1928–1988, Canadian broadcasting has been the subject of dozens of official inquiries by governments, parliamentary committees, regulatory authorities, and broadcasting organizations (see Raboy, 1990a: bibl.). Virtually without exception, every one has endorsed the first principle that Canadian broadcasting should be ‘as Canadian as possible’, and concluded that only a system with a predominant public component could achieve that goal.

Generally, it is assumed in this literature that ‘Canadianness’ in broadcasting is a goal in itself; the quality of being ‘Canadian’ thus takes on a positive value. Some examples:
Canadian radio listeners want Canadian broadcasting. (Canada, 1929: 6)

We cannot state too forcefully that our primary interest in broadcasting lies in the kind and quality of programmes broadcast in Canada and their influence on Canadian life. (Canada, 1951: 295)

Our first objective is Canadian programming for Canadian audiences. (CBC, 1977)

If television means anything to our sense of identity ... we must continue to increase the amount, the range, the distinctiveness of Canadian programming. (CBC, 1979)

The objective is ‘Equal Time for Canada’. (CBC, 1985: 25)

... the social and cultural goals of Canadian broadcasting can be met only through quality Canadian programmes. (Canada, 1986: 467–68)

In its most sophisticated version, this discourse combines the notions of Canadian distinctiveness, nationhood, and excellence:

Respect for Canadian values, the development of a sense of nationhood and standards of programming quality have been fundamental goals of the CBC since it was established in 1936. The CBC has been in the vanguard of social change. (Canada, House of Commons, 1990: 2/10)

Or, put another way:

We are pledged to reflect and celebrate our country, by providing predominantly Canadian programming of the highest possible quality, supplemented by the best the rest of the world has to offer. (CBC, 1990: 3)

Within this overwhelming and highly-charged nationalistic framework in which discussion of broadcasting in Canada invariably takes place, it is surprising that issues of quality have come to be discussed in any substantive way at all. But in fact, most of the official studies have taken up the challenge. This is perhaps best summarized by the famous opening words of the 1965 Report of the Advisory Committee of Broadcasting: ‘The only thing that really matters in broadcasting is programme content; all the rest is housekeeping’. (Canada, 1965: 3)

According to this study: ‘... it is not the large number of American programmes that concerns us; it is the fact that so many of them are light entertainment of mediocre quality and little permanent value ... The heavy infusion of American light entertainment dilutes the quality and destroys the balance of the total programme content available to Canadian television viewers ... What is needed is a better programme balance in the total programmes available to Canadian viewers.’ (op cit: 36). Here then, the idea of producing Canadian programmes is not so much to reflect Canadian nationhood, nor to compete commercially with US broadcasters. Rather, it is to fill a perceived qualitative gap.
The 1986 Task Force on Broadcasting Policy grappled with this question, which it found particularly dramatic in light of its assessment that the CRTC had basically failed to promote quality programming, particularly by private sector broadcasters (Canada, 1986: 465–71). Indeed, according to the task force, the CRTC had not even seriously attempted to assess quality.

The Task Force is in full and enthusiastic agreement with the CRTC’s (Canadian content) policy. But is the CRTC? ... While the Commission’s definition of a Canadian programme must be an objective one, it should be designed to be consistent with the cultural intent of Canadian content regulation, which certainly goes beyond economic and industrial concerns. (op cit: 468, emphasis added)

Because the Commission’s definition is technical only, it can speak in no way to the question of programming quality,’ the task force reported, insisting that there was ‘little intrinsic redeeming value in programming made in Canada for its own sake’. It therefore recommended that the CRTC ‘ensure that its definition of a Canadian programme will result in Canadian performance programming that reflects the objectives of Canadian broadcasting policy. (ibid., emphasis added)

Recently, the CRTC has taken to viewing financial commitment as an assurance of quality. In a decision renewing local television licences across Canada in 1989, the Commission stated: ‘While a programme’s costs are not always proportional to its quality, there is generally a relationship between the two ... the level of spending on Canadian programmes is a vital element in assessing the quality of Canadian programmes’ (CRTC, 1989: 21, 25). This followed by some two years an important decision in which the CRTC obliged the national private sector network CTV to increase its spending on Canadian programmes by 75 per cent over five years. It justified this condition of licence with the statement that ‘increasing the quality and diversity of Canadian programmes available throughout the broadcasting system continues to be of the highest priority’ (CRTC 1987c: 38)

Interestingly, the CRTC decision indicated that a certain conception of quality Canadian programming was good broadcasting business: ‘The audience share of US programmes appears to have reached a peak and CTV now recognizes that the airing of quality Canadian programmes provides the best strategy to achieve further audience growth’ (ibid.). This is one of the first signs of a pay-off for Canada’s push in the 1980s to promote ‘attractive, high-quality Canadian programming in both official languages and of international calibre – Canadian programming that people will choose to watch’. (Canada, 1983)

As McNulty points out, the recent centrality of a concept of quality to the policy discourse stems from the policy makers’ gamble that ‘Canadian audiences would be attracted to entertainment programming of high quality (usually meaning of high
cost), the type of US content that dominates the primetime hours on Canadian and US stations and networks'. (McNulty, 1979: 274) In short, a made-in-Canada version of US television, with the ultimate aim of entering the world market.\footnote{10}

This neo-nationalist policy is also expressed in less economistic terms, such as the following: ‘Canadian culture cannot be effectively protected by restricting access to manifestations of foreign culture ... the best way to support Canadian culture lies in the pursuit of superior quality and the promotion of opportunity to view and appreciate the best we have’. (Canada, 1979: 38)\footnote{11}

The stakes are high, and can only be realized with involvement of the state. A Department of Communications study published in 1987 discussed the young Broadcast Programme Development Fund (Telefilm Canada, which funds independent Canadian television production) and noted the problem of producing high quality Canadian programmes to compete with inexpensive American products: ‘The quality will be there, provided the funds are available to foster and produce it’. But it made clear that the new name of the game was business: ‘The success of a strategy with Canadian programming as its objective has to be rooted in sound economics as well as in profound conviction’. (Canada, 1987: 62)

In discussion of the public sector CBC, the debate inevitably turns to questions of financing as well, in the context of the general cutbacks in public fiscal responsibility in the 1980s. This has created a self-evident dilemma, insofar as all studies have shown that the only way Canada can produce quality programming is with public funds. (see, eg Canada, 1986)\footnote{12}

The question of the essential role of public service broadcasting in achieving quality has, of course, been at the centre of debate on broadcasting since the 1930s, when the leading proponent of a public system for Canada, Graham Spry, put it to a parliamentary committee in these words: ‘It is a choice between commercial interests and the people’s interests. It is a choice between the State and the United States’ (quoted in Raboy, 1990a: 40). As one scholar stated more soberly recently: ‘All the evidence confirms that if Canada insists upon expressing and promoting its cultural

\footnote{10} See also the most recent Canadian government policy statement on broadcasting, where it is stated that ‘the key issue in broadcasting policy in 1988 and into the next century is ... the availability of competitive Canadian drama programming.’ (Canada, 1988: 20).

\footnote{11} This report also recommended building qualitative criteria into the CRTC’s point system for Canadian content.

\footnote{12} As this was being written, the CBC announced the most serious cuts in its 65-year history, as the result of an accumulated shortfall in revenue. Required to economize CAN$108 million (nearly 10 per cent of its operating budget), the corporation ceased all local television production other than supper-hour and late-night news in some centres and laid off some 1,100 employees. Ironically, announcement of the cuts was made on the same day that Canada’s long-awaited new Broadcasting Act was finally adopted in the House of Commons.
identity, it must assume the costs entailed by the operation of a public enterprise producing quality programming’. (Tremblay, 1985: 27)

The CRTC has, over the years, been relatively vigilant with respect to the CBC, but its rigorous demands have been meaningless, as it is not the Commission that controls the pursestrings, while for the government public broadcasting is too often seen as strictly a means to an end (Raboy, 1990a). Nonetheless, the Commission has provided some clear indications as to the possible character of quality public service programming. As early as 1974, the CRTC was trying to ease the CBC away from the temptations of commercialism:

... it is in terms of the greatest possible variety of human experience, expression and conception that a public broadcasting institution should define, select and organize its programming. The goal should be to maximize, not the audience for every programme, but the viewers’ chances of discovery, understanding, participation and cultural development. (CRTC, 1974: 15)

Perhaps its finest statement on the subject was this one:

The CBC must recognize that it will never win in the ratings game and that it will not consistently have a mass audience in the foreseeable future. Its standard has to be a qualitative one: it is not the number of people watching a programme that matters, but the importance of the programme, and the cultural situation of the people who are watching it. (CRTC, 1977: 14–15, emphasis added)

This raises the question of what one might call audience polymorphy: the fact that one can have different standards of audience measurement depending on what it is one is trying to measure. The CRTC itself raised this question in a 1980 report, where it asked how large one should expect the Canadian presence to be on Canadian television, and how one could measure its effectiveness. Quantitative content requirements had not been successful at getting Canadians to watch more Canadian programmes, the Commission conceded, nor had they resulted in quality productions. Some Canadian programmes had wide audience appeal, but it was difficult to label them quality on this basis alone. (CRTC, 1980: 28–29)

In its most recent decision renewing the CBC’s television licences, the CRTC called on it to be ‘a distinctive service of quality, truly Canadian’ (CRTC, 1987b: 108)\textsuperscript{13}. According to the corporation itself, ‘CBC must provide a service that is sharply, identifiably different from the values of American commercial television’. (CBC, 1985: 18; see also, CBC, 1983). But as one of the most important Canadian public interest groups concerned with broadcasting, the Institut canadien d’éducation des adultes (ICEA), argued in its brief to the 1986 federal task force, the problem with Canadian broadcasting derives from the steady deterioration of the quality of

\textsuperscript{13} This decision lists 19 specific areas in which the CRTC expects improved performance by the CBC.
Canadian programming, and its tendency to reproduce the American model. This, according to the ICEA, is a more serious threat than the invasion of US products. The ICEA called for the assertion of a renewed public service approach to broadcasting, in place of the economic and industrial approach that had gained the upper hand through policies designed to introduce new services while increasing the volume of Canadian production. For this organization, 'programming quality can be judged ... not as a function of elitist criteria but in relationship to the attainment of sociocultural objectives: the diversity of viewpoints expressed, balanced news reporting, the enrichment of Canada’s cultures and their distinctive features, etc ...'. (ICEA, 1985: 5)

Ultimately, as the preceding statement implies, the question of quality can probably best be dealt with by viewing the overall environment in which broadcasting takes place as one of public service. That is, in fact, one way to interpret the meaning of the opening clause of Canada’s new broadcasting policy, which states that ‘the Canadian broadcasting system ... provides, through its programming, a public service essential to the maintenance and enhancement of national identity and cultural sovereignty.’ (Canada, Statutes, 1991, 3.1.b., emphasis added) During the review process of 1985–90 that culminated in the new policy’s enshrinement in a rewritten Broadcasting Act, dozens of groups representing women, ethnic minorities, native people, the handicapped, and various social currents intervened in support of this fundamental principle.

IV. Quality as an object of research

Compared to the literature on the legal and regulatory framework, and that emanating from the various institutions that deal with broadcasting in Canada, formal research on the question of quality is sparse and uneven and can not be said to constitute a coherent ‘body’. Having said that, however, it is important to recognize that a certain amount of academic research has addressed the issue, and that a number of studies are remarkable insofar as they shed new light on the question.

Much of this research was conducted on behalf of one or another of the government bodies that have examined broadcasting over the years. The CRTC and the 1986 federal task force relied particularly on commissioned research, some of which is of interest to us. A small number of studies originated in public interest organizations, and the rest is the result of independent academic inquiry. 14

Speaking very broadly, federally commissioned research has tended to approach the question of programme content from a perspective of ‘high national policy’, with the result that the greatest part of this work speaks in one way or another to the pre-

14 A complete analysis of this was provided in our final report to the NHK.

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occupation with Canadian content. In response, a good deal of independent academic research has sought to discover the 'effects' of our well-known overexposure to American culture. Nonetheless, some very important work – both commissioned and independent – has been driven by the attachment of a social value to broadcasting. Our national concerns are so omnipresent, however, that even this socially-driven research on broadcasting quality invariably frames its problem in terms of what Canadian broadcasting should look like.

As we saw earlier, there is now general agreement in Canada that the regulatory approach of requiring broadcasters to include a certain percentage of Canadian programming in their schedules has had little impact on programme quality. Studies published as early as the mid-1970s showed the ineffectiveness of CRTC intervention with respect to meeting the stated objectives of its mandate. (Babe 1976; Babe, 1979)

The literature, however, shows an important degree of polarization regarding the perceived significance of this state of affairs. Throughout the 1980s, much attention was paid to the match between programme supply and programme demand (eg Hoti, 1981; Harrison et al, 1985). Are Canadian television viewers getting what they want? Or are they merely consuming what they get? We can not answer this question, which has been persuasively argued, with empirical evidence, from both sides.

The point here is to note the extent to which this has been an ideological debate. One of the best examples of the view that content quotas have not been successful at increasing the consumption of Canadian production is to be found in the work of Globerman (1983, 1987), who situates himself clearly in a framework of economic liberalism, and uses this case to argue for less state intervention in cultural industries in general. On the other side, one finds a researcher like Audley (1983), who argues that Canadian programming will be watched, if enough funding is provided to make it competitive.

The latter view has, at least temporarily, prevailed in Canada – mainly because it responds to a coalition of interests, ranging from the cultural nationalist to the entrepreneurial. Interestingly, in the 1980s, the Canadian version of the worldwide phenomenon of 'privatization' in broadcasting was manifested by a shift in emphasis from the distribution to the production of Canadian programmes. (Canada, 1982; Canada, 1983)

This general policy struggle has had an important impact on the debate over quality, and the way that quality is measured and perceived. There is an underlying assumption in much of the recent literature that programme quality is basically a financial issue. This assumption is found across a range of studies with otherwise different objectives. Here, studies of the economics of television production (eg Hoskins and McFadyen, 1984), find common ground with studies of the public service ideal (Tremblay, 1985): quality programming comes down to a question of money.
It is of course reasonable to assume that the more resources one puts into broadcasting, the more likely one is to achieve positive results — although financing alone is clearly no guarantee of quality, as the example of any number of expensive flops can remind us. Also, a certain notion of democracy (that industry language has dubbed ‘consumer sovereignty’) enables us to see virtue in popularity, although again, this is no certification of quality — unless we choose to define quality in those terms.

The problem is that these studies do not enlighten us as to the substantive question: what is a programme of quality? (For which we have no cause to criticize them, as that is not the question they set out to answer.)

Meanwhile, another set of studies approach the problems of broadcasting from the perspective of poorly served segments of the population. Among the studies commissioned by the 1986 task force were reports on linguistic minorities (McLeod-Arnopoulos, 1985), aboriginal people (Stiles, 1985), ethnic groups (Spiller, 1985) and women (Potvin and Diamond, 1985). Here, quality is assumed as a social value.

The approach taken by these studies is more systemic: broadcasting should offer adequate representation, specialized services, and employment opportunities for all. To the extent that Canada is a multi-faceted society, this implies diversity in programming, a certain specialization in audience-targeting, structural provision for specific services, and regulatory mechanisms to check against abuse.

Pressures from the various groups during the 1980s has led to inclusion in the new broadcasting act of a clause that reflects and speaks to these concerns (see Raboy, 1990b). From this we can extrapolate a general definition of quality programming as programming that provides fair representation of all social and cultural groups in society.

A related approach opposes the ideal of public service broadcasting against the increasing commercialism of both public and private sector broadcast industry. Here once again, it is extremely difficult to tie an empirical notion of quality to any particular programme or type of programming. The Canadian literature includes some interesting examples, however, of reform proposals which, implicitly, would be assumed to lead to programmes of quality. The proposals made by the Institut canadien d’éducation des adultes to the 1986 task force were along these lines (ICEA, 1985). Particularly interesting, in light of the source, are proposals for closing the gap between broadcast professionals and their publics emanating from the CBC producers’ association (CTPDA, 1983). Finally, treating social movements in general as a disempowered group with respect to broadcasting, a project at Carleton University proposes the development of ‘alternative news indices’, whose inclusion by mainstream broadcasters would reorient their mode of address to society at large (Dorscht, 1989).
Most audience measurement studies in Canada have been designed to respond to either high policy or industrial preoccupations and have generally little to say about the subject that interests us. A small number of sociological audience studies are worth mention however. Caron (1983), for example, reports that the effect of foreign programming on audience ‘national’ consciousness in Quebec seems to fall between the ‘alarming’ and ‘reassuring’ statements that polarize the media imperialism literature internationally. One should neither blindly accept nor reject the argument. This seems to be confirmed, with an interesting twist, in a recent cross-national comparative study by Gerlach (1990), who found a definite link between viewer attitudes towards television and programme choices, on the one hand, and the national origin of the television offer on the other.

Among the most interesting Canadian studies on the relationship between content and its audience were those commissioned by the CRTC during its 1977 inquiry into CBC news services (Canada, 1977). In one of these, Osler (1977) found that Canadians tend to view their world from a regional perspective (as Ontarians, westerners, Quebecers, etc) and were mostly concerned with regional and local issues, while their major news institution, the CBC, presented an overwhelmingly ‘national’ view. In a second study, Siegel (1977) found that English and French language television news presented two distinct and different views of the world (and especially of Canada!), although the newscasts seemed to play a very small role in shaping viewers’ norms and values. At the same time, however, a third study by the polling agency CROP discovered that audiences found their news programmes ‘credible’ and, in fact, equated credibility with quality. (CROP, 1977)

Other studies of ‘geographical’ questions in news coverage include those done by Kline (1981) and by Desaulniers and Sohet (1980b). In general, these studies confirm the soft relationship between origin of news material and national identity. As De la Garde and Ross (1984a, 1984b) found in a series of broader studies on audience use of cultural products in the 1980s, the cultural specificity of an audience is more likely to be tied to the social situation of its members than to the national origin of the material they consume.

These studies still leave us a good distance from a concern for quality. In fact, we discovered no empirical study prior to 1980 that took broadcast programme quality as its explicit object of study, and only one that implicitly addressed the question. The latter was a study of news programming as a site of reality construction, sponsored by the ICEA (1979). Based on research by a team of academics (Desaulniers and Sohet, 1980a), the core of the study was a content analysis of public and private sector television news, with particular emphasis on labour coverage. The results enabled the sponsors to come to a severe conclusion:

Theoretically, television news aspires to be the site where, daily, one sees and learns how social history is made and how it is constituted. But ... analy-
sis (shows) that television news is 'a popular tribune' profoundly negative to life and the dynamics of social history. In fact, it is a site par excellence for teaching, without saying so explicitly, that we are subject to fate, to the governance of specialists and politicians, to events, decisions and opinions that appear to have no connection with one another. Television news is a show that one watches without the means of knowing that it concerns our lives. And yet, are not citizens—in their families, neighborhoods, work and leisure activities—social actors, without whom there would be no economic or social life, no conjuncture, no history or events? (ICEA, 1979: 41)

Now, a study such as this is clearly rooted in the context of the late 1970s, and its conclusions are similar to those one finds in the international sociocritical literature of the period. In the 1980s, however, Canadian critical research has been more closely tied to policy issues. In this vein, we should take note of two studies that did attempt, at last, to address the question of quality directly, by developing methods for measuring it against the formal obligations enunciated in Canada's official broadcasting policy.

As part of its programme of research, the 1986 Task Force on Broadcasting Policy commissioned a study of 'performance programming' in the Canadian broadcasting system (drama, variety, arts and documentary programming). The study was merely supposed to provide a statistical profile of programming available in the relevant categories on Canadian television, but the authors took it beyond their mandate, situating their empirical findings with respect to the principal issues surrounding Canadian television programming. The authors described their study this way:

...first, we look at how Canadian programming organizes itself in terms of production format and artistic genre, which network broadcasts what, and who and how is producing what ... We elaborate on this connection in our second step when we look at the individual programmes. We will establish programme profiles in order to link the quantitative data to the presence or absence of cultural markers. We will use a close textual description which will start out with production background data, move to a description of how each programme is constructed, how it is distinct from others of the same format or genre, and how it is culturally effective within the present Canadian context ... this analysis can be linked to the institutional arrangements, organizational features, and financial structuration of their production and distribution. (Bruck et al, 1985: 13–14)

The key to the qualitative evaluation lies in the 'cultural features' section of each programme profile, where the analyst confronts the textual complexity of the programme with his or her perception of its relationship to the surrounding social context. This necessarily relies on a rather sophisticated level of analysis, as the analyst is called upon to play the role of a good TV critic. The obvious limitation imposed by
the analyst’s subjectivity is countered by the transparency with which the detailed comments are presented. One example:

To the extent that ‘quality’ might be defined strictly in terms of production values and the professionalism of those involved ... *Danger Bay* is high-quality programming. It is comparable in these respects to prime-time American dramatic programming, but lacks the intensity or lurid qualities of American crime dramas. This is no doubt the result of the programme’s intended audience and the involvement of the Disney Channel as much as it is due to a specifically Canadian tendency to avoid these characteristics ...

The second study I wish to mention here focuses on news and public affairs programming (Boyer, 1990)15. This study has the distinction of explicitly addressing itself to the question of quality. First, it proposes a set of criteria based on the principles found in official documents on the role of the press and the social responsibility of journalists with respect to the public’s right to be informed, as well as the general objectives of Canadian broadcasting. On the basis of these criteria, the researcher and his team have developed a complex coding instrument which is currently being tested.

Thus, this research aims to verify whether information programming ‘reflects the reality of the various social and regional milieux, translates in a balanced manner a diversity of viewpoints on questions of public interest, and provides a fair representation of women as well as various minorities, without presenting a stereotyped image of them’ (Boyer, 1990: 2). As the reader will recall, these criteria are drawn from the policy article of Canada’s Broadcasting Act and various policy statements of the CRTC.

The obviously interesting aspect of this study lies in the fact that it begins at an objectively verifiable starting point: the official mandate of broadcasting. Quality is thus deemed to be what the state and its agencies have determined to be the ultimate social purpose of broadcasting. While the mandate does not constitute a ‘definition’ of quality, it does supply a set of criteria against which programming can be evaluated. It also provides a basis of legitimization for eventual calls for reform.

The two studies I have referred to here are particularly interesting in light of the NHK project because of the universality of the two methodological handles they provide: (1) every country has a more or less well defined corpus of official (legal and regulatory) literature from which a set of criteria pertinent to the question of quality can be culled; and (2) every country has a set of issues regarding broadcasting that have been the object of institutional and political debate. In any country, programme texts can be ‘read’ against these criteria and with respect to these issues.

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15 This study was part of a broader project on the evolution of French-language television in Canada, sponsored by the ICEA.
The extent to which pertinent criteria and relevant issues are found reflected in broadcast programmes can provide a crude measure at least of programme quality.

V. Conclusion

Any attempt to define what one means by broadcast programme quality must necessarily begin with the function a society ascribes to broadcasting in the first place. There is simply no way to escape that fact. Thus, to the extent that the broadcasting system is itself in a state of transition or a contested terrain, it will be difficult to come to agreement on what actually constitutes a programme of quality. As we saw in the Canadian example, questions such as 'cultural distinctiveness', or 'fair representation' can be criteria for measuring quality — to the extent that one accepts these values as important for broadcasting to reflect.

Even where such values are codified in laws and regulations, there will still be a need for questioning their institutional application. There will therefore be a continuing need for quality assessment and evaluation, regardless of the operational definitions adopted in any system.

As I stated in the introduction to this article, the relative importance attached to prevailing value assumptions regarding broadcasting quality needs to be reversed. We need to begin thinking about the moral and ethical environment in which broadcasting takes place, as well as the economic, political and technological issues which have dominated the discussion of broadcasting and broadcasting quality. If this were to occur, the assessment of broadcast programme quality would be based on criteria such as the following, more or less in this order:

1. public service ideals (as the basis for all broadcasting);
2. professional standards (favouring ethical ones over technical ones);
3. official policy objectives (reflecting the concerns of society rather than the state); and
4. audience criteria (redefined to take account of more diverse factors than the simple head count).

Ultimately, societies divide along the lines of their members’ relative degree of satisfaction with the way things are, or their desire for change, and what kind. Broadcasting has a role to play in facilitating the unfolding of the resulting social struggles. The extent to which any system plays this role is perhaps the best measure of its quality.

References
