Like the buzzword of ‘informatisation’, there has hardly been an agreement on the core meaning of the term ‘governance’---conceptually and operationally. In fact, some observers find ‘governance’ to have gained currency precisely because of its ‘pliability’ i.e. its capacity to simultaneously draw attention to a range of---often unspecified---issues. In its earliest coinage in the late 80s, with the adjective “good”, the phrase ‘good governance’ entailed a highly normative standpoint on the protocols and procedures of decision-making by formal institutions. This donor-directed discourse on governance focused on structures of the state---usually the state in the South---and sought to ensure due processes of law, and related constitutional safeguards. Specifically under the World Bank, the agenda was observed to extend to new domains wherein an interlocking set of disciplinary procedures regulating both, state and civil society were sought.

The proliferation of de-regulation and privatization in many countries, provided another incentive for the circulation of the term. Here, ‘governance’ did not pre-judge the locus of actual decision-making, by suggesting the state was the sole structuring fulcrum. Rather,
governance referred to the coordination between—and sometimes within—institutions from the spheres of state, market and civil society. This imparted an understanding of governance that is intimately connected to that of networks—an other term with an equally complicated, diverse and contested etymology in media studies.7

From the mid-1990s, there was a growing unease to the perception of governance as a truism, as an unquestioned alternative to standing ways of thinking about the object and process of policy formulation. One appeal of governance was that it could bridge the dualism in which we have been conditioned to think about on the one hand, ‘politics’ and on the other hand, ‘administration’—since we lack one term connecting these two distinct yet overlapping spheres. This makes us wonder whether there is more purchase in apprehending the idea of Governance as a ‘critique’ of the ‘crisis’ of governmentality—or more specifically, a critique of the limits of late-modern governmentality. Most critical standpoints on governance share one, positive, sensibility i.e. they enable us to re-focus on how ‘political processes’ are embedded and conducted within larger structures. In doing so, they inspire a shift in emphases from democracy—often normative and abstract—to the practice of democratisation.

A mapping of institutions, instruments and actors in the sphere of Communication in India helps us identify the fulcrums of governance marking this sphere. The need for such an exercise arises in India due to two inter-related reasons: first, the radical and intense transformation in the dynamics of information and media over the last two decades. These transformations, pertaining to the structures of communication and processes constituting them, continue to imprint various facets of contemporary India. Secondly, it is equally motivated by the inability of Communication Studies, amorphous and stunted as it has been in India, to systematically engage with this transformation.

Interestingly enough, in both instances, what attracts attention is the problematic of governance. In the first instance, it emerges as the challenge of governmentality being faced incrementally in various domains—by the state, within the market and in civil society, engulfed as they variedly are in the evolving dynamics of communication. In the second instance, the problematic concerns the persistence of a blind spot in teaching and research in Communication; this is principally because standing emphases—thematic, conceptual and theoretical—are delinked from a critique of the evolving milieu.

In other words, in mapping the sphere of Communication today, the centrality of governance gains credence on both, operational and epistemological grounds. Consequently, exploring the fulcrums of governance involves, at the operational level, identifying key juro-administrative mechanisms, stakeholder groups and civil society initiatives that have come to shape the framing and functioning of public policy. Simultaneously, it involves unravelling the salience of, and silences in, the field of Communication towards demarcating a renewed canvas for future engagement and intervention.


8 both terms used in the Habermasian sense.
The buoyancy of communication as a historical phenomenon and intellectual pursuit is often said to have been shaped by the advent of new information communication technology. The rapid development of and investments around these, often inter-related, technologies has brought about radical changes in production and distribution patterns, terms of trade, employment and livelihoods. Clearly the changes underway—and there are some significant ones—in the realm of media and their enabling milieu call for being examined without a nostalgia for the ‘traditional’ or a euphoria for the ‘trendy’.

The core of any such examination rests on evaluating how the articulation of the varied activities clubbed under the umbrella term ‘media’ have played out, and will play out. At one level, the social contexts and economic grounding of media technology and institutions in our times has many a commonality with those of the past. But another level, the evolving technoeconomic complex of the media entails something radically novel, and thus its articulations cannot be always viewed, or predicted, on the basis of historical precedents. These reflect the merging of existing social processes and intellectual conceptions, with the beginnings of fresh ones. It thus becomes crucial to locate points of reference that enable us to comprehend the breaks and continuities of this period.

We may begin by asking what is substantially new in the milieu of communication in our times?

It is significant to recall that the telegraph during the mid 19th century stood for many of the aspirations and possibilities in the sphere of information flows that are attributed to the Internet today. Similarly, telephony during its infancy held out much the same promise that is currently attributed to a variety of telecommunication applications. Leading national governments of the time negotiated a series of international agreements specifying the use of radio frequencies, thereby establishing various types of rules to meet specific public objectives and policy requirements.

These apart, until the last decade and a half, communication policy the world over had grown within the twin frameworks of geography and sparseness. That is to say, our understanding of this field had proceeded largely within a territorial framework of the nation-state. Consequently, although approaches to media governance traditionally spanned from the authoritarian to the libertarian, virtually every system in the world developed within a regime that was circumscribed and characterised by a large degree of national regulation. Accordingly, policies were formulated, resources were allocated by both the state and market, laws and legislations conceptualised and, importantly, academic courses were shaped.

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The history of state intervention in the information technology sector may be traced back to the 19th century telegraphy. In response to the advent of first generation of communication-information technology, the *Telegraph Act, 1885* imparted the Central Government with the exclusive privilege of establishing, maintaining and working the ‘Victorian internet’—the telegraph system. Similarly, following the proliferation of wireless telegraphy, the *Indian Wireless Telegraphy Act, 1933* was initiated to control the flow of message; on matters of granting licenses and permission to use this new technology, the *Indian Telegraph Act, 1885*, continued to operate as the relevant instrument.

With the proliferation of publications, photograph and recorded music by the end of the first decade of the 20th century, the *Copyright Act, 1914* came into being. Also covering aspects of other performative and material arts, it was the first time that new concepts associated with the mechanisation and mass production of cultural commodities—such as ‘adaptation’, ‘artistic work’ and ‘author’—were engaged with in jurisprudence and operationalised through a specific legal mechanism. The modifications in 1957 saw issues concerning the ownership of copyright and the rights of owner being further streamlined, as also changes in the term of copyright in published works, and the rights of broadcasting organisation and performers.

Following the advent and popularity of silent films, the *Cinematograph Act* was passed in 1918. With minor modifications and a major change—penal provisions being with state governments since exhibitions of films became a State subject post-1947—*independent India enacted the Cinematograph Act, 1952* to administer cinema. For the purpose of scrutinising and sanctioning films for public exhibition, the government also constituted the *Board of Film Certification* to control and regulate film content—where for the first time district magistrates were granted powers to both, grant licenses and regulate screenings. Though renamed as the *Central Board of Film Certification (CBFC)*, statutes derived from the *Cinematograph Act, 1952* and the *Cinematograph (Certification) Rules* (promulgated in 1983) govern the mandate of the Board.

Today, in some instances national media laws are in flux, while in other instances are severely outdated. Global organisations like the World Trade Organization have often superseded national bodies as supreme instruments of policy definition and enablement. While some regional blocks like NAFTA constrain the capacities of participating states, others like EU increase the complexity of decision making processes; paradoxically, in both, the nation state continues to be the main location for debates on communication policy. Thus, the new environment is also characterised by the fact that communication policy is formulated across a range of sites, which hitherto denoted distinct geographies and jurisdictions. Specific policy issues, such as copyright or property transactions, often typify the conflicts between jurisdictions—within a country (such as US), in a regional block (EU) or across many countries (WTO).

What also distinguished the era of the telegraph and telephony—and subsequently that of terrestrial (radio and television) broadcasting—is that regulation was hinged around the logic of information and channel scarcity.

Today’s media environment is characterized by information abundance and multiplicity of platforms—not to forget, the tremendous increase in the role of private stakeholders. Media density—viz. quantity of media channels, varieties of data flows and genres of technologies—together with the complexity of the underlying infrastructure and people’s engagements—within and across national borders—have sculpted varied levels of a shared public world. Rather than making a policy framework unnecessary, the scenario of media density—together with the fresh issues they generate—requires us to think towards a new paradigm of communication policy.

**Traditional Domains & Issues**

**NEWSPAPERS**  
The oldest trade association in the communication industry in India is the *Indian Newspaper Society* (INS) established in 1927—a London-based organisation representing newspapers, magazines and other journals published in South Asia. Almost immediately thereafter the

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need was felt for a coordinating body in British India, comprising proprietors of newspapers, to deal
directly with day-to-day problems of newspaper production. The resulting *The Indian & Eastern
Newspaper Society* (IENS) came into being in 1935, which also served to collect information on all
aspects of business interest for its members. Much later the *Newspaper Association of India* (NAI)
came into being as an umbrella organization of over 3000 members representing small and medium
newspapers.

**CINEMA**  
Trade bodies representing cinema, the oldest and omnipresent sector of the media
industry, have had a chequered past, in both late-colonial and post-colonial India. About 50 years ago,
when this sector was structured around the Studio system, some of the leading directors established
*The Film Producers Guild*—which has since metamorphosed into *The Film & Television Producers
Guild of India*. But today, the *Indian Motion Pictures’ Producers Association* (IMPPA) remains the most
vocal body; in the last decade, its most successfully intervention concerned the according of ‘industry’
status to cinema, in 2001. However, within the sector, the more powerful body is the *Indian Film
Distributor Association* whose members—while being crucial investors in film production as is the trait
in cinema globally—have periodically squabbled with large film producers over revenue-share,
something aggravated with the advent of multi-screen theatres.

**MUSIC**  
An under-emphasised sector of the media industry is recorded music, whose significance
lies as much in its own dynamism as in it being a crucial ancillary to other sectors—viz. the cinema,
radio, television and increasingly, telecom. Since the music sector was amongst the earliest to benefit
from liberalisation & deregulation, its trade body, *The Indian Music Industry Association* (IMI) has
rejuvenated itself to meet the challenges of the evolving political economy. The IMI is a consortium of
over 50 prominent national and trans-national music labels, which together constitute over 75% of the
output in the organised segment of this industry. Over the last five years IMI has been relentlessly
concerned about piracy—about which its fears & allegations are often unfounded—and the uneven rate
of sales taxes on music products across various states. While it has also been at the forefront of
negotiations with FM stations, Internet portals and Telecom sectors to arrive at mutually beneficial
models of financial and copyright governance, in this process it has failed to carry along other interest
groups, especially the *Performers Rights Association*.

Apart from media density, albeit as a consequence of it, the new milieu has also given
birth to institutional dynamics.

New technologies of communication have not only assumed a central place in the
industrial network but are equally at the heart of the strategies of reorganising many existing
relationships: between the state and citizens, local and global powers, producers and
consumers, and that between experts, administrators and beneficiaries. Throughout this
unfolding, new historical actors have emerged as much in the spheres of industry and trade.
Largely as a consequence of this, new vocabularies have been added and appended to the
al. Simultaneously, existing vocabulary representing age old concerns in the social sciences—
long neglected in communication studies—have come to the fore in the latter.

Often such classical problematics have been rigorously debated within the realm of
Communication, the prime example being ‘Culture’. In the field of Communication it is
increasingly realised that the problematic of ‘culture’ is less about the legacy of art (the
aesthetic claim to culture), or the essentialist qualities of symbolic practices (the
anthropological claim), or even the size of markets for mass-produced commodities (the
industrial claim). Instead, the significant issue arising from the present milieu pertains to the
possibilities and opportunities available for most to participate in forging new cultural forms,
practices and artefacts—or, radically altering existing and emergent ones.\(^1\)

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\(^1\) For, a culture persists in time only to the degree it is inventing, creating and dynamically evolving in a way that promotes the
production of ideas across all social classes and groups; thus, the most significant question about any culture is the inventive and
creative capacities that respond to the present; see G. Poitven (2007) ‘Negotiating Modernity with Symbolic Resources’, in
B. Bel; J. Brouwer, B. Das, V. Parthasarathi & G. Poitven (Ed.) *Communication Processes—Vol. II: Dominance
and Defiance*; Sage, New Delhi.
Permissible Foreign Direct Investment (July 2005)

<table>
<thead>
<tr>
<th>Permissible Foreign Direct Investment</th>
<th>Cinema</th>
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</thead>
<tbody>
<tr>
<td>Advertising &amp; PR</td>
<td>100%</td>
<td></td>
</tr>
<tr>
<td>Printing Presses</td>
<td>100%</td>
<td></td>
</tr>
<tr>
<td>TV (Non-News)</td>
<td>100%</td>
<td></td>
</tr>
<tr>
<td>TV (News)</td>
<td>26%</td>
<td></td>
</tr>
<tr>
<td>C&amp;S Broadcasting</td>
<td>26%</td>
<td></td>
</tr>
<tr>
<td>Newspapers</td>
<td>26%</td>
<td></td>
</tr>
<tr>
<td>FM Radio</td>
<td>20%</td>
<td></td>
</tr>
<tr>
<td>DTH</td>
<td>20%</td>
<td></td>
</tr>
</tbody>
</table>

Reach of Mass Media, 2005 (Percentage of adult population)

<table>
<thead>
<tr>
<th>Mass Media</th>
<th>All India</th>
<th>Urban</th>
<th>Rural</th>
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<tr>
<td>TV viewers</td>
<td>45</td>
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<td>33</td>
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<tr>
<td>Press readership</td>
<td>35</td>
<td>58</td>
<td>24</td>
</tr>
<tr>
<td>Radio audience</td>
<td>20</td>
<td>21</td>
<td>19</td>
</tr>
<tr>
<td>Cinema goers</td>
<td>19</td>
<td>29</td>
<td>15</td>
</tr>
</tbody>
</table>

With the internationalisation of economies not only are new notions of time and space emerging, but so is new sense of relating to these. Round-the-clock global markets and production systems conceived at the world level, finds it hard to accommodate juro–political arrangements based on the idea of national sovereignty. The conception of a politic sanctioned by a multi-tier, representative democracy, is being implicitly called into question by transnational actors. Significantly, many of these have sought to challenge the singularity, if not centrality, of early 20th century notions and workings of the state.

Prime amongst these have been trade bodies which have proved to be the prime institutional fulcrums of the media industry. In this decade, they have also begun to display varying capacities to involve stakeholders---often with conflicting interests---towards advocating specific policy frameworks.

At a rudimentary level, we may construct three typologies among trade bodies in the Indian communication industry. The first are trade bodies in ‘traditional’ sectors like cinema and press. These, while having existed since the early 20th century, have had a chequered past both, as professional organisations and as sculptors of state policy.

Second are trade bodies representing the so called new media---IT, Mobile Telecom & Internet---which include representatives of the service sector, more than those of manufacturers. While some of these existed in a muted or dormant state from the early 1980s (such as those of hardware/component manufacturers and software producers), they got a tremendous fillip due to LPD policies of the early 1990s. Thus, such trade bodies like NASSCOM and MAIT appear comparatively stronger and more vibrant than before; others like ISPAI & COAI---a response to the advent of new techno-commercial landscape---were born and grew rapidly by riding the wave of the so called ‘communication revolution’ of the late 1990s.

The third set constitutes trade bodies representing sectors that today are in private hands but were for long under government control. In sectors like TV, Radio & Telecom that were monopolised by the government, private producers---involved in varied capacities---had a sparse set of issues around which common cause could be built and policy measures could be shaped. Not only have these emerged as major lobby groups today, but have grown in number---something indicative of the complex and rival interests that have emerged within concerned sectors, the most prominent being trade bodies representing ‘national’ and ‘international’ television broadcasters.

Emergent Fields, Rejuvenated Actors

INFORMATICS India’s most prominent trade body in the communication industry is that representing the IT software and services industries, it has been a strong proponent of private entrepreneurship in the software segment since the early-80s, and of global free trade in general since the early 90s, its members include over 250 global companies from the US, UK, EU, Japan and China. Quite unlike, and much before, other trade bodies, NASSCOM has had a track record of undertaking/commissioning policy studies on various aspects of the software/ITES industry. The
hardware segment of the IT industry is represented by the Manufactures’ Association for Information Technology (MAIT) that speaks for 92% of the organised segment of manufacturers. It must be emphasised that NASSCOM and MAIT—representing leading sector of the so called ‘new economy’—were established and active a decade before the economic restructuring of 1991.

MOBILE As competition has intensified and firms’ diversified, a plethora of bodies have emerged to further the interests of the varied stakeholders constituting this sector. Representing service providers, Cellular Operators Association of India (COAI) interacts with regulators and spectrum allocators, and has consistently lobbied for successive reduction in license fee. It is significant to note that on the principal trade body of the hardware providers, the Telecom Equipment Manufacturers Association of India (TEMA) was created almost a decade before the advent of mobile telephony—in 1990, following first generation ‘reforms’ in the telecom sector during the late 1980s. Many of its member firms have since expanded their operations to feed the nascent mobile telephony market following privatization of equipment production and installation. Today TEMA covers more than 90 per cent of telecom equipment manufacturers, including the plethora of ancillary SMEs—component and cables manufacturers—operating in both the formal and informal segments.

CABLE This segment is a larger revenue earner than broadcasting, cinema and television production. The Cable Operators Federation of India (COFI) has actively espoused the cause of cable and multi-system operators in matters of pricing services like CAS and DTH. It has shown tremendous interest in policy changes on aspects of digitisation and convergence, as its constituency stands to loose the most with the emergence and legal sanction of alternative distribution platforms—wired or wireless—being propagated by sections of the telecom and broadcasting sectors. It has resorted to using measures like strikes and/or blackening out of channels on TV to register their protest against both, government policy and those of specific broadcasters.

FM RADIO The Association of Radio Operators for India (AROI) took up issues of taxation, common charges and levies enforced by various arms of state. Representing the major firms, while it has succeeded in transforming the FM radio sector from a license-fee regime to that a revenue-sharing one, it is subject to mounting pressure from another trade body in the industry—that of the music industry—to create mutually beneficial norms for licensing and copyright in recorded music. Most significantly, the smaller and regional FM operators are finalising a separate consortium to compete with the majors by collectively tapping the national market for advertisements, via offering volume discounts. The consortium looks to take the form of an entity that will negotiate rates for its members, retaining a commission to fund operational expenses.

All this has created a scenario wherein the priorities and emphases of trade bodies—not to forget, their degree of transparency—have come to vary tremendously. Moreover, we observe differences in the ways in which trade bodies in different sectors view and act upon matters of governance—as much within their respective sectors, in their interaction with the state and in response to global/multi-lateral organisations (ITU, GATT, WIPO, UNCTAD). These phenomenon have, in turn, tend to determine the extent to which trade bodies have proved to be successful in shaping public policy, be it together with, or independent of, state instruments.

Today sector-specific trade bodies provide a platform for private players in the communication industry to protect & further their interests, advocate best practices, mediate between several domestic and trans-national stakeholders, and impress upon public policy through juro-administrative mechanisms of the state. Beyond such trade bodies, we also observe the proactive role of specialised cells dealing with the communication industry within apex industry associations (CII, FICCI, ASSOCHAM). Perhaps their most significant role is to provide a forum to address contentious within the communication industry, especially those where the interest of specific sectors run contrary to those of others—such as CDMA Vs GSM, Mobile Vs Internet telephony.

Self-Regulation or Self-Interest

Although issues of cross-media ownership have been on the agenda of policymakers since the early 1990s, regulators and administrative ministries have not addressed concerns in a
coherent manner. In recent years, such concerns have been enhanced as the issue of ‘accumulation of interests’ is deeply intertwined with the scenario of technological Convergence. Yet, the policy framework to address these concerns has remained amorphous and thoroughly lacking in transparency; since the formulation of policies have evolved in an ad hoc and/or even case-by-case manner, the norms for cross-media ownership have been constantly redefined—in fact, the permissible levels of cross media ownership have been overtly or covertly increased.

In this light, it is significant to note that for the first time a trade body cutting across sectors of the media industry has emerged. The Indian Media Group (IMG) with membership from across the mainstream newspaper and television space, was formed with the dual objective of taking up issues affecting the media with the concerned regulatory bodies, as also to monitor developments in the media sector so as to act as an interface between domestic industry and the government.

The dynamics of convergence has led to Trade Bodies being formed across hitherto distinct segments of the communication industry. A significant instance of this is the Internet & Mobile Association of India (IAMAI) that represents firms providing incremental (value-added) services to the once distinct markets of Online and Mobile entertainment. Founded in January 2004 by leading portals, the core of its advocacy concerns recommending standards and practices across technological and distributive platforms.

While it is important for any vibrant democracy that media policy is analysed and debated extensively, two key questions call for urgent address:

How do trade bodies seek to govern/manage the contradictions in the increasingly complex communication industry, whence often policy decisions on technology and commerce essentially constitute a zero-sum game—often between sectors (say, Telecom vs Internet) but normally between players across sectors (producers, distributors, rights holders, manufacturers et al).

In light of constant pressures from trade bodies, essentially seeking to further certain kinds of trade regimes, industry practices and national policies, to what extent has the state been able to regulate the communication industry in the interest of the individuals—both, as consumers and citizens?
Reviews of the last decade of liberalisation and de-regulation have often led to excavating the role of the state in catalysing the ‘India Story’—most amplified in enumerations of the ‘success’ of the IT revolution\(^{13}\). Quite apart from the exigencies of the current economic, essentially financial, crisis, there is a gradual realisation that the state will play an important role both, as a proactive or reactive policy maker, as also by taking a position in the market.

But the way current debates on the state are being conducted has another major disadvantage: it makes the ‘retreat’ of the state a condition for the revival of freedom. It would be more prudent, if not more accurate, to understand such tendencies in the wider context of the legitimation crises faced by all forms of large organisations, private and public. Since the crisis of large organisations is, at one level, also a crisis of image, remedies are sought in new strategies of communication. In order to restore its image the state adopts marketing strategies, with the object of improving the quality of its relationship with the citizen. There is a double paradox here: while the state imports its techniques of personnel and opinion management from the private sector, the latter has been busy investing in forms and practices seemingly similar to public institutions. Apart from ideological instruments like CSR, corporations are involved in projecting a fresh structural interface with society. Widening the “levels of acceptability” for new communication products has led it to bring together inventors, distributors and potential users, and to shape modes of interaction that favour explorations of how social uses of a product could be better formed.

<table>
<thead>
<tr>
<th>CONGLOMERATE</th>
<th>PRINT PUBLICATION</th>
<th>SATELLITE TELEVISION</th>
<th>CABLE DISTRIBUTION</th>
<th>FM RADIO</th>
<th>CINEMA</th>
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<td>Sun Group</td>
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<td>Dainik Jagran</td>
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What is happening within the territory of the nation-state is unintelligible unless understood in the context of deeper tendencies that transcend national borders. This brings us to processes of the redefinition of the role/emphases of the state by, or in response to, pressures by supra national actors: structural remodelling, like the deregulation of national telecommunication and broadcasting systems, being as much a case in point as sharpening juro-administrative mechanisms, as is with copyright and IPR in general. On the other hand, new synergies emerging from the politics of decentralisation has led to an enhanced role of local authorities: the administration of cable networks is but one of the numerous manifestations of this. Thus, important spheres of decision have already no longer the responsibility of the nation state; albeit in both cases, it may be argued that the state is often an accomplice to its dispossession. On the other hand, in remodelling its mandate, technologies of communication and information, as structuring systems, adopted by the state occupy a decisive place. Consequently, we need to recognise that the nation-state, like corporations, has already begun to change. But in many instances the logics now inhabiting it are evidence more of its complicity in being stripped of some of its vital functions.

While the new institutional structures are not yet completely crystallised, it is clear that they will involve a range of actors and will transcend national borders. At this point, the only actor that has been managing to pursue an agenda with anything approaching consistency is the trans-national corporate media; concrete policy developments at every level are still being

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driven essentially by economic concerns. While it is undoubted that recent innovations and applications of communication technology have opened and/or widened possibilities for expression and information, if we are not careful, freedom from state control will be replaced by an insidious form of corporate control. Unlike the state, corporations are not directly accountable to citizens: i.e. neither are their performance regularly validated through electoral processes nor is even a minimal level of transparency feasible thru legal instruments. With radical changes in economic policy and priorities in the early 1990s overlapping with the emergence of new technologies of informatics and media, a new institutional dynamics began emerging.

**Trajectories of Re-Regulation**

In the initial-run, the state’s response to the new dynamics was operationalised through the executive (via a Policy or passing an Ordinance)—rather than the legislature (i.e. through new or amended Acts). The *National Telecom Policy of 1994* provided the guidelines to administer the privatisation and/or de-regulation in the telecommunication industry—principally, stipulations on and mechanisms of attracting foreign (direct) investment and stimulating domestic investment. These measures were enhanced through the *New Telecom Policy 1999* which also addressed aspects of pricing mobile services, manufacturing equipment, universal obligation, and timelines on further deregulation.

The apt illustration of the Ordinance-route adopted by the government to address new technology was Cable-distribution. It was through a number of knee-jerk and/or ad hoc ordinances that the distribution of broadcast signals through cable operators was initially orchestrated. Although the *Cable Television Network Rules, 1994* laid down the first set of guidelines for this important segment of the broadcast sector, it matters of ownership, pricing, mandatory feeds and foreign investment continue to migrate between several organisational jurisdictions.

Conditioned by the altered macro-economic milieu, the management of segments of the communication industry moved out of the hands of the concerned administrative Ministries. International bodies and national firms alike demanded that the state could not partake as both, the arbitrator and commercial player—the latter on count of certain administrative ministries managing revenue-earning, public-sector entities like MTNL, BSNL, (the former) VSNL and quasi-governmentals like Doordarshan and AIR. From such gestating sets of interests materialised the kernel of a landmark regulatory instrument, the *Telecom Regulatory Authority of India Act, 1997*.

Initially, the Act was a response to the geometrical expansion of the telecommunication sector, and the accompanying challenges for a host of stakeholders, across a range of services. Subsequently, since TRAI was the sole regulatory institution in the communication industry it became, by default, the de facto regulator for other sectors. The underlying rationale was that since, like telephony, other sectors also hinged around the transmission/reception of data, and disputes over and competition between technological formats, TRAI could play the role of an arbitrator. However, the only regulatory parameter common to these diverse segments and services is the allocation of electro-magnetic spectrum—to both, specific segments and, consequently, to individual commercial entities within each segment.

Apart from state and corporate practice, transformations in the media milieu have also spawned a plethora of initiatives in civil society. These have gained momentum due to the growing realisation of the importance of communication both, as an instrumental and substantive activity. To a large extent, this has been buttressed by the easier and affordable availability of basic media technologies, together with the expanded attention to, and funding of, communication activities by bi-lateral and multilateral organisations. More recently, there has also been a trend of various kinds of stakeholders from the media industry getting involved in civil society practices, and conversely, segments among the latter have sought to develop congenial relationships with media companies. While a range of new nongovernmental organizations have identified the media as essential to the development of a democratic public sphere, the broader public has yet to identify this area as being on an equal footing & priority with, say, health care and education.

The concept of the right to communicate was often referred to during the Non-Aligned Movement and UNESCO debates related to the New World Information and Communication Order (NWICO) and was most cogently expressed in the MacBride Commission’s report ‘Many Voices, One World’. Advocates for this right expressed the need to build on and
strengthen ‘Article 19’ in the Universal Declaration of Human Rights in the light of, inter alia, rising concentration in media ownership. With the cessation of UNESCO support for NWICO in the early 1980s, inter-governmental space for a global civil society inspired by communication rights shrunk. Thus, precisely during the period characterised by what was a global turn towards media liberalisation, privatisation and de-regulation in the 1990s, there was little or no civil society-based resistance to what the proliferation of global norms. What did emerge, however, from the end of the 80s, was a renewal of earlier concerns in the guise of thinking and practice of ‘alternative’ media. These came to receive traction domestically when such initiatives sought to align themselves with the political and cultural practices of new social movements in the 1980s. In the following decade, a number of media ‘networks’—professional & issue-based—at the national level were established. These two thrusts contributed in creating a fertile ground for the seeding of community media projects in India.

### Community Radio in India

Broadcasters and producers of audio-projects have taken the debate of liberalizing the licensing of radio frequencies and question of access lots of radio associations have come up in the last few years lending the much needed push the medium needed. Since the implementation of the Community Radio Policy 2002 and 2006 the government has been allowing licenses to campus radios and Agricultural universities as well as NGOs who have been associated with communities over a sustained period of time. Even as the government claims that the CR policy has been liberalized major reforms are needed before the poorest of the poor in the most difficult to reach places in the country can benefit from the movement. Like elsewhere in the world particularly in Sri Lanka, Nepal, rural Africa in India as well CR activists have formed an association to voice out their concerns, called the Community Radio Forum, through regular exchanges amongst its members it helps bring out issues crucial to the propagation and sustainability of the CR movement. Members help each other with their own experience of setting and running a CR stations, exchange notes on the hardware as well as the content production of community initiatives.

Evidently, this decade-old trend is for the most still fructifying and is predominantly on count of, and entails, ICT interventions. But it has gradually sought to create ripple effects among other, contiguous developments, as much as the latter have come to impel upon the former. These national efforts were also variedly, and sometimes conditionally, complemented by international efforts aimed at the reform of global and cross-national media systems. While in the 90s some of these found a locus around traditional issues in the media spawned by contests around GATT and WTO, the initiatives of WSIS and subsequently IGF in this decade have imparted a different spin, and canvas, to the cause. Nevertheless, one must admit that unlike in human rights, the environment, global trade and women’s empowerment where transnational civil society have played a formative role in global agendas, their contribution to global media governance is only recently emerging.

One of the difficulties in getting clarity about the plethora of initiatives in alternative communication, community media and trans-national initiatives is that they represent diverse interest groups and practices. Broadly, these initiatives may be captured with the help of conceptual frames ranging from “media reform” to “media justice” to “communication rights” to “media democracy”, which together provide a fresh thinking to understand media initiatives as a social movement.

This then may provide a totally different motivation to reformulate the questions and canvas of media policy. For, more often than otherwise, the notion of media policy is conceptualised as though it were limited to the government or/and other formal apparatus of the state. In this context, it is significant to recall that the modes of organisation and political tactics of the Right to Information (RTI) movement has progressed beyond the focus on accountability; from the early years itself, the focus on pursuing rights was observed to alter the governance framework, rather than simply ‘protesting at individual acts of government.

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15 P. M. Napoli (2007) ‘Public Interest Media Activism and Advocacy as a Social Movement: A Review of the Literature; Report prepared for the Media, Arts and Culture Unit of the Ford Foundation (Draft), Donald McGannon Communication Research Center, Fordham University, New York.
The global communication rights movement needs to be open to such articulations from below, and be ready to re-define the project of communication rights in the light of such articulations.

**RTI, from Movement to Law**

From a citizen’s perspective, its kernel lies in the fact that the impetus for this began through struggles to land, livelihood and wage rights. While corruption was among initial issues that was exposed, the need for transparency, accountability, and openness led to the scrutiny of higher levels of government funding, policies supportive of secrecy and institutions that were outside the purview of public inspection.

In 2002, the then government introduced the Freedom of Information Act, subsequently, amended by the present government to become the Right to Information Bill (2004). In spite of these welcome measures, opportunities for popular participation in democratic governance and social change have been seriously compromised by a number of caveats and over-bureaucratised enforcement procedures that do have the potential to stymie the pace and nature of change. While the 2002 variant included under its remit central, state, district and local level information and an enforceable penalty clause, the 2004 Bill limited the right to information to “only information available with the Central Government and Union Territories” and has diluted the effectiveness of the penalty clause for those who refuse to be transparent.

At local levels, the right to information as opposed to say the more abstract right to communication has become a proven, essential human right in the sense that it has become the basis for prising open other rights and entitlements denied to people. Notwithstanding variations in these legislations in terms of the caveats, exceptions, exemptions and procedures for redressal, the nation-wide espousal of the RTI movement remains a unique footnote in the history of the democratisation of information in India.

The multifaceted trends which one has tried to grasp empirically and comprehend analytically, pose some fundamental challenges to longstanding policy objectives of access, equity and/or public good. The overriding problematic in contemporary communication is thus that of ‘governance’: how and where will decisions about the future be determined and, crucially, who will be involved in these processes?

The field of communication comprises a wide range of theoretical approaches borrowed from many disciplines like economics, business administration, political science, law, sociology and technology studies. Across these disciplines, different theoretical assumptions prevail about how public policies are formed, and get embedded into legislation and administration. Compared to other core areas of policy-making like agriculture, heavy industry and energy, far less attention has been paid to comparable processes in the domains of informatics and media. Today, while we might know more about the intricacies of each policy question there is relatively little known about the underlying forces shaping the definitions of these questions, and the actual trajectory of policy outcomes. This has often precluded scholars and public interest advocates from participating---substantially and effectively---in policy debates, on an equal footing with industry stakeholders, regulators, and legislators.

More over, in an era marked by one the one hand the discourse of free-market and on the other, the challenges posed by globalisation, attempts to reflect on the efficacy of public policy are typically met with scepticism. The common cliché is that the emergence of a trans-national media system having rendered inconsequential attempts to regulate informatics and media at the national level.

At first, the idea of ‘media governance’ might suggest a heuristic based on the instrumental and substantive position of communication processes. A second look reveals that these problematics are deeply related: the public control of communication systems---i.e. the governance of communication---responds to the milieu of our media environment (across mediums, sectors, territories), while governance thru communication responds to the wider

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crisis of participation in public institutions. So the idea of media governance offers a vantage point to address the crisis confronting public management in both, the sphere of the entertainment & informatics industry, and in the sphere of corporate and bureaucratic mega-systems. In doing so, one will also stumble upon some fundamental questions on the legitimacy of regulatory institutions, let alone the nature of interventions made. This reiterates our initial observations that reflections on technology, media and governance ought to engage with not only assessing evolving policy frameworks, but the institutional fulcrums of such frameworks; and, the capacity of these institutions, be they public, private or statist, to involve divergent stakeholders.