Civic activism for community access television in the US state of Maine

ABSTRACT
For almost five decades Public, Educational and Governmental (PEG) TV has been a staple of US community media, providing a forum for the cablecast of locally made content and the expression of viewpoints unheard and unseen on commercial television. But PEG TV faces existential and other threats in the face of a neo-liberal attrition of non-commercial public arenas, policy deregulation and changes to the media marketplace. In this article, the volunteer-driven advocacy campaign on behalf of PEG TV launched in Maine after one of the cable corporations operating in this state sought to disenfranchise community access television by ‘slamming’ its channels is explored. How the campaign was able to mobilize and win support for its cause, leading to an eventual victory in Maine’s state legislature, is examined. This instance served as an important illustration of a media policy advocacy effort that targeted a US state’s law, rather than federal or local law, as is more commonly the case.

In 2017–18, a small group of advocates for public interest media in the US state of Maine mobilized a campaign to press the state’s legislature to introduce polices that would strengthen the operation of public, educational and
governmental television (PEG TV), the US model of non-commercial community television. Geographically situated in the northeastern corner of the nation, Maine is among the country’s smallest states by landmass and population; it is home to only 1.3 million residents. The effort undertaken by this group of Mainers on behalf of PEG TV is illustrative of civic activism in the communications arena, in this instance, targeting the policies that govern the operation of cable television in this state. The Sloan Commission on Cable Communications Report, a founding document in the creation of PEG TV in the early 1970s, states that public interest media fulfils a ‘need to communicate rather than the desire to profit from the by-products of communication’ (1971: 98, original emphasis). It addresses ‘such matters as health and welfare, the interaction of local government with its constituency, social and economic needs of the community, and the relationship among the many sub-groups that make up a large city’ (Sloan Commission on Cable Communications 1971: 98).

PEG TV was formally instituted in 1972 when the United States’ national communications regulatory agency, the Federal Communications Commission (FCC), ordered that cable television companies must put aside channel space for public interest media, while conferring upon local governments authority to require that these companies enter into franchise agreements that define the services offered in that area.1 In this article, the campaign launched in Maine is depicted from two vantage points. First, it is a case study of the kind of media activism that is occurring in a variety forms and social settings around the United States and the world as individuals and organizations press to create and strengthen public interest media. To this end, the character of the campaign orchestrated, the forces behind it, and the tactics employed is examined. Second, it is a study of what this instance reveals about the nature of activism related to PEG TV, noting in particular that the case is an illustration of how, since the early 2000s, advocates for community television have begun to press their case in state capitols rather than at the local or federal level; a shift made necessary by changes in the regulatory landscape in light of neo-liberal re-regulation of media industries linked, to a great degree, to the introduction of internet services.

FRAMING COMMUNICATIONS ACTIVISM AND ORGANIZING

In the United States as elsewhere, initiatives or campaigns on behalf of public interest media come in varied forms, from nationwide campaigns, such as the US campaign for net neutrality that ascended heights of mass popular support between 2013 and 2017, to regional, local or hyper-local initiatives targeting issues such as technology access in low income communities, the strengthening of community television or radio, or in support of local journalism or community media centres. In light of increasing activism and organizing in this arena, there is a ‘need for scholarship that examines these activities, that places them into broader historical and theoretical contexts, and that assesses the structure and behavior of the organizations engaged in these activities’ (Napoli 2007: 5). Scholars have proffered a number of terms to describe action targeting the communications arena. Examining initiatives in Latin America, María Soledad Segura and Silvio Waisbord use the term ‘media movements’ to describe ‘civic initiatives aimed at transforming media policies to promote pluralism in public communication’ (2016: 3), such as those

1. For readers less familiar with the US media landscape, PEG TV should not be confused with US public television system, which offers non-commercial television over the airwaves. While both PEG TV and public television engage in the circulation of public interest media, the two are unconnected entities with different operating models, governance and funding.
advertising, ensure public access to government information, increase media accountability and transparency, eliminate contempt laws, and decriminalize libel and slander in cases of public interest. (2016: 3)

Situating efforts in support of public interest media as a discernible international social movement, William K. Carroll and Robert A. Hackett use the term ‘democratic media activism’ to describe, ‘efforts to change media messages, practices, institutions and contexts […] in a direction that enhances democratic values and subjectivity, as well as equal participation in public discourse and societal decision-making’ (2006b: 84). Also studying these activities internationally, Stefania Milan opts for the term ‘emancipatory communication practices’ (ECP) (2013). These, she argues, operate at a macro level in the form of challenges to commercialization and conglomeration of media platforms through pressure for ‘national regulators to license non-profit media and protect freedom of expression online’ (Milan 2013: 2), and at a micro level, through the launch of alternative media operations and platforms that create ‘spaces of communication where freedom of expression, participation, and self-organization’ are at the fore (Milan 2013: 2–3). Among these scholarly designations, Milan’s theorizing of ECP is particularly apt for a discussion of community access television, since it draws attention to how volunteer-driven, do-it-yourself approaches are sometimes at the heart of these efforts.2

Those directly engaged in activism or organizing efforts targeting aspects of the US communications arena employ an array of ‘conceptual frames’, with each illustrating the priorities and strategic approaches of the different players as each advances their agenda (Napoli 2007: 2). Among the terms used to describe these frames are ‘media reform’, ‘media democracy’, ‘media justice’ and ‘communication rights’. The differences between the frames each of these terms identifies can be significant. In this article, for the sake of brevity and in order to use a term widely known to practitioners in the field, the advocacy work undertaken in Maine is framed as an expression of ‘media democracy’ work. In taking this path, the example of media scholar Victor Pickard, who defines media democracy as pressure for a policy framework ‘that emphasizes media’s public service mission instead of treating it as only a business commodity’, is followed (2015: 4). It is important that the campaign launched in Maine on behalf of community access television is situated in relation to wider efforts for media democracy in the United States, so as to both recognize that the media democracy movement is composed of a multitude of campaign and activism or organizing efforts, large or small and national or local, but with a shared interest in public interest media, and so as to identify commonalities that unify this work and thereby create opportunities for the exchange of knowledge and strategies or tactics among the varied social actors involved.

COMMUNITY ACCESS TELEVISION

With regard to the significance of the campaign in Maine for PEG TV, in this article this case reveals much about the historical character of advocacy efforts in support of community access television in general, as well as draws attention to how efforts on its behalf are now targeting US state legislatures. A staple of life for nearly five decades, a recent study found that there are roughly 1600 organizations managing over 3000 PEG TV channels in the United States (Wassenaar and Haywood 2020). This allows for the creation

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2 Milan argues, by ‘emancipatory’ they seek to indicate a notion of self-empowerment and the ability of people to freely communicate on their own terms (Milan 2016: 108), while the word ‘practice’ draws notice to the often hands-on approach of grassroots groups in promoting reform-from-below of the communications system (2016: 108).
The National Broadcasting Company (NBC), American Broadcasting Company (ABC) and Columbia Broadcast System (CBS), known as the ‘big three’.

and distribution of tens of thousands of hours of programming annually, with an army of community-based professional and volunteer media makers creating programme content. The beginnings of PEG TV trace back to the 1960s when some cable antenna television systems volunteered channel space for the cablecast of locally originated programming made by the public (Linder 1999: 6). With broadcast television of the period dominated by three commercial networks,3 cable television, with its ability to deliver scores of channels, seemed to offer the promise of democratizing television. Thus, cable television was embraced by constituencies ranging from mainstream pundits disillusioned by the quality of the commercial programming available, to individuals or groups affiliated with New Left or racial justice movements who saw cable television as a means of circulating alternative or counter-cultural programming (Shamberg 1971), or as means of supporting minority programming and advancing economic development for historically disenfranchised communities (Tate 1971). The regulatory framework that served as a foundation for PEG TV, the FCC’s 1972 Cable Television Report and Order, was more modest in scope than radical constituencies had hoped, but it allowed for the emergence of community access television as a nationwide industry.

The character of the PEG TV stations and channels subsequently launched around the country vary widely, depending on how each was instituted to meet the unique needs of its host community. Commonly though, among the range of educational, governmental and public access television programming created and cablecast on local stations is coverage of municipal meetings, local interest talk shows, kindergarten through college educational content, live coverage of local sporting events, citizen journalism reports or documentaries, arts and cultural programmes and special interest shows targeting resident ethnic or religious communities. For readers unfamiliar with PEG TV, perhaps its most surprising aspect is public access television. Public access channels cablecast programmes made by any organization or individual who wants to do so on ‘a first-come, first-serve basis’ with commercial activities such as advertising or the distribution of lottery information prohibited (Linder 1999: 20). The local public access centres that operate these cable channels typically provide free or low-cost access to television production studios or field equipment and training in its use, so that members of the public can create their own programmes.

Over the decades, advocates for PEG TV have fought a running battle with regulators and corporate interests in an effort to preserve or strengthen community access television. Today, PEG TV faces existential threats from a number of directions. As the public increasingly turns to new media platforms for content, there are indications that cable television subscriptions are beginning to decline, thereby threatening to decrease the revenue supplied to PEG TV from its primary funding source, the franchise agreements entered into by local or state governments and cable companies. At the same time, in recent years, cable and telephone companies have made concerted efforts to re-tune the regulatory landscape so as maximize their profit from digital services. The regulatory changes these companies often seek, and in some areas have already captured, pose an existential threat to PEG TV and more than a few municipalities have seen the permanent shutting of their community access television stations since the turn of the millennium. More quotidian among the threats faced by PEG TV is ‘channel slamming’. This is the act of migrating channels from low channel numbers to upper-reach channels. For cable operators, this is a means of freeing-up highly visible low number channels...
for commercial use, while driving PEG TV to channels where it is less likely to attract viewers.

In late 2017, Maine's 70 or so PEG TV stations faced just such a scenario when cable provider Charter Communication, Inc, acted to migrate the PEG TV channels on its Spectrum cable service from positions in the 2–12 channel range to the 1300 channel block. The response mobilized in Maine to prevent this occurring illustrates an important realignment in the nature of advocacy campaigns on behalf of PEG TV. Over the decades, advocates for PEG TV have commonly tended to target two political arenas. First, they have targeted federal rule makers as Congress and the FCC enact laws or put in place policies that govern the operation of cable television throughout the nation. Second, they have targeted the local level where local franchising authorities (LFAs) negotiate franchise agreements with cable television companies. However, since the early 2000s, advocates for community access television have increasingly focused their efforts on influencing legislators at the state level. This has occurred since in many states the telephone and cable companies successfully pressed for communications re-regulation that takes control of cable and broadband services out of the hands of local governing bodies and places it instead under state control, within statewide franchising arrangements. While this has not happened in Maine and local franchising still operates in the state, the campaign launched on behalf of PEG TV illustrates a shift in thinking among advocates for community access television as they have come to recognize that advocacy at the state level may be of equal or even greater importance than efforts targeting municipal or federal lawmakers.

RESEARCH METHODOLOGY

A number of scholars have argued that contemporary media impacts society in such heterogeneous ways that to study it we must draw on multiple academic disciplines. In the early 1970s, even before the seismic changes that accompanied the digital revolution further complicated matters, W. Phillips Davison and Frederick T.C. Yu argued that when developing an effective methodological frame, ‘the communication researcher must be a particularly compulsive kleptomaniac’ (1973: 9). Illustrating this, the exploration of events in Maine is framed by several bodies of knowledge. First, it is framed by the work of scholars who argue that public interest media is key to the formation of a healthy public sphere (Aufderheide 1999; Bagdikian 1996; Copps 2005; Johnson 1996), and that efforts to build or strengthen public interest media are deserving of scholarly attention as a noteworthy popular movement seeking transformation of the communications arena (Carroll and Hackett 2006a, 2006b; Cyril 2005; Dunbar-Hester 2012; McChesney 1993, 2005; Napoli 2007; Pickard 2015; Starr 2001). The latter includes scholars who specifically address community access television (Drew 2013; Halleck 2002; Howley 2005; Linder 1999). Second, as an exploration of a campaign orchestrated on behalf of PEG TV that unfolded within particular social and political conditions and with a non-profit civic organization playing a key role behind it, the exploration is informed by political science and sociology-based studies of civic engagement and the operation of non-profit organizations (McAlevey 2016; Boris and Maronick 2012; Salamon 1999, 2012; Skocpol 2003), government and political institutions (Mettler 2014; Tolchin and Tolchin 1993) and how social movements frame issues and mobilize constituents (Snow and Bedford 1992).
In preparing research, participant-observation fieldwork at conferences hosted by the Alliance for Community Media (ACM), the umbrella field-building and advocacy organization serving US community television, was conducted. The national and regional conferences orchestrated by this organization are the leading convenings for practitioners working in the PEG TV industry. Prominent among the workshops, plenary presentations and other activities staged at these events is a discussion of policy, legal and regulatory matters, featuring key figures from throughout the field. For this study, fieldwork was conducted at the 2019 Annual ACM Conference in Portland, Oregon, and the 2019 ACM Northeast Region Conference in Portland, Maine. During both, workshop presentations specifically highlighted the campaign in Maine, as well as an earlier, parallel effort on Maui, Hawaii. In addition, at these events interviews were conducted with the executive director of the ACM and with two of the leaders of the Community Television Association of Maine (CTAM), the organization behind the campaign in Maine. Further personal correspondence with these individuals took place later electronically. Finally, the study also draws on documents and electronic materials generated by the campaign itself. Today, most political efforts generate a significant digital presence. These range from e-mails sent to Listservs or the posting of videos of press conferences, rallies or protests on streaming sites, to self-produced newsletters and reports in conventional news media outlets. Over the course of its campaign CTAM generated a flow of such information. This provided valuable insight into the evolving thinking of those involved in the campaign, as well as into the timeline of events by which it unfolded. In the pages to follow, the slamming of Maine’s community access television channels by the cable provider is described and the role played by non-profit organizations and individual volunteers in preventing this from occurring is explored. Next, how this campaign framed channel slamming as an issue, in public and political discourse, is examined and the substance of the bill adopted by the state legislature to benefit the state’s cable television subscribers and safeguard community access television is outlined.

SLAMMING COMMUNITY TELEVISION CHANNELS

‘Channel slamming’ is the action undertaken by a cable company when it moves cable television channels occupying low numbers on a cable box to higher channel numbers. With cable subscribers routinely ‘zapping’ through the channels available to them as they search for programme content to watch, low channels numbers are the ones most likely to be regularly cycled through and visited, and therefore acquire the largest viewership. Late in 2017, Charter Communications, Inc, the second largest cable provider in the United States operating in 41 states, notified its customers in Maine that it would soon migrate the PEG TV channels available through its Spectrum brand services from the channels they had historically occupied in low numbers, to upper tier designations. A representative for the corporation stated that the change was an effort to group similar channels together on all its systems, thereby making ‘it easier for customers to find local programming no matter what town or state they are in if it’s in a Spectrum service area’ (Edwards 2017: n.pag.). In Augusta, Maine’s state capitol, the PEG TV access station would be moved from channel seven to channel 1301. Some municipal officials were troubled by Charter’s plan, seeing it as a further instance of the cable company disregarding the regulatory authority of local agencies. Augusta’s municipal
manager stated that the cable provider has a habit of telling the municipality what it intends to do without prior consultation, and since the company is a huge corporation the city feels ‘powerless’ to respond (Edwards 2017). In some of the state’s municipalities, existing franchise agreements stipulate which channels will be allocated for PEG TV. However, cable providers are known to ignore these agreements, betting that LFAs will lack the will to press for compliance since this could involve lengthy and expensive legal action. In addition to slamming the PEG TV channels, Charter also notified cable subscribers that in the future they would need a digital television adaptor (DTA) box, since the company planned to begin encrypting all its signals to prevent cable theft.

Charter’s actions in Maine are symptomatic of how the US cable television industry often treats PEG TV. In the 1970s and early 1980s as cable television expanded into new markets around the United States, the companies involved used PEG TV as a means to differentiate their services from broadcast television as they negotiated franchises with local municipalities. To this end, cable companies framed community access television as a public service commitment that they support as a means to enhance localism in the media. Thus, cable operators seized upon community television ‘as a service that had public relations appeal and could help them to portray their industry as more responsive to local concerns than the networks’ (Linder 1999: 8). After the FCC lifted its moratorium on the introduction of new cable television services in 1972, rapid growth in the cable industry led to fierce competition between companies seeking cable franchises, particularly in choice market areas. In this climate, ‘[m]unicipalities sometimes made outrageous and impossible demands on cable companies in exchange for the franchise’ (Zarkin and Zarkin 2006: 89), and cable companies made ‘extravagant promises’ in return, including ‘such things as impossibly high channel capacities, two-way communication, multiple access channels, and facilities to produce access programming’ (Zarkin and Zarkin 2006: 88). By contrast, today cable providers routinely meet their PEG TV service obligations only reluctantly, viewing them as a burden-some feature of doing business in a particular area. In addition to channel slamming, around the nation cable companies routinely refuse to include PEG TV schedules in their electronic programme guides, resist cablecasting programming in high definition (HD), or drag their feet on franchise renewals.

CIVIC ORGANIZATIONS

The resources available to those pressing for public interest media are typically limited, as compared to those available to communications companies, to advance their agendas. The latter, as some of the wealthiest and most powerful corporations in the United States, have legions of full-time employees, bottomless access to lobbying firms and legal representation and an ability to court policy-makers directly or through well-funded trade associations. In contrast, the US-based media democracy movement is significantly anchored by the efforts of small non-profit civic organizations, which rely for their operation on modest professional or volunteer staffs and funding from member contributions, private donations or grants from foundations. At the national level, the primary organization representing the interests of community access television is the ACM, a membership organization which ‘advocates, promotes and preserves the right to media training, production, distribution, civic engagement and education in support of diverse community voices,'
Various forms of public associations have long been recognized as a notable and important feature of US life. Lester M. Salamon argues that contemporary manifestations of these associations are the nation’s non-profit civic organizations, which play an important role when people are reluctant to turn to government for all their social or economic needs (1999). He argues non-profit organizations serve as a ‘guardian’ of US society, providing ‘a first line of defense […] through which people concerned about a social or economic problem can begin to respond immediately without having to convince a majority of their fellow citizens that the problem deserves a more general, governmental response’ (1999: 15–16). Further, non-profit civic organizations have ‘been the principle vehicle for most of the major social movements that have animated and energized American life over the past century or more’ (Salamon 1999: 138). Within the US media democracy movement, non-profits such as the ACM, Demand Progress, Electronic Freedom Frontier and Free Press anchor the emergence and development of campaigns for public interest media. These organizations, some operating with modest or even very small budgets and staffs, engage in public interest media-themed ‘civic activism’, the latter defined as ‘activities that engage individuals and groups with government and with one another to affect democratic governance and the quality of life in their communities, the nation, and the world’ (Boris and Maronick 2012: 406).

In Maine, CTAM served in this role. Founded in 1982 and incorporated as a 501(c)(3) non-profit organization in 1992, CTAM is a membership organization with members drawn from Maine’s community television stations, local municipalities, equipment vendors and affiliated non-profits, as well as individual supporters. Its stated mission is to ‘advance democratic ideas by ensuring that people in Maine have access to electronic media’ (CTAM n.d.: n.pag.), and to serve as ‘an information source and educational advocacy group’ for the 72 autonomous PEG TV stations in Maine (CTAM 2018: n.pag.). The organization reports that it is an affiliate member of Maine Municipal Association and engages in assisting ‘more than 150 towns in Maine with their Public, Educational and Governmental television channels’ (CIAM n.d.: n.pag.). Illustrating something of the nature of the personnel and material resources available to CTAM in its work, a 2003 tax filing reports no paid staff members and less than $10,000 in net assets (2004). As to be expected of small organization of this type, over its 30 years in existence CTAM has not had a ‘linear history’ and there have been ‘certain peaks and lulls, and times of energy and effort’ (Wassenaar 2019b: n.pag.). Among its past successes, CTAM oversaw the introduction of a model cable television franchise for use throughout the state, thereby freeing local municipalities from the need to individually develop proprietary franchises – which is a burdensome task for administrations in small towns who must face-off against powerful cable companies to do so.

In addition to national and state organizations, at a local level advocacy efforts on behalf of community access television commonly emanate from
PEG TV stations themselves, with senior staffers at a station, often its executive director, working to gain support for community television from local elected officials or municipal administrators, as well as from prospective allies or the public within a station’s service area. However, Wassenaar observes that most PEG TV stations devote relatively limited resources to long-term strategic development or policy advocacy efforts, either for themselves or the community access television field at large (2019b: n.pag.). In part, this is because individual stations are perennially underfunded relative to the broad scope of the community service mission they are committed to. With the staff at stations often engaged exclusively in the implementation of programme activities – the creation and airing of programmes, educational or community outreach, maintaining the workspace and so on – there are scant staff hours to devote to strategic development initiatives or on such matters as securing funding streams beyond the franchising system.

VOLUNTEERS

Underlying the operation of organizations devoted to the furtherance of public interest media and the wider campaigns of which they are a part, it is common to find civic activism on the part of unpaid volunteers. Over the years, volunteer-driven activism has been central to the history of US community television. Illustrating this in Maine, campaign leader Tony Visser stated, speaking at an event in Maine’s state house, ‘everybody here at this event are volunteers […] and that says a lot about the strength of citizens, forming these kinds of organizations and engaging in the political process’ (CTAM 2019b: n.pag.). Elsewhere Visser argues,

[...]
you need a couple of key people in your state to take something like this on. We had conference calls every week with anybody who would participate. Six to ten people, just for an hour to say, ‘where are we this week, what’s happening, who’s going to do this?’

(Visser 2019: n.pag.)

While senior staff members drawn from PEG TV stations are commonly involved in campaign work on behalf of community access television, also likely to be involved on a volunteer basis are members of local organizations that present shows for cablecast, youth linked to affiliated media education projects, school or university educators, individual public access television producers, or retirees who formerly worked in community television and continue to offer their time on a volunteer basis. The last of these was evident in Maine, with individuals now retired from careers in community access television or active as volunteer makers of programming, a presence within the campaign.

A review of the history of PEG TV reveals that activism by small groups of civic-minded individuals have been a feature of the field throughout its existence. In municipalities where groups fitting this profile actively pushed for PEG TV in their community, it was brought into being. In places where this did not happen, PEG TV may never have arrived on the scene. Describing the creation of public access television in Greensboro, North Carolina, Laura R. Linder reports that the effort was drawn out, but ultimately successful in light of the effort of a small rotation of committed community organizers who persevered from the 1970s to the 1990s (1999). Similarly, in New York City,
where PEG TV channels were available from the early 1970s onwards, but where no non-profit facility for the making of programme content was available, the New York Citizens for Responsible Community Media was formed to press for a redress of this absence. This informal organization was made up, participant Diana Agosta recalls, of ‘lots of different kinds groups’, such as the guerrilla video collective Paper Tiger Television, libraries and the Boy Scouts (2017: n.pag.). Those involved participated in ‘months and months of letters, street protests, all sorts of lobbying’ and were eventually successful in winning support for the creation of Manhattan Neighbourhood Network, which is today among the nation’s largest public access television operations (Agosta 2017: n.pag.). In a study comparing internet activism and community radio activism, Milan finds that internet activist ‘techies’ tend to be young, highly educated and male while those working on the ‘people-centered project’ of community radio tends to be more diverse in age and background (2013: 74). Community radio, she concludes, draws in people of all ages, races and levels of education, although men are slightly more likely to be involved than women (Milan 2013: 13). As with community radio, community access television is a people-centred project, and with emphasis placed on fostering horizontal decision-making and a sense of collective community building, it also attracts a diverse range of constituents. Although notably, as is also true for community radio, many of those involved in community television today are older than the constituencies active in internet-centred media democracy work. In creed, those involved with community access television are commonly driven by a commitment to serve their communities, freedom of expression and self and group empowerment, and view the professionalization and proprietary ownership of media industries with scepticism. Pushing for community access television as an alternative to hegemonic for-profit media practices, a DIY mindset is a feature of the civic activism undertaken for community television. With volunteers often central to the effort, these individuals sometimes accrue expertise that equals or exceeds the expertise of the paid professionals employed by the cable companies they oppose, or the expertise of the local governments they court as prospective allies.

FRAMING THE ISSUE: CHANNEL SLAMMING IS DISCRIMINATION
A range of arguments were fielded in opposition of Charter’s slamming of Maine’s community television channels. A second central figure at CTAM, Tony Vigue, framed channel slamming as a move to push PEG TV to a ‘digital Siberia’ and dismantle its thirty-year history of providing Mainers with important local information and entertainment (Murphy 2018). On the matter of DTA boxes, it was argued that some people would now be compelled to purchase a box just to access essential civic programming, ‘such as government meetings, informational updates and notices’ (CTAM 2019a: n.pag.). It was further fielded that Charter’s move should be understood as part of a wider move to marginalize community television, with the ultimate aim of seeing it shut down. Here it was argued that if the PEG TV channels move to upper tier channels, then viewership numbers will decline, leading to a parallel decline in public engagement with community access television over the long term. If this were to occur, LFAs around the state would be less prone to see PEG TV as worth fighting for during the negotiation of future franchise agreements. The central theme in how Charter’s action was framed by CTAM is that it is an act of discrimination. Vigue argues, since ‘[c]ommercial network channels are
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not being moved’, it is CTAM’s position that the move of the PEG TV channels is ‘clearly discriminatory’ (CTAM 2018: n.pag.). Invoking the presence of discrimination is likely to evoke a powerful response. In US society, individual autonomy and entrepreneurship are stressed, and while the populace is willing to accept significant wealth inequality there is a broad expectation that there is equality with regard to political representation and personal freedom (Lehman Schlozman et al. 2005: 25). Thus, there is widespread concern when ‘inequalities threaten to impinge on ideals of equal citizen voice’ (Jacobs and Skocpal 2005: 8). Conceptually, with regard to understanding how issues are framed within campaigns or movements, the term ‘discrimination’ serves as a ‘master frame’ (Snow and Benford 1992: 139). These offer an easily understood framing of a particular issue or cause and can quickly unify disparate social actors around it. In this way, master frames such as ‘discrimination’, ‘inequality’ or ‘racism’ possess considerable ‘mobilizing potency’ in their ability to unite people with differing interests or political experiences around an issue or problem (Snow and Benford 1992: 140).

In Maine, the notion that Charter was discriminating against channels that air programming made by and expressing the local opinions and interests of Mainers, roused opposition to the company’s action. Some close to the campaign argue that the framing of the issue in this way was key to its eventual success, and Visser argues, ‘when you talk about discrimination people listen’ (2019: n.pag.). Noting the context in which the campaign was launched, Wassenaar argues that a belief that discrimination was occurring resonated with Mainers since there is an entrenched perception among residents that the state has been the victim of systematic economic disinvestment, including by telecommunications companies that have little interest in providing services to its largely rural population (2019b). Maine is also notable for its high level of civic engagement amongst its population. In a comparative study of US states, Theda Skocpol concludes that Maine ‘is a wonderfully civic place’, with strong civic traditions, active non-profits and citizens’ groups, accessible elected officials, viable media outlets and generous support for community undertakings by the wealthy (2003: 259). Wassenaar adds that Maine is ‘a fiercely independent state. They call themselves Republicans and Democrats, [but] being from Maine means you’re from Maine’ (2019a: n.pag.). This mindset, he argues, contributed to the ability of community access television’s advocates to secure bi-partisan support for a PEG TV bill (Wassenaar 2019a).

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In light of the David and Goliath-like nature of its struggle, CTAM’s varied achievements during its campaign opposing channel slamming deserve noting. They include: framing the issue in a way that resonated with the public, recruiting Maine’s elected officials to their cause, attracting favourable press coverage from local media outlets, and developing comradely working relations with advisors and legal counsel. With regard to the task of winning over legislators, governance bodies operate in a ‘policyscape’ that is ‘densely cluttered with a vast array of policies of all varieties’ (Mettler 2014: 14). In light of these conditions, it is often a challenge to gain the attention of lawmakers or make a particular issue stand out among the plethora of policies that are continually debated or up for vote. Describing how CTAM worked to win the support of Maine’s legislators, Vigue reports that rather than trying to get the backing of all representatives the goal was to get the support of those sitting...
on the legislative committee hearing the PEG TV bill. He states, it is best ‘if you can get your bill sponsored or co-sponsored by the chair of that committee’ (Vigue 2019: n.pag.). CTAM was ultimately successful in doing this. Regarding press coverage, PEG TV is often treated unsympathetically by a mainstream news media that prefer sensational man-bites-dog type reports about idiosyncratic public access television shows, as opposed to sustained reporting on community access television’s merits. Over the course of CTAM’s campaign, supportive articles and editorials were forthcoming in the press, including an editorial in the Portland Press Herald stating that the ‘[p]ublic access access channels are an outlet for truly unique programming that residents may not be able to get anywhere else, and they play an important role in government transparency’ (Centralmaine.com Editorial Board 2019: n.pag.). Illustrating something of CTAM’s ability to win the support of allies, Vigue reports that when assistance was sought from Washington-based communications policy lawyers, the fees came ‘out of my own pocket’ but fortunately the costs were not exorbitant since the sympathetic law firm in question was willing to ‘bill me at 15-minute increments’ (Mt. Blue Television 2018: n.pag.).

On 30 May 2019, the Maine State House of Representatives and State Senate voted to pass LD1371, ‘An Act to Ensure Nondiscriminatory Treatment of Public, Educational and Governmental Access Channels by Cable System Operators’. On 7 June 2019, the bill was signed into law by Democratic Governor Janet Mills. LD1371 stipulates that a cable system operator ‘shall carry public, educational and governmental access channels on the cable system operator’s basic cable or video service offerings or tiers’, and these cannot be separated from ‘other local broadcast channels’ through migration to an upper tier (Maine Legislature 2019). In tandem with this ruling, if a cable television provider had changed a PEG TV channel’s number in the 24 months before the adoption of LD1371 without its consent, the station must be restored ‘to its original location and channel number within 60 days’ (Maine Legislature 2019). The bill includes other important changes for Maine’s residents. First, on an issue key to consumers in rural communities, it stipulates that cable providers must ‘make cable television service available to every residence’ in areas where there is a density of fifteen or more residences per mile (Maine Legislature 2019). Second, it simplifies the franchising process for local municipalities by requiring that these take place in a timely fashion, while prohibiting cable providers from modifying or amending an existing model franchise agreement ‘without the consent of the municipality’ (Maine Legislature 2019). Third, PEG TV programming must be cablecast in the format it is delivered to a cable provider, meaning that HD content must be delivered to consumers as a HD signal. And fourth, information about PEG TV channels must be available to the public in electronic programme guides in the same manner as local broadcast channels (Maine Legislature 2019). Illustrating the presence of bi-partisan support for LD1371, it was sponsored by Senator David Woodsome, a Republican, who states that while ‘he believes strongly in capitalism’, ‘the balance of power between local communities and the cable company has gotten out of whack’ with cable companies wanting everything their own way ‘when it comes to earning money from customers in the towns they serve’ while ‘not offering much in return’ (Murphy 2018: n.pag.). Noting that the passage of LD1371 is a victory for community access television nationwide, Vigue argues that ‘[n]aturally, this law is of some concern to Charter and the other cable operators because if it survives the appeals process […] it will set a precedent for other states and PEG facilities that have been similarly impacted’ (2020: n.pag.).
In September 2019 the Internet and Television Association (NCTA), a trade organization representing internet and cable companies, sued Maine’s attorney general to prevent implementation of the bill. In March 2020, the US District Court upheld LD1371, ruling that it is within the state’s authority to ‘ensure that the PEG channels – considered vital to an informed citizenry – are widely and easily accessible’ (Eggerton 2020: n.pag.). Following a further legal challenge from NCTA, in May 2020 the bill was again upheld by the courts, with the judge stating that in light of the public’s need for information during the Covid-19 pandemic, ‘PEG stations are more important than ever’ (Bodnar 2020). As of the end of May 2020, Maine’s Attorney General’s Office reports that it is working to require that the cable companies comply with LD1371, so as ‘to get as many PEG stations as possible […] relocated to their original locations by July 31’ (Vigue 2020: n.pag.). In addition, the Attorney General’s Office also plans to press the cable companies to provide HD transmission of PEG TV programming as required by the law, and this will happen as stations become ready to deliver a HD signal to the cable provider’s transmission facility. The requirement that cable providers build out their service to areas where there are fifteen homes per mile will come into effect over time as local franchises are renewed in municipalities around the state.

CONCLUSION
The campaign described here illustrates an advocacy campaign led by a knowledgeable and motivated cadre of individuals working under the umbrella of a small civic non-profit organization. The instance is illustrative of the kind of effort regularly launched on behalf of PEG TV, with small groups of motivated community access television advocates at the fore. It also has similarities with other examples of media democracy work in the United States, where non-profit civic organizations and the voluntary participation of members of the public are a common feature. Within the broad media democracy movement, non-profit civic organizations play an anchoring role. Echoing aspects of this study, many of these national organizations are comparatively small, with paid staffs numbering only in the single or low double digits. For PEG TV nationwide the main advocacy organization is the ACM, with organizations such as CTAM serving as conduits for local or regional field-building and advocacy efforts, while also linking their members and supporters to trends at the national level when the need occurs. As is evident in the campaign launched in Maine, while these organizations may be small in size, they derive wealth from the engagement of supporters, many of them volunteers, who become self-taught experts in the field and are rich in a principled commitment to public interest media. While no one would volunteer time or energy to dismantle this type of media, to preserve or strengthen it, the opposite is true.

This case described here is also noteworthy in that it illustrates an advocacy campaign targeting communications policy at the state level. For the community access television field in the United States this is important to highlight, since over the years PEG TV’s supporters have been most diligent policy-wise at the federal and local level. In its years in operation, there is evidence that CTAM has strengthened community television at the local level in Maine through resource sharing and other locally applied field-building activities. But as a statewide organization it has also put in place a basic infrastructure from which to launch advocacy efforts in the state’s capitol. Had this
organizing work not been carried out prior to Charter’s slamming of Maine’s channels, it might well have been difficult for those who support community television to mobilize a rapid and effective response. For the wider media democracy movement in the United States, the civic activism undertaken on behalf of community television in Maine draws attention to questions about the usefulness of statewide organizing on other matters of communications policy. In the neo-liberal deregulatory US culture of the present, federal legislators and the FCC have persistently shown a willingness to favour corporate interests before public interest media, leading some state governments to seek to provide more measured leadership in response. In this regard, the civic activism undertaken in Maine on behalf of community television deserves evaluation to consider what lessons can be drawn from it by those who might seek to press state legislatures to enact equitable media policies in other areas, such as internet privacy, the provision of media services to historically disenfranchised communities, net neutrality or in support of public interest media in other forms.

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**SUGGESTED CITATION**

Davies, Lyell (2020), ‘Civic activism for community access television in the US state of Maine’, *Journal of Alternative & Community Media*, 5:2, pp. 135–152, doi: https://doi.org/10.1386/joacm_00080_1

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