

# Public Service Media and Multilevel Governance

## *Citizen Participation in the Networked Society – the Spanish Case*

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### Abstract

The question about the future of public service media in the ‘networked society’ is directly related to the modernisation of European democracies and the role of citizen participation. In the context of a severe economic crisis, declining trust in public institutions and eroding citizen confidence in democratic structures, multilevel governance is an EU initiative for modernising democratic practices. Among the core principles are: co-operation, prioritising network structures, decentralisation, complementarity between public and private sectors, and facilitating civic participation. This chapter exposes the connection between the historic mission of public service broadcasting (collected in five areas or ‘blocks’), the contemporary obligations of public service media in a ‘networked society’, and the objectives of multilevel governance.

Keywords: European Union, media governance, public service broadcasting, media roles and functions, RTVE, Spain’s regions

### Introduction<sup>1</sup>

In December 2015, the European Broadcasting Union (EBU) published a roadmap for the future of public service media (PSM), titled *Vision 2020: Connect, Grow and Influence*.<sup>2</sup> In the introduction, the EBU Director General at that time, Ms Ingrid Deltenre, emphasised the unique importance of PSM in European societies and acknowledged significant challenges. Her affirmation of PSM’s importance is the subject of heated debate in many circles, especially scholarly, political, and professional, and increasingly challenged across Europe.

Recent years have given rise to intense debate about the need for and role of PSM in the emerging context of a networked society in which media of communications are prolific and increasingly global. In this debate, defenders (e.g. Trambley 2016) and detractors (e.g. Carpentier 2015) alike assume media convergence is changing the nature of media and their uses. New modes of consumption rely on multiple platforms and interconnected devices and fuel expansive growth in online contents and services, much of which is generated by users themselves. This context poses

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difficult adaptation challenges for PSM organisations (SWD 2016), for the most part heritage public service broadcasting (PSB) organisations. The essential question hinges on whether a public sector in media, and in particular a dedicated public service institution, is necessary in European democracies under contemporary conditions, often described as a networked society context, that is radically different compared with characteristic conditions at the time when PSB was created in the early decades of the twentieth century.

Adequately addressing this question requires situating consideration in the context of a general economic crisis and a particular political collapse in several European governments and declining trust in public institutions more or less everywhere since 2008 (Mate 2015). Loss of legitimacy and eroding citizen confidence in democratic structures<sup>3</sup>, which persist (FBBVA 2016), threaten the stability of social systems and make urgent the need for deep reflection on how to improve the governance of public institutions and services (Oxford 2017). That is the focal interest of our chapter.

Many EU institutions were affected by the past decade of economic and growing political crisis, as evident in dozens of reports and studies that offer proposals for improving and modernising democratic practice as efforts to reverse waning legitimacy. One that was released on 3 April 2014 is particularly important for our work in this chapter – the Charter for Multilevel Governance in Europe (CMLG). This is a political manifesto for cities and regions across Europe that encourages public authorities to make multilevel governance a reality in the day-to-day preparation and application of relevant policies today. In practice, this requires collaboration between different levels of government (local, regional, national and European) and the application of principles to enable efficient policy-making. The key principles include co-operation, prioritising network structures, decentralisation, complementarity between public and private sectors, and facilitating civic participation. Each and all of which are considered essential for guaranteeing the success of public policies that are enacted in the best and truest interests of citizens in a democracy.

Although not defined in detail in the charter, multilevel governance is treated from a political perspective as “co-ordinated institutional action by the European Union, the Member States and local and regional authorities, based on partnership and aimed at drawing up and implementing EU policies”.<sup>4</sup> The background is a white paper on multilevel governance that was signed in 2009, which launched a consultation process aimed at developing a common, understanding of European governance based on shared EU values. The work has been handled by the Committee of the Regions of the European Union (CDR), which has been actively developing a method to supervise the application of multilevel governance that hinges on a set of indicators based on best practices in this area of policy work. The project has been undertaken in co-operation with the European Commission.

With this background in mind, the objectives of the 2014 charter respond to four areas of general concern: 1) fostering a “European mindset” in each region or city by co-operating with political and administrative bodies spanning the local to

the European level; 2) promoting cross-border collaboration with other regions and cities, thereby overcoming administrative obstacles and geographic boundaries; 3) modernising administration by taking full advantage of digital infrastructure and innovative solutions to increase transparency and aperture (i.e. scope of availability) and offering quality public services that are easily accessible to citizens; and 4) encouraging the participation of citizens and civil society organisations in policy decision-making processes, thereby developing participatory democracy and promoting active citizenship.

Although the CMLG lacks legal enforceability, the signatories commit to using the proposed framework for managing public policy, for launching projects in association with public and private sectors, for developing territorial co-operation and for modernising administration entities. This initiative is seen as a vital tool for accomplishing a necessary democratic regeneration of European societies – indeed, of the EU as such. The Charter on Multilevel Governance stipulates the necessity for two essential reasons: “[I]t has become clear that the traditional models of governance no longer match the complex reality of today’s society, and political credibility and legitimacy everywhere are in a deep crisis”; and “institutions and systems that prove unable to adapt to changes in society make themselves redundant”<sup>5</sup>. In short, the old ways of doing things isn’t working and what doesn’t work will be ended. The potential collapse of the public sector in government and more generally is, obviously, of existential concern.

Various policy areas are addressed in the CMLG, one of which directly challenges media systems in a networked society. The challenge is to foster more widespread and persistently active citizen participation in civil society and public affairs through the facilitation of participatory democracy. Success depends on citizen involvement that depend on media structures to enable citizens to self-organise and channel their own demands, reactions, criticisms and proposals. It is understood that democratic maturity depends on the capacity of citizens to participate in public debates, affect their outcomes, and impact the execution of public affairs. Therefore, elected and appointed authorities are considered to be obligated to ensure there are sufficient spaces and resources for citizens to participate fully in the affairs of civil society at all levels. This is an ambitious undertaking that is important for EU development at the everyday level of citizen activity. Our interest is the degree to which achieving this ambition depends on the support and activities of media sectors and network structures.

The policy objectives focus on participation and social interaction in multilevel governance, which are vitally important but not yet achieved. Achievement needs to be prioritised because this is a prerequisite for a healthy democratic network society. Without wanting to reduce the complexity of the challenges involved only to media, it is clearly true that media must play an essential facilitative role. As Deltenre argued, although citizens have access to more services and content than ever before, the quality of political-public conversation has decreased while populism and extremism are increasingly feeding conversations and fuelling online discourse in web communities

(EBU 2015). If one agrees on the co-determinate importance of democratic health, active citizenship and the use of media (European Audiovisual Observatory 2017), then PSM clearly has a significant mission to improve participatory democracy within the complicated and complex conditions that characterise a networked society. That is our starting point for the research, the method for which is divided in two parts.

In the first part, we consider the historic mission attributed to PSM in five areas or 'blocks' and propose specific obligations for each that are adapted to the needs of a networked society. Taken together, these explain our ideas of what would be ideal in multilevel governance that fosters citizen participation. This part is necessarily abstract because we are dealing with theory and normative values. The second part is concrete and based in an empirical study. We consider the findings from a case study of the missions and obligations for participation in Spain's legislation on PSM as a reflection of multilevel governance. Our conclusions clarify the relationship between PSM's missions and the objective for higher participation in multilevel governance in Spain, and based on our findings, we propose improvements for PSM in Spain that should have wider applicability in the EU (at least).

## Public service media's roles and obligations in a networked society

This chapter is about PSM's role and obligations in a networked society with regard to practices in multilevel governance. The focal point of this first part of our treatment hinges on the absolute importance of facilitating citizen participation in civic affairs and governance. Debate over the existence of, and appropriate configuration for, PSM is one of the most critical elements for consideration because all public entities, and especially public media, face powerful enemies (some old and some new) who pointedly question the need for public institutions and their services in a digitalised environment often characterised as an 'information society' – which is presumably nurtured by and dependent on competition.

Some studies celebrate hybrid models as potential solutions for contemporary problems related to PSM in this area of interest (Bennett & Medrado 2013), while others doubt PSM is even needed in a world that prioritises consumption which is, by definition, highly personalised and often removed from public interest objectives (Nightingale & Dwyer 2006). Some advocate abandoning the concept of 'public service' as such to instead elevate 'community services' that are presumably more conducive to citizen participation in regional and local environments (Carpentier 2015). Thus, there are different prescriptions for how to best achieve multilevel governance and the appropriate media structure needed for this. But among critics and supporters alike, PSM is a focal point in this debate.

PSM organisations have responded in ways that indicate an understandable desire to survive in the emerging context of a networked society. Most are guided

by mandated obligations to innovate. PSM therefore insists on a right to overcome hindrances and obstacles, and calls for regulatory reforms to enable their efforts to provide the public with value that is both deserved and necessary to ensure the legitimacy of the enterprise (Debrett 2015). Most defenders (e.g. De Moragas & Prado 2013) defend PSM's continuation by referring to its historic mission that is based on the market's inability to serve and satisfy all political, social and cultural functions adequately (i.e. market failure in media). What applied to PSB continues to matter for modern democracies, and is especially needed today given the lack of correspondence between spaces defined by the audio-visual market and different types of communities, because unequal opportunities to access services and cultural goods result from 'divides' that are caused by continuous technological innovation that does not diffuse evenly (Berg et al. 2014).

Others don't disagree, but emphasise renewal (e.g. HENDY 2013; Trambley 2016). Here, the focus is on commitment to securing an innovative future for PSM in the digital era of networked media systems. For many observers, the focus is less and less on defending historic structures and systems, and increasingly on future-oriented development. The first conclusions in a comparative study undertaken in 2014 on the situation in Canada, France and the United Kingdom<sup>6</sup> provide a good example of why this is generally considered necessary. The study concludes that the future of PSM hinges on citizens recovering a firm sense of its legitimacy and conviction of its usefulness in contemporary society. This perspective emphasises the importance of digital 'common goods' for addressing the challenge of cultivating a digital public sphere for the practice of democracy, a 'place' that is open to everyone for participation in creativity, conversation and debate (cf. Murdock 2005).

These reflections indicate the central point of debate about the permanence (or not) of PSM in the future, and the preferred operational mode for this – if able to continue in some form, at least. The point of debate is based on how one understands what are and are not persistent public service obligations for media in serving a democracy. This basis has continued through decades of continual change in PSB (the forerunner to PSM). What is needed today, as before, are mainly decisions about the most appropriate way to satisfy public service obligations in each period. We certainly cannot resolve such a complex task here, and actually that is never finally possible due to its very complexity and also variability in different societies. It is relevant, however, to our investigation which elaborates five dimensions of the historic PSB mission with specific obligations that continue to matter in today's increasingly networked societies – i.e. for PSM. This implies our belief that the historic mission continues to be fundamentally relevant and doesn't change in a networked society (see Muñoz Saldaña 2015). We argue the case for specific operational obligations that arise due to unique needs in a networked society.<sup>7</sup> For each of the five dimensions we connect the historic mission and contemporary obligations with multilevel governance.

*1. Be a shared reference point for all citizens offering a universal service<sup>8</sup>*

This aspect of the historic PSB mission is as relevant today as ever. There are specific obligations today that relate to the unique needs of a networked society. Among the most important of these are guaranteeing that citizens can access PSM, unimpeded, through the varied providers that comprise the network. This obligation is not exclusive to PSM and involves political, legal, business and professional spheres. This is difficult because PSM organisations can't guarantee this alone. This need points to the importance of understanding PSM as an interdependent node in a network.

Second, PSM must ensure the provision of varied content on diverse platforms and have the necessary resources to accomplish this. This is still important in the networked society context because domestic contents and services are less representative in most countries than international material.

Third, PSM must adapt to new modes of media consumption, and prioritise interactive services and on-demand content. That is a long-term objective these organisations have been investing to accommodate for many years in the transition from PSB to PSM (Lowe & Bardoeel 2007). The problem, again, is in the degrees to which PSM organisations are mandated or constrained from doing this, and resourced to accomplish it.

Fourth, PSM must promote active forms of communication, not merely passive consumption of media, and especially work to integrate young people who want to participate with their own content by establishing new participative formats and platforms. This is an essential point and new challenge for traditional PSB organisations.

Thus, multilevel governance aims to increase the level and the effectiveness of citizen participation in public affairs. This requires guaranteeing universal service because this is a prerequisite to accomplishing the goal. It is vital to ensure the broadest possible access for a population as a whole and in its several groupings. It is also essential that PSM provide the needed quantity and quality of information and content, remembering the problem with market failure especially, and facilitate the expression of individual opinions as well as collective discourse that shapes public opinion. Ultimately, then, policy must guarantee all citizens a right to equitable participation in public life (2001/C 320/04, points 6 and 7; 2009/C 257/01, points 9 and 10). As specified in the policy:

Assuming that “the definition of the public service mission must be as specific as possible”, then “a qualitative definition entrusting a given broadcaster with the obligation to provide a wide range of programming and a balanced and varied broadcasting offer” is necessary<sup>9</sup>. This reflects “the need for continual development and diversification of activities in the digital media environment for audio-visual services on all distribution platforms”<sup>10</sup> “to the extent that they contribute to pluralism, enrich cultural and political debate and widen the choice of programmes”.<sup>11</sup>

## *2. Facilitate social cohesion for individual, group and community integration*

The importance of social cohesion has long been recognised by every society and, in Europe especially, it has been generally agreed that public service media are especially obligated to do everything possible to support and secure this. In the context of a networked society, PSM has specific obligations that include, first, contributing to successfully overcoming the digital divide among populations and advancing the accomplishment of digital literacy<sup>12</sup> by providing tools, contents and services that are broadly available and widely distributed. Availability and use of such resources are especially important for education systems and in programmes serving adults, young people and children alike. Second, it is vital for PSM to guarantee easy access to programmes and services on new platforms, especially, because these are the leading edge of sociotechnical development in networked societies.

Thus, multilevel governance requires a strong, clear commitment from PSM organisations to support multilevel integration, not least since this is vital for social cohesion. The mission must be oriented towards encouraging the sense of belonging among citizens in their diverse communities. Media literacy is an instrumental factor, which requires easy access to and use of networked media. Lacking this, integration is impossible. Feeling connected with public affairs should be reflected in content and programming, and welcoming participation is an essential requirement for PSM at local, regional, national and international levels.

## *3. Constitute a source of impartial and independent information capable of providing innovative content at high standards of quality and ethical practice*

It has long been understood that PSB is supposed to serve a ‘benchmarking’ function in national media systems. In the networked society, several specific obligations are entailed in this. First, PSM must strive to remain a point of reference with credibility and trust among the citizenry at large. Second, PSM needs to be a nexus for pluralistic feelings and diverse ideologies that are necessary to enhance shared understanding and reduce unhealthy fragmentation. This obligation favours participation in civil society as a developmental function. Third, PSM must be a ‘role model’ in the wider network in compliance with legislation and high standards in voluntary ethical codes of professional practice on all platforms, across media, services and contents.

Thus, multilevel governance addresses the difficulty that citizens have in participating effectively given the quantity of resources and contents available and, on many occasions, the lack of quality in these (rigour, professionalism and honesty) in treating matters of shared general interest. PSM must be mandated and presented to citizens as a source of reliable content and services that are governed by high standards of quality in a systemic way. Citizens must actively participate (through appropriate systems) in (all) processes of decision, creation and control of content and services offered.

#### *4. Be a forum for pluralistic public discussion that promotes civil participation*

PSB has long been expected to both respect and represent pluralism in societies and to actively promote citizen participation in public affairs. Specific obligations in networked society include facilitating debate by featuring issues and perspectives from diverse groups, and encouraging democratic participation – not only in elections but also in decision making processes and debates on matters of societal importance. These are the first two aspects here.

Third, PSM is obligated to advocate and advance democratic values. It has a vital role in the work necessary to inculcate values. Fourth, PSM must be a persistent promoter of democratic participation in all facets, harnessing the resources of a networked society in ways that are adapted to diverse publics. Fifth, PSM has a continuing obligation to promote a culture of tolerance and understanding.

Sixth, PSM has a continuing obligation of ‘holding governments and European institutions accountable’, advocating for transparency and contributing to the development of an open European public sphere, and remaining engaged in communication about these matters. Fulfilling this obligation requires a legal framework capable of guaranteeing the independence of PSM and a structure and system of oversight that is not contaminated by partisan political interests. Finally, PSM must promote dialogue through interactivity amongst citizens, institutions and social groups.

Multilevel governance therefore suggests a paradox rooted in the fact that citizens can feel disconnected from public affairs that concern them directly in the context of an increasingly connected society. Political disaffection has contributed to a worrisome disconnection. PSM must prioritise content and services that are of social importance, and encourage the active involvement and participation of citizens in these matters. PSM organisations and resources are the property of citizens. From this perspective, their management and control must be guided by a sensitivity to citizen interests.

#### *5. Encourage audio-visual creation and production, and promote sharing cultural heritage in the digital sphere*

PSB has long had a cultural mission, partly related to advancing the cause of enlightenment and partly to enhancing an appreciation for the richness of multicultural expression. In the networked society, PSM is obligated to promote original content production in new forms, and to reflect and support cultural diversity in music, art, theatre, cultural events and programmes (and all else). Moreover, PSM has a distinctive responsibility for digitalising archives due to their historic importance in domestic audio-visual heritage across Europe, and to make the archives accessible to the public that has paid for this. Third, PSM must promote intercultural dialogue, respecting the identity and values of each territory.

Thus, multilevel governance has divergent but connected responsibilities caused by the urgency of mitigating two risks in contemporary societies. One is the risk of homogenisation and uniformity caused by pressures that cultivate globalisation in culture, before which the diversity of states and regions (within them) must be respected and fostered. The other is the risk of inequality within and between EU member states, which must be met by both defending solidarity and respecting diversity.

These five dimensions are pertinent to digital communication in networked societies and suggest the continuing importance of public service obligations that are rooted in the historic mission. These measures will encourage citizen participation and democratic development through dialogue and interactivity; promote the creation and production of pluralistic content; encourage cultural exchange and social cohesion through public platforms that are open to everyone; and conserve and share a space with citizens who oversee and debate the role of governments and authorities, promote transparency, prioritise public matters, and have a key role in the governance and practice of public service media. With this schema as our framework, the Spanish case study explores the role of participation in legislation related to PSM and evaluates the degrees to which the objective of multilevel governance is adequately reflected.

### Multilevel governance participation in Spain's public service media regulation

The reality of PSM provision in Spain is complex. There is the national *Corporación de Radio y Televisión Española* (RTVE) plus twelve regional public operators<sup>13</sup> and a series of local services in each region. RTVE activity is regulated by three laws: Law 17/2006 on state owned radio and television; Law 8/2009 on corporation financing; and Law 7/2010 on general audio-visual communication. In addition to national legislation that also applies at the regional level, each regional operator has specific legislation at that level. Our study focused on the legal framework affecting RTVE because this is generally applicable and constitutes the basis for frames at the regional level.

To begin, we observe that none of the three national laws specifically refer to either governance or multilevel governance as an express objective for RTVE's public service mission. Perhaps the concept is too specific or too political. In fact, more general references to obligations earlier discussed are also missing, including: managing and developing democratic life; active citizenship with public and open debate about matters of public interest; and PSM's status as a public point of contact between citizens, governments and institutions. In this light, it is clear that Spanish legislation is premised on an approach to communication in a representative democracy that is essentially one-way or transmission-oriented, rather than a participatory democracy that is interactive. An update to the objectives and principles raised in this chapter is needed to advance the task of adapting the public service mission to social life in a networked society.

Despite not specifying a lot that is important, Spanish legislation makes several references to participation. Law 17/2006 specifies a function of public service entrusted to RTVE as “the promoting of pluralism, participation and other constitutional values, guaranteeing access to important social and political groups through providing a service of universal coverage, which is understood as the broadest coverage possible of the national territory” (section 2 d). Furthermore, it specifies that public entities have the obligation to “promote the right to access the media” (section 3), and stipulates an advisory board of 16 members appointed by different political and social institutions (section 23).

Law 8/2009 on the financing of RTVE adds an additional public service obligation of incorporating in its programmes “interactive services which give access to political, union and social groups” (section 9, chapter 5), and Law 7/2010 on general audio-visual communication acknowledges “the right to participation in the control of audio-visual content”. In this way, “any physical or legal person can request that the relevant audio-visual authority carries out a control on the appropriateness of the audio-visual content with the regulations in force or the codes of self-regulation”. And, for their part, “the authority, if they consider it fitting, will dictate recommendations for a better fulfilment of the regulations in force” (section 9).

In affect then, participation in the legal framework for RTVE is confined, firstly, to audiences’ activities in demanding the fulfilment of content regulations (legislative and self-regulatory codes) and, secondly, to the historic exercise of a right to access public media. Thirdly, it is configured through an institutional body called the ‘advisory board’.

There are three implications. Firstly, participation that is geared towards demanding the fulfilment of regulations (laws and codes) is about involving people in ensuring the fulfilment of public service tasks that are entrusted to RTVE. To meet this objective, RTVE relies on an ombudsman as the “defender of the viewer, listener and user”. This representative receives complaints and suggestions, completes reports each trimester on the fulfilment of regulations, and has a monthly television programme responding to issues. However, the information available on the related website is obsolete (last updated in March 2009<sup>14</sup>) and the lack of awareness is evident in the low popularity of the programme and the low numbers of complaints and suggestions received.<sup>15</sup> Despite the positive aspects of having an ombudsman, the role reflects the traditional concept of the citizen only as a receiver and user, not as an active participant that is involved with the provision of public service in the digital age.

Secondly, the right to access, recognised in section 20.3 of the Spanish Constitution as well, guarantees: “access to this media for important political and social groups, respecting the pluralism of society and the diverse languages of Spain.” The exercise of this right in the national, public corporation RTVE is specified as:

1. The right of all organisations and groups to attend and make themselves heard in news or content they are directly involved in, such as current affairs issues.

2. Recognition of the right for RTVE to ensure the presence and expression of political parties, trade unions and business organisations, religious faiths, consumer associations of broader interest (NGOs, charities, cultural organisations) and, in general, all types of political and social groups with legal status, in accordance with their goals and their importance in Spanish society.

It should be reiterated that the beneficiary of this right is not the individual citizen but instead important political and social groups. RTVE's online tool for satisfying the right to access includes a request form that should be sent to a specific address and specifies the existence of a participation and complaints monitoring system aimed at guaranteeing the effective exercise of this right. However, several voices have warned about the theoretical (Callejo 2007) and practical (Díaz Arias 2012) difficulty of exercising this right in Spain. As in the case of the ombudsman, despite the beneficial contribution of this right as a participation tool, in practice familiarity and effectiveness are very limited. In practice, the right to access is geared exclusively for complaints regarding errors in news or other programming on the part of social or political representative groups within society.

Third, participation via the advisory board is clearly insufficient as this body was not included in the most recent document about RTVE's organisational structure (Resolution: 22 December 2016).<sup>16</sup> Although the law stipulates its configuration and competencies, in the digital platform no reference is made to the advisory board as a representative body, nor is there any link hinting its existence, competencies or specific actions. There is no way to investigate its composition or work dynamics. The last news published about the activity of the advisory board is dated 4 November 2015 and makes reference not to the board's own activities but to the presentation from the Director General of RTVE at that time to the board about RTVE's activities that year.<sup>17</sup> In February 2016, the Board of Consumers and Users (CCU in Spanish)<sup>18</sup> called for a revitalisation of the advisory board to RTVE and demanded that the legal responsibilities must be fulfilled.<sup>19</sup>

Thus, the advisory board as a tool for institutional participation by the user (Carpentier 2015) is currently at a standstill within the management and operations of RTVE. There are various reasons for this situation (historical factors, scant legal development, lack of interest on the part of social institutions, etc.), but negligible political interest to involve citizens with those governing public audio-visual services is especially noteworthy. Improvement of all these potential tools (the ombudsman, the right to access, and the advisory board) would serve to advance citizen participation in the development of PSM in Spain.

With all that said, it is clear however that the citizen participation objective of multilevel governance goes beyond what is even contemplated in Spain so far, both in connection with the historic public service mission and obligations for PSM in a networked society. Higher sophistication and maturing would require accommodating the user as more than a consumer, receiver or the target of broadcast communica-

tions. It would require accommodating the user as an active citizen in their role as the service owner with the decisive role in defining, creating and managing RTVE.

As earlier noted, if we agree on the co-determinate importance of democratic health, active citizenship and the use of media (European Audiovisual Observatory 2017), then PSM has a mission to improve participatory democracy under the complicated and complex conditions that characterise a networked society. As many scholars argue, one factor that influences the quality of democracy is ‘social capital’. An active civic society that is well informed, discusses public affairs, and routinely participates in the deliberation and deciding of public issues has a positive influence on democracy (Tusell 2015). Hence, the enhancement of the RTVE’s civic participation tools would improve the democratic health of Spain today.

## Conclusions

We want to emphasise the key line of argumentation in this chapter, which is the pressing need to make progress in implementing good multilevel governance in efforts to renew twenty-first century democracies in Europe. Considering multilevel governance as a new and useful way to understand the role of government and the practice of managing public affairs is characterised by the collaboration of multiple stakeholders across levels from international to local, in public and private sectors, both collectively and as individuals. It inherently requires co-operation, developing network structures, decentralisation, complementarity between public and private sectors, and civic participation – as stipulated at the start of the chapter.

The link between multilevel governance as the key participation objective and PSM’s historic mission and contemporary networked obligations can be summarised as:

- Guaranteeing all citizens an equal opportunity to participate in public life through the provision of a universal service.
- Encouraging the sense of belonging that is essential for any community to connect citizens with matters of public interest at all levels (local, regional and national, especially).
- Providing content and services that fully comply with the law and adhere to high standards in professional codes. This now involves welcoming citizen participation in all phases of governance over contents and services.
- Respecting cultural diversity and protecting the distinctive cultures of within each state and its regions, and prioritising citizen participation in PSM through investment in original, diverse contents for each state and region.

In terms of evaluating Spanish legislation on RTVE, we recommend two things. First, we recommend introducing specific objectives pertaining to multilevel governance in RTVE’s mandate that include citizen participation for the development of democratic

life; the exercise of active citizenship, with public and open debate on matters of public interest; and point to the public contact between citizens, governments and institutions.

Second, as regards the three traditional tools in the legal framework (the ombudsman, the right to access, and the advisory board), it is vital to implement participation that considers the user as an active citizen who owns the service in all dimensions and processes. Offering citizens the possibility of active involvement (not merely to balance or repair potential irregularities) in the processes of deciding directions, management, supervision and creation of content – should facilitate participation in all of that. This objective is a priority and its realisation would be a sign of inarguable legitimacy for RTVE in the development of public service media as multi-platform content and services in Spain.

## Notes

1. This chapter is based on work done in the R&D&I Research Project (2013-2016): “Transformation of regional television in Spain: the weakening of public service and the technological development outlook in a crisis context” (Ref. CS02013-42270-R).
2. <https://www.ebu.ch/publications/vision-2020-connect-grow-influence> (consulted on 7 June 2017)
3. For example, Metroscopia’s ‘barometer of institutional trust’ in 2015 showed that only 38 per cent of those surveyed approved of the work done by the Spanish Parliament, and only 21 per cent of Spaniards positively valued the political parties. This data was similar to findings in other countries: France had 37 per cent and 9 per cent approval ratings respectively (CEVIPOF-Opinion-way 2015); Italy had 10 per cent and 15 per cent (EURISPES report 2015); and the United States had an 8 per cent rate of trust in Congress (Gallup 2015).
4. This consideration is supported on the principle of subsidiarity which prevents political decisions and actions from being concentrated at a single level of power and supports their adoption at the most appropriate level in relation to the objective sought. Considering that “regional and local entities are responsible for the application of 70 per cent of all EU legislation”, they perform a fundamental role in the future of European democracy on all dimensions.
5. Opinion of the Committee of the Regions on ‘New Forms of Governance: Europe, a framework for citizens’ initiative’, DOC 144, 15.5.2001, p. 1.
6. Project: “Renewal of public service media in the internet age in France, the UK, and Canada” funded by the Social Sciences and Humanities Research Council of Canada (SSHRC) with research grant number 435-2014-1300.
7. In this regard, the following documents are of interest: The ruling of the Court of Justice on Danish public television, TV2 (2008); The European Parliament Report (2009-2014) on public service broadcasting in the digital age: the future of the dual system.
8. “This concept establishes the right of all people to access certain services considered essential and imposes on providers the obligation to present specific services in precise conditions, with complete territorial coverage and at a reasonable price” (COM 2004, 374 final: 8). The EU institutions have impact on both the flexibility and the evolutionary nature of a term that must be adapted to the circumstances of the sector it is applied to.
9. See, 2009/C 257/01, point 47.
10. See, 2009/C 257/01, point 47.
11. See, 2009/C 257/01, point 16.
12. The European Commission has defined this term as the “ability to access the media, to understand and critically evaluate different aspects of the media and media content and to create communications in a variety of contexts” (Recommendation 2009/625/EC).

13. Of the twelve, eleven are grouped in the FORTA Organisation (Federación de Organismos de Radio y Televisión Autonómicos). The following autonomous communities do not have regional public television: Navarra, Castilla León, Cantabria, La Rioja and Valencia. Extremadura's public television network is not a member of the FORTA.
14. <http://www.rtve.es/television/20090326/cual-papel-defensora-del-espectador/254209.shtml> (consulted on 5 June 2017)
15. <http://www.rtve.es/television/20090326/cual-papel-defensora-del-espectador/254209.shtml> (consulted on 5 June 2017)
16. <http://teledetodos.es/index.php/noticias/item/1292-usuarios-piden-que-el-consejo-asesor-de-rtve-se-implique-en-la-programacion> (consulted on 1 June 2017)
17. <http://www.rtve.es/rtve/20151104/reunion-del-consejo-asesor-rtve/1247780.shtml> (consulted on 1 June 2017)
18. The Board of Consumers and Users is a body planned in the sixth part of section 22 of the General Law for the Defence of Consumers and Users. It is set out as a representative and consultative body on a national scale through the most representative consumer organisations to defend the interests of consumers and users and to indicate the decisions that are made by public powers regarding consumer policy.
19. <http://teledetodos.es/index.php/noticias/item/1292-usuarios-piden-que-el-consejo-asesor-de-rtve-se-implique-en-la-programacion> (consulted on 1 June 2017)

## References

- Bennett J. & Medrado A. (2013) The business of multi-platform public service: Online and at a profit. *Media International Australia*, 146: 103–114.
- Berg, C.E.; Lowe, G.F. & Lund, A.B. (2014) A market failure perspective on value creation in PSM. In Lowe, G.F. & Martin, F. (eds.) *The Value of Public Service Media*. Gothenburg, Sweden: Nordicom: 105–125.
- Callejo J. (2007) El derecho de acceso a los medios: reflexiones metodológicas sobre su seguimiento. *Comunicar*, 30: 107–112.
- Carpentier N. (2015) Who to serve and how? A discourse-theoretical analysis of public service broadcasting as a floating signifier. *Media and Communication/Mediji i komunikacije*, 2(4): 7–23.
- Charter for Multilevel Governance in Europe (2014). [Accessed 17 November 2016 at: <https://portal.cor.europa.eu/mlgcharter/Pages/MLG-charter.aspx>.]
- Committee of the Regions (2009) White Paper on Multilevel Governance. Cdr 89/2009 end.
- Communication from the Commission on the application of State aid rules to public service broadcasting (Text with EEA relevance) (2009/C 257/01), DOC 257 of 27.10.2009: 0001-0014.
- Debrett M. (2015) Tools for citizenship? Public service media as a site for civic engagement: An Australian case study. *Television & New Media*. 16(6): 557–575.
- De Moragas M. & Prado E. (2013). Repensar la television publica en el contexto digital. *Portal de la Comunicación*. [Accessed 1 April 2016 at: <http://www.portalcomunicacion.com/both/opc/tvp.pdf>.]
- Directive 2010/13/EU of the European Parliament and the Council of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services (Audiovisual Media Services Directive) (codified version), DO L 95, of 15-04.2010: 1–24.
- Díaz Aria, R. (2012) El pluralismo interno, clave del servicio public de RTVE. In Lamuedra, M. (co-ordinating ed.) *El future de la television pública*. Madrid: Popular.
- EBU (2015) *Vision 2020: Connect, Grow and Influence*. [Available at: <https://www.ebu.ch/publications/vision-2020-connect-grow-influence>.]
- Eurobarometer (2015) *Public Opinion in the European Union*. [Accessed 10 November 2016 at: [http://ec.europa.eu/public\\_opinion/archives/eb/eb83/eb83\\_first\\_en.pdf](http://ec.europa.eu/public_opinion/archives/eb/eb83/eb83_first_en.pdf).]
- European Audiovisual Observatory (2017) *Mapping of Media Literacy Practices and Actions*. [Accessed 17 July 2017 at: <http://www.obs.coe.int/documents/205595/8587740/Media+literacy+mapping+report+-+EN+-+FINAL.pdf/c1b5cc13-b81e-4814-b7e3-cc64dd4de36c>.]

- FBBVA (2016) La confianza en las instituciones públicas perdida durante la crisis apenas se ha recuperado, pese a la mejora económica. *Esenciales Fundación BBVA*, no. 11. [Accessed 11 June 2017 at: [http://www.fbbva.es/TLFU/fbin/FBBVA\\_Esenciales\\_11\\_tcm269-621602.pdf](http://www.fbbva.es/TLFU/fbin/FBBVA_Esenciales_11_tcm269-621602.pdf).]
- Informe del Parlamento Europeo (2010) *El servicio público de radiodifusión en la era digital: el futuro del sistema dual*. [Accessed 12 June 2017 at: <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+REPORT+A7-2010-0286+0+DOC+PDF+V0//ES>.]
- Law 7/2010, of 31 March, General Audiovisual Communication, Official Spanish Gazette number 79, of 1 April 2010, pp. 30157-30209.
- Law 8/2009 de 28 de agosto de Financiación de la Corporación de Radio y Televisión Española, BOE 31.08.2009, pp. 74003-74015.
- Law 17/2006, de 5 de junio, de la Radio y la Televisión de titularidad estatal, BOE 6.06.2006, pp. 21207-21227.
- Lowe, G.F. & Bardeel, J. (2007) *From Public Service Broadcasting to Public Service Media*. Gothenburg, Sweden: Nordicom.
- Mate, A. (2015) The Eurozone crisis and the future of Europe – The political economy of further integration and governance. *Society and Economy*, 37(4): 418–422.
- Murdock, G. (2005) Building the digital commons: Public broadcasting in the age of the internet. In Lowe, G.F. & Jauret, P. (eds.) *Cultural Dilemmas in Public Service Broadcasting*. Gothenburg, Sweden: Nordicom: 213–229.
- Muñoz Saldaña, M.; Gómez-Iglesias Rosón, V. (2013) El protagonismo de la autorregulación y de la corregulación en el nuevo mercado audiovisual digital. *Trípodos*, 32(76): 77–92.
- Muñoz Saldaña M. (2015) La financiación de RTVE. Qué hay de permanente en un debate que fluctúa. *Estudios Sobre el Mensaje Periodístico*, 21: 455–470.
- Nightingale V. & Dwyer T. (2006). The audience politics of ‘enhanced’ television formats. *International Journal of Media & Cultural Politics*, 2(1): 25–42.
- Opinion of the Committee of the Regions (2012) *Building a European Culture of Multilevel Governance: Follow-up to the Committee of the Regions ‘White Paper CDR 273/2011 end*.
- Opinion of the Committee of the Regions (2000) *New Forms of Governance: Europe, a framework for citizens’ initiative*. CDR 182/2000 end.
- Oxford University (2017) *Governance Report*. [Accessed 9 June 2017 at: <https://goo.gl/m3qtUd>.]
- Ramírez Nárdiz, A. (2014) La participación como respuesta a la crisis de representación: el rol de la democracia participativa. *Revista De Derecho Politico*, 90: 177–210.
- Sentence (2008) TV2-Denmark, T-309/04 – TV 2/Denmark v Commission. [Accessed 2 June 2017 at: <http://curia.europa.eu/juris/liste.jsf?language=en&jur=C,T,F&num=t-309/04&td=ALL>.]
- Sotillo Lorenzo, J.A. (2017) La Unión Europea y la gobernanza global del desarrollo. *Araucaria*, 19(37): 427–454.
- SWD (2016) Commission Staff. *Proposal for a Directive of the European Parliament and of the Council amending Directive 2010/13/EU on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of audiovisual media services in view of changing market realities*. [Accessed 11 June 2017 at: <http://ec.europa.eu/transparency/regdoc/rep/10102/2016/EN/SWD-2016-169-F1-EN-MAIN-PART-1.PDF>.]
- SWD 172 final (2016) Commission Staff. *Online Platforms*. Accompanying the document *Communication on Online Platforms and the Digital Single Market*. [Accessed 11 June 2016 at: <http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=SWD:2016:0172:FIN:EN:PDF>.]
- Tremblay G. (2016) Public service media in the age of digital networks. *Canadian Journal of Communication*, 41(1):191–206.
- Tusell A. (2015) La calidad de la democracia en 2015. *The Economy Journal.com*. [Accessed 17 October 2017 at: <http://www.theeconomyjournal.com/texto-diario/mostrar/591469/calidad-democracia-ano-2015>.]
- Testing and Refining Criteria to Assess Media Literacy Levels in Europe (2011) [Accessed 4 May 2017 at: [http://www.eavi.eu/joomla/images/stories/Publications/study\\_testing\\_and\\_refining\\_ml\\_levels\\_in\\_europe.pdf](http://www.eavi.eu/joomla/images/stories/Publications/study_testing_and_refining_ml_levels_in_europe.pdf).]