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Between Public and Private Media

Toward a Definition of “Community Media”

by
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Translated by
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Constitutional reforms in Ecuador and Bolivia and the subsequent laws on communications have opened up the media space to new social and political actors: public and community media. While the former tend to be associated with the state in form and with governments in substance, the latter are not clearly defined and occupy a place in the midst of the hegemonic struggle between the public and private sectors to enable citizens to actively intervene in the competition for shaping public opinion. It is therefore necessary to lay the groundwork for a definition of “community media” that includes both its legal and sociopolitical dimensions. Indeed, operationalizing such a definition might allow community media to recognize themselves in it and to take the measures required to fully project themselves as subjects of the law.

Las reformas constitucionales de Ecuador y Bolivia, y las siguientes leyes de comunicación, han abierto el espacio mediático a nuevos actores sociales y políticos: los medios públicos y los comunitarios. Si los primeros son tiendan a ser referibles al Estado en la forma y a los gobiernos en la sustancia, los segundos se quedan indefinidos e irrumpen en la lucha hegemónica entre los sectores público y privado, para que la ciudadanía intervenga de forma activa en la disputa por la generación de opinión pública. Por lo tanto, es necesario sentar las bases para una definición del concepto de “medio comunitario” que sepa mantener unidas las dimensiones de significado legales y socio-políticas. Traducir en términos operativos esta definición podría permitir a los medios comunitarios reconocerse en los rasgos observables del concepto y, por ende, tomar medidas para proyectarse plenamente como sujetos de derecho.

Keywords: *Community media, Radio frequencies, Common good, Communication, Public opinion*

The communication laws approved in Bolivia (in 2011) and Ecuador (in 2013), which follow similar legal frameworks adopted in Venezuela and

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Argentina and implement previous national constitutional reforms (in 2009 and 2008, respectively), recognize the fundamental right to information and communication and the role of the media in the democratic life of the two countries. These changes force us to rethink media space: it is no longer the prerogative of the private publishing groups that historically monopolized the papers, radio, and television but has become an open arena where the production of different types of content and the control of public opinion can be contested by different sociopolitical actors.

To focus the discussion, we will refer only to the media that employ the radio spectrum (radio and television) and not to the press, because it is the use of the radio spectrum that is currently being discussed in the countries considered. In Bolivia, for example, the press is not even mentioned in the 2011 communications law. In Ecuador, the 2013 reform established that newspapers, along with other media, must comply with registration procedures and transparency requirements while respecting the code of ethics applicable to radio and television. However, the tripartite division among public, private, and community sectors does not reference newspapers because it applies only to frequencies (in fact, a group wishing to start a paper would be considered private and would not enjoy any kind of support, in contrast to what happens with a request for the allocation of a community or public frequency). For these reasons, the press is not relevant here.

During the first decade of 2000, several Latin American nations elected progressive and national-popular governments. One of their aims was the creation of the conditions for media democratization, and this calls for rethinking of the media's role. All of these governments have reassessed the role of the state as a regulatory body since its radical downsizing during the neoliberal phase. In Ecuador and Bolivia, lengthy processes of reform of the structure of the state have involved the active participation of social movements (indigenous organizations first among them), and these have focused on the fact that subjects who have been historically invisible or stereotyped by the mainstream media can now generate their own media content.

Comparing the constitutional texts of Ecuador and Bolivia in terms of the general principles applied to communications (Constitution of Ecuador, Articles 16–20; Constitution of Bolivia, Articles 106–107), we initially notice that, in addition to a ban on monopolies and oligopolies, both clearly stipulate that the state should grant the radio spectrum that it administers to the public, private, and community sectors on the basis of equitable criteria. This is a significant innovation in that it introduces the concept of “reserved frequencies.” Nevertheless, the private media in both Ecuador and Bolivia have rejected the constitutional innovations and the subsequent communications laws, arguing that the private media are free media. In Ecuador, the private sector launched a campaign while the law was being discussed in the Congress; for the first time all private media coalesced around the idea of “freedom of expression,” thus hijacking its signifier (Cerbino et al., 2014). In a context in which a renewal of the political landscape and the exercise of power was being attempted, it was essential to enable the social movements to intervene in the symbolic struggle through diverse media content. Obviously, the private sector was opposed because this legislative reform would drastically reduce the amount of media power in its own hands.

This was the first time that the media arena had included both state-owned public media, which tended to be used by governments (e.g., those of Evo Morales and Rafael Correa) to communicate directly with the citizenry, and community media. Specifically, these latter are defined as media whose ownership, administration, and management "belong to nonprofit collectives or social organizations, *comunas*, communities, peoples, and nationalities" (Organic Communications Law of Ecuador, Article 85) that "carry out activities and provide telecommunications services and information and communication technologies that originate, transit, or end in the territory" (General Law on Telecommunications, Information Technologies, and Communication of Bolivia, Article 4). That is, these are the very subjects that participate in those social and indigenous organizations that encouraged the constituent processes and the legislative reforms about communications in the two countries. In Ecuador, such organizations include the Coordinating Committee for Popular Educational Radio of Ecuador, the Latin American Association for Radio Education, the Confederation of Indigenous Nationalities of Ecuador, and the National Confederation of Peasant, Indigenous and Black Organizations. Conversely, in Bolivia, we can point to the Community Radio Association of Bolivia, Radio Education of Bolivia, and the Platform for the Right to Communicate in an Information Society of Bolivia, among others.

The tripartite division of media space generated by these reforms and the vagueness of the legislative definitions lead to the questions "What are community media?" and "How do we recognize them?" Answering these questions requires extracting a set of criteria and proposing an explanatory definition. We will now try to identify the "indicators"¹ of a "community" medium by assembling the defining features found in the pertinent legal and sociopolitical sources.

LEGISLATIVE DEVELOPMENTS IN THE FIELD OF COMMUNITY MEDIA

The first problem regarding the definition of "community media" is understanding their nature. Recent Latin American legislation shows an interesting evolution regarding the definition of mediatized communications; in both Ecuador and Bolivia, this has alternated between two legal forms, private and public, and has assigned community media to one of them.²

THE ECUADORIAN EXPERIENCE

Ecuador's 1975 Radio and Television Law³ considered private stations with social, educational, cultural, or religious purposes as specific public services, and this situation has been maintained even when such stations have been recognized as "communal" or "community."⁴ The Organic Law of 2013 appears to overcome this paradoxical oscillation in that it formally recognizes community media as a separate sector alongside the public and private ones, with which it shares responsibility for the development of communications. Therefore, the legal form of the "community media," although dependent on both the private and the public model, seems designed as a *tertium quid*.⁵

Data can help clarify this picture further. Before the 2013 law, 5 media were employing frequencies with “public/communal” licenses although they were essentially private; 34 radio stations regrouped as the Coordinating Committee for Popular Educational Radio of Ecuador, in spite of being privately owned; and 14 private licenses were assigned to indigenous peoples, towns, and nationalities in the northern part of the country. In the aftermath of the new law, these media are turning into “community” ones, and some 20 frequencies are being assigned, through a competitive license application process, to new subjects located in the peripheral areas of the country (Bolívar and Morona) and to Afro-Ecuadorian and Montubio organizations.⁶ However, the distribution of frequencies is still quite uneven: the private sector possesses 77 percent of the spectrum, the public sector 22 percent, and the community sector only 1 percent (SENATEL, 2014).

THE CASE OF BOLIVIA

In Bolivia the 1971 law⁷ classified radio stations as either official (security and national defense) or private. The community sector, which did not formally exist, was implicitly included in the latter category, given that its purposes were cultural or educational and these were considered on a par with commercial ones. Since the 2011 reform,⁸ communitarian or community and cooperative entities capable of providing information and communication services are distinguished from public and private ones.

Presenting some data can clarify the evolution that community media have had in the country. Previous to 2011, the public system already promoted policies aimed at fostering the creation of new networks of community media, such as the Radio System of Indigenous Peoples, the Program for the Support and Reactivation of the Miners’ Network of Radio and Satellite Television of Bolivia, and the Plurinational System of Communication. In 2009, however, the distribution of community media in Bolivia was quite unbalanced: 71 percent of television operators were commercial and private, and 29 percent official (there was no community television); on the other hand, radio was 81 percent private and commercial, and 15 percent official, with barely 4 percent community radio (Aguirre, Torrico, and Poma, 2009: 97–98; Fundación UNIR, 2012). After the new law (namely, in 2012), only 3 of the 90 community broadcasting license applications have been awarded in radio and another 6 in television; very few licenses (20) have been assigned to 60 indigenous and/or union stations, and more than 88 percent of licenses still belong to private commercial media (Gómez and Ramos-Martín, 2014: 511).⁹

DEFINING “COMMUNITY MEDIA”

Despite the constitutional and legislative recognition that community media have gained in both Ecuador and Bolivia, their slow emergence in the media field reflects the “original sin” inherent to a broadcasting system dominated by the private sector and belatedly entered by the state. The definition of

"community media," therefore, is mainly negative; they are neither public nor private. For this reason, it is opportune to offer a definition that describes what these media actually are. From a review of the Ecuadorian and Bolivian legislation it is possible to distinguish certain elements that identify a broadcaster as a "community medium": the purpose and content of the services provided, the right to use particular frequencies, the origin and social composition of the subjects in charge of informing and communicating, and its coverage and the power level of the transmitter.

PURPOSE AND CONTENT

In Ecuador, community media have always been characterized by their social and nonprofit purposes, based on cultural programming, and they remain so under the 2013 law. Likewise, in Bolivia, "community radio" has always been considered a social service dealing with health, education, and productive development, a necessary element for community participation in the democratic life of the country; the 2011 law requires only that community media be nonprofit.

RIGHTS TO PARTICULAR FREQUENCIES AND SOCIAL COMPOSITION

The second dimension of meaning, the right to use frequencies, is intimately related to the third, the genesis of the medium and therefore the social composition of the collective subject that manages it and generates media content. In Ecuador such a connection was already evident in the 2002 reform, since the community stations were those created by communities or organizations that were defined by their ethnic identity or social class and that were capable of managing the development and maintenance of their communication activities. Having the same requirements and rights as commercial stations, community broadcasters could be granted licenses for radio frequencies or channels for their operations. The Organic Law of 2013 has taken a step forward by distinguishing private, public and community media according to a criterion of equitable distribution: it reserves the 34 percent of the radio spectrum to the community sector and awards it licenses for the same length of time as for the public and private media. Concretely, it means that social and collective actors may become proprietors of community media by submitting applications that establish the social nature of their communications projects. Nevertheless, the mechanisms of frequencies allocation do not seem to follow a logic that favors the fulfillment of such legal reserve. In fact, the regulations implementing the new law seem to provide for two mechanisms: direct award for public media and public, open, and transparent competition for private and community media. Therefore, the goal is to occupy 100 percent of the frequencies by respecting the corresponding thirds of the spectrum, but, concretely, community media have to compete for the same frequencies as private media, despite the spectrum segment reserved for them. Consequently, the community sector is in competition with the private one under clearly disadvantageous initial conditions, both in terms of equipment and in terms of the economic resources required.

In Bolivia, the community radio broadcasting was directed and managed by organized communities of peasant, indigenous, and aboriginal peoples as well as by private initiatives that had the local and representative support of those communities. For this reason and by virtue of their purpose, community media still enjoy affirmative action policies such as tax exemption and the right to frequency use. The 2011 law introduced a new element: an equitable distribution of broadcasting frequencies, guaranteeing 17 percent of these to the community social sector and 17 percent to indigenous peoples. In other words, it introduced a distinction that is absent in Ecuadorian legislation according to which the community sector is not exclusively indigenous but encompasses other forms of social organization.

COVERAGE

Previously in Ecuador, community radio stations could employ only low power and frequencies that were not in use.¹⁰ This was a reductionist and residual definition of “community media” linking them to the small, marginal, and territorially limited experiences. Licenses were granted in places where there were no other national, regional, or local stations or where at least they would not interfere with the frequencies assigned to such stations. Because the 2013 law does not mention coverage or power levels, community media are no longer directly discriminated against; however, the new law still calls to mind such a “local” and “residual conception.”¹¹

In Bolivia, community radio was also geographically limited, since it was meant to cover only rural areas. This idea had been partially transferred to the 2011 reform, where the assignment of different tax systems to the urban community sector and the rural and indigenous community sector shows not only that the legislation gives priority to the latter because it has a more limited broadcasting area but also that territoriality operates differentially with regard to the public and private sectors, albeit in terms of benefits and aid.

THE SOCIOPOLITICAL IMPLICATIONS OF COMMUNITY MEDIA

The legal characteristics we have highlighted do not in themselves affect these media’s capacity to “trigger processes of social change” (Rodríguez, 2010: 18). The “community” attribute, in fact, refers to a subjectivity that is neither public nor private but based on the appropriation and management of resources for providing communication. When referring to the legal regime that regulates the allocation of licenses, frequencies, or channels, this attribute allows for an identification of the goals that community media can pursue and the tools that they require to do so. Thus, it points to the transformative potential of its participation in the media space.

THEMATIC AGENDA AND ORGANIZATION

Having their own media gives organizations and social movements the opportunity to report on issues they consider relevant and strategic—issues

that are not addressed by the public or private media. It allows for the circulation of content useful for the structuring of economic activities linked to the territory (e.g., agriculture) and the social organization necessary to compete against the neoliberal development model. It is also a useful tool for the organization of political activities around these issues. In the words of some leaders of current community radio stations, "All we wanted was a communication medium that was in our hands so that we could use it to fight . . . because there were a lot of people who wanted to join but had no information about what we did because during intense moments of struggle the television channels showed only soap operas, cartoons, anything . . . but no Indians." "We are alternative communication media . . . first because we are with the people, we organize the people. We are liberators who educate, ensure that people, the people, get respect, so that they can claim their rights."¹²

THE RIGHTS/DUTIES OF THE STATE

Given the challenges presented by community media, ensuring their access to the radio spectrum is an essential task. If we consider, as several international bodies (including the International Telecommunications Union and UNESCO) argue, that the radio spectrum is a common heritage of humankind, we can then define this as a "common good" for which the state has both the right and the duty to establish regulations.

By "common good" we mean a material or intangible, natural or artificial, resource that belongs to everyone at the same time. The commons enable the exercise of a person's fundamental rights, and their use and management should be based on principles of sustainability and conservation, preservation for future generations, and respect for the natural and social environment that contains them. The public or private entities (the selection of which depends on the nature of the good and the capacity to respect its social goal) that manage these assets are mere "guardians" or "stewards" of the general interest. Common goods, in the European juridical and political debate that has arisen in response to the policies of privatization of strategic resources in recent decades, include, among others, water, culture, knowledge, and the radio spectrum. Here we employ a synthetic version of the dominant definition among those proposed (Mattei, Reviglio, and Rodotà, 2010).

The radio spectrum is a "common good" in that it is a *strategic* resource that allows everyone the fundamental right to produce and receive information through media constituted for this purpose and equipped with the means to do so, and a *limited* resource that must be managed sustainably. It represents the entire range of radio frequencies in the Earth's atmosphere and therefore must be treated as a "common" or collectively owned resource "controlled and administered by government on behalf of its citizenry" (Rifkin, 2000: 225). The main innovation of the Ecuadorian and Bolivian laws is to have embraced the concept of ownership proposed by MacPherson (1973: 139), according to which "property must become rather a right to an *immaterial* revenue, a revenue of enjoyment of the quality of life."

Thus, when we conceive the state's reservation of frequencies as a right, it is in the sense of the prerogative of recognizing a sector of civil society (the

community sector) as an a priori object of protection against the existing regulation (or blatant lack of it) of frequency allocation that for a long time ensured the private sector a monopoly of broadcast communication. Given the concentration in private hands of the common and limited good that is the radio spectrum, the state must intervene to modify the rules of the game in favor of an effective democratization of communication to prevent citizens from “becoming beholden to a handful of media companies” (Rifkin, 2000: 227).

The exercise of this right is one aspect of what Fiss (1986) called “state activism,” meaning both positive (promotion) and negative (suppression) actions. Thus, the state can intervene to correct a situation that is detrimental to the effective exercise of freedom of expression, allowing access to the common good that is the spectrum to actors that have been historically silenced by private television and radio monopolies. In order to do this, it must accept the duty to implement a set of positive benefits that compensates the community sector for its disadvantageous position in relation to the private sector. It must provide effective access to the radio spectrum to a sector that is not only plural but diverse. Access is “about determining kinds as well as levels of participation.” The problem is not just the amount of information or communication content that is made available (pluralism) “but rather what types of experiences and worlds of engagement are worth seeking and having access to” (Rifkin, 2000: 266). Consequently, the community sector would have greater legitimacy with regard to the use of the radio spectrum.

The fact that in Ecuador and Bolivia equal treatment in the allocation of frequencies is enshrined in the constitution reinforces this principle: the state has assumed the right to contribute to the democratization of communication, acknowledging the diverse contributions that the community sector can provide. At the same time, it takes on the duty of ensuring that its content can be effectively broadcast employing the frequencies assigned to it, and this means guaranteeing the required technical support. The 2013 law thus affirmatively included all the elements that made access to the common frequencies a reality. *A fortiori*, if community media have special legitimacy with regard to the use of the radio spectrum, the opposite could be argued for the private sector.

DIVERSE COMMUNICATION

The state should pay particular attention to the regulation of private television and radio because they employ a common good to serve private interests—in other words, to produce content that is plural but not diverse. The idea of reservation of frequencies bears some resemblance to the implementation of Hallin and Mancini’s (2004) Northern European corporate democratic media model, in which the state ensures pluralism of content (that is, the set of singular voices that are articulated on the basis of a particular, strictly corporate agenda). The difference between pluralism and diversity is that the latter is relational (being different from something or somebody). Diversity implies a relationship among different subjects, while plurality only implies their aggregation.

Community communication, then, produces content that is not merely pluralist but diverse. It assumes the involvement of the identity and motivations

of the subjects who together produce and consume it (Gui and Sugden, 2005; Uhlaner, 1989). This is content that, while locally generated, can dispute the hegemonic discourses that underlie, for example, the information agendas of large international information agencies—those that MacBride (1980: 114–143, 207–238) saw as responsible for creating an international media monopoly. MacBride suggested that an alternative—producing a new world order in communications— would be localized production with an emphasis on the cultures of its producers. Community content, although locally based, would facilitate exchange between different realities that —geographically separated but sharing the same mission— can establish a common platform for resisting or contesting the global hegemonic discourses that attempt to make the local disappear and to homogenize all content in conformity with the status quo. Some years ago, UNESCO (1998: 154–159) highlighted the fact that the cultural values that identify and link local, regional, and national communities were at risk of being crushed by the inexhaustible forces of the global market and wondered how society might preserve and strengthen them. We suggest that the local dimension of the cultural production created by community media is an antidote to the homogenizing effects of globalization.

In a world dominated by technologically mediated environments, all countries face a real challenge when it comes to creating new opportunities for people to participate directly from within their territorial communities. This is partly because cultural expression becomes a “shadow of the total experience” if it is isolated from its local context (Rifkin, 2000: 253). Grassroots institutions should become politicized, bringing together activities and interests and creating a shared sense of a collective mission that can confront both the shortcomings of the state and the transnational migration of business activities, including those related to communications and information. For this to happen “there will have to be recognition of the importance of geography in establishing a common ground” (Rifkin, 2000: 256). From this perspective, community media function as effective speakers: they can build a discursive network among voices that are geographically separated but share an interest in building a critical culture that can act as a cohesive and self-conscious political force and, therefore, one adept at structuring society. Additionally, in the specific case of Latin America, the need to nurture a critical culture and public opinion has matured alongside a more general rejection of Eurocentrism and the racist epistemes that reproduce the coloniality of power (Quijano, 2010). This scenario has given birth to new logics That differ from colonized ones: “What we will have in the future is not so much a common logic . . . as various logics, various ways of producing meaning and explanations, that have a common sphere, communication” (Quijano, 2010: 65). This is a new social dynamic in which people combine knowledges, learn from each other, and may even choose to exchange one cultural identity for another.

RETHINKING COMMUNITY

What we are discussing here finds its linguistic representation in the same etymology of the words we use. “Community” and “communication” speak of something shared that involves people with mutual obligations and emphasizes

not only the factor that unites but the relationship itself, the constituent otherness, that brings people together. In other words, the value of the communal is not that which creates a relationship between subjects but the relationship itself. This argument goes beyond the idea, currently in vogue in Latin America, that “community” is to be understood in terms of a closed-off and hence total identity, as in the case of ethnic identities. Indigenous forms of organization are often linked to this premodern idea of community, in which identity is considered an ahistorical and essentialist fact. Nancy (2000) has usefully introduced the expression “being-in-common,” which is intended to replace the category of the “individual” with that of “singularity.” This is modified by the relationship with the other and projects the idea of a community that is never complete because it is constantly under construction and, as such, “inoperative.” Nancy deconstructs the conceptual category of “community” beyond individualism and communitarianism. On the one hand, he questions the notion of the “individual,” whose origin would be the being itself, as the fundamental entity from which to think about social relationships, pointing to the inconsistency of these notions (as already posited by Lacan). On the other, he rejects the idea of “community” as a dimension that transcends individuals, a state of fused and communing individualities (Nancy, 2000: 72, 75, 105). He focuses on the notion of “relationship,” the copresence of others, as a condition of existence and of the notion of community as what allows each individual to exist through a prior relationship with others.

It is no coincidence that the “communal” leads directly to Hardt and Negri’s (2009) concept of the “commonwealth,” a set of conflicting and cooperative interactions through which the multitude develops forms of self-organization and social institutions in continuous transformation, thus building paradigms alternative to the dominant ones. The concept of “multitude” refers to a “network of singularities” that does not converge with the unity of the state (Virno, 2010: 198) but persists and can find elements of consistency only through relationships with others. What is common, then, presupposes a collectivity in which different wills meet and clash: it manifests itself in practices and the relationships of construction, defense, and shared management of resources perceived as “common.” The proximity of this concept to the semantic implications of “community media”—rationality, conflict, molecularity, and horizontality—is obvious.

Community media can provide the constant conflictive tension needed for the formation of a controversial and responsible public opinion. Diluting the content usually considered important in the hegemonic struggle between governments and private lobbies, they can initiate self-reproductive processes of participation and counterhegemonic citizen interaction. The concept of “counterhegemony,” gleaned from Gramsci, posits contested terrain in which grassroots, politically alternative media power can be built that can dissolve existing structures and facilitate the development of democracy in the field of communication.

Obviously, it is the medium’s relationship with its audience and the process of communal participation that guarantee the autonomy and independence of the political and communicative project (Gumucio Dagron, 2012: 8). Democracy promises collective self-determination and presupposes an “uninhibited,

robust, and wide-open" debate (*New York Times Co. v. Sullivan*, quoted in Fiss, 1986: 1407). This requires interaction spaces that differ from the existing public and private ones, spaces in which "media and communicational processes are directed neither by government nor by corporate initiatives but by communities classified as such both in territorial terms (e.g., a neighborhood or region) and in terms of identity and affinities (e.g., women's collectives, blacks, etc.)" (Cabral, 2011: 22).

BY WAY OF CONCLUSION: COMMUNITY MEDIA PUT TO THE TEST

Community media emerge from the relationships established among those who struggle to claim them; in this way, they self-determine themselves and live in a conflictive tension against the dominant media and vertical communication. They designate constellations of heterogeneous networks capable of making a difference through informative and communicative actions in which the senders and the receivers are on the same level. The communications community we imagine here, defined by its social and political practices, can take its place among the classical Latin American studies on "popular media" from the 1960s and 1970s (e.g., Beltrán, Kaplún, Pasquali, and Prieto) and the conceptual debates of the 1980s and 1990s (e.g., Capriles, Alfaro, Martín Barbero, Prieto, and Reyes Matta) and today (e.g., Gumucio Dagron and Rodríguez). Here, however, we try to go a step farther.

While one of the main definitions of popular communication has emphasized solidarity and the relationships between groups (and therefore subjectivation and the recognition of marginal sectors), today's community media seem to place greater value on the struggle for resources (frequencies and media outlets) than on social integration as they engage in counterhegemonic action. Precisely because they occupy third place, alongside the public and private sectors, and given their characteristics and potentialities, it is desirable for them to maintain the same constituent tension that led to the reforms earlier discussed. In Ecuador and Bolivia, it will be essential to maintain social control over the fulfillment of the radio spectrum redistribution according to the percentages established by the law, thus preventing the private sector from occupying the frequency quota assigned to the community sector and the public sector from absorbing it. This is why it is important to define "community media" and distinguish the kind of content that they are intended to produce.¹³ At the same time, the state must exercise its right and duty to protect the community media and promote their entry into the media—and therefore political—space. It must refrain from diluting them by mistakenly superimposing the state on the governmental¹⁴ or limiting them under the reductive equation "community = indigenous or ethnic." It is not enough to guarantee freedom and independence of expression without ensuring that all relevant opinions can be heard: distortions of public debate "arise from social factors rather than technical or legal ones" (Fiss, 1986: 1413). Financial and symbolic inequalities mean that not everyone can start a newspaper or a television channel under the same conditions. The state will have to grant subsidies and other benefits (as proposed by Articles 11, 86, and 87 of the Ecuadorian law) to enable a public debate enriched by community media whose content is managed by groups

and institutions of civil society. These entities may have concerns and perspectives that would be overlooked or underestimated by the public and private media, and this is an enormous public contribution, locally, nationally, and globally, especially in political and cultural terms. To increase the effectiveness of the reform, the law's purpose should be publicized among those who might be interested, and technical support should be made available so that those seeking to establish community media can submit properly formulated applications for the available frequencies that meet the legal requirements without sacrificing their own perspectives, identities, and values.

NOTES

1. This task corresponds to Lazarsfeld's (1958) classical "operational definition," in which the indicators are the observable characteristics of a concept. After an initial creative phase in which the concept is figuratively represented, the researcher proceeds to specify it in terms of meaning—which can be deduced analytically from the general concept and empirically from the structure of its interrelations—and to identify the indicators that allow measurement of the properties of the objects of study.

2. We thank Romina Barboza and Hector Chiriboga for collecting data pertinent to communications legislation in Ecuador and Bolivia.

3. Decreto Supremo No. 256-A R.O. No. 785, April 18, 1975.

4. The Ley de Radiodifusión y Televisión (R.O. No. 691, May 9, 1995) and its 1996 Reglamento General and Ley 89-2002 (R.O. No. 699, November 7, 2002) introduced the terms "radio stations for community service" and "community stations" as part of the public service sector.

5. This interpretation is corroborated by the new law's transitional provisions, one of which is that media belonging to *comunidades*, communities, peoples, nationalities, and social organizations that had previously taken the legal form of private companies or corporations in obtaining radio and television frequencies can now become community media within a given time.

6. Resolución Rtv-144-05-CONATEL-2014.

7. Decreto Supremo No. 9740 (Ley General de Telecomunicaciones).

8. In 2004, Decreto Supremo No. 27489 acknowledged "community radio broadcasting," separating it from the "private" category and formally granting 17 frequencies to these stations. However, the lack of specific regulation and the following Decreto Supremo 28526 of December 2005 (Reglamento de Simplificación de Trámite de Obtención de Licencia para el Funcionamiento de la Radiodifusión Comunitaria) marked a turning point in broadcasting legislation. It assigned the role of overseeing community radio and television to the Asociación Mundial de Radios Comunitarias, a private institution in the public service (Gómez and Ramos-Martín, 2014: 498–499).

9. We thank Sandra Villegas for her assistance in obtaining these data.

10. Ley de Radiodifusión y Televisión (R.O. No. 691, May 9, 1995) and its 1996 Reglamento General granted community media a maximum of 300 watts in amplitude modulation and 150 watts in frequency modulation.

11. The new law gives priority for licenses to stations seeking to create subsidiaries in different provinces (Article 114) and states that frequency allocation will take place gradually, mainly through allocation of the few frequencies that remain available or the revocation and reallocation of frequencies obtained illegally, giving priority to the community sector (Article 106).

12. These excerpts belong, respectively, to Carmen Yamberla at Radio Iluman and Francisco Shiki from Radio Arutam and were part of a media management workshop held in Puyo (eastern Ecuador) during May 2013. We thank Isabel Ramos for providing us with a transcription.

13. In Ecuador, a transitional provision included at the last minute in the communications law observes that some private media owned by the Church have requested to be turned into community media; other subjects identified as private (and listed in a registry required by the new law) have registered as holders of community media.

14. Here we are talking about the Correa and Morales governments' tendency to conflate, either during public debates or in the practical use of communication media, the concepts of "the

state," "public," and "government." "The state" is neither equivalent to nor limited to the other two. The tripartite division of the radio spectrum shows that the state is impartial with regard to all three sectors; additionally, the legislative reforms distinguish between the public sector proper and the "official" public sector. This suggests that the law assumes that the state does not include everything that is public and must be distinguished from both what is public and what is communal.

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