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Hacking the Policy Space

Helen De Michiel

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I am sitting with a group of public media and community arts leaders at a recent lunch meeting hosted by Charles Benton, CEO of The Benton Foundation. We are here for the annual media reform meeting of The Media and Democracy Coalition (MADCO), a public interest network of thirty advocacy organizations from around the country working on protecting the media sphere for all citizens. The Washington, D.C. restaurant is loud and bustling at noon, and fifteen people sit listening to one man seated at the middle of our table. William Freedman, Associate Bureau Chief at the Federal Communications Commission (FCC) is explaining how the agency is facing an unprecedented historic moment in which to form new policy recommendations for rules that will shape and guide the burgeoning digital landscape for the next few generations. "What will the future of media look like?" Freedman asks us. "We need all of you to help us understand how the new digital landscape impacts you in the field and in your communities."

There are people at the lunch table who, in their work with media reform and communications policy, are filing formal comments with the FCC, sending emails or posting blog entries to the Future of Media website. The results of these collective efforts will unfold over the coming months and years as the agency struggles to ensure high speed and affordable internet for everyone. Yolanda

Hippensteele, a media reform activist who now consults for the Media and Democracy Fund, marvels at Freedman's call to action. "This is the first time, in all my years working in media reform, that the FCC is asking grassroots public media advocates for direct help, and not mandating from above in the Chair's office." This is an unprecedented opportunity—not to be forgotten or dismissed. Officials admit they do not have hard and fast policy answers–as the issues are complicated and developing rapidly. Constantly playing catch up with new developments, FCC experts are reaching out and listening to a diverse set of communities, including the arts, to provide shape to this evolving space.

> *Cultural policy is media policy, and media policy is cultural policy*. - Bill Ivey

In December 2009, the National Endowment for the Arts (NEA) convened a group of sixty arts organization leaders to discuss the findings of the 2008 Survey of Public Participation in the Arts, a study that measures American adults' interest in, and habits around, going to museums, music, dance, visual arts and theater shows, and other miscellaneous cultural events. From performing arts venues to museums, the study reports that attendance and participation in the arts–as defined in this survey—has been declining. Curiously, the survey did not include the art of film, digital or video/television, or any moving image media—even when presented at film or multi-media festivals.

I count four generations of leaders at the NEA roundtable meeting. The comments I listen to are a revelation, and contradict the survey's findings. Testimony comes from directors at museums, in literature programs, and in film, dance, music, and theater organizations. They state that people ARE highly involved in their local arts community—how artists no longer categorize themselves as jazz musicians or hiphop musicians, but simply as musicians. How artists are now working collectively on projects both for profit and for fun. How new audiences now seek a full day or night's worth of "experience," not simply a show at a museum or contemporary arts center. How artist groups and collectives are figuring out new ways to provide these layered experiences, earn a living, and continue to erase boundaries—especially between profit and public good.

As more people spend time crafting and collaborating together on creative projects, the psychic distance between artists and communities is breaking down. The great new ideas of this emerging decade are coming from open space convenings, open source wikis, and crowdsourcing clusters. I also think of the popularity of large participatory events that attract more people every year, like Burning Man, The Maker Faire, and The Allied Media Conference.

How will the NEA respond to the fact that, as the deputy director put it, the "the Endowment is only serving 30% of the public now?" No one can turn away from the radical shifts we are experiencing in culture where artists and culture consumers are rejuggling their relationships in the web of social media, economic vulnerability, and questions about ephemeral media, durable art, and the blur between commercial and nonprofit. Why couldn't the NEA survey on arts participation capture these emerging new realities?

And who, exactly is the "arts public" now? The borders are permeable. And the inside/out relationships we are developing in this new media world are more intimate than ever, and more complicated than ever could have been imagined.

While the NEA study attempted to tell one kind of story based on data, it seemed that we could all feel at the meeting that the questions being asked came from another century—a place and time that no longer exists. Taken in 2008, the survey was already irrelevant to the massive changes being reported a year later and experienced in the room six months ago: the December convening was being video-streamed in real time across the internet, with live-tweeting commentary on the back channel. The economy, the demands of a rising generation of digital natives, the loosening grip of an older generation trained in 20th century modernist aesthetics—all were under scrutiny that day.

At the meeting, everyone was adding in a piece to the mosaic we were assembling of observations, insights, questions and concerns. There were no right or wrong answers or interpretations of the cultural climate; no complete and clear picture that would pull into focus–yet.

> *It's possible that each of the current [media] policies is right as is. But, I would submit, highly unlikely. In fact, we believe that the FCC would be committing gross malfeasance were it not*

> *assessing the new media landscape to make sure that the current regulatory structure best advances the public interest. Our review must, and does, include considering adding new policies and removing or modifying existing ones that might be burdensome, counterproductive or inhibiting marketplace innovation.* - William D. Freedman, in his Benton Foundation luncheon remarks

After years at the margins, in the wake of the culture wars of the 1990s and following two republican administrations, artists, students, and community arts organizations have little understanding for, or experience with engaging, legislators and governmental officials about the meaning and impact of the work we do. Yet, as creativity and connectivity accelerate and thread together in and around the new digital platforms, we have to think about how and why to move into the center of the debate now over the future of media, and thus, the future of culture. "Why don't we hear more from artists and media makers?," aides in congressional offices ask. When I tell arts people that I am involved with media policy-related issues and ask them about their own advocacy efforts, they tell me they don't have enough time or resources to really get into it. I also sense the dual threat of intimidation, along with not knowing how the advocacy process works for meaningful influence.

"An artist's ability to exist and work as an artist depends on a platform, and you have to have access to a platform," says Casey Rae-Hunter, from the Future of Music Coalition. There is a delicate equilibrium now between broadband platforms and the human expression that migrates there (please note I did not use the word "content"). It is increasingly clear that protecting and giving access to broadband space has to work in tandem with supporting creative expression there. One cannot exist without the other.

After the Benton lunch, I spend three more days at the MADCO meeting in Washington, going to sessions about Universal Service Fund reform, alliance building with the arts, briefings on FCC Title 2 reclassification, and lobbying training. In hallway conversations I ask lawyers, public interest organization staffers, media justice advocates, and other arts people like myself to tell me why artists and arts leaders from all kinds of communities should be hacking the policy environment now. Conversations keep coming back to the newly emerging interdependency between art that is being created and the platforms on which the

work will live and be distributed. Since digital convergence culture is here at last, these policy watchdogs and activists are fighting for free and open platforms that will continue to allow artists and audiences to find one another and engage in dialogue–as facts and process, as reflection, as interpretation, as visions for the future. What I discover is unequivocal: if artists, arts organizational managers, and funders do not show up to sketch out a vision for the future and protect this free and open space, then it will be privatized and gated up.

I hear that policies are the frames that shape our access to and use of digital tools. And the structures set up to create media and arts policies are more malleable now than they ever have been.

I think about how to name some of our common values and infuse them into this highly technical, high stakes bundle of complicated debates swirling around the communications ecosystem. One participant at the MADCO meeting tells people we are working towards "digital civil rights." I like the direction that slogan takes because it alludes to the past and the future in terms most Americans can understand.

Amalia Deloney, from The Center for Media Justice, is a lawyer and community organizer. She offers a perspective to this work not typically heard among hardcore public interest "grasstops" policy advocates working in the Beltway. "We can shape our cultural identity through cultural policy," she says. She explains that when politicians, advocates, and reformers come into contact with people who work in cultural milieus, the policy-making process can change, become more authentic. This is another way to look at social change and the arts–not using art as an instrument, but introducing more cultural approaches into political work and democratic processes.

She tells me that the way we talk about ourselves and the stories we construct–as artists and arts leaders who are taxpayers, professionals, parents, educators and students–will influence the directions media and arts policy will take. And because the digital space is being defined now, this is a moment for artists to push institutions forward and infuse their stories into the mainstream discourse.

Some themes to work with as raw material: Community building. Learning and mentoring. Empowering new public voices. Supporting individual artists and

bridging cultures. Working openly across disciplines and cross-pollinating partnerships. Encouraging civic participation. At National Alliance for Media Art + Culture (NAMAC) we have been weaving this Positive Core of the Media Arts–a potent and inspiring set of values that have come up repeatedly in regional meetings with media arts leaders around the country—into our organizational story and how we explain to people what some of our guiding principles are for our cultural work and actions we take. The values validate and clarify our work and serve us as touchstones when technology seems to diffuse, disrupt, and distract us. And when it comes to articulating reason for diving into policy work, they are liquid nutrients flowing beneath a policy streambed.

Policy engagement is a dynamic and uncertain process, just like making a creative project; and artists, students, and small community arts organizations have a major stake in the policy struggles that are going on now, especially at the federal level. In my own policy education, I constantly discover something new that seems to change the way I am doing my work, in both my geographical community and my virtual space--from the struggle to protect network neutrality to the evolving issues around access to and management of Spectrum; the build-out of the National Broadband Plan to the slow and contentious move towards changing copyright so it protects creators. And hovering above all these intricacies is a larger and bolder demand: the right of all Americans to become digitally literate, with an education that treats them as Internet citizens and not just consumers.

District, state, and national officials say they want to hear more from artists, emerging arts leaders, and local community arts organizations, and they want to hear it often and consistently. Maggie Juliand, legislative aide to New York Congresswoman Louise Slaughter, who heads up the congressional arts caucus, says that "Members of congress don't understand the impact of the arts in local communities. They need to hear, again and again, about the amazing work artists are doing in underserved communities. In order to make a case for increasing resources, your local, personal story is the most influential."

University students are poised to become the builders of the next generation of protections for access and invention on the digital frontier. Artists and emerging arts managers must be trained–in the same classrooms with lawyers, journalists, and technologists–to struggle with some of the biggest questions we face as a

sector: how creators will be sustained if copyright is unfettered; how media ownership rules impact local airwaves and access to them; and, how to demand and make sure that arts groups are integrated into the National Broadband Plan.

When we develop and maintain cross-disciplinary alliances, especially with partners outside of the arts sector, this activity will make sure that we have cultural alternatives and that the needs of communities will be served in new and unimagined ways.

What is advocacy now? How to get involved? Collect stories. Get a cluster of arts people together, meet to figure out the agenda for a local district meeting with your congressional representative's staff, make an appointment and do the meeting, blog to your social network about it, send a staffer thank you and plan a follow-up visit. Collect more stories and report to potential funders about what you are doing. Put together a local group that can request travel and training grants to visit representatives on Capital Hill. Stay connected to local, regional, and national arts organizations and lobby them to find more funding to bring artists and new arts leaders to Washington to visit Congress. Make a case for why artists and arts leaders need to be trained to become effective spokespeople and become involved in policy education and advocacy.

As we collect and report more stories, and use our collective imagination to figure out new ways to insert these too often invisible stories into the public and legislative conversation, we will shift the policy environment for at least a few generations to come, while perhaps even play a major role in economic recovery.

Leaving Washington, I look back on how the passion and focus of the advocacy community has sharpened my own practice as a creator, problem solver and improviser. I pay attention to policy work as performance art in the real world, as strategy that will make a huge contribution when it wins. I no longer feel I need to conceptually grasp all the technical infrastructure debates around the future of media, but I can still hack the policy space and take part in protecting the new public media ecology. I knew that, at last, my input was being recorded, and I was finding my artist's voice in one of the greatest and influential debates of our era.

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Helen De Michiel, Filmmaker and Co-Director, National Alliance for Media Arts and Culture (NAMAC)

Helen is a director, writer and producer whose work includes film, television, media installation and soon, webisodes. She has been a central participant in the media arts and public media field since 1983, when armed with her newly acquired MFA she landed a film curatorial position at the Walker Art Center in Minneapolis. She has made several award-winning independent documentary and dramatic works, produced programming for public television, created community media projects with youth, and writes regularly about issues in the media field. Her work is included in several museums around the country.

Since 1996 Helen has served as the National Director for NAMAC, and now shares her co-directorship with Jack Walsh. She has built several national programs to strengthen the work of member media organizations in the areas of media research and policy, organizing among constituencies, leadership development, and technology planning.

From 2002-2007 she served on the Board of Directors and awards jury for The George F. Peabody Awards for Electronic Media. As a professor, she has taught at the University of Texas, Austin, and lectured at universities around the country.

In 2010 her co-authored essay with Professor Patricia Zimmermann, "The Open Space Project: Towards a Collaborative and Relational Theory and Practice of Documentary," will appear in The British Film Institute's new edition of *The BFI Companion to Documentary*.

Her current film project is "Open Minds Open Mouths," a multiplatform documentary about the Berkeley School Lunch Initiative and how a community came together to change the way our children eat.

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