Article 3

Television Goes Online: Myths and Realities in the Contemporary Context

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Abstract
New technologies impact industry and audiences, (re)opening a wide range of debates about costs, control, desire, culture, and strategic directions. Some polemicists have gone so far as to proclaim that new viewing platforms signal the death of TV, as public discourse is underlined by the assumption that television's digital migration allows everyone to get what they want, when they want it, rendering traditional television irrelevant or redundant. Rather, it is important to critically assess such popular and tempting claims in order to provide a thoughtful and fair analysis of what might amount to popularly exchanged "myths." Underlying this analysis is the nagging insistence that television is, after all, an industry, located in historically and geographically specific capitalist and commercial contexts that structure both content and access. The article will highlight some of these issues in the Canadian context, which is often under-represented in global literature, despite the success of this industry (domestically and globally); as well as its economically strong and culturally uneasy relationship with the American television industry. Canada is instructive, then, not only as a national context, but also as a tool for thinking transnationally about online television, a move that may bring to crisis several popular myths and rearticulate the importance of considering television convergence, conglomeration and consolidation in the online television discussion.

Introduction
Portable screens, mobile viewing, and on-demand, in-control screen cultures have created a number of challenges and opportunities for the television industry and audiences. Some polemicists have gone so far as to proclaim that new viewing platforms signal the death of TV, as public discourse is underlined by the assumption that television's digital migration allows viewers ultimate control, rendering traditional television irrelevant or redundant. A recent article in *The Guardian UK* headlines, "TV is Dead. Long Live the Internet" (2011), making futurist claims a seeming reality. In a similarly titled article, *Wired* magazine states, "The TV is Dead. Long Live the TV" (Borland, 2007). In the opening paragraph, a CBS producer, Kim Moses, states, "[t]raditional TV won't be here in seven to 10 years….It's changing so fast that I don't know if it's even going to be that long" (para. 5). These highly visible, widely read popular sources help create the public notion that TV is quite obviously being pushed aside by online environments. This discourse is sometimes replayed by television studies scholars, leading, for example, Derek Kompare (2010) to suggest that "television exists primarily as a *metaphor*" (p. 80). Here, academics and journalists, as well as product developers and marketers, have been probing the relationships between and the power involved in technological change and changes in film and television viewing practices. Undeniably, and predictably, new technologies impact industry and audiences, (re)opening a wide range of debates about costs, control, desire, culture, and strategic directions. Long-standing debates in media studies regarding both new technologies' impact on previous industries (see, e.g., Bettig & Hall, 2003), and crucial debates regarding tensions between the active audience (via the critical cultural studies tradition), technological determinism (of the Toronto School and beyond), uses and gratifications and diffusion of innovation (see e.g., Yang & Chan-Olmstead, 2009) and industrial/institutional power and Dallas Smythe's (1977) notion of the audience commodity resurface (see, e.g., Meehan 2005, 2007). This paper attempts to locate the current online migration within these

competing frameworks, offering the reminder that the political economic framework (Mosco 1996) should be foregrounded.

It would be absurd to suggest that television is not changing, that viewers are not afforded a level of flexibility and control over their viewing experiences with new platforms, or that many people do not enjoy new modes of viewing. In fact, in many areas of the world, particularly where strong public service broadcasters (PSB) persist, this discussion is much less ubiquitous. This fact, along with other empirical evidence in the North American contexts, suggests that the death of TV is not nigh, nor has television been simply reduced to a “metaphor” (Kompare, 2010). Rather, it is important to critically assess such popular and tempting claims and discourses in order to provide a thoughtful and fair analysis of what might amount to popularly exchanged “myths.” Unpacking the contradictions and myopias in the admittedly enticing TV streaming and downloading myths will help prevent slippage into technological fetishism, the digital sublime (Mosco, 2004), or retro-avant-gardism (Spigel, 2004). Underlying this analysis is the nagging insistence that television is, after all, an industry, located in historically and geographically specific capitalist and commercial contexts that structure both content and access. From a political economy perspective, the article will highlight some of these issues in the Canadian context, which is often under-represented in global literature, despite the success of this industry (domestically and globally), as well as its economically strong and culturally uneasy relationship with the American television industry. Canada is instructive, then, not only as a national context, but also as a tool for thinking transnationally about the political economy of online television, a move that may bring to crisis several popular myths and rearticulate the importance of considering television convergence, conglomeration and consolidation in the online television discussion. Essentially, this is a reminder that political economic realities need to be considered when futurist, technological fetishist, and tech-hype tend to shape public discourse.

Everyone Is Doing It—The Myth of Ubiquitous Internet Television Viewing

If part of the myth surrounding online television were that “everyone is doing it,” it would be important to examine the myth of ubiquitous online viewing. For example, a recent story on MSNBC, “Teens Tune Out TV, Log on Instead,” reports on a Yahoo-funded study that found that young people spend more time online than watching television (Weaver, 2011). This is echoed anecdotally by informal polls of Canadian university classrooms where a majority of students claim they do not have a television. How accurate and representative is this picture—in the United States, Canada, and globally? In this case, further statistics about viewing practices will help create an accurate and realistic picture of the online viewer, as well as patterns and geographies of online viewing. According to International Telecommunications Union (ITU) research, the digital divide is still strong. The global Internet penetration rate for 2008 was only 23%--quite a low percentage of the world’s population has access to the Internet (ITU, 2009).

Of course, the so-called developed world has more access to the Internet than the less-developed nations: 55% people are online in the former and only 12.8% in the latter (ITU, 2009). Table 1: Internet Access by Global Region (Internet World Statistics, 2008)

North America	73%
Oceana/Australia	68%
Europe	49%
Latin America/Caribbean	30%
Middle East	23%
Asia	17%
Africa	5%

It might be significant to note that Europe’s Internet penetration rate is only 49%, which is less than half of the population, that only a third of Latin America is online, and that less than a quarter of the Middle East is online. Strikingly, only 5% of Africans use the Internet. These numbers do not support a picture of a global television downloading public. Additionally, mode of Internet access would be important to consider. In Africa, most Internet access occurs in public settings such as Internet cafes, with mobile and broadband infrastructure "negligible." Geography also helps structure this context, with coastal countries' access to undersea fibre optic cables, affording greater bandwidth that might be needed to access Realtime or Windows-based videos, let alone BitTorrent files (Internet World Statistics, 2008).

Conversely, it might be unremarkable to note that North America has the highest Internet penetration rate. However, this rate does not speak to nuanced in-country divides. Seung-Hyun Lee (2008) helps us understand the picture of an American online viewer using Rogers' (1995) diffusion of innovations model. The study shows that mobile TV's early majority (as well as late majority) adopters are college students. Likewise, in a recent presentation at the Canadian Communication Association, Nikki Porter (2009) demonstrated that within Canada, one of the most wired countries in the world, only 2% of the population relies on the Internet for TV, with young people and those with higher incomes more likely to watch online. Porter (2009) has astutely dubbed this the "prime-time digital divide." In her words, claims about online viewing are "based on statistical outliers," succinctly naming this part of the myth's equation. Lee et al. (2009) further demonstrate fragmented online viewership choices based on age, income, and educational level. From these studies, we can consider that younger, more affluent viewers are more likely to be the "everyone" in the online viewing myth.

The same in-country divides could also be applied to each of the above countries–Internet access and computer ownership is tied to income, wealth of the country, social status, educational and skill level, and age. This proves to create a multi-tiered global divide of users, perhaps best understood through the "hype" and "obsession" model, as demonstrated by Dimitri Schuurman et al.'s (2009) discussion of Gartner's Hype Cycle Theory, based on Rogers' diffusion of innovations approach. In this model, technology follows along a "peak of inflated expectations, slope of enlightenment, plateau of productivity….necessary to be a profitable innovation" (p. 294). They argue that the world may still be witnessing the peak of inflated expectations of online viewing, hyped and obsessed over by small, yet influential, portions of the population.

Internet access itself cannot be equated with watching TV online, either in the potential to download, nor in actual downloading practices, and both geographical and in-country divides based on class demonstrate that "everyone" is not doing it.

"Goodbye Analog Couch Potato, Hello Digital Surfer" (Fox et al., 2010, p. 52): The Myth of Audience Activity

Labeling a couch potato "analog" makes a humorous distinction between old and new media, and old and new viewing practices, belying two related assumptions of television downloading: first, that online viewing is more active than traditional viewing; and second, that higher levels of viewer activity are preferred to lower levels. Media studies has long heralded the "active audience" as a potentially resistant force (see, e.g., Fiske, 2010; Jenkins, 2006). While there may be some creative activity in and oppositional meaning made in particular media interpretations and uses, it is also important to consider the limitations, and the technological determinism, of assuming that digital equals active equals empowered.

Brown and Barkhuus (2006) attempt to explain changing viewing practices via their concept of the "television life cycle"—an evolution from channel surfing to a more "active approach" of downloading/PVR-ing. They claim that this type of activity involves "collecting an archive of shows that are watched at the viewer's convenience" (p. 1). Through data collected by interviewing early adopters of PVRs and Internet TV downloading, they argue that viewership becomes a "more active approach in that the selection of shows to record, choosing what to watch, and collecting an archive of TV shows become activities in themselves. TV is therefore more than simply watching programs" (p. 663). However, complexities to this characterization must be considered. Is there something inherently more active about the described new activities? Brown and Barkhuus (2006) themselves admit that there has always been lean forward, lean back, more active/more passive viewing. It was—and still is—possible to more actively or more passively use any media technology and program. Perhaps there is nothing inherently "active" about online viewing, other than the action of retrieving or choosing a program. The amount of activity might have more to do with the viewer's level of commitment to the program. For example, serious fans of particular programs will likely demonstrate a more "active" viewership than a more casual viewer—whether in online viewing, DVD purchases, or on weekly scheduled broadcasts, not to mention other intertextual activities such as fanvids, fanfiction, fan message boards and chats (Hills, 2005; Jenkins, 2006). The same is true of fans in traditional television formats, where the broadcast is one of many intertexts, one that may be watched collectively with a fan group. This activity does not rely on online downloads.

In addition, some viewers might not enjoy being particularly active or committed. Perhaps some viewers enjoy being "analog couch potatoes." In this vein, one can argue that part of the "activity" in downloading programs is a type of labour. In essence, it is work to carry out these "activities"--and hence more "activity" could also be conceived of as more "work." Some viewers still want to watch as leisure, for entertainment, and not be burdened with added labor of new viewing practices. Some viewers still find pleasure in stumbling upon a program, flipping channels during commercials to watch two programs at once, or the lower commitment of casual television in the background, or low-stakes viewing. These activities subside when searching a database replaces a traditional viewing context.

Brown and Barkhuus (2006) further categorize viewers' online activity in relation to its impact on traditional viewing. Viewers are either supplementors or replacers. Supplementors watch traditional TV but use the Internet to supplement their viewing. For example, viewers in the UK watched their favorite programs on traditional television, but sometimes downloaded American shows that were not yet available on British television. In contrast, they argue that "replacers" watch all TV online and none on a traditional television set. It would be important to consider the extent to which people engage in supplementing or replacing traditional viewing—otherwise, all online viewing is treated as the same activity, with the same detrimental impact on traditional television, when this is not exactly the case. One empirical study shows quite an interesting trend. Waldfogel (2009) finds that while online viewing has increased, participants reported also watching more network television per week. Authorized viewing on the network's site also outnumbered unauthorized viewing. "While conventional television viewing falls by about two percent, this is more than offset by increases in time spent on viewing network-authorized web programming. The networks' own web distribution has effects that are smaller but similar to the effects of unauthorized distribution on conventional television viewing. …" (p. 167). He pointed to *Two and a Half Men* and *How I Met Your Mother* as examples where online viewing increased broadcast ratings. Thus, the online environment can act promotionally for television networks, similar to the argument that people who listen to music for free online will then seek out the actual album for purchase.

It becomes clear that there are a variety of viewing modes, both with traditional television and online viewing. While it may be possible to discuss some shifts in type of activity, it is premature to announce a revolutionized, empowered, digital viewership. By claiming that new viewing is active, thus privileged, an inaccurate picture of the audience ensues.

What You Want, When You Want It: The Myth of User Control

Following on the heels of the imagined uber-active online audience comes the popular myth of user control over all media, all content. Popular phrases such as "Google it" suggest that the popular imagination assumes that most anything one could want can be found online—including television shows. This myth erases the power of the media conglomerates that choose what to produce, how to produce it, and how to distribute it, and reifies the already shaky notion of the active audience discussed above, through arguing that not only are viewers active, but that they are in total control of their viewing experience. A reiteration of research and political economic realities is an important antidote to this discourse.

Content Online. First, it might be worth noting "what" people are downloading. Overall, streaming and downloading encompasses a wide variety of content, which includes movies, television programs, pornography, YouTube clips, MySpace videos, and other short-form video materials. In a recent study, Fox et al. (2010) demonstrate that viewers' online video minutes increased by 50% in 2009 in the United

States, but only half of that increase is due to long-form content viewing (p. 52). Instead, a variety of short-form content is outpacing television viewing online.

To return to the predominant television form, long-form programs are still produced, distributed, and aired within the framework of industrially organized markets, in a film and television landscape discussed by political economists such as Janet Wasko (2003, 2001) and Eileen Meehan (2005). Hollywood and the major American networks still dominate television production in the United States, with billions of dollars circulated annually. The core networks and their parent companies still command expensive independent programs, but vertical integration allows them to produce and distribute their own content, and synergy through diversified companies with multiplex channels demonstrates that horizontal integration can also restrict available content. These are the same programs that are placed, by their owners, into the online context (or accessed alternatively by viewers). The "what" of long-form content is the same on traditional television as on new platforms, which suggests the strength of the television industry in shaping "what" viewers have access to.

Industrial Structures and Relationships under Convergence: Canada. The strength of Hollywood and the American television industry is apparent on an international scale as well, which we can see in the case of Canada. The Canadian television industry is a multi-billion dollar industry. After American programming, Canadian programs are the second most lucrative global exports. Canada leads exports in children's programming with such animated programs as *Max and Ruby* and *Toopy and Binoo*, and is an active co-producer of a variety of international content (Selznick, 2008). As in the United States, Canadian television has a strong oligopolistic structure. The national PSB, CBC, is a global leader in public broadcasting and is well known for news and documentary programming. The core three private networks in Canada are GlobalTV, CTV, and CityTV. The smallest of the big three, CityTV is owned by Rogers Communications, a large cable multisystem operator and telecom provider (Krashinsky, 2011). Recent acquisition activity demonstrates the trend towards consolidation. Both Global and CTV were purchased by other media companies in 2010.

CTV holds a variety of major cable channels and last year aired eight of the top ten primetime television programs (Lam, 2010). In 2010, CTV was purchased by BCE (Bell Communication) in a $3.4 billion deal. BCE is Canada's second largest cable multisystem operator. BCE's CEO George Cope stated that, "'[t]he move will combine CTV's national television footprint with BCE's telephone and internet businesses to create a company that can reach customers in a variety of ways….Acquiring CTV's range of premier video content enhances Bell's execution of our strategic imperatives by leveraging our significant broadband network investments, accelerating Bell's video growth across all three screens — mobile, online and TV" (BCE, 2010, paras. 5-6). Bell also cited less regulation as an incentive for entering the online television market, in that "while cable and satellite streams are subject to heavy regulations, neither Internet nor mobile access points have the same limitations. 'Today's regulatory and technological environment allows integrated players to leverage content ownership for differentiated offers across all three screens (TV, computer, mobile),' Bell said. '(The deal) more than levels the playing field with integrated cable companies as we compete for customers'" (Lam, 2010, paras. 14-15). Cope also claims that the company hopes to become the largest "television" provider by 2015, with the goal of featuring IPTV, Internet-based television, aided by their purchase of CTV (Marlow, 2010).

CanWest Global was purchased in 2010 by Shaw for $2 billion. Shaw is the largest Canadian cable multisystem operator, owns a stable of premium cable channels, and plans to begin a wireless service (Krashinsky, 2010). As noted with the BCE/CTV deal, here, similar benefits would accrue through synergy and convergence between MSOs, broadcasting networks, cable channels, and wireless service. They now offer Movie Club, which streams several hundred films to viewers (Teatro, 2011). Both deals further consolidate monopolistic power in converged media industries. This brief outline of the structure of Canadian broadcasting is important to this article in several ways. First, because of the power of the Canadian industry to structure what is available to viewers—with a strong oligopoly, the power of the industry is apparent.

In addition, the relationship between Canadian and American television serves an internationally structuring function. It might be notable that American shows populate, and perhaps dominate, Canadian television. Even the large private Canadian channels Global and CTV feature popular American programs in their primetime lineups (Austen, 2010). The Canadian networks do not release their programming schedules until after the U.S. big four have finalized theirs (Beaty & Sullivan, 2006). Despite its separateness, the Canadian industry is largely reliant on the American system, and therefore Canadian audiences—online or traditionally viewing—are at the mercy of American television companies, not simply through their own power.

Further, convergence and new technology owned by the major Canadian oligopolies, as well as their formal relationships with American companies, clearly structure access. The industry has noted that in the context of convergence, different media industries competing for business “means that cable and broadcast networks must develop new models to counteract the potential slippage in viewers and migration of value to other players, such as online aggregators and device manufacturers” (Fox et al., 2010, p. 52). On official network websites, content can be, and often is, made readily available. This is not the original model television utilized with the Internet—networks took time to warm to a web presence, eventually deciding that they had to incorporate the new technology to keep and grow viewers whom they feared would go off-network to “illegally” access programs, or go to newer, competing portals. Spoilers were a concern, but only in the context of the real issue, which was ratings and the ability of networks to command advertising dollars and thus profitability, as seen in the lawsuit of *Viacom vs. Google* over YouTube uploads, and the recent Pirate Bay ruling in Sweden (Sullivan, 2009). Thus, the television industry has not relinquished online control to the vast World Wide Web, but instead has incorporated online viewing into its distribution schemes, thus continuing to control and profit from this content through specific distribution deals, revenue sharing, and advertising deals.

Time. Time also structures access. Kim and Park (2008) analyze the practice of windowing in television distribution—releasing content on different channels or geographic areas based on willingness to pay. Those who are willing to pay more are able to view it earlier in differential pricing schemas set to maximize profits; the strategy relies on firms with the market power to demand such prices /price discriminate. They examine how digital technologies have forced the displacement of windowing as a primary distribution strategy for television dramas. Rather, they argue that “[d]igital media have changed this basic logic of intertemporal distribution of media products in somewhat contradictory ways. Each additional distribution channel expands the potential market for TV programs, providing opportunities for exposure to yet more viewers. However, because of digital technology, especially Internet streaming and downloads, the length of the life cycle of media content overall has been extended” (pp. 139-140).

What might be feared to be perpetual windows, though, are sometimes only opened a crack on network websites. Network websites only make a handful of episodes available at a time. Much like an on-demand menu on expensive pay-cable TV channels of video-on-demand, networks restrict availability to create scarcity for the programs, to protect original airings and thus advertising revenue. Rotating content also helps draw viewers back to the online portal, and thus renews their interest in other/new content, while re-delivering them to new online advertising. The major television networks restrict “what” viewers can get, in order to further deliver the audience to advertisers, and once again reminds us that the audience commodity is still at play (Meehan, 2005, 2007).

Distribution deals. In addition to the slim choice of programming available on network portals, various distribution deals are made with other portals or aggregators, also structuring available content. Each deal is a unique legal contract with its own terms and conditions. This point cannot be downplayed enough. However, popular discourse tends to ignore distribution deals as a structuring mechanism, and instead has focused on either the popularity of the sites, ease of access, or their so-called challenge to traditional networks—a “challenge” that may not be entirely realistic, since many of these aggregators agree to legal terms with content providers. Political economists have long pointed out the importance of distribution in the television and film markets (Bettig & Hall, 2003; Meehan, 2005; Wasko, 2003), and this part of the industry is important to consider when discussing online distribution.

It would be useful to consider several key examples, which will clearly articulate the structuring mechanism of aggregate content distribution deals, which will help demonstrate the many industrial decisions that structure international access and work against a strict reading of the active digital viewer.

Blockbuster Canada Co. made a deal to distribute a digital film and television library through TiVo--not to the entire population, just to TiVo subscribers, greatly structuring access to that content (Stone, 2009). Of course, Blockbuster then went bankrupt, first in the United States, then liquidated assets in Canada before filing for bankruptcy in Canada (Ladurantaye, 2011), thus eliminating all access to all content ("That's a Wrap," 2011). The bankruptcy might be for naught, as Blockbuster in the United States is recreating itself as New Blockbuster, which will offer online only service; they also plan to offer this service in Canada ("That's a Wrap," 2011).

Similar restrictions to content apply to the consortium Hulu, jointly owned by NBC Universal, News Corp. and Providence Equity Partners (a private equity firm), and later joined by Disney. Disney had previously refused to engage a variety of online video platforms, including Hulu; however, Disney later decided to make available some of its ABC holdings such as *Lost, Desperate Housewives*, and Disney kids' and youth programming (Shields, 2009b) in order to capitalize and share in the revenues. It is still not possible to download CBS or CW programming on Hulu—CBS's own online content provider, TV.com, is in fierce competition with Hulu, thus does not avail its content to its rival (Shields, 2009a). Hulu clearly exemplifies structured access based on corporate alliances and the attempt to control and profit from one's own content.

Even on third-party pay sites such as iTunes and Netflix, contracted deals are made between copyright holders and the distribution sites, with only some television content made available. And deals can be broken. NBC was unhappy with iTunes' 99-cent-fits-all download price, and for almost a year removed its popular programs such as *The Office* and *30 Rock* from iTunes' catalogue. After Apple decided it would allow NBC to charge a higher price for HD programs, NBC returned to iTunes, forcing Apple into a tiered-fee policy. NBC later commented that it actually earns more money from free download sites than on pay-per-downloads such as iTunes, due to the advertising revenue gained by delivering so many free-TV-show seekers (Barnes, 2007; Stelter, 2007). This is a healthy reminder that the "real" audience for TV shows is often the advertisers, and that networks make decisions to please advertisers; viewers are to be pleased in order to better deliver them to advertisers.

The importance of distribution is obvious in the United States, and becomes even moreso when examined in an international context, which, again, undermines an active audience argument. In Canada, for the fall 2010 lineup, populated largely by American shows, when a viewer visits the CBS website to attempt to view *Hawaii-Five-O*, she/he encounters the following message: "The video you have requested is not available in your geographic region. Here are some related videos you may enjoy," and several other programs are displayed. The same viewer, from within Canada, goes to NBC to view *The Apprentice,* resulting in a black screen with Donald Trump's face peeking out the side. Going to Fox to catch *Glee* online finds: "THE VIDEO YOU ARE TRYING TO WATCH CANNOT BE VIEWED FROM YOUR CURRENT COUNTRY OR LOCATION." CW's last season of *Smallville*, ironically filmed in Vancouver, BC, says, "Sorry, this content is not available in your location." Attempting to watch *Hannah Montana* on Disney.com results in: "We're sorry! These videos are only available to viewers in the United States. Please check out other cool Disney.com stuff!" Over to ABC to watch, *Dancing With the Stars*, but instead the viewer sees: "ERROR. You appear to be outside the United States or its territories. Due to international rights agreements, we only offer this video to viewers located within the United States or its territories. Error code 500. If you meet these requirements, please let us know." Cable channels can produce the same erred results: Comedy Central redirects immediately to Canada's Comedy Network, which airs all Comedy Central programs (in addition to its own original programming and other imports), after telling the Canadian viewer about the redirect. Many aggregators are unavailable as well: Hulu, the entire site, is unavailable in Canada, and a similar error message is presented.

It is interesting to note that the networks post different types of messages, resulting in different impacts on both audience awareness of how to access the program and of international television. Some of the responses are quite rude (e.g., Fox's blank screen). Some reframe the issue as a technical glitch or "error," rather than a deliberate choice. Disney still wants Canadian kids to buy "cool stuff" online. Only Comedy Central and ABC (Disney) explain that a legal-economic mechanism is at play.

In international contexts, a program's network branding is thus tenuous and can thwart international online access. More exceptions exist in cable, where a Canadian version of an American channel exists (e.g., HBO Canada, Food Network Canada, HGTV Canada). In the examples above, the major private Canadian network websites provides episodes of the shows with which they have distribution deals. Global owns the Canadian distribution rights to *Hawaii-Five-O, Glee,* and *The Apprentice*. CTV has the rights to *Dancing With the Stars*. *Smallville*, aired on the second-tier CW in the United States, is aired in Canada on the second-tier SunTV, which is owned jointly by the TVA Group Inc., a large French-language television network, and Sun Media Corporation, Canada's largest chain of tabloids and community newspapers; and in addition, both TVA and Sun are subsidiaries of Quebecor Media Inc., the biggest French media organization in Canada. Interestingly, while Disney Channel does not exist in Canada, *Hannah Montana* is seen on Family Channel, which is actually owned by Disney. Viacom has an exclusive distribution deal with the Comedy Network (which is owned by CTV) for the entire Comedy Central library, including *The Daily Show*, and including online streaming content ("CTV," 2007). These examples serve to point up the importance of distribution deals and online rights that very specifically structure viewer access.

Sometimes these deals are slow in coming and can be tedious to work out. CTV only in 2008 made a deal with ABC to stream its online content ("Prime-time," 2008). Previously, CTV had the online rights to most domestic programs, but not imports. CTV announced that episodes would be available for "28 days after their initial broadcast. The shows will be supported by advertising" ("Prime-time," 2008, para. 2). This shows the windowing effect with a particular deal. Another interesting fact was that "CTV said a key to the deal was getting two sponsors, Duracell and Volkswagen, to sign on and provide the finances needed to purchase the digital rights from ABC. CTV has spent the past few years building an online audience, which is now allowing it to attract advertising attention" ("Prime-time," 2008, para. 7). A concrete reminder of the importance of advertising both in traditional television and in monetizing online platforms, here, we also witness a newer business model where advertisers or sponsors actually help finance production or distribution, in return for revenue splitting. In this case, advertisers themselves, involved at the financing and production level, structure access in a different way than simply supporting content that they think will deliver a large number of the right kind of audience for their product.

Similar to the network portals, other online content providers differ by country and/or region. Hulu–the entire site–is not available in Canada, nor is YouTube's streaming of ABC programs ("Canadian," 2009). Instead, different key players exist. Aggregators such as Rogers online, Bell Canada's Bell Video Store, Zip.ca, and Microsoft's Xbox Live provide limited, yet increasing, amounts of programs. Rather, Zip.ca offers titles to Canadian viewers (Teatro, 2011). When MSO Rogers began its online service to its cable system subscribers, it offered "an initial 15 channels which [the company] owns in whole or partly, including CityTV, Rogers Sportsnet, A&E Canada, Bio and G4 Canada" (Vlessing, 2009, para. 5)—the only programs were Rogers programs, not a representative slice of television.

iTunes Canada is only a few years old, partly based on having to negotiate separate content deals from its American division. When iTunes Canada started, the only content available was "mostly Canadian, with shows from CTV (*Corner Gas, Degrassi, Instant Star*) and the CBC (*Rick Mercer Report, Little Mosque On The Prairie*) making up most of the titles for sale and only and handful of US shows" (Abel, 2007, para. 1). Now, "[e]pisodes of popular American television shows from studios ABC, NBC, Fox and Warner Bros., including *Lost, 24* and *30 Rock* are…available on the iTunes store. Single episodes in standard definition cost $2.49, while high-definition episodes cost $3.49. A full season of a program in standard definition is $49.99, while seasons in high-definition cost $69.99" ("Canadian," 2009, para. 3).

When questioned why it took so long to add American content, iTunes Canada's director of marketing, Peter Lowe, states: "'It's complicated because different networks and production companies have rights to content in different places around the world and you ultimately have to work with the person who owns the content to deliver it" ("TV Download," 2007, para. 8). In a second interview, Lowe stated: "Our relationships and agreements with content providers are confidential agreements, y'know they're business agreements, so we don't comment on them" (Abel, 2007, para. 20). Business agreements indeed—at that those "relationships" are often monopolistic: a show's producer is often a network, as a result of vertical integration. And, that control can determine where a show will appear online (recalling Hulu and CBS above).

Netflix has likewise been late to the Canadian scene, only arriving in September 2010, and in the first year attaining 800,000 subscribers ("CRTC," 2011). At roll-out, it charged customers $7.99 per month and had 7,000 offerings, which is slim compared to its American counterpart. Notably missing were the highly popular American programs *Dexter, Breaking Bad,* or *The Office*. It has increased offerings as more deals have been made for individual programs or groups of holdings (Nowak, 2010). The introduction of Netflix, on the heels of iTunes, and just prior to announcing the CTV/BCE and Global/Shaw mergers, cable companies (large MSOs BCE and Shaw), successfully threatened to restrict broadband limits for subscribers, attempting to prevent them from using iTunes, Netflix, or peer-to-peer networks (Nowak, 2010). Here, we can understand Canadian aggregate content providers as largely restricting to viewers, because of limitations in access to online rights.

Just as American content is internationally limited, so, too, is Canadian content. For example, the CBC's flagship drama, *Being Erica*, airing on CBC (and co-produced by CBC-TV and Temple Street Productions), is distributed internationally by BBC Worldwide, and leased in the U.S. not by a major network, but rather by SOAPnet (owned by Disney), which is most well-known for playing reruns of soap opera programming. Online streaming content for *Being Erica* is available on the CBC website from within Canada only, but SOAPnet does not stream video of the program—online streaming is not part of its distribution deal. Again, each deal creates another layer of structure to access.

These examples also point up uneven flow, or even cultural imperialism, in the global television market. For example, CBC, the most respected channel in Canada, produces programs relegated to SoapNet in the United States (Conversely, CTV's *Flashpoint*, is distributed to CBS, the only prime-time Canadian show simultaneously on prime-time major American television in 20 years).

Government Policies and Regulations. In addition to corporate distribution deals, some government policies also structure online television access. For example, China decided to censor YouTube in March 2009 claiming political propaganda, but rather than block an individual video, the entire site was disabled, thus blocking all content to all videos (Helft, 2009).

Canadian television is known for its protectionist stance on, or cultural nationalist approach to, regulation, with the CRTC providing strict Canadian Content (CanCon) rules. Canadian television scholars Beaty and Sullivan (2006) note that "[s]treaming video television and file-sharing both have major repercussions for regulatory agencies like the CRTC. In a future in which viewers access television according to their own interests and schedules, the ability of the CRTC to keep foreign programming out of Canada will face serious challenges" (p. 128).

One of these challenges ensued with Netflix's arrival. The CRTC needed to decide how to regulate Netflix, as online content does not fall under the jurisdiction of the broadcast regulator and its CanCon rules. An industry commission was struck in order to push the CRTC to consider regulation. In October, 2011, the CRTC decided not to regulate Netflix, finding that its service was not negatively impacting broadcasting: "The CRTC said stakeholders 'did not submit evidence of harm to the traditional broadcast system' and there is no clear evidence that Canadians are reducing or cancelling their television subscriptions. 'Online and mobile programming appears to be complementary to the content offered by the traditional broadcasting system,' the commission said. The regulator added that licensing online services could lead to unintended consequences, such as discouraging innovation or impairing the ability of Canadian media companies to compete globally" ("CRTC," 2011, para. 7). The CRTC announced it would reassess the landscape in mid-2012. Interestingly, in this instance, the regulator is actually demonstrating a more neoliberal model of regulation rather than the cultural nationalist stance. Politics and regulation related to wider government policies and politics, in this case under the Conservative government of Stephen Harper, are also reflected in television policy, and act as structuring mechanisms to access of content and technology.

Further, Net Neutrality policy debates are highly related to television streaming. Whether countries decide to allow throttling and a fast-lane will determine whose provision of television programs will prevail. Bandwidth is expensive in Canada, and the current pricing practices cause frequent downloaders of large files to pay-per-bit, resulting in bills as high as pricey cable subscriptions.

This section has demonstrated that content is highly mechanized. Industry integration, convergence, practices such as windowing, the distribution deal, and government regulation are all important determining factors in what is available for downloading. The orchestration and coordination of activity here suggests not a free land of user control, but rather, a highly controlled market populated by major television and other media giants.

If You Can't Get What You Want, Figure Out How to Get It Somewhere Else: The Myth of the Pirate

If viewers are unable to get what they want through official channels such as network websites, Netflix, iTunes, and the like, why not simply "pirate" it? Many people, in fact, do locate materials this way. However, the ability to circumvent legal mechanisms and utilize other approaches for locating and downloading programs is premised on the fact that first, one wants to do so; second, that one is skilled enough to do so; and third, that one is technologically equipped to do so. For example, students in Canada often discuss using proxy servers to appear as though they are located in the United States in order to download programs from American sources. Of course, these students are highly technologically literate, willing, and able to maneuver this way—a sign of educational and technological privilege, tied to class—the "haves" in the digital divide.

Michael Newman has discussed the ethics of P2P TV and points out that many people fear being sued, and thus do not engage in this practice (Newman, 2009). Such a fear may signal the success of industry groups and governments alike who have worked tirelessly to campaign against "piracy," demonizing, threatening, and punishing countries, organizations, and individuals who have broken copyright laws—which, themselves are technologies of political economic control over media as property (see Bettig, 1996).

Despite the centrality of these facts, some popular discussions emphasize, instead, those acts of circumvention, rather than the limits to circumvention, thus downplaying questions of access and overestimating piracy. Kompare's (2010) otherwise interesting article about reruns and online TV, exemplifies this tendency: "While there remain substantial digital divides of class, education, and geography in even the most internet-savvy societies, the ability of millions of individual users (and more importantly, new communities of users, as with the file traders on sites like The Pirate Bay) in most online societies to rip, reformat, upload, download, and accumulate audio and video increased exponentially" (p. 81). His point about communities of users and remix culture is extremely valid. However, copyright law is strong and influential, which should not be overlooked, nor should remembering that the digital divide clearly still exists and has not created a global piracy that has ruined copyright law or its application and enforcement.

Television is Dead: The Myth of the Post-television Era

If one were to think that online viewing is ubiquitous, and that you can get whatever you want when you want it and if not just pirate it, one might be prone to think that television is dead, as *The Guardian* and

Wired have informed us—that it has been harmed irreparably by downloading, and irrelevant in the face of new platforms. What has been presented in this article points to the contrary.

All new technologies inspire debates about the "death" of what came before, but we might note that books, news, magazines, movies, and music still exist, despite, and as a result of, changing technologies. While we can point to some unique television changes, for example the development of web-only content, such as extra webisodes of network programs (which are actually promotional material for traditional shows), or made-for-Internet series, such as *Dr. Horrible's Sing-Along Blog* (which, not coincidentally, is produced by respected television producer Joss Whedon and stars the cultishly (Canadian) popular actor Neil Patrick Harris), television is still a multi-billion dollar industry, a major distribution outlet for film, new TV content, news, sports, and educational programs. Advertisers still spend billions of dollars trying to reach consumers, and ratings industry and programming execs still try to find new ways to count viewers to deliver to the advertisers, demonstrating the persistence of the audience commodity (Smythe, 1977). Union and non-union labor still work to produce shows, and producers/owners attempt to find ways of reducing costs and thwarting union organizing. In fact, recent WGA (2007) and SAG (2009) negotiations involved better compensation for online distribution and original online programs.

Television's liveness and shared-experience are still factors that have not been replaced by "on-demand" content. Local news and community access, while continuously threatened, are still a central feature of the TV system in a democratic society. "Surfing" is still viable as well—not all viewers want high-contact, searching. Some *enjoy* the flow of TV, programming, and the ability to make low-commitment choices. These cultural arguments should be remembered as well.

I am not attempting to argue that screen cultures should not be studied, that the audience(s) are passive dupes, or nor that we should not give thought to the politics and experiences and implications for accessing TV in new-media ways. I am simply bringing (back) into the conversation what I see as key issues that should be kept in the conversation as it proceeds—that within the political economy of global television, new technologies can facilitate and constrain, largely at the hands of the large conglomerates and that dominate the global media landscape. News stories ringing the death knoll for television, and overly optimistic celebrations of a globally active online audience need to be tempered with a stronger understanding of industry, regulation, and the strength of international conglomerates that shape technology, access, and sometimes regulation itself. Thus, this article has argued that structured access, due to the strength of the American and Canadian television industries, international distribution deals, and government regulation, largely structure the global online television context. While hardly a revolutionary statement, this important fact sometimes falls out of both popular discourse and academic writing, thus masking a deep understanding of the contradictions of online television practices and processes, specifically the in-country and international digital divide that is either ignored or glossed over in North American discussions. With a more critical understanding, journalists could more accurately inform the public about issues at hand, in terms of industrial workings, cultural practices, and policy, and the public could more fruitfully make connections between their own media use, global television industries, and potentially communications policies that impact all of the above.

References

Abel, K. (2007, December 12). Interview: iTunes Canada's Peter Lowe discusses TV shows, movies, and delays. *CTV.* Retrieved from http://www.krisabel.ctv.ca/post/3406007.aspx

Austen, I. (2010, February 13). Shaw, a cable operator, to buy CanWest television assets. *The New York Times*. Retrieved from http://www.nytimes.com

Barnes, B. (2007, August 31). NBC will not renew iTunes contract. *The New York Times*. Retrieved from http://www.nytimes.com

BCE to buy CTV for $1.3 billion (2010, September 10). *CBC News*. Retrieved from http://www.cbc.ca

Beaty, B., & Sullivan, R. (2006). *Canadian television today.* Calgary, AB: University of Calgary Press.

Bettig, R. (1996). *Copyrighting culture: The political economy of intellectual property.* Boulder, CO: Westview.

Bettig, R., & Hall, J. (2003). *Big media, big money: Cultural texts and political economics.* Lanham, MD: Rowman & Littlefield.

Borland, J. (2007, April 6). The TV is dead. Long live the TV. *Wired*. Retrieved from http://www.wired.com

Brown, B., & Barkhuus, L. (2006). The television will be revolutionized: Effects of PVRs and file sharing on television watching. In R. Grinter et al. (Eds), *Proceedings of the 2006 Meeting of Computer Human Interaction* Montreal, PQ, April 22-27 (pp. 663-666). New York: Association for Computing Machinery.

Canadian iTunes store adds U.S. prime-time shows. (2009, May 28). *CBC News*. Retrieved from http://www.cbc.ca

CRTC opts not to regulate Netflix. (2011, October 5). *CBC News*. Retrieved from http://www.cbc.ca

CTV strikes multi-platform content deal with Comedy Central. (2007, June 27). *Canada News Wire*.Retrieved from http://www.newswire.ca/en/story/176665/ctv-strikes-multi-platform-content-deal-with-comedy-central

Fiske, J. (2010). *Reading the popular* (2nd ed.). New York: Taylor & Francis.

Fox, B., Senior, J., &Thomas, P. (2010). The big video game: The battle to hold online viewers. *IEEE Communications Magazine, 52*(May), 54-56.

Helft, M. (2009, March 25). YouTube blocked in China, Google says. *The New York Times*. Retrieved from http://www.nytimes.com

Hills, M. (2005). Defining cult TV: Texts, inter-texts and fan audiences. In R. Allen & A.

Hill (eds.), *The television studies reader* (pp. 509-523). New York, Routledge.

Internet World Statistics. (2008). World Internet users and population stats. Retrieved from http://www.internetworldstats.com/

ITU. (2009). Measuring the information society. International Telecommunications Union. Geneva, Switzerland: ITU.

Jenkins, H. (2006). *Fans, bloggers, and gamers: Exploring participatory culture.* New York: NYU Press.

Kim, E-m., & Park, S. (2008). Distributing TV dramas in the digital environment: A Korean case. *Asian Journal of Communication, 18*(2), 137-154.

Kompare, D. (2010). Reruns 2.0: Revising repetition for multiplatform television distribution. *Journal of Popular Film and Television*, *38*(2), 79-83.

Krashinsky, S. (2010, February 12). Shaw to buy control of CanWest. *The Globe and Mail.* Retrieved from http://www.theglobeandmail.com

Krashinsky, S. (2011, May 30). A new Canadian player on Hollywood TV buying spree. *Globe and Mail*, p. B12.

Ladurantaye, S. (2011, October 28). Blockbuster Canada leaves little for unsecured creditors. *Globe and Mail*. Retrieved from http://www.theglobeandmail.com

Lam, E. (2010, September 13). Bell Communications to buy broadcast giant CTV for $1.3 billion. *Postmedia News.* Retrieved from http://www.canada.com/business/Bell+Communications+broadcast+giant+billion/3506356/story.html

Lee, H., Jungho, R., Lee, S., & Kim, D. (2009, May). Age, identity, gratification opportunities and genre choice in mobile TV viewing: Exploring the effect of college students' perceptions of age identification and gratifications on content interest in DMB in Korea. Paper presented at the meeting of the International Communication Association, Chicago, IL.

Lee, S.-H. (2008, May). Communicating through mobile TV. Paper presented at the meeting of the International Communication Association, Montreal, PQ.

Marlow, I. (2010, September 12). BCE-CTV deal to ease ownership debate. *The Globe and Mail.* Retrieved from http://www.theglobeandmail.com

Meehan, E. (2005). *Why TV is not our fault: Television programming, viewers, and who's really in control*. Lanham, MD: Rowman & Littlefield.

Meehan, E. (2007). Understanding how the popular becomes popular: The role of political economy in the study of popular communication. *Popular Communication, 5*(3), 161-170.

Mosco, V. (1996). *The political economy of communication: Rethinking and renewal*. Thousand Oaks, CA: Sage.

Mosco, V. (2004). *The digital sublime: Myth, power, and cyberspace.* Cambridge, MA: MIT Press.

Newman, M. (2009). P2P TV: Ethical considerations. *FlowTV, 9*(10). Retrieved from http://flowtv.org/2009/04/p2p-tv-ethical-considerationsmichael-z-newman-university-of-wisconsin-milwaukee/

Nowak, P. (2010, September 22). Netflix launches Canadian movie service. *CBC News.* Retrieved from http://www.cbc.ca

Porter, N. (2009, May). Time-shift: Has the digital divide come to prime-time television? Paper presented at the meeting of the Canadian Communication Association, Carleton University, Ottawa, Ontario.

Prime-time U.S. shows finally available online. (2008, April 28). *CBC News.* Retrieved from http://www.cbc.ca

Rogers, E. M. (1995). *Diffusion of innovations* (4th ed.). New York: Free Press.

Schuurman, D., De Marez, L., Veevaete, P., & Evens, T. (2009). Content and context for mobile television: Integrating trial, expert and user findings. *Telematics and Information, 26*, 293-305.

Selznick, B. (2008). *Global television: Co-producing culture.* Philadelphia, PA: Temple University Press.

Shields, M. (2009a). DIGITAL. *MediaWeek, 19*(19), AM9.

Shields, M. (2009b). Will CBS, The CW heed Disney's call to join Hulu? *MediaWeek, 19*(18), 6.

Smythe, D. (1977). Communications: Blindspot of Western Marxism. *Canadian Journal of Political and Social Theory, 1*(3), 1-27.

Spigel, L. (2004). Television, the housewife, and the museum of modern art. In L. Spigel & J. Olssenn (eds.), *Television after TV: Essays on a medium in transition* (pp. 349-385). Durham, NC: Duke University Press.

Stelter, B. (2007, September 9). NBC shows will return to iTunes. *The New York Times.* Retrieved from http://mediadecoder.blogs.nytimes.com/2008/09/09/nbc-shows-will-return-to-itunes/

Stone, B. (2009, March 25). Blockbuster and TiVo join to deliver digital movies. *The New York Times.* Retrieved from http://www.nytimes.com

Sullivan, T. (2009, April 29). Pirate Bay not necessarily a victory for Hollywood. *The Christian Science Monitor.* Retrieved from www.csmonitor.com

Teatro, T. (2011, October 20). Neflix Canada gets better, but it's not the only game in town. *Calgary Herald*. Retrieved from http://www.calgaryherald.com

That's a wrap: Receiver seeks leave to close remaining Blockbuster stores. (2011, August 31). *Financial Post*. Retrieved from http://www.financialpost.com

TV download battle finally begins in Canada. (2007, December 12). *CBC News*. Retrieved from http://www.cbc.ca

TV is dead. Long live the Internet. (2011, June 3). *The Guardian UK online.* Retrieved from www.guardian.co.uk

Vlessing, E. (2009, November 24). Rogers launches Canadianized hulu site. *The Hollywood Reporter.* Retrieved from http://www.hollywoodreporter.com

Waldfogel, J. (2009). Lost on the web: Does web distribution stimulate or depress television viewing? *Information Economics and Policy, 21*, 158-168.

Wasko, J. (2001). *Understanding Disney: The manufacture of fantasy.* Cambridge, MA: Polity Press.

Wasko, J. (2003). *How Hollywood works*. Thousand Oaks, CA: Sage.

Weaver, J. (2011, July 24). Teens tune out TV, log on instead. MSNBC. Retrieved from www.msnbc.com

Yang, Y., & S. Chan-Olmsted. (2009, May). Alternative platforms and the audience: Exploring the predictors in the audience's adoption of online media platforms. Paper presented at the meeting of the International Communication Association, Chicago, IL.

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