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From Vast Wasteland to Electronic Garden: Responsibilities in the New Video Environment

Charles M. Firestone*

Newton Minow's "Vast Wasteland" speech¹ set a tone for his tenure at the Federal Communications Commission ("FCC"), and will forever be associated with Minow's very distinguished legal career. It was brave, brash, and on point. It suggested a lack of responsibility by television broadcasters to air cultural content, to balance crass entertainment with a wider variety of opinions and viewpoints, and to serve the local community as a public service in exchange for their public licenses.

Let us remember how different the period of Minow's domain was from the present. It was an era when stations such as Jackson, Mississippi's WLBT-TV segregated its programming with only white faces,² when networks relied on cigarette ads,³ programmers fixed quiz shows,⁴ and their

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1. Newton N. Minow, *Television and the Public Interest*, Speech Before the National Association of Broadcasters (May 9, 1961).

2. *Office of Comm. of United Church of Christ v. FCC*, 359 F.2d 994 (D.C. Cir. 1966).

3. *See Capitol Brdcast. Co. v. Mitchell*, 333 F. Supp. 582, 583-84 (D.C. 1971), *aff'd without opinion sub nom. Capitol Brdcast Co. v. Acting Att'y Gen.*, 405 U.S. 1000 (1972). *See generally* Martin H. Redish, *Tobacco Advertising and the First Amendment*, 81 IOWA L. REV. 589 (1996).

4. This was quite shocking to the American people as evidenced by the extent of congressional hearings resulting from the revelation. *See Investigation of Television Quiz Shows: Hearings Before the Legislative Oversight Subcomm. of the House Comm. on Interstate and Foreign Commerce*, 86th Cong. 1st (1960); *Investigation of Regulatory*

radio brethren took payola to air pop records.⁵ But it was also a time when news was thought of as a public service more than a profit center, when important political events, such as national political party conventions, were televised to the nation by all three networks and were watched by ninety percent of the television audience, and the World Series was played and televised during the daytime. Depending on one's vantage point, broadcasters of the 1950s were innocent, patronizing, or venal. But the point of Minow's speech was clear: There was good fare on the air, but most of what was on the screen was below the standards of those who put it there, below the spirit of public service to community, and below the potential of the medium. Minow urged the broadcasters in attendance to right their own ship, take responsibility, and cultivate the wasteland into an electronic garden.

REVOLUTIONS

Since those days, several revolutions have changed the landscape of television. We have seen the generational revolution of the 1960s, which brought with it, or followed, the civil rights movement, bringing forth advances in the rights of minorities, women, the disabled, the elderly, gays and lesbians, and a new attitude toward one's lifestyle. Perhaps as a part of this revolution, or as a revolution all its own, we have seen a sexual revolution, from the chaperon to the pill, from a public prudence to a level of acceptability for broadcasting offensive language, violence, innuendo, and skin, resulting in video fare on television that would simply have knocked the socks off the network censors of the 1950s.

Most significantly, we have seen a technological revolution, adding multi-channel delivery, digitization, interactivity, digital storage and

Commissions and Agencies, Interim Report of the Subcomm. on Legislative Oversight of the House Comm. on Interstate and Foreign Commerce, H.R. Rep. No. 1258 (1960); *Responsibilities of Broadcasting Licensees and Station Personnel: Hearings on Payola and Other Deceptive Practices in the Broadcasting Field Before the Legislative Oversight Subcomm. of the House Comm. on Interstate and Foreign Commerce*, 86th Cong. 2d (1960); *Communications Act Amendments: Hearings on Conditional Grants, Pregrant Procedure, Local Notice, Local Hearings, Payoffs, Suspension of Licenses, and Deceptive Practices in Broadcasting, Before the Communications and Power Subcomm. of the House Comm. on Interstate and Foreign Commerce*, 86th Cong. 2d (1960); *Proposed Amendments to FCC Act of 1934: Hearing on S. 1898 Before the Communications Subcomm. of the Senate Comm. on Interstate and Foreign Commerce*, 86th Cong. 2d (1960) [hereinafter collectively *Hearings*]. See also JOSEPH STONE & TIM YOHN, *PRIME TIME AND MISDEMEANORS: INVESTIGATING THE 1950S TV QUIZ SCANDAL-A D.A.'S ACCOUNT* (1992).

5. See *Hearings*, *supra* note 4. While this did not appear to apply to television, the subject of Minow's speech, many telecasters also owned radio stations. The point is that the corrupt practice was rampant in the broadcast industry. Minow made it clear he wanted to put this, and the quiz scandals, both occurring in the late 1950s, behind him.

retrieval, and with them all, greater consumer choice and more fractionalized audiences for the broadcaster. Increasingly, we have at our fingertips, literally, the best and worst the world has to offer.

It is difficult, however, to call the electronic delivery of video “television,” because the form of programming, the delivery system, and the reception equipment have changed so radically. Today, almost all consumers watch video on a television screen, but as the screen becomes digital, as the delivery system also becomes digital and packet-switched over broadband, and as the programming becomes interactive, calling our screens “television” will be like “dialing” a number, or “typing” a page—a vestige in our language for a previous technology. For our purposes here, however, I will speak of television, and not allow the promise of the future to cloud the realities of the present.

THEN AND NOW

While these revolutions have been received differently depending on the eye of the viewer, one can no longer call television the “vast wasteland.” Whatever failings television has today, it can provide a wide variety of quality programming to the consumer, a broad variety of viewpoints, particularly on cable (and more particularly on radio), and hours of local news that addresses at least some local needs and interests. While Minow had a few educational television stations in major cities, we now have public broadcasters in every market, and additional cultural, political, and documentary offerings on cable.

Television may no longer be a vast wasteland, but it has settled for being a “bad tasteland.” Despite the technological revolutions of sight and sound, of delivery and replay, and of interactivity, the television of today is susceptible to the same complaints that Minow raised more than forty years ago. Indeed, to a certain extent, those look like the golden days, at least in terms of political coverage, serious debate, and classic drama.

Minow congratulated the networks in his speech for excellent fare and named programs he liked, ones that could be updated today to fare like *60 Minutes*, *The Sopranos*, *Hill Street Blues*, Ken Burns’s *Civil War*, and on and on. But Minow then stood back and urged broadcasters to critique the rest of the day.

What if we did that today? What would we find, and what could be done about it? In every category that Minow addressed, we are better and we are worse.

DIVERSITY

Minow's speech preceded the civil rights revolution, and his call for diversity was more in the form of viewpoints than in background. But in either case, television has much to be proud of, and much further to go, in providing diversity. I was fortunate to be a part of the public-interest movement in the 1970s that agitated for greater employment, coverage, and depiction of minorities, women, and the disabled in broadcasting. It would be a half-decade after Minow's speech until audiences even had standing to complain about a television license,⁶ but from the *United Church of Christ* case forward for another fifteen years, audience groups, aided by precedents at the FCC and the courts, moved their local stations to recognizing the importance of carrying a diversity of voices and a diversity of people on the air.

Yet today, the number of stations owned by minorities is still miniscule,⁷ broadcasters are no longer subject to detailed regulations to air controversial programming⁸ or to "ascertain" the needs and interests of their audiences,⁹ and licenses are routinely renewed by a postcard renewal system. There is more diversity available to the viewer than ever before, yet the potential is not nearly realized. Minorities remain on the outside, and many local issues do not see the light of a television screen.

PUBLIC SERVICE

Minow urged the broadcasters to rise to their status as public trustees by serving their local communities. Again, the amount of local news, traffic, weather, sports, and cultural reviews, taken together, is staggering, especially compared to the time when an urban area had three or four

6. See *United Church of Christ*, 359 F.2d 994.

7. According to a 2001 report of the National Telecommunications and Information Administration ("NTIA"), minorities own 1.9% of the nation's commercial television stations (23 out of 1288) while minorities comprise about 29% of the population. See NTIA, CHANGES, CHALLENGES, AND CHARTING NEW COURSES: MINORITY COMMERCIAL BROADCAST OWNERSHIP IN THE UNITED STATES 34, 45 (2000), available at <http://search.ntia.doc.gov/pdf/mtdpreportv2.pdf>.

8. The Fairness Doctrine, which imposed this obligation and the requirement to balance important controversial issues with responsible positions on the other side, was first made ineffectual and eventually gutted. See *Syracuse Peace Council v. FCC*, 867 F.2d 654 (D.C. Cir. 1989); *Telecomm. Research & Action Ctr. v. FCC*, 801 F.2d 501 (D.C. Cir. 1986). Instead, broadcasters have a vague obligation to air community-issue-oriented programming. Revision of Programming and Commercialization Policies, Ascertainment Requirements, and Program Log Requirements for Commercial TV Stations, *Report and Order*, 98 F.C.C.2d 1076, paras. 29-31, 56 Rad. Reg.2d (P & F) 1005 (1984) [hereinafter *Programming Policies*].

9. See *Programming Policies*, *supra* note 8.

television stations, period. One could lump, as well, programs such as *America's Most Wanted*, Court TV, cable and satellite all-news channels (including local market all-news channels), and C-SPAN I and C-SPAN II as bringing the public's business more directly to the people. *Prime Time*, *60 Minutes*, *48 Hours*, *Front Line*, and other shows regularly offer investigative stories, many of which have led to concrete results.

Yet today, so much of the news is blood and guts, sensationalistic, personality-oriented, or even stories tied into made-for-television dramas aired the same night. Local public-service programming is often ghettoized to early Sunday mornings. Sex and violence leads the news, particularly during sweeps weeks, and media frenzies around the sensational story du jour are more commonplace than not.

DRAMA

In Minow's time one would talk about the *Hallmark Hall of Fame*, a live drama of high cultural content. Today we have the Hallmark Channel, Bravo, BBC America, a sophisticated public television system, and many more offerings of the highest quality, including the airing of virtually all significant movies since talkies came of age. High-quality drama series on network television bring an immediacy and reality about those who impact our daily lives, from understanding the street beat of the local police to the intricate strategies of the West Wing of the White House.

Yet, at the same time, there is a new baseness in the fare offered every night to the television audience: reality shows where we are voyeurs on private lives; where people are pitted against each other to survive on an island, or to land a husband on air; where humans are asked to act inhumanely or just plain stupidly.¹⁰ Perhaps worse is the onslaught of violent interactive video games, increasingly a part of our children's screen presence.

WHOSE RESPONSIBILITY?

So what? Times change, values change. What Minow complained about, he urged the broadcasters to improve, and held out the possibility of license review as a potential sanction (though making it clear that he was not about to be a censor). Minow sought to place responsibility on the

10. A 2002 study of 1607 American parents by the Public Agenda Foundation found that 73% of parents were very concerned with negative messages in today's mass media, and 90% said TV programs were getting worse because of bad language and adult themes in prime time. But 93% said TV viewing was all right as long as children watch the right shows in moderation. Karen S. Peterson, *Parents Feel They're Failing to Teach Values*, USA TODAY, Oct. 30, 2002, at 1D.

broadcaster, defining the government's role as active, though not censorious. Updating the point to the environment of 2003, and assuming that there is good and bad on the screen, whose responsibility is it today to see programming fare improve?

Certainly, the ability, let alone the inclination, of regulators to use the licensing process to affect programming directly is more questionable today than it was in Minow's time, and even he eschewed censorship. No one wants a government censor here, certainly not this Author. With the proliferation of broadcasting stations, the disparate treatment of broadcast and cable, and the clear elimination of scarcity in the delivery of streaming video over the Internet, the resort to government pressures is infeasible and undesirable.¹¹

The broadcasters themselves, those who Minow asked to act on their own, have their own problems. With fractionalized audiences, networks get less than half the share of what they could expect in Minow's day. We are in an attention economy, where just attracting the eyes of the viewer is hard enough, let alone keeping them during commercials or zapping frenzies of the family remote controller. This is even more difficult as TiVos and other personal digital recorders make skipping a commercial child's play. Broadcasters can hardly help themselves in their competitive roles today, though they certainly could do more in terms of airing local issues, and particularly local candidates during elections.

No, the government and the broadcaster are not the ultimate determinants in this era of consumer control and choice. The place to look

11. It is tempting to expound on the "scarcity theory" of government regulation of broadcasting, which has come into severe questioning, though never disapproved by the Supreme Court. Indeed, as recently as 1994, the Supreme Court saw no reason to question the continuing validity of the scarcity rationale. *Turner Brdcast. Sys., Inc. v. FCC*, 512 U.S. 622 (1994). This is the subject of many law review articles, and will continue to spark significant debate. I will simply state my own view—that as long as there is government action to restrict some from the airwaves, i.e., in essence regulate those without licenses off the broadcast airwaves, then the government has a right to exact from those who do receive licenses some return, either in paying for the value of the spectrum and/or in real "public trusteeship." I propose a spectrum checkoff system whereby the value of the spectrum can be ascertained, and the "trustee" pays in cash or in-kind by the value of programming designated by the government as public service programming, such as public service announcements, or unsponsored children's educational fare. See CHARLES M. FIRESTONE, ASPEN INST. COMM. AND SOC. PROGRAM, *THE SPECTRUM CHECK OFF ALTERNATIVE TO PUBLIC INTEREST REGULATION OF BROADCASTERS*, at <http://www.aspeninstitute.org/c&s/spectrum.html> (last visited Mar. 3, 2003); Todd Bonder, Comment, *A "Better" Marketplace Approach to Broadcast Regulation*, 36 *FED. COMM. L.J.* 27 (1984). Where there is no governmental restriction against others to speak over a particular medium, however, the "scarcity" or "governmental action" approach to regulation does not hold up. Increasingly, as methods of interference filtering improve, and as spectrum allocation and regulation move toward unlicensed spectrum, changes will occur in the broadcasting realm.

and act is at the consumer level, the audience. When channels were few, then indeed “if you aired it, they would come.” But today, we have a very different dynamic. Advertiser-based shows that do not garner audiences will not last.¹² To a certain extent the same is true of shows supported by voluntary audience contributions (public broadcasting and some religious broadcasts). The market, though indirect, does factor in more directly there. For subscriber channels, e.g., premium channels such as HBO, Showtime, and Starz!, a similar though less direct dynamic applies. However, even one good show, available exclusively on such a channel, will bring subscribers to the whole channel, which packages the entire channel or constellation of channels into one or two price options. Pay-per-view, in fact, offers the most direct relationship between consumer and programmer.¹³ In each case, though, the role of the consumer has come full circle, from passive viewer of network fare to active chooser of the fare he or she wants, determining this choice almost by the minute.

If we are, or are about to be, in a consumer-driven economy, then who should be responsible for moving the television screen to that electronic garden we seek? What the government could push for in Minow’s day, and what broadcasters had in their power to achieve, is now in the hands of the consuming public.

THE ROLE OF THE VIEWING PUBLIC

Normally, control by the consumer is the ultimate working of the marketplace—a competitive set of vendors from which the consumer can pick and choose the product and price, which should be close to cost to the vendor. Of course, broadcast television is a public good. The consumer watches and becomes the product, which is an aggregation of eyeballs being sold to advertisers. Nevertheless, while not a direct relationship, if the broadcaster or cablecaster is trying to sell the consumers’ eyeballs, there is a power relationship. If the consumer does not watch the channel, there is no product to sell to advertisers and/or no subscription money to the programmer. The consumer does have power.

12. A model currently in favor is the subscription/advertising channel on cable or satellite—one that gets a per-subscriber payment from the cable system to the programming entity, and also sells advertising on the channel. This gives the programmer room to place programs that are not popular on the channel, but realistically, the programmer wants to maximize revenues by carrying as much programming that will attract advertising dollars as possible. So these channels are under the same pressures as advertising-based channels, though to a lesser extent.

13. Perhaps with streaming video and broadband delivery, more and more of our actual viewing will come this way. But experience from early pay-television in the 1970s indicated a consumer preference to purchase a whole channel at a set price over bills of undetermined amounts on the channels that charged by the program (movies).

At one time, we feared such consumer power for being misused against controversial programming. There being so little programming of that type on the air in the first place, consumer protests over the unfavorable depiction of a religious leader could lead to advertisers pressuring the network not to air the program. Consumer boycotts are difficult to organize, but when effective can have the most direct impact on the programming. It is difficult for a broadcaster or public company to stand up to such pressures, though I would argue it is extremely important to do so in defense of fair but controversial journalism. I would not argue for standing up to such boycotts or protests when it is over a matter of bad taste, mistaken judgment, or corporate misconduct.¹⁴

While less direct, I nevertheless would advocate two other actions to bring about an electronic garden from consumer action: The first is a new set of literacies, including media literacy, information literacy, and civic literacy. The second is a concerted educational program that includes both industry and educational resources. The two are interconnected.

THE NEW LITERACIES

If we eliminate censorship as an option, as we should, and we are not expecting much from the programmer to stretch rather than simply to appeal to the base tastes of the consumer, then the place to work is at the reception end, the viewer herself. For this reason, media literacy appeals. Media literacy is “the ability of a citizen to access, analyze and produce

14. A recent example of citizen protest against a tasteless action of a shock jock on a Phoenix radio station seems appropriate. During the 2002 Major League Baseball league division series, Flynn Kile, the widow of recently deceased St. Louis Cardinal pitcher Darryl Kile, attended a game against the Arizona Diamondbacks. Later in the evening, while on the air, Phoenix shock jock Beau Duran called her in her room, said she was “hot,” and asked the recent widow if she had a date to the next game. St. Louis fans, upset with the action of the station, began a campaign that resulted in the withdrawal of advertising from the station in Phoenix, eventually leading to the firing of the disc jockey. See Judi Villa & Don Ketchum, *KUPD Fires Deejay over Phone Prank*, ARIZ. REPUBLIC, Oct. 8, 2002, at 1B, available at <http://www.arizonarepublic.com/arizona/articles/1008KUPD08.html>; *Phoenix DJ Fired for Comments*, KMSB.COM, Oct. 8, 2002, available at http://www.kmsb.com/bits/KMSB_bits_dj_1008.9ba6f2df.html. Another example of citizen pressure came after Time Warner’s Interscope Records released a Nine Inch Nails rap single, “Big Man with a Gun,” which, coming after concern about previous antisocial lyrics such as those of rapper Ice-T’s “Cop Killer,” prompted prominent leaders such as William Bennett, former U.S. Secretary of Education, and Delores Tucker to label Time Warner as “Slime Warner.” Larry Reibstein & Thomas Rosenstiel, *The Right Takes a Media Giant to Political Task*, NEWSWEEK, June 12, 1995, at 30, available at <http://216.239.51.100/search?q=cache:Gy8I6kHiC-IC:hmv.nin.net/hnv3/newsweek.html+slime+warner&hl=en&ie=UTF-8>. Within a year, the company sold its 50% share in Interscope at what appears to have been a bargain price. Eric Boehlert, *Helping Eminem Sell Records*, SALON, Sept. 14, 2000, available at http://archive.salon.com/politics/feature/2000/09/14/eminem_react/.

information for specific outcomes.”¹⁵ More specifically, it allows a viewer to understand, produce, and negotiate meanings in the electronic culture of today. The more we look to the receiver as the locus of action, the less pressure there is to censor the programmer or distributor, a First Amendment plus.

With the computer and Internet explosions, many have thought more broadly about literacy to include computer literacy and network literacy. Information literacy is the ability to know when there is a need for information, identify needed information, find, evaluate, organize, and use the needed information effectively to address the problem or issue at hand.¹⁶ If one of the problems at hand is the understanding of one’s role in a democracy or one’s society, then civic literacy is the understanding of the tools, rights, powers, and responsibilities of citizenship.

By strengthening the viewers’ literacies so those viewers become critical consumers of television fare, the marketplace can work to demand better programming. If viewers demand information on the local political issues, on the local candidates, and on cultural and community matters, presumably the programmers will offer it. As there are more and more sources of programming and potential media to deliver it, there should in theory be more opportunities for them to satisfy such demand.

Of course, should public policies allow for undue concentration of control over the media in a given locality—which not only limits the outlets for delivery of such programming, but also usually means large nonlocal ownership and increased difficulty of new and minority programmers to compete—then the market for local issue programming can also become skewed. This possibility, however, has led to a second approach, public education.

A CAMPAIGN TO “INFORM AMERICA”

The underlying principle and strength of democracy is self-governance by the citizenry. To exercise one’s duties as citizen-sovereign, one should be informed as to the important issues of the day. Among other sources, that information should come from newspapers, newscasts,

15. Charles M. Firestone, *Foreword* to PATRICIA AUFDERHEIDE, *MEDIA LITERACY: A REPORT OF THE NATIONAL LEADERSHIP CONFERENCE ON MEDIA LITERACY* (1993). It is also referred to as “media competency,” particularly as a result of a large effort of the Bertelsmann Foundation. See BERTELSMANN FOUND., *MEDIA COMPETENCY AS A CHALLENGE TO SCHOOL AND EDUCATION* (1993) (compendium of a conference held Mar. 18-20, 1992). An excellent collection of historical documents for media literacy is available at <http://www.medialit.org/> (last visited Mar. 3, 2003).

16. See PATRICIA SENN BREIVIK & J.A. SENN, *INFORMATION LITERACY: EDUCATING CHILDREN FOR THE 21ST CENTURY* 21 (2d ed. 1998).

magazines, and electronic sources. If the public can see the connection between the two, citizenship and news, over time they should demand more and better news reporting and commentary from trusted sources.

A campaign to educate citizens on their responsibilities to be informed can leverage the economic interests of media owners with a broader societal interest in increasing the responsibility of citizens to become informed of the events of the day. Such a campaign also fits directly into the need and desire of journalists and media executives to increase demand for quality journalism.

To promote young and discriminating audiences for quality journalism, journalists and media executives together could engage in a campaign to "Inform America." This could include a campaign to promote civic literacy; promote news literacy; use newspapers in school curricula; promote and encourage younger people to engage with newspapers; and generally to encourage Americans to exercise not only their rights, but their responsibilities as citizens to be informed of the affairs of state, whether on the local, regional, national, or international levels. This proposal arose out of an Aspen Institute conference on journalism in 2002.¹⁷ Whether this or

17. Charles M. Firestone, *Inform America*, in NEIL SHISTER, JOURNALISM AND COMMERCIAL SUCCESS: EXPANDING THE BUSINESS CASE FOR QUALITY NEWS AND INFORMATION (Report of the 6th Annual Aspen Institute Conference on Journalism and Society) (2002).

A campaign of this type would involve aspects of each of the following elements.

. . . The activities would involve:

1. Support from the major newspaper and broadcast associations, Newspaper Association of America, National Association of Broadcasters, . . . National Cable Television Association, etc. to promote the campaign to "Inform America" [or other appropriate theme]. This would involve enlisting . . . those organizations . . . to go beyond their current efforts, to coordinate their respective . . . activities, and to cross-promote the activities within the campaign [using local media cross-ownerships to public advantage].
2. Support from . . . journalist organizations such as American Society of Newspaper Editors, Committee for Concerned Journalists, [Society of Professional Journalists], Guilds, etc. to speak and write on the theme. There may be activities already underway within each organization, but . . . coordination and mutual support would be key in moving the campaign forward.
3. Support from civic organizations such as Empower America, Points of Light Foundation, and others to engage journalists . . . [and] educators . . . to reinforce the concept of citizen responsibilities. . . .
4. Support from educational organizations including the school chiefs, Departments of Education in the states, National Education Association, American Federation of Teachers, School Boards Associations, etc. to include civic literacy and news literacy in . . . curricula. Certainly, there are programs of civic education, the use of newspapers and other media in educational curricula, Cable in the Classroom, and the like. But enlisting the schools and media to work together in a larger endeavor would enhance the efforts of each.
5. Support from youth oriented organizations such as Boys and Girls Clubs and MTV to support the campaign.

another campaign emerges, the melding of civic and media literacy could help journalistic organizations and American democracy at the same time.

CONCLUSION

There is no question that with the increased ability of programmers to produce and distribute audio-visual programming, there will be much more excellent, and extremely poor, video fare available to anyone who wants it. If we want an electronic garden, we need to look for the flowers among the weeds. Neither the government nor the “broadcasters” effectively will filter the weeds, nor do we really want them to so long as they are not poisonous. No, the way to find the flowers is to educate viewers through (1) media, information, and civic literacy programs; and (2) joint campaigns among broadcasters and educators to improve the appreciation by all citizens of their responsibilities, including the responsibility to be informed.

6. Foundation support in catalyzing and coordinating these efforts at the initial stages. Certainly foundations . . . have focused on aspects of this issue, and the need for aiding public demand for quality news reporting in many of their activities. . . . [This highlights the need for a coordinated effort.]

7. Work with such non-profits as the Advertising Council, the Public Agenda Foundation, and other similar functional organizations, to further the campaign.

Id. at 36-38. “In each case there are already activities underway and the beginnings of an infrastructure for delivery of the activity. What is needed, however, is a coordinated, reinforcing campaign. . . . that encourages our youth to be informed citizens and to consume news reporting as one tool of responsible citizenship.” *Id.* at 36.

