

Da lahko nekega dne iz trpljenja, pomanjkanja in nenadzorovanega eksternege upravljanja nastane nekakšna lastna kulturna identiteta, ki je miroljubna in ne agresivna, je najbrž težko verjeti v luči državljanske vojne na Kavkazu in v nekdanji Jugoslaviji. Vendar primer Jamajke, ki tu lahko po načelu pars pro toto velja za dežele v razvoju, dokazuje prav to. K temu navaja izjava Rexa Nettleforda, nestorja družboslovne znanosti na Jamajki, ki je pred 21. generalno skupščino Karibske radiodifuzne unije junija 1990: »Našo karibsko dediščino tvorijo zaslužnjevanje, poniževanje in kolonializem. Sestoji pa tudi iz preživetja in iz tega, kar iz tega izhaja. Vedenje o tem procesu je ravno tako življenjskega pomena kot vedenje o možnih posledicah za sedanost in bodočnost. To vedenje je zasidrano globoko v kolektivnem vedenju tako imenovanega majhnega človeka z ulice. (...) Vse to je lahko temelj obupa, vendar imam še vedno upanje, ki temelji posebej na naših komponistih kalipsa in reggae. (...) Trdno računam na naše upanje v obup, kajti prav ta je del našega kulturnega nasledstva. Povezalo nas bo s sedanostjo in negotovo prihodnostjo, prav tako pa tudi z vedenjem, da smo kljub izkoreninjevanju, trpljenju in bolečini preživeli.«⁴⁰

osnovnemu problemu definiranja razmejitve med kulturo in ekonomijo in vprašanju kulturne kompetence EG komisije v nobenem primeru ustrežala.

⁴⁰ Rex Nettleford: *Preserving the Caribbean Heritage*, v: Combroad, September 1990, s. 31–34; tu: s. 32 in 34.

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Public Service Broadcasting in Europe: Does it have a Future?

Introduction

It is widely recognised that there is an international crisis of Public Service Broadcasting (PSB). Throughout Western Europe, and internationally, the main non-commercial broadcasters are experiencing multiple problems: their traditional funding bases have been eroded by inflation and by competition; their audience shares have suffered under the impact of new services; their programming has been altered by the great expansion of broadcasting hours; lastly, but not of least importance, they have suffered from a crisis of legitimation. The old assumptions about the nature and duties of public service broadcasting have been challenged from both right and left. The problems are shared even by the paradigm case of public broadcasting, the BBC (Rowland and Tracey, 1990:8–16).

At the same time, a number of former Communist states in Central and Eastern Europe have been adopting new broadcasting laws. Others are still struggling with the political problems involved. One of the striking things about these laws and draft laws is that they often attempt to write the idea of public service into the new broadcasting institutions.

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This article is concerned with that apparent contradiction. I first review the debate about Public Service Broadcasting in Britain and try to specify what, if anything, remains viable in the concept. I then look briefly at the various attempts to create Public Service type organisations in the Czech Republic, Poland and Hungary in order to consider how far these might be viable.

The Scope of Public Service Broadcasting

In order to begin to understand the current debate over PSB, it is important to have conception of its nature and scope. This is extremely difficult to arrive at, since PSB is not a clear and well-bounded concept which is susceptible to easy definition. One major official enquiry into the funding of the BBC in the 1980's found that, while a belief in PSB and support for its activities was widespread and of long duration, no one amongst the broadcasters, regulators and experts who had used the term was able to provide even a working definition (Peacock, 1986:6-8). I am scarcely likely to improve significantly on that in this short paper, but it is possible to make some general remarks which may begin to clarify the situation.

As with many things, it is much easier to say what PSB is not than to say what it is. We can identify three important and common misconceptions which need to be corrected:

1) Public Service Broadcasting is not a synonym for state broadcasting. This is true for two opposite reasons. In the first place, there are numerous examples of state owned broadcasters who have pursued narrowly partisan, rather than public interest, goals. Apart from the obvious case of the systems in the former communist countries, the outstanding example was the French ORTF under de Gaulle. This was state owned, state financed, and state controlled. It followed in its programming and personnel policy the precise instructions of the Elysée Palace. It served not the public of France but the President and the government. The second reason for distinguishing between PSB and state broadcasting is because it is quite possible for privately owned broadcasters to pursue public service goals. The classic example of this was the British commercial network from the 1960's up to the end of 1992. The 15 commercial companies which held the regional franchises to broadcast operated under an extremely strict regulatory regime, operated by a regulator called the IBA, which obliged them follow recognisable public service goals in their programme policies and was able to sanction them for any departures. As we shall see, it is an open question whether the new franchises which operate under the 1990 Television Act, and which also contain this kind of provision, will have the same force (Goodwin, 1992: 56-60). When we speak of the PSB system which existed, and perhaps continues to exist, in Britain, we are discussing not simply the state-owned BBC but also the privately owned commercial companies. Those who use the evidence of privately owned broadcasters pursuing public service goals as evidence of the limitations of PSB are thus mistaken (Collins, 1993: 252). Privately owned broadcasters can operate to PSB criteria, and have done so in practice.

2) Public Service Broadcasting is not an additional element introduced to modify an already functioning market system. Such broadcasting institutions can certainly exist in both theory and practice. It may well be the case that a market-driven broadcasting system will fail in significant ways to provide for the communi-

cation needs of the public, and that as an issue of public policy it is resolved that the results of market failure shall be rectified by the provision of a non-market supplement. One could understand the functioning of the US Public Broadcasting System (PBS) in such terms, and this was the model projected for the future of the BBC by the Peacock Committee (Brittan, 1989: 39). In such circumstances, however, the essential nature of the system is determined by market criteria (Gallagher, 1989: 204–05). In the case of PSB, as opposed to PBS, overall programming and other factors are determined as a result of quite different decision-making mechanisms.

3) Public Service Broadcasting is not tied to a particular kind of funding, namely the licence fee. While reliance on licence fee income provides a degree of protection from the tendency of governments to use direct payments to broadcasters as a weapon of control, it is not a permanent and effective means of insulation. The income of a broadcasting organisation funded through the licence fee depends upon the enforcement of licence payments and upon the size of the licence fee. Both of these are determined by the state. The latter, particularly in periods of inflation, is particularly vulnerable to government interference, as the example of the BBC in the 1980's and early 1990's shows. There, the government held down the level of increase in the licence fee in order to force the BBC to 'become more efficient'. It could also be argued that a subtext of this was to force the broadcasters to become more obedient. The licence fee is only a mediating factor, albeit an important one, between government and broadcaster. On the other hand, it is possible for broadcasters to pursue PSB objectives even when they are wholly or in part financed from advertising revenue. An example of partial funding of this kind is the German PSB system. An example of total funding from advertising revenue is Channel 4 in Britain, which despite its funding source is obliged by its legal status to deliver a public service.

In the light of these considerations, it follows that there are three positive aspects of PSB: that it is independent; that it is regulated; that it is not forced to compete for revenue. These are the necessary, if not sufficient, conditions under which a broadcaster can attempt to deliver the well-known substantial elements which are taken to characterise PSB: the provision of a universal service; the provision of a range and diversity of programmes; the production of original and high quality programmes; the provision of fair and impartial news and current affairs programming and so on.

Clearly, no broadcasting organisation can ever enjoy these conditions in their entirety. In particular, it is naive to imagine that any large social organisation like a broadcasting institution can ever be fully independent of the pressures, political and commercial, which mark a given society. It thus follows that we would not expect ever to find a 'pure' example of public service broadcasting. On the contrary, all actually-existing broadcasters will, to a greater or lesser degree, demonstrate elements of political control or economic dependence. The question for the analyst, and ultimately for the policymaker, is: to what extent is any set of broadcasting institutions able to approximate to PSB goals and what set of arrangement would best guarantee that?

The future of the British broadcasting system as a whole has been the subject of intense debate over the last decade. Attention has been focused on both the BBC and on the privately-owned franchise holders of the ITV network. As I have argued above, these together constituted a single PSB system. The regulation, however, has taken place in two distinct phases. The privately-owned sector and Channel 4 were legislated for under the 1990 Broadcasting Act. The BBC's licence to broadcast, which is subject to Royal Charter rather than Act of Parliament, is due for renewal in 1996 and the debate over renewal is currently underway.

At one level, the discourse of PSB has been remarkably effective in altering the terms of the debate. The original intention of the government, and its hand-picked experts (one was the brother of the British equivalent of Minister of the Interior, who was then in charge of broadcasting) in the Peacock Committee, was the introduction of fully commercial broadcasting in the UK. The title of government's outline of its proposal for legislation (its 'White Paper') was *Broadcasting in the 90's: Competition, Choice and Quality* (Home Office, 1988). This summarised fairly exactly their intentions.

In this, they were bolstered by two critiques of the practice of PSB. One, best articulated by the right, was an economic one. It was claimed that the existence of a highly regulated television system did not provide either the range of choice or of quality that a deregulated system could and that it was inefficient to boot (Veljanovski, 1989: 18–20). The other, shared by both right and left but often best articulated by the left, was that PSB claimed to serve the public but was in fact a vehicle for the subsidy of elite tastes and was contemptuous of popular cultural aspirations.

At the intellectual level, neither of these critiques was able to command widespread support. The economic case for the superior qualities of market-driven television tended to ignore the empirical realities of the available finance and, in addition, did not address the specific features of cultural consumption which render it particular susceptible to 'public good' arguments. The crucial argument is that public taste cannot be predicted in advance, either by the broadcaster or by the public itself, and that therefore an assumption of informed choice is not logically tenable in this case (Graham and Davies, 1992: 171–81).

The cultural argument has perhaps fared rather better, in that it does rest on a critique of some of the real shortcomings of PSB. The central argument against it remains, as it was for Raymond Williams three decades ago, that only a public broadcaster is in the position to provide a wide range of different kinds of programming. The commercial broadcasting model is under continual pressure to reduce the variety of audience tastes to a few categories susceptible to profitable programming, while the subscription-based narrowcasting model is able to satisfy only those taste publics large enough or rich enough to constitute an effective demand.

As a consequence of these intellectual developments, the actual legislation governing commercial television was amended to contain strong public service elements. The original intention of the government was that the franchises to broadcast on the main commercial channel should be awarded as the direct result of a process of auction. In fact, 1990 Broadcasting Act was modified to allow the regulatory body (the ITC) to award the licence to a company making a low cash bid if they thought that: "the quality of that proposed service is substantially

higher than the quality of the service proposed... by the applicant who has submitted the highest bid" (HM Government, 1990: Part I, Section 17, (4), (b), p. 17). In this and other formulations, the ITC was given the power to decide the nature of broadcasting along the lines of public service rather than market forces. They exercised this right in the award of franchises, they wrote its provisions into the licences to broadcast, and have, so far at least, used its stipulations to prevent changes to the programme schedules which they judge to be detrimental to PSB. The most notable of these latter was their refusal to allow the commercial companies to move their main news broadcast from its traditional 22.00 slot. Their reasoning was that it was the duty of a public service broadcaster, as explicitly specified in the 1990 Act and confirmed in the subsequent licences, to provide for viewers high quality news and current affairs at a time that ensure that a wide section of the population has easy access. The desire to move the news was motivated by the purely commercial consideration that its 22.00 location impeded the scheduling of feature films: the ITC has so far been definite in rejecting this logic.

The debate on the renewal of the BBC's Royal Charter has equally clearly followed a PSB line of thought. The Government's discussion document (a "Green Paper") about the future of the BBC spelt out the intention that the BBC should retain its PSB functions. The Minister responsible wrote in the Foreword that: "The Government believes the BBC should continue as a major broadcasting organisation and it should have special responsibilities for public service broadcasting" (Department of National Heritage, 1992: 5). The BBC's own first contribution to the debate shared that commitment, and specified in extremely Reithian terms the 4 areas in which the BBC could play a unique role: to inform the national debate; to express British culture and entertainment; to create opportunities for education and to communicate between the UK and abroad (BBC, 1992: 19-25). Their response to the public debate initiated by the Green Paper, and pursued in an organised form by the BBC, was to re-affirm their PSB commitment and to list 9 points which they felt were essential to carrying it out. The most important of these, they argued, were to "focus on viewer and listener needs", and to "ensure the highest quality, diversity and choice of programmes". They also intended to maintain editorial independence and integrity, to be efficient and to reflect the diversity of Britain (BBC, 1993: 17-22). The need to sustain the BBC as a public service organisation is a view shared even by their competitors. The commercial TV companies' ITV Network Centre responded to the direct question as to the future of the BBC in the government Green Paper by arguing that: "The BBC's objective should be to serve the public by maintaining its present role, and ensuring the strongest possible support for the domestic production base" (ITV Network Centre, 1993: 19).

It would seem that, in Britain at least, PSB has weathered the crisis caused by the attacks of free market ideologists and will continue to determine the future of broadcasting.

There are grounds for doubting this conclusion. With regard to the commercial part of the system, the effect of the 1990 Television Act was to introduce considerably increased competition for revenue into the ITV system, and at the same time to allow (from the end of 1993) a much freer regime for changes of ownership of the franchise holders. This means that, while the ITC used the discretion granted it under the Act to write quite strong public service obligations into the licences, the licence holders are under much increased commercial pressure. There is already,

as we saw in the case of the scheduling of news, a conflict between these two imperatives and these are felt particularly acutely in the sphere of public information. The outcome is as yet indeterminate, but it is difficult to see how the ITC will be able, faced with the extreme of the possible bankruptcy of a franchisee for example, to insist on the precise implementation of the conditions in the licence. The historical evidence is that even the much more robust IBA operating in the earlier television environment was prepared to allow companies to diverge very widely from the terms of their licence when faced with sufficiently compelling reasons of business (Goodwin, 1992: 659).

In the case of the BBC, the apparent unanimity of opinion conceals an important shift of emphasis. While most of the debate starts from the assumption that changes to the BBC must come about as the result of technological advance, none of the major players conceive of the BBC using the opportunities presented by these technical changes to expand its central PSB activities. On the contrary, the general assumption is that as the number of channels grows, the BBC will be less and less central to broadcasting. In effect, even those who claim to defend the notion of PSB accept the reality that its future functioning will not be to define the system but to supplement the shortcomings of a system dominated by market forces (Goodwin, 1993, 497-99).

Secondly, the detailed interpretation of the BBC's future tasks tends very much towards an elitist definition of PSB. This is most clearly seen in the case of Drama, where the commitment to the production of original plays takes third place to the restaging of theatrical classics "from Shakespeare and Jonson to Shaw and Osborne" and the adaptation of novels "of great writers such as Dickens, Conrad, Trollope and George Eliot" (BBC, 1992: 32). This is precisely the feature of PSB which was subjected to such a withering critique by the cultural populists. The "great writers" are a familiar list, with the exception of Trollope, whose inclusion can only be explained by the fact that he is the Prime Minister's favourite author. Admittedly Shaw was Irish, Conrad Polish, George Eliot a woman and Osborne still alive, but this is a definition of cultural excellence so dominated by Dead White Men as to give Political Correctness a new lease of life. It must be said that the BBC, in its response to the debate over its future, is aware of this danger and states that it wishes to avoid this "Himalayan" route (BBC, 1993: 29-36). While that may be their intention, it seems that their fundamental cultural definitions are irredeemably hostile to the popular. The production of costume dramas by writers who are safely dead is one way to avoid the sorts of controversy that dog challenging contemporary drama.

Finally, and perhaps most importantly, the informal political and cultural consensus which allowed the relative autonomy of broadcasters both publicly and privately owned has increasingly evaporated. There were always very definite limits to the freedom and impartiality of the broadcasters, particularly the BBC, but they were relatively broadly set and operated, on a daily basis, without too much tension and conflict. One symptom of this erosion of consensus from the side of the government has been the passage of a number of laws restricting public access to information (Sparks, 1993: 60-62). On the part of the BBC, there has been a marked retreat from the regular confrontations with the government over the content of news and current affairs which marked the mid-1980's. The current leadership of the BBC owes its position to direct political intervention and there can be little doubt that it is highly sensitive to the dangers to its future which a major dispute with the government could provoke. That is not to say that the

BBC has ceased to allow oppositional voices to be heard, particularly from the larger official parties, but that it is exercising a much higher level of caution in playing an investigative or adversarial role than in the past.

Overall, while the discourse of PSB remains central to the debate over the future of television, there has been a major transmutation of the substantive content. PSB in Britain in the future is likely to mean a marginal, fairly elitist and politically compromised addendum to an essentially commercial system.

Television After Communism

When one comes to look at the attempts to re-regulate broadcasting in Central and Eastern Europe in the aftermath of 1989, one is immediately struck by the prevalence of PSB discourse. Despite the fact that almost all main political actors in the region express a faith, ranging from the touchingly uncritical to the positively mystical, in the regulatory powers of the free market, in the case of broadcasting an exception is everywhere made.

This is most obvious at the level of the legal instruments, many of which contain explicit commitments to PSB objectives (Kleinwächter, 1993). For example, Article 21.2 of the Polish law enjoins public television programme services to, among other things:

- 1) be guided by a sense of responsibility and the need to protect the good name and reputation of public broadcasting.

- 2) provide reliable information about the whole diversity of developments in Poland and abroad.

- 3) promote the free formation of citizens' views and of public opinion.

- 4) enable citizens and their organizations to take part in public life by expressing diversified views and orientations and exercising the right to supervision and social criticism.

In addition, public television is required to present the political views of organisations "contesting elections to the Diet, the Senate and local government" (24.1) and to candidates for election to president (24.2). They are also enjoined to undertake various cultural and educational programming tasks.

Perhaps the most detailed stipulations are in Articles 13 and 14 of the November 1992 Hungarian draft law, which state:

13.1 The public-service broadcaster shall give regular, comprehensive and manifold objective and impartial news coverage of national and foreign events, facts and disputed issues of public interest. In performing this task, he (sic) shall ensure transmission of notices of public interest.

13.2 Within his broadcasting services as a whole, the broadcaster shall, in undertaking his obligations under 13.1, ensure presentation of views and ideas, including minority ones, in their diversity...

14.1. The public-service broadcaster shall, through the totality of his programmes, meet the most multifaceted needs possible of the widest possible groups of listeners and viewers, including minorities living in his receiving area, particularly by:

- a) Presenting literary and artistic works as well as cultural, religious and philosophical values;

- b) Disseminating knowledge oriented towards education and training;

- c) Covering scientific life and activities;

- d) Disseminating useful knowledge furthering daily living habits, a healthy lifestyle and environmental protection;
- e) Offering, on a regular basis, varied entertainment of high standards;
- f) Offering programmes for children and minors;
- g) Offering programmes for, and in the languages of, national and ethnic minorities living in the receiving area;
- h) Offering programmes for groups of persons seriously disadvantaged on account of their age, physical state or social circumstances or for other reasons.

These admirable intentions are, of course, very close to the formulations of the mission of public service broadcasters in the West – reading to British eyes like an amalgamation of the best of the BBC and Channel 4.

The concern for political and social fairness and diversity which is so eloquently expressed in the Hungarian draft finds a briefer but equally well-intentioned formulation in the clauses of the Czechoslovak Federal Act which have been incorporated into current Czech and Slovak law. Article 9 of the Federal Law dealt with “The Special Obligations and Rights of Public Television and Radio Operators”. Among the provisions still operative are:

The operators’ basic mission is to serve the public interest, contribute to the realization of a democratic society and reflect its pluralistic outlook by assuring that their transmissions are not oriented toward a onesided viewpoint, one religious denomination, or single world view, or one political party, movement, group or segment of society.

The concern for PSB values is not restricted simply to the regulation of the public broadcasters. Only in the Czech Republic, whose political life is heavily dominated by free market ideology, has a private television broadcaster yet been licensed. CET21 received its licence in January 1993 and is scheduled to start broadcasting in January 1994. Even here, however, in an “Appendix to Licence”, apparently in part actually written by the Secretary to the British ITC Mike Redley, there is a list of 31 recognisable PSB conditions, including the obligation to provide news at specified times containing “only objective, balanced and verified information” and a quota of domestic production including original drama (Czech Broadcasting Council, 1993:1–3).

We may speculate on the reasons for this widespread faith in PSB objectives, but we must certainly recognise its existence. Much more problematic are the chances of success. These seem to me fairly gloomy for two reasons. At the political level, there are numerous examples of direct government intervention into broadcasting. The long saga of the Hungarian “Media Wars” are only the best known instance of the government trying to ensure that the television gives an account of reality as perceived by the ruling party. This, of course, is the model of state, rather than public, broadcasting, and bears an uncomfortable resemblance to the practices of the old regime. According to one prominent Polish journalist, possibly exaggerating a little: “the special telephone with direct lines from the political power to key points in the administration that was an integral part of the communist power structure is back on the desk of the present TV director” (Wroblewski, 1993: 8–9).

The second reason for pessimism is economic. All of the new systems allow the public broadcaster to raise revenue from the sale of advertising space. This is an important source of funds: for example, such income currently makes up 22 per cent of Slovakian Broadcasting’s revenues (Brečka, 1993: 1). In a situation of monopoly, or of extremely strict regulation, such a provision need not generate

any serious problems. However, in most cases it is envisaged that the new commercial channels will compete with the public channel not only for audiences but also for advertising revenue.

One possible result is that the public broadcaster will decide not enter into a ratings battle, and thus come to rely more and more on the state for income, either through the licence fee or through direct subsidy. In the current situation, such a strategy would expose the broadcaster to very real dangers of political dependence. More probably, it will attempt to meet the commercial challenge head on by maximising its audiences and thus its revenue. The advertising markets in most of the formerly communist countries are necessarily quite restricted and unlikely to generate sufficient revenue to support a large number of high quality channels. If there is fierce competition for this limited sum, then it can only be at the expense of high cost programmes like original drama or at the expense of minority programmes, or both. In this case, the public broadcaster will have secured financial independence from the state at the price of the sacrifice of the distinctive programming features of PSB. For the commercial broadcasters, completely dependent upon advertising revenues, the competitive pressures of the projected arrangement are likely to make it very difficult for them to adhere to any PSB requirements written into their licences even if they should so wish.

Conclusion

The above facts make it unlikely that the post-communist broadcasters will have much chance of doing any better in the future than have the British PSB institutions. However, since the regulatory situation remains, in both cases, a relatively fluid one, it does not follow that the introduction of unrestricted market forces is the sole and inevitable future of television.

On the contrary, there remains much freedom of manoeuvre and decisions taken now will have a significant influence on the outcomes in broadcasting. At the political level, it is important to restate the principle and values of editorial independence even if it is the case that these cannot fully be realised. It is neither possible nor desirable for any broadcasting institution to stand apart from the political life of the society it serves, but this fact provides no excuse for subordinating television to the whims of the current government. At the very least, broadcasters can be compelled by public pressure to reflect the major currents of opinion in a society and this can be formalised in terms of constitutional arrangements.

In the realm of economics, the introduction of competition for advertising revenue will have very serious consequences. While the licence fee is certainly no guarantee of independence, it should be recognised that PSB can only thrive in a situation where there is no competition for revenue, and thus that the sources of income of public and commercial broadcasters must be clearly distinct. In return for such a licence to broadcast, the commercial broadcasters will be able to accept and implement at least some PSB requirements while remaining financially viable.

It may be that what can be achieved by such measures will be fairly minimal, but a broadcasting system polarised between government television on the one hand and an unbridled commercial rival on the other sounds very much like everything for the worst in the worst of all possible worlds.

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SLAVKO SPLICHAL*

Economic Restructuring and Democratization of the Media in Postsocialist Countries**

Introduction

When in 1989 and 1990 the old authoritarian structures began to break down with an almost inordinate speed all around Eastern Europe, it was hardly imaginable what were to be the "final" results of these dramatic changes in which civil society played a prominent role. Several attempts of counter-revolution initiated

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