In the EU's Image:
The Transformation of Broadcasting in Five Central and Eastern European States

by

John Rosenbaum, Ed.D.
Associate Professor
Roy H. Park School of Communications
Ithaca College
Ithaca, New York 14850
jrosenbaum@ithaca.edu

Abstract

The European Union (EU) has sought to free up its common internal broadcasting market while guarding against media concentration with the aim of promoting media pluralism and cultural diversity. Member States have been harmonizing their national broadcasting policies with transfrontier EU directives. Likewise, post-communist countries in Central and Eastern Europe which desire EU membership have begun aligning their broadcasting policies with EU directives. This paper looks at five candidate CEECs which are creating the competitive markets for broadcasting envisioned by the EU: the Czech Republic, Estonia, Hungary, Poland, and Slovenia. Until the end of the 1980s the broadcasting systems in these five countries were monopolies controlled by the states. Ten years later dual systems of public and commercial broadcasting were in place. This paper examines the influence of the EU's cultural and audiovisual policies, particularly the "Television Without Frontiers" (TWF) Directive, on changes in the candidate countries' domestic broadcasting policies and institutions. The EU's candidate screening process shows that the five CEECs have made varying degrees of progress in aligning their national broadcasting institutions, laws, and policies with the TWF Directive. This case illustrates the typology of positive, negative, and framing integration described by Knill and Lehmkill (1999). However, questions are raised about the appropriateness of the economic measures used in the screening process to determine if TWF promotes cultural diversity in the candidate countries. Alternative methods from communication research traditions, such as textual analysis and audience studies, are suggested.

Paper presented to the
2001 International Conference of the European Community Studies Association
May 31-June 2, 2001, Madison, Wisconsin

Draft version only. Please do not cite without the permission of the author.

Running header: In the EU's Image

In the EU's Image:
The Transformation of Broadcasting in Five Central and Eastern European States

Since its first embodiment as the European Economic Community in 1957, the European Union (EU)[1] has grown from six to 15 members pledged to establishing a common market "without internal frontiers in which the free movement of goods, persons, services and capital is ensured" (European Economic Community, 1957). At the dawning of the 21st century, negotiations for membership are under way with 13 candidate countries (European Union, 2001).[2] Over the years an enormous amount has been written about the effects of European integration at the supranational and domestic levels — how member states have influenced the development of EU institutions and policies *bottom up* (e.g., Moravcsik, 1999; Wallace & Wallace, 1996) and, conversely, how Europeanization (sometimes called "Europeification") has influenced domestic institutions and policies *top down* (e.g., Anderson & Eliassen, 1993; Börzel & Risse, 2000). For a comparison of bottom-up and top-down approaches see Dyson (2000).

Fewer articles have been published about the influence of the EU on the domestic institutions and policies of candidate countries prior to membership. One example is Sadowski's (2000) case study of telecommunication manufacturing in Poland, Hungary, and the Czech Republic. Another example is Hrubý et al.'s (1999) study on the political economy of mass media. Their analysis is particularly relevant because it examines countries in Central and Eastern Europe as well Western Europe, providing starting points for this article.

The perspective of this article is from the top-down point of view of the Europeanization of domestic institutions and policies. It will go beyond the integration of Member States and examine Europeanization in the first group of post-communist countries considered for EU membership: the Czech Republic, Estonia, Hungary, Poland and Slovenia. This analysis will utilize as a case study one of the EU's important but less conspicuous Accession Partnership priorities: cultural and audiovisual policy, with a focus specifically on the television broadcasting requirements set forth in the European Commission's "Television Without Frontiers" (TWF) Directive (Commission, 1989). This directive is unique in its blending of economic and cultural objectives, and illustrates central incongruities between the EU's broad goals of economic expansion and cultural protection.

The Influence of EU Policies on Domestic Institutions

Knill and Lehmkuhl (1999) describe three types of supranational EU policy-making that influence changes in domestic institutions during the integration process: positive integration, negative integration, and framing integration. The most explicit is positive integration, which prescribes institutional models designed to replace existing domestic policies and institutions. Negative integration redistributes domestic resources and power in order to remove domestic barriers to the free movement of goods, persons, services and capital. The weakest type of policy-making is framing integration, which indirectly attempts to change attitudes and beliefs to gain support of EU reforms.

Börzel and Risse (2000) condense these mechanisms into two "logics" of domestic change: misfit and mismatch. They argue that Europeanization causes domestic change only when EU and domestic policies clash (pp. 4-5). The change may occur on three levels: absorption, accommodation, and transformation. Absorption requires little modification to incorporate EU institutions and policies. Accommodation can be achieved with modest adaptation of existing institutions and policies. Transformation brings about fundamental changes by replacing existing institutions and policies. This leads to the question: Do the pressures to absorb, accommodate, and transform lead to convergence of member states' divergent institutions and policies? Börzel and Risse reply that the empirical evidence is mixed. Citing Cowles et al. (2001) as the "most comprehensive empirical study on the domestic institutional effects of Europeanization so far," they conclude: "There is no evidence that domestic institutional change meant the complete rejection of national administrative styles, legal cultures, societal relationships, and/or collective identities" (p. 12).

Börzel & Risse report that most analyses of the impact of Europeanization at the domestic level have focused on changes in domestic institutions, including administrative, regulatory, and judicial structures (p. 4). However, the literature on Europeanization contains relatively little analysis of the impact of the EU's audiovisual policy on domestic broadcasting institutions and policies, which is the focus of this case study.[3] The media study mentioned above (Hrubý et al., 1999) does compare the broadcasting systems in some Central and Eastern European countries to those in EU Member States, but it does not so much analyze the influence of the EU's audiovisual policy as develop a model for the regulatory structures overseeing broadcasting in transition states. The three contemporary articles which do look closely at the EU's audiovisual policies do so within different contexts of news content, European citizenship, and media pluralism.

Semetko et al. (2000) examine the impact of Europeanization on news content in Britain and Germany. They admit that it is not easy to extract the influence of Europeanization from the context of concomitant demonopolization and liberalization of domestic broadcasting markets. At the same time, they are able to observe direct impacts of Europeanization on broadcasting policy-making, ownership, and attempts to protect cultural products. Semetko et al. also recognize a contradiction in EU audiovisual policy which creates "a liberal, deregulated market, on the one hand, while calling for national, protectionist quota interventions and subsidisation on the other" (p. 126).

Likewise, in their examination of the relationship between the media and European citizenship, Harrison and Woods (2000) also find a paradox in EU audiovisual policy to the extent that "the drive to create a single European audio-visual market, in our view, compromises media diversity and quality of content" (p. 473). They say this flaw is embedded in the inherent tension in the EU's dual desire to promote a pan-European culture and, at the same time, respect the diversity of national cultures. Harrison and Woods conclude that EU audiovisual policy falls short because diversity in content is compromised by the neo-liberal privatization and commercialization of media markets, particularly of television broadcasting, which more and more treats public citizens as private consumers.

In contrast, Ward (2001) takes issue with the orthodoxy that the free-market strategies of Commission directives dominate cultural concerns, particularly in the areas of structural and behavioral pluralism. He points to Commission directives on media ownership and mergers which substantiate the Commission's dual objectives of protecting both the single market and pluralism. "It has attempted to promote pan European market mergers rather than individual market concentrations," Ward asserts. "But at the same time, it has tried to ensure in its rulings that individual markets are not dominated to an extent that is deemed contrary to the public interest" (p. 85). At times, such as in challenges to state aid for public service broadcasting, the Commission has applied the rulings of the European Court of Justice which allowed derogations of some competition rules despite the risk of distorting market competition (p.

86). While the accession process does not permit derogations from *acquis* measures, transitional arrangements which are limited in scope and duration may be negotiated (Commission, 1995c).

Television Broadcasting and Econocultural Questions

Why focus on television? The European Commission asserts flat out that "television is the most important source of information and entertainment in European Societies, with 98% of homes having a television, and the average European watching more than 200 minutes [of] television per day" (Commission, 2001e). It is the opinion of the chair of the European Commission's High Level Group on Audiovisual Policy that "Broadcasters are a key and driving force behind audiovisual productions, which they both distribute and finance" (Oreja, 2000). Many communication researchers have found that the mass media have a political function. They set the news agenda, if not telling the public *what* to think, at least telling them what to think *about* (e.g., Dearing & Rogers, 1996; McCombs & Shaw, 1972). Others add that the public trusts the television medium above others for news and information (e.g., Gunter & Winstone, 1992). Besides being the number one source of information by which Europeans make sense of the world, television also is important because it also plays a formative role by conveying popular cultures and identities (e.g. De Bens et al., 1992; Shaughnessy & Cobo, 1990). Television is both a mirror and a window on the world (de Moragas Spà et al., 1999).

The early EU treaties did not touch on the cultural aspects of audiovisual policies or single out television broadcasting for special attention. It was considered a service within the meaning of the European Economic Community Treaty of 1957 — an economic service which required rules to open up markets within and between the Member States. But along with economic integration, the promotion of European culture has been a long-term goal of the EU, which has undertaken several cultural programs, most of them in the mass media (Hutchison, 1993). As early as 1982 the European Parliament's "Hahn" report merged economic and cultural concerns into an "econocultural" argument for a strong audiovisual policy and noted that among the mass media "television, as an audiovisual means of communication is the most important" because it has the power to shape public opinion (European Parliament, 1982). But in the mid 1980s non-European programmes made inroads into European television markets. By the end of the decade about 30 percent of television programs broadcast in Member States were imported, and 44 percent of those were from the United States (Thompson, 1990, p. 202). While the television market did grow during the decade of the 1980s, the decline of the film market should be mentioned because it had a strong influence in the debate on audiovisual policy, and Lange and Renaud (1989) estimate that 22,000 films were shown on European television each year (p. 261). But between 1980 and 1986, the number of European films produced dropped 24 percent and the box office receipts fell by about 35 percent (p. 82). Meanwhile, U. S. film distributors were capturing some 80 percent of the world television program market (p. 297). During the 1980s a number of experts and members of the European Parliament stressed the urgent need for a Community audiovisual policy (p. 205), and 1988 was proclaimed European Cinema and Television Year by the European Community and the Council of Europe (p. 210).

The econocultural debate continued to surround the Commission's subsequent "Television Without Frontiers" (TWF) Directive, adopted October 3, 1989 (Commission, 1989) and amended June 19, 1997 (Commission, 1997a). The TWF Directive is at the heart of EU audiovisual policy. Its objective is to foster a competitive market, enjoining member states to prevent "any acts which may prove detrimental to freedom of movement and trade in television programmes or which may promote the creation of dominant positions which would lead to restrictions on pluralism and freedom of televised information and of the information sector as a whole" (European Union, 1997a). But subsequent readings of this provision seemed contradictory. On the one hand, the Commission's 1992 Green Paper on media concentration in the internal market seemed to say that domestic regulations could not be used to restrict the free flow of services in the internal market in order to protect pluralism (Commission, 1992). On the other hand, a European Commission communication in 1994 to the European Council and the European Parliament[4] pointed out "disparities" between national ownership rules and said: "The purpose of these national rules is to maintain pluralism by limiting access to media ownership by a single person, in particularly by preventing cumulative control of, or holdings in, several media companies at once" (European Commission, 1994). This apparent contradiction in protecting pluralism indicates that the Commission's distinction between the single European and the national markets, giving precedence to economic arguments in the former and to cultural arguments in the latter.

The 1997 amendments to the TWF Directive followed years of debate about the desirability of media pluralism and the negative effects of media concentration (European Commission, 1995a). One of the fundamental issues in the debate was whether the inevitable growth of large media companies, spurred by the removal of barriers between national markets, would be desirable. What would be gained as Germany's Bertelsmann, France's Havas, Italy's Fininvest, and Britain's News Corporation expanded across borders into other states? Some Council representatives said it might be a plus for Europe if the strong could become stronger and fend off the nasty American and other media monsters. Hutchison (1993) summarized the dilemma this way:

> Indeed it can be argued that Europe actually needs stronger media corporations that can compete with their non-European counterparts. But what is good for business, and for the balance of trade in audio-visual goods, may be rather less good for the pluralism which the Commission once said it was so anxious to encourage (p. 448).

The argument was that strong European media corporations would be bulwarks against the invasion of American and other cultural products while diversification of ownership in internal national markets would translate into cultural pluralism on national landscapes. But just to make sure, a quota would limit the amount of non-European programs which television channels in Members States could broadcast. Article 4 of the TWF Directive says:

> Member States shall ensure where practicable and by appropriate means, that broadcasters reserve for European works ... a majority proportion of their transmission time, excluding the time appointed to news, sports events, games, advertising and teletext services ... the proportion having regard to broadcasters' informational, educational, cultural and entertainment responsibilities to its viewing public (p. 26).

Basically the intent in this provision was to create barriers to American movies and television shows and achieve a dual econocultural objective: Stimulate growth of the European audiovisual industry while simultaneously protecting European culture. In 1995 Kessler calculated that as much as 28 percent of all television programming in EU Member States was from the U. S. and it would double or triple without the TWF quota. Much has been written and many questions raised on both sides of the Atlantic about the strengths and weaknesses of the quota provision. For several points of view see De Bens et al. (1992), Hirsch and Petersen (1992), Hutchison (1993), and Venturelli (1998).

The first question asks which audiovisual industries on the Continent would actually benefit? It appeared that the Commission was more interested at the time in promoting trans-European audiovisual industries than in protecting domestic industries. This is evident in the Directive's provision that each Member State has to permit retransmission of broadcasts which originated in other states, even if the former would not permit the transmissions to originate in their own state in the first place. The broadcasts needed only to "respect the law of the originating Member State" (Commission, 1989, 24). Venturelli (1993) concludes that the TWF Directive thereby "authorizes media suppliers to establish European multi-media empires from any European member nation in which they establish their base" (502). Although the TWF Directive does appear to privilege transnational media corporations, Ward (2001) argues that the Commission has taken a sophisticated approach and has since then used competition policy to regulate media mergers to maintain open and plural markets (p. 89).

In defense of the Directive, the Commission can point to evidence in reports from Member States which shows that Article 4 works, providing stronger and more diverse national broadcasting markets. Between 1991 and 1998 the number of television channels in Europe almost tripled, from 124 to 367, and overall the proportion of European works increased (Commission, 2000a). Proponents argued that the increased number of channels provided "sovereignty of the consumer" — in other words, the opportunity to chose from a diverse spectrum of views (Lange & Renaud, 1989, pp. 131-133). Table 1 shows the shares of audiences and the proportions of European works broadcast by major EU television channels in 1998.

- -

Place Table 1 about here.

- -

The 48 channels listed in Table 1 have the largest audiences in the 15 Members States. Forty-two (87.5%) of them air mostly European programs. The theory is that the larger number of channels will promote cultural diversity, and the majority proportion of European programming will promote European identity. But this notion is disputed by Collins, et al. (1988): "Obviously more channels will provide more choice between channels but not necessarily between programs" (p. 107). Iosifides (1999) agrees that the free market does create more media outlets and, hence, more viewing choices, but he adds that the free market actually stifles diversity. "Market incentives may not be adequate to provide the optimal level of cultural and political diversity" (p. 158). Iosifides also examines both sides of the argument over the related factor of concentration — whether it safeguards or threatens diversity. He concludes that concentration places "more emphasis on profitability than on cultural quality" (p. 158).

The TWF goal of promoting European identity also raises the question of which cultures would be preserved. It appeared at the outset that the Commission was more interested in establishing a pan-European culture — a sense of belonging to one community in one Europe — than in preserving national cultures. The Commission did not perceive "European identity" as being in conflict at all with cultural diversity (Commission, 1989, 24). In fact, some representatives even used the argument that shared European cultural images would be better than nationalistic xenophobic images (Commission, 1988). Who could argue with that?

The EU's emphasis appears to have shifted somewhat during the final decade of the 20th century. For the first time in an EU treaty, the 1992 Treaty in Maastricht on European Union clearly extended the reach of audiovisual policy beyond the economic realm into the cultural sphere (European Union, 1992). Article 151 of the Treaty lists three cultural objectives:

- to contribute to the flowering of the cultures of the Member States, while respecting their national and regional diversity and at the same time bringing the common cultural heritage to the fore;
- to encourage contemporary cultural creation;
- to foster cooperation between the Member States and with third countries and the competent international organizations (European Union, 1992).

To implement these lofty goals the European Commission initiated three cultural programs between 1996 and 1999 — Kaléidoscope, Ariane, Raphaël — which have been succeeded by the framework program Culture 2000 (Commission, 2001a). The Commission has also supported audiovisual production through its three MEDIA programs (Commission, 2001f). The acronym MEDIA stands for *measures d'encouragement pour le développement de l'industrie audiovisuelle* (Lange & Renaud, 1989, p. 206).

The question of access to diverse cultural programming on television also led the Conference of

Representatives in Amsterdam to affirm the value of public service broadcasting in a Protocol annexed to the Amsterdam Treaty (European Union, 1997b). This followed decisions by the European Court of Justice and arguments that a consequence of the TWF Directive would shift the responsibilities for information, entertainment, education, and culture, toward the private sector and away from the public service broadcasters, who traditionally had been charged with fulfilling these responsibilities. If that happened, representatives wondered, how likely would it be that private television companies would serve the interests of diverse cultures which are not mass audiences when the primary goal of commercial broadcasters is to deliver as many viewers as possible to advertisers? Harrison and Woods (2000) report that relying on market forces results in increased types of low-cost programs such as chat, quiz, and game shows. "Thus, diversity of representation and access in practice are generally compromised, resulting in the neglect of poor or marginalized groups of media consumers ...." (p. 484).

Some analysts consider public service broadcasting as a partial solution. The Council representatives who drafted the Amsterdam Protocol considered public service broadcasting in Member States as directly related to the "democratic, social and cultural needs of each society and to the need to preserve media pluralism," and they agreed that Member States may fund public broadcasting to fulfill public service responsibilities defined by each state as it sees fit "insofar as such funding does not affect trading conditions and competition in the Community to an extent which would be contrary to the common interest ...." (European Union, 1997b). While this Protocol goes further than ever before in EU support of public service broadcasting, the Commission remains concerned about the effect of state aid on competition and, hence, still tilts the Protocol toward a commercial vision of competition between transnational media companies in the free flow of broadcasting services across Europe. At the same time, the Protocol does temper the Commission's non-interventionist free-market vision by sanctioning state subsidies to public broadcasting. However, it does not close the book on the apparent incompatibility between the goals of economic integration and cultural decentralization.

Purpose and Research Questions

The purpose of this case study is to look at the changes in the television broadcasting policies and institutions of the five Central and Eastern European Countries (CEECs) in the first wave of negotiations for EU membership — the Czech Republic, Estonia, Hungary, Poland and Slovenia — and to answer the following questions: (1) Does Knill & Lehmkuhl's topology of positive, negative, and framing integration also apply in the case of these candidate states prior to accession? (2) Do pressures to align domestic audiovisual policies with EU policies result in absorption, accommodation, or transformation of misfit/mismatched policies as posited by Börsel & Risse? (3) How much influence has the accession process had on the changes in television broadcasting institutions and policies in these post-socialist CEECs compared to the effects of demonopolization and liberalization of their economies in general? (4) Does the free-market versus media/cultural diversity argument play out along the same lines in these candidate CEECs as it has among Member States? These questions are answered by triangulating the discourse in historical documents, existing data, and observations from media analysts who witnessed the transitions in the five CEECs, as well as by analyzing EU documents and Commission reports on the their progress toward accession. This research is from descriptive and comparative perceptions, covering how the television broadcasting systems in the five CEECs are controlled and financed, as well as the purposes they serve (Wells, 1996).

Television Broadcasting in Central and Eastern Europe

While EU Member States are debating how to free up their common internal market — promoting transnational movement of goods, persons, services, and capital — while guarding against concentration and maintaining media and cultural pluralism, the five post-communist CEECs which desire EU membership are also struggling with these and other difficult questions in the context of their political and economic transitions to democratic institutions and market economies.[5] Five of these CEECs are in the first wave of negotiations: the Czech Republic, Estonia, Hungary, Poland, and Slovenia. Since 1990 all five have made enormous economic and political transitions toward market economies and political democracies, as well as creating the competitive markets for television broadcasting envisioned by the Commission. Table 2 shows the vast television broadcasting markets in the five CEECs.

Place Table 2 about here.

Three factors make these five CEECs particularly appropriate for analysis here.[6] First, all are in the first wave of accession countries, having signed Association Agreements (also known as Europe Agreements), created Accession Partnerships with the European Commission, and begun negotiations for accession (European Union, 2001). The second factor is geopolitical. With the exception of Estonia, they share geographical proximity to the EU's eastern-most Member States — lying along the eastern borders of Austria, Germany, and Italy — and stretching from the Baltic Sea in the north to the Adriatic Sea in the south. Third, all five have opened up their monopoly broadcasting systems to competition and private ownership. In addition, as members of the Council of Europe, they already have been bound to establish independent media under the Council's *European Convention on Transfrontier Television*, adopted May 5, 1989 (Council of Europe, 1989) and amended October 1, 1998 (Council of Europe, 1998).[7] This convention is similar to the European Commission's TWF Directive mentioned above. See Hirsch and Peterson (1992) for a comparison of the Convention and the Directive.

The guiding principles to EU accession are three over-arching criteria which were defined at the June 1993 Copenhagen European Council; hence, they are commonly referred to as the "Copenhagen criteria." Put simply, they are political, economic, and other obligations. The first concerns "the stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities." The second criterion requires a "functioning market economy" and abilities to "cope with competitive pressure and market forces." The third is the ability to accept the obligations of membership, including economic and monetary union, and incorporating the *acquis communautaire* into domestic legislation (Commission, 2001c).[8]

The EU has said that it wants to be ready to accept new Member States by 2002. To reach that goal, in March 1998 it adopted pre-accession strategies with candidate countries to help them align their domestic legislation with the *acquis* in advance of their becoming members. A screening process was begun with an assessment comprising 31 negotiating chapters.[9] The chapter at issue in this case study is Chapter 20: Culture and Audio-visual Policy, which is a short-term priority, meaning that it should be met by mid-2001. The Accession Partnerships for all five CEECs require no less than "complete alignment" of domestic audiovisual legislation with the *acquis*. Hungary must also introduce "a monitoring system for satellite broadcasting" (Commission, 2001b). If candidates do not close the Culture and Audio-visual Chapter before accession negotiations are concluded, candidate countries can request limited transition arrangements, as was the case in the past with some current Member States.

Domestic Regulatory Controls on Television Broadcasting

Prior to 1989 television broadcasting in the Czech Republic, Estonia, Hungary, Poland, and Slovenia was owned by each state and financed by subsidies and license fees, although Hungary and Poland did have some advertising. Basically, television broadcasting was a monopoly controlled by the Communist Party in each country (Splichal, 1992). Kleinwächter (1995) describes the totally reformed broadcasting system envisioned after 1989:

> Instead of a monopolistic state-owned media system under Party control, with instrumentalized journalists and passive recipients as targets for one-way flow of one-sided propaganda, the development of a pluralistic media system was proposed. It was envisioned that this system should be independent from the government and without any involvement by political parties.

There are various perspectives of the paths which these countries took in moving from state to independent media. Sparks (1995) outlines four "aspects" of the overall development of post-communist media: (1) breaking down the old system, (2) enacting new broadcasting laws, (3) attempting to control broadcasters, and (4) licensing new commercial franchises (pp. 12-13). Jakubowicz (1995a) lists four "policy measures" required to change a media system from "unity to diversity": (1) getting rid of the old controls, (2) passing media laws, (3) democratizing the media, and (4) freeing the market for economic growth (pp. 78-79). Kleinwächter (1995) describes four stages in reforming state broadcasting: (1) "enthusiastic awakening" to the "sweetness" of participatory media freedoms, (2) "growing disillusionment" brought on by underestimating the "power factor" and rising costs, (3) "growing power struggle" to control television broadcasting, and finally (4) achieving a "new legal framework" for broadcasting.

Whichever path individual CEECs took, each one knew that to reform television broadcasting it first had to establish the legal framework, beginning with its constitution. Each state adopted constitutional provisions guaranteeing freedom of expression and the right to receive information, while prohibiting censorship of all kinds, with some exceptions such as national security and public health.[10]

The next step was to break up the broadcasting monopoly, making broadcasting economically and politically independent of the state and permitting private ownership of broadcasting properties. But the devil was in the details.

Place Table 3 about here.

As Table 3 shows, it took Czechoslovakia almost two years to pass a new broadcasting law, Poland and Slovenia almost three years, Estonia four years, and Hungary about five. The process in Estonia was complicated by the dismantling of Russian channels (Lauk, 1999), and Hungary was slowed down by intense political bickering, which resulted in a Constitutional provision requiring a two-thirds majority vote of Parliament to pass *any* laws on broadcasting (International, 2001). All five CEECs adopted similar media laws, represented by this noble rhetoric in the Preamble to Hungary's Law for Radio and Television (1995), which says its purpose is:

> ... to promote the freedom and independence of radio and television broadcasting, and of expressing opinion, to ensure the equilibrium and objectivity of information provided and the freedom of acquiring information, and also to support the assertion of the diversity of opinion and culture, as well as to prevent the emergence of information monopolies.

As the broadcasting laws were being debated and passed In all five states, the same political pattern emerged. The governments which were installed after the first multiparty elections tried to maintain control of the media, especially television, to promote their programs. The most notorious examples took place in Hungary between 1990 and 1994 in what became known as the "media wars." The newly-elected government forced programs off the air, pressured state radio and television journalists, and even fired the head of Hungarian TV (Horvat, 1995; Kováts & Whiting, 1995; Stone, 1996). For other examples see Hiebert (1994a), Hiebert (1994b), Jakubowicz (1995b), Kaplan and Šmíd (1995), Oltay (1995), Protests Grow (1994), Wachtel (1996), and Walesa (1993).

Prevratil (1995) calls the spirit of this time "democrature," by which he means "a period in which the dictatorship is over but democracy has not yet been created, a period that is a mixture of both" (p. 161). Sparks and Reading (1995) conclude that the new governments were united on two things: "the desirability of commercializing part of television, and the necessity of retaining political control over at least the state sector" (p. 47). Splichal (1992) calls this transformation a "re-nationalization" of broadcasting in Central and Eastern European states and emphasizes that it was "aimed at establishing a *national, politicized and quasi-commercial public broadcasting* subordinated to the state authorities rather than to public accountability" (p. 17, emphasis in the original).

The five CEECs did not need the EU to spell out the necessity for regulatory authorities to oversee broadcasting. But many questions were difficult to answer and hotly debated. How many broadcasting authorities should there be? How should their members and the chair be chosen? Should their roles be primarily advisory or should they have larger powers, such as licensing stations and regulating ownership? How independent should the authorities be from political influence? Table 4 lists the primary broadcasting authority in each of the five CEECs, the number of members, who appoints them, and who can recall them.

- -

Place Table 4 about here.

- -

Clearly, the broadcasting councils in these five CEECs are politically oriented and close to their governments. Poland is notable in this regard. In 1994 when the National Broadcasting Council awarded Polsat the first private television license in Poland, president Lech Walesa promptly fired the Council's president (Walesa, 1994).[11] Then in 1996 the head of public television was fired when he complained about political interference. So was his management board. The National Broadcasting Council itself has not been above partisanship. In 1997 most of the members it appointed to the public radio and television boards had close ties to the ruling parties. As *The Economist* put it: "Tanks are not encircling television studios, that is true. But this is not the sort of behavior expected from a prospective member of the European Union" (Televisual coup, 1997, 39).

The regulatory powers of the broadcasting councils vary somewhat from state to state. Table 5 lists some of the key powers of the broadcasting council in each one.

Place Table 5 about here.

The broadcasting council in Poland exercises the most power. It not only licenses private stations, it also is the highest authority over the public radio and television. None of the other councils set license fees or appoint the heads of the public broadcasting companies, although Slovenia's council does issue regulations. The Czech National Council for Radio and Television oversees private broadcasting, but not the public companies.

Transitions from State Monopolies to Dual Public/Private Broadcasting Systems

As can be inferred from what already has been written, all five CEECs agreed on dual systems of public and private television broadcasting. All five systems were modeled after the dual systems in EU member states rather than the American commercial model (Sparks, 1995). In each country the state monopoly was re-structured into independent corporations for radio and television, and the private ownership of independent, commercial stations was legalized. Kleinwächter (1995) points out that private stations were justified as "a contribution to pluralism and diversity, as well as to the principles of a free market society." Table 6 lists the largest national public and private television channels in each of the five CEECs, along with their proportions (shares) of audiences in 1999.

Place Table 6 about here.

Emerging Patterns of Ownership of Television Properties

Given the capital costs involved and the economic situations in Central and Eastern Europe during the early 1990s, it is fair to say that private television broadcasting stations would not have been able to start up without international investment. All five CEECs took this need into consideration when drafting laws that permit foreign ownership of broadcasting stations.

- -

Place Table 7 about here.

- -

Table 7 shows that eight of the 10 leading private television channels attracted partners from outside their home countries, and the percentage of foreign ownership varied. One reason it varied is because three of the CEECs limited the percentage — Hungary, Poland, and Slovenia. In contrast, Estonia and the Czech Republic placed no limits on the percentage of foreign ownership. In Estonia two Scandinavian companies received licenses for the first private television stations, but the public station maintained its market dominance (see Table 7). But just the opposite happened in the Czech Republic. Within a month after going on-air in 1994, private channel Nova TV could boast about its 70 percent share of the television audience and its 60 percent share of the advertising market (Madden, 1995; Reid, 1997). The Czech Radio and Television Council had anticipated this possibility, so when the Council granted the license, it issued 31 conditions which the owner had to meet, including quotas on national programming. However, by 1997 the Council had rescinded all of those conditions and Nova TV was free to grow unimpeded. In contrast to the Czech Republic, Slovenia limited its foreign ownership to 33 percent, as did Poland (Poland Broadcasting Act, Article 10, Paragraph 6), although a proposed amendment to Poland's law would increase the level of foreign shareholding to 49 percent (Gotkowski, 1997).

It is difficult to calculate percentages of foreign ownership of television channels because ownership agreements are complex. In some cases foreign capital has bankrolled local companies which then have created partnerships with transnationals. Even when the state broadcast councils are made aware of these complex arrangements, they lack the time, money, and will to fight the already heavily-viewed stations. Therefore, the outside economic control over private television channels may be far greater than it appears. Nova TV is an informative, albeit extreme, example. The license-holder for Nova TV is the Czech company CET-21, whose majority owner is entrepreneur Vladimir Zelezny.

Upon receiving the license, CET-21 contracted another company, CNTS, to launch and operate Nova TV. CNTS is owned by the U. S. company Central European Media Enterprises (CME), headquartered in Bermuda. CME hired Zelezny to manage CNTS. Everything was fine between CRT-21, CNTS, and CME until April 1999, when CME accused Zelezny of stripping Nova TV assets and fired him from his position at CNTS. Four months later Zelezny-controlled CET-21 blocked CNTS' access to Nova TV and put its own programs on the channel. CNTS demanded that the Czech Broadcasting Council cancel CET-21's license and transfer it to CNTS or CME, but the Council rejected the proposal, calling the dispute a commercial conflict. Numerous lawsuits have been filed and CME's majority owner, cosmetics heir Ronald Lauder, has even sought arbitration against the Czech government, claiming that a U. S. - Czech treaty has been violated. As of this writing, no decisions have been announced (Central Europe Online, 1999).

It should be noted that the national television broadcasting channels listed in Table 7 are not the only private broadcasters in these countries. A number of local and regional television, cable, and satellite channels have been authorized in each CEEC. Some local channels also have attracted foreign investment. For examples see Gotkowski, 1997. Also, most of the satellite channels received directly or on cable systems are pan-European. For a guide to pan-European satellite channels available in Central and Eastern Europe see *Internetowy Telemagazyn* (1998). Completing the picture in each state is spillover from terrestrial channels in nearby countries, but with relatively little penetration. When local and regional television, cable, satellite channels, and spillover are added up, the public and private national stations still have the overwhelming proportion of viewers, as shown in Table 1 and Table 8.

- -

Place Table 8 about here.

- -

Table 8 compares the shares of audiences in 1995 and 1999 for the public and private television channels in the five CEECs. The large audience shares for the public channels in 1995 were not surprising because just a few years earlier they were the state monopolies, about the only shows in town. But the swift ascendancy of the private stations was startling, particularly Nova TV, mentioned above. Riding high on its huge share of the audience in the Czech Republic after being launched in February 1994, CME expanded the Nova TV empire to six other countries in Central and Eastern Europe: Hungary, Poland, Romania, Slovakia, Slovenia, and the Ukraine. At the time, CME Development Corporation president Len Fertig predicted, "Theoretically, we could be the largest broadcasting group in Europe in the year 2000" (Short, 1995). Theoretically, maybe. But it didn't happen. The first thing that went wrong for CME was that it failed to win a license for a national channel in Hungary. Then it was routed by CET-21 in the Czech Republic. The loss in Hungary was to a consortium which includes Swedish conglomerate SBS Broadcasting System SA. Ironically, two years later, the brouhaha in Prague put an end to a merger deal in the works between CME and SBS that would have created the largest media giant in Central and Eastern Europe. For different points of view on CME's successes and failures see Amdur and Johnson (1996), Culik (1997), and Short (1995).

While the rise has not been so swift or so far for private stations in other states, they still have been significant. In Poland Polsat's audience share rose from 18 percent in January 1996 to 27 percent in December of the same year. At the same time the audience for the public station TVP1 dropped from 49 to 41 percent (Gotkowski, 1997). By 1999, Polsat's audience had declined slightly to 25 percent, but TVP1 was down to 25 percent. In Slovenia, CME's Pop TV captured nearly 75 percent share of all viewers for its premier film *Die Hard* and its audience share quickly topped 50 percent (Amdur & Johnson, 1996). Hungary is the most recent of the four states to award licenses for private television channels, in October 1997. As Table 8 shows, by 1995 almost a quarter of the television audience already had turned to private services being offered on a mix of local television, cable, and satellite channels. In fact, it has been estimated that by 1995 there were between 150 on 200 cable television stations in Hungary, where about 50 percent of the households were able to receive cable (Oltay, 1995). By 1999 the proportions had reversed and only a quarter of the audience watched the public channels. In Estonia, where the public channel attracted a larger audience in 1999 than either of the private channels, its share of the total audience was still only 20 percent, evidence of the large audience for other local and regional television, cable, satellite channels, and spillover.

As Venturelli (1993) suggests, the withdrawal of the state from the media sector may have been a "victory for freedom of communication" in the former totalitarian states of Central and Eastern Europe, but this freedom has simply shifted regulatory control from the state to the marketplace (p. 515). More specifically, the control of television broadcasting has shifted outside the states to an oligopoly of transnational media corporations from Western Europe and the United States, as is evident from Table 7. These companies are winning audiences by offering "western-style game shows and soap operas, action-packed feature films, sensationalist news reporting, and pornography" (Beavis, 1996). As flashy entertainment on the private stations has begun to beat out stuffy politics on the public stations, television broadcasting has become more of a medium for transmitting mass culture. Is that what the EU expects?

Alignment of Domestic Audiovisual Policies

Each year since 1998 the European Commission has issued reports of the progress that each candidate country has made toward accession. The most recent report was made on November 8, 2000 (Commission, 2000c). Table 9 depicts the five CEECs' progress on Chapter 20 in the 2000 and 1999 reports.

- -

Place Table 9 about here.

- -

Six key measures are used to determine candidates' progress on Chapter 20: (1) freedom of reception and transmission of programs from Member states; (2) promotion of European Works; (3) appropriate limitations on the broadcasting of major events; (4) appropriate limitations of advertising, teleshopping, and sponsorship; (5) protection of minors and public order; and (6) provision for the right of reply. To summarize, in the Commission's 2000 report the perspective is that the Czech Republic, Hungary, and Slovenia had made only "limited" progress in aligning their audiovisual policies with the *acquis*. Although Poland had made "significant" progress, the report suggests that Poland could have difficulty fully implementing the *acquis*. The highest grade went to Estonia, which has made "considerable" progress and whose laws were largely in line with the *acquis*.

Discussion and Conclusions

So where does this leave the Central and Eastern European countries which desire EU membership? In the case of television, between the proverbial rock and a hard place. When they liberalize their markets as the EU requires, they see transnational media giants rush in and take control. When they put quotas on foreign ownership to keep internal control of broadcasting, they appear anti-competitive, protectionist, and nationalistic. But quite clearly, for better or for worse, the broadcasting systems in these five CEECs are being brought in line with the Commission's TWF Directive insofar as the economic standards of the screening process. It can be argued that demonopolization, liberalization, and globalization were the early drivers of the changes, more than EU. But it is likely that the EU indirectly set the standard for the candidates' early broadcasting laws (Trappel & Mahon, 1996, p. 14). In the later days of accession, it's quite clear that the amendments and replacements of national broadcasting laws have been driven directly by the TWF Directive. This confirms other findings on the impact of EU accession strategies on reforms in Central and Eastern Europe. "Causality runs both ways, but the likelihood of becoming an EU member has been one of the most important predictors of reform" (Berglöf & Roland, 2001).

Then what is the "logic" of domestic change, as predicted by Börzel and Risse (2000)? Absorption, accommodation, or transformation? When compared to the state monopolies which existed in the five CEECs prior to 1990, the change has been nothing short of transformation. But when compared to the existing systems when negotiations began in 1998, it's a little bit of both absorption and accommodation. Of course, the argument can be made that the changes made after 1990 were always with an eye on future EU membership. That's certainly true. But as the negotiations have shown, a good bit of absorption and accommodation remained.

The evidence is in the three types of policy-making described by Knill and Lehmkuhl (1999), all of which have emerged in the process of the CEEC's aligning their broadcasting policies and institutions with the TWF Directive. Positive integration has taken place as the CEECs have established policies on the promotion of European works and modified their policies on advertising, teleshopping, and sponsorship. The most obvious example of positive integration is the CEECs complete reorganization of their state-owned broadcasting systems into dual public and private systems. While the broadcasting markets have been liberalized and the state broadcasting systems transformed into public systems, the latter are not so insulated from government control as they are in most EU member states. One reason for this continuing control may be the lingering viewpoint that mass media are central to the role of government. But the greater motivations appear to be to stimulate internal media industries.

Negative integration has begun as the CEECs adopt the TWF provisions on freedom of reception and transmission, restrictions on broadcasting major events, and right of reply. But negative integration is most pronounced in the Commission's requirement that restrictions on foreign ownership of television channels be eliminated. The Commission sees the existing restrictions as favoring domestic firms and distorting competition in the broadcasting market.

The most difficult type of reform to pin down is framing integration because it is the most indirect form. To that extent it is like culture — all around us, but indirect and difficult to pin down. Knill and Lehmkuhl say this about framing integration: "It is a general characteristic of the support-building approach that it promotes European integration by accommodating national diversity" (p. 10). In this way the TWF Directives' goals of institutional pluralism and cultural diversity is where framing integration comes into play.

That brings us back to the econocultural issue. The post-socialist CEECs have been drawn into the same commercial arguments heard during the EU's debates over contradictory objectives of removing market barriers to permit the free flow of private broadcasting services while accommodating the media pluralism needed to protect cultural identities. The same liberalized regulations which opened up internal markets also made them vulnerable to globalization and commercialization, endangering traditional public service broadcasting obligations and cultural diversity.

These contradictions are nowhere more apparent than in the example of the Czech Republic, where the broadcasting marketplace was about as free as it could get during the 1990s. Ownership was unrestricted and most programming restrictions were removed. This open market made it possible for CME to quickly establish Nova TV and exploit its position to its considerable advantage. Culik (1997) says, "That situation helps to further destabilize Czech cultural identity, which was already undermined by the communist regime" (p. 89).

Will the accession process lead to a mass European culture mediated by transnational broadcasting oligopolies? Or will it end with a postmodern paradox of economic integration and cultural decentralization among sovereign democratic states? Møller (1995) contends that the future of the EU is based upon those two principles (p. 7). He foresees economic policy-making being conducted on the supranational level, while diverse cultures evolve on the local and regional levels, with nation-states in between. "The more centralized the union, the less likely it is that the Central and Eastern European countries can be accommodated," according to Møller. "The less centralized the union, the more likely it is" (p. 76). In terms of culture, the EU seems to be on the latter course since Article 151 of the Amsterdam treaty requires it to "promote the diversity of its cultures" (European Union, 1997b).

Meanwhile in Central and Eastern Europe Jakubowicz (1995a) outlines a three-stage process for media change, working from Zbigniew Brzezinski's three stages of political, economic, and legal transitions in post-communist states: (1) the breakthrough — 1 to 5 years, (2) change taking hold — 3 to 10 years, and (3) emergence of stable democracy — 3 to 15 years or more. It appears that television broadcasting in the five CEECs examined here is somewhere in the large overlap between the second and third stages. At the rate they are going, by the time the five CEECs are welcomed into the EU fold, their dual systems of television broadcasting will look much like those in Western Europe. "It remains to be seen," according to Jakubowicz (1995a), "given the widespread criticism by many Western scholars of their media systems, whether this is a prospect to be relished" (p. 88).

That prospect leads to another question: Just what does the free flow of commercial television programs over a multiplicity of channels contribute to viewers' cultural identities? Harrison and Wood (2000) argue that "The fragmentation of the audience in a multi-channel environment can also be seen as a breakdown of social cohesion previously believed to be endangered by shared experience and mass viewing" (p. 484). But this may be a moot point. How likely will it be that pluralism in programming will be achieved by transnational oligopolies serving up homogenized cultural products to the European masses? Doyle (1998) contends that a highly competitive market with many channels can still produce a high degree of similar programs in what Neuman (1995) calls a trend toward sameness. So there may indeed be a shared experience, but what kind of social cohesion and mass culture will that produce? As

Jakubowicz (1992, p. 64) sardonically observes: "Never mind the collective propagandist, agitator, and organizer. How about the collective entertainer?"

Answering this cultural question fully requires going beyond the above econocultural analysis of economic and structural measures as used in the accession screening process on culture and audiovisual policies. To measure them, the Commission represents cultural products as commodities in markets. Progress is calculated statistically as numbers of channels, concentration of owners, and shares of programs. Program content provisions involve advertising, but not cultural indicators (although the protection of minors and right of reply can be linked to culture and politics). It is evident, as Rogerson and L'Ecuyer (1999) point out, that the EU's broadcasting policies are more economically than culturally bound. Semetko et al. (2000) add that European integration has indeed influenced domestic media systems, but "little can be said about the changes over time in media content" because of Europeanization (p. 129). The influence of Europeanization on the domestic policies of candidate countries deserves attention because, as Featherstone (1993) asserts, "The process of formation of [national] culture cannot be understood merely as a response to forces within the national state, but must be seen in relation to forces outside of it ..." (p. 173).

To discern the effects of European integration and accession on the cultural diversity of television broadcasting in the candidate countries, different measures and different kinds of analysis are needed, including textual and discourse analysis and active audience research, more commonly used in communication research. These approaches would examine the content and production of cultural products such as television programmes and the differences in meanings given to them by their audiences. This would lead to more contextualized descriptions of cultural influence. In the case of all CEECs, not just the five discussed here, this would give a broader and deeper understanding of the cultural persistence of national and ethnic identity in what has been characterized as a "post-nationalistic age" of pan-Europeanism (Corcoran, 1993). However, adopting any of these approaches is not without its difficulties. Writing in 1996, Mowlana explained, "The field of international communication has recently realized the importance of culture as a social conception. But communication scholars currently approach culture from an ethnocentric epistemological approach" (p. 209). Mowlana contends that international communication research falls into two broad categories: adaptations from other disciplines such as sociology, political science, and psychology, and "efforts to refute the growth of logical positivism" (p. 208). He concludes: "True inter-cultural understanding will not come until theoretical approaches to the field accept the viability of other intellectual schools" (p. 209). By "schools" he is not referring simply to other paradigms of Western communication research, such as cultural studies (e.g., Adorno, 1991; Geertz, 1973; Hall, et al., 1978); critical theory (e.g., Habermas, 1989; Williams, 1961), audience research (e.g., Ang, 1991; Fiske, 1989), and post-modernism (e.g., Baudrillard, 1988; Jameson, 1991), but to non-Western traditions such as Islamic thought and Indian philosophy (pp. 210-211). This is noteworthy advice in regard to Central and Eastern Europe, standing at the crossroads between North, South, East and West.

Besides the difficulties in selecting appropriate methodologies another challenge for future researchers in this area is the moving target of changes in media technologies. The rapid introduction of digital television broadcasting will profoundly realign the audiovisual landscape. Not only will the number of television channels multiply, the old divisions between broadcasting, cable, and satellite delivery will functionally disappear as the methods of reception and transmission converge (Commission, 1997c). In addition, although in its infancy, video streaming on the Internet will open up production and distribution options to small groups and individuals. A communication from the Commission (1999) sets out principles and priorities for the EU's audiovisual policy in the digital age. It predicts that "digital television services, via a set-top box or through an integrated digital television set, may well provide the main route into the home for most online content and electronic commerce" (Commission, 2001g). While the frontiers of digital television expand and converge simultaneously, creating new possibilities for interaction in Europe's Information Society, such as transborder virtual communities, questions about the proper role of audiovisual regulations in promoting cultural diversity will remain just as relevant in the future as they are today. As for the future of the TWF Directive, Article 25 calls for its re-examination before 30 June 2002. Currently, studies of the Directive are being conducted for the Directorate General for Education and Culture. The results are expected by the end of the year (Baer, 2001).

Notes

1. The roots of the European Union go back to the 1951 Treaty of Paris, which created the European Coal and Steel Community (ECSC), comprising six member states: Belgium, the Federal Republic of Germany, France, Italy, Luxembourg, and the Netherlands. In 1957 the six ECSC members signed treaties in Rome creating the European Economic Community (EEC) and the Atomic Energy Community (AEC). Denmark, Great Britain, and the Republic of Ireland joined the communities in 1973 and Greece was added in 1981. In February 1986 the Single European Act was signed in Luxembourg one month after the addition of Spain and Portugal. The Treaty on European Union, the Maastricht Treaty, was signed in 1992. It incorporates the three communities. Austria, Finland, and Sweden joined the EU in 1995, bringing to 15 the current number of member states (McCormick, 1999).

2. The 13 countries negotiating for membership are: Bulgaria, Cyprus, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Romania, Slovakia, Slovenia, and Turkey (European Union, 2001).

3. On the other hand, a great deal has been written about various aspects of the mass media in Western Europe. For example, see: Blumler, 1983; Blumler, 1992; Collins, 1994; de Moragas Spà & Garitaonandía,1995; de Moragas Spà et al., 1999; Dyson & Humphreys, 1986; Euromedia Research Group, 1997; Humphreys, 1996; McQuail & Siune, 1998; Mitchell & Blumler, 1994; Noam, 1991; Pragnell, 1985; Sánchez-Tabernero, 1993; Sepstrup, 1990; Shaughnessy & Cobo, 1990; Siune & Truetzschler, 1991; Steinfield et al., 1993; Wedell et al., 1985; and Winn, 1994.

4. Three of the major institutions of the European Union are the European Commission, the European Council, and the European Parliament. The Commission initiates legislation and issues rules (regulations and directives) to implement the treaties. The Commission's legislative proposals are sent to the Council and the Parliament, which share the authority to enact the proposals into law. The Parliament also has equal power with the Commission to adopt regulations and directives to implement the treaties (Commission, 1995b).

5. For descriptions of media transitions in Central and Eastern Europe see: Androunas, 1993; Casmir, 1995; Contamine, 1991; Giorgi, 1995; Goban-Klas, 1994; Gross, 1996; Paletz et al., 1995; Sparks & Reading, 1998; and Splichal, 1994.

6. On March 30, 1998 negotiations for accession began with six applicant countries: the Czech Republic, Cyprus, Estonia, Hungary, and Poland (Commission, 1997b). Cyprus has been excluded from this analysis because it is geographically outside of Central and Eastern Europe.

7. Estonia, Hungary, Poland, and Slovenia have ratified the Council of Europe's Convention on Transfrontier Television and amending Protocol. Although the Czech Republic signed the Convention on May 7, 1999, it has failed to ratify it as of this writing.

8. The *acquis communautaire* refers to all of the body of treaties, laws, and regulations adopted by EU since 1957 (McCormick, 1999, p. 293). The Treaty of Amsterdam — signed October 2, 1997 and entered into force May 1, 1999 — amends and incorporates the 1957 Treaties of Rome, the 1986 Single European Act, and the 1992 Treaty on European Union (Maastricht) (European Union, 1997b). The treaties will be further amended when all the member states ratify the Treaty of Nice, signed February 26, 2001.

9. The chapter headings for the screening exercise are: (1) free movement of goods, (2) freedom of movement for persons, (3) freedom to provide services, (4) free movement of capital, (5) company law, (6) competition policy, (7) agriculture, (8) fisheries, (9) transport policy, (10) taxation,

(11) economic and monetary union, (12) statistics, (13) social policy and employment, (14) energy, (15) industrial policy, (16) small and medium-sized undertakings, (17) science and research, (18) education and training, (19) telecommunications and information technologies, (20) culture and audiovisual policy, (21) regional policy and coordination of structural instruments, (22) environment, (23) consumers and health protection, (24) cooperation in the fields of justice and home affairs, (25) customs union, (26) external relations, (27) Common foreign and security policy, (28) financial control, (29) financial and budgetary provisions, (30) institutions, and (31) other (Commission, 2000b).

10. For specific constitutional provisions on freedom of expression see: Article 10 of the Constitution of the Czech Republic, adopted in December 1993; Articles 44 & 45 of the 1992 Constitution of the Republic of Estonia; Article 61 of the Constitution of the Republic of Hungary, passed in April 1997; Articles 49 & 54 of the Constitution of the Republic of Poland, as amended in April 1997; and Article 39 of the Constitution of the Republic of Slovenia, passed in 2000 (International, 2001).

11. Sygmunt Solorz is not your typical media mogul. As reported in Radio Free Europe/Radio Liberty's *Daily Digest* (Teague & Ionescue, 1994), a profile published in the newspaper *Rzeczpospolita* after PolSat won its bid for a national television station had characterized Solorz' past as "suspicious," containing mysterious gaps. The entrepreneur was described as having had several names and multiple passports. The paper also accused him of filing financial statements which contained irregularities. Solorz responded that *Rzeczpospolita* was out to get him because it was aligned with some of his competitors who had lost their bid for the channel.

Works Cited

Adorno, T. (1991). *The Culture Industry: Selected Essays on Mass Culture*. London: Routledge.

Amdur, M., & Johnson, D. (1996). CME brings commercial savvy to Central Europe. *Broadcasting & Cable 126*(4), 92-94.

Anderson, S. S., & Eliassen, K. A. (1993). *Making Policy in Europe: The Europeification of National Policy-making*. London, New Delhi & Thousand Oaks, California: Sage.

Androunas, F. (1993). *Soviet media in transition: Structural and economic alternatives*. Westport, CT: Praeger.

Ang, M. I. (1991). *Desperately Seeking the Audience*. London: Routledge.

Baltic Media Book 1999. Tallinn, Estonia: Baltic Media Facts, Ltd.

Baer, J-M. (2001). Study of the "Television without Frontiers" Directive - UK. Retrieved May 23, 2001 from the web site of Association d'Avocats Uyttendaele, Gérard & Doutrelepont: http://www.doutrelepont.be. http://www.doutrelepont.be/news/euro/letters/lettreUK.html.

Baudrillard, J. (1988). *Selected Writings*. Cambridge: Polity Press.

Beavis comes to Budapest: Central European television. *The Economist 340*(7973), 57-58.

Berglöf, E., & Roland, G. (2001, February-March). From regatta to big bang? The impact of the EU accession strategy on reforms in Central and Eastern Europe. *Transition 12*(1), 26-27.

Blumler, J. G. (Ed.) (1983). *Communicating to Voters: Television in the First European Parliamentary Elections*. London: Sage.

Blumler, J. (1992). *Television and the Public Interest: Vulnerable Values in West European Broadcasting*. London, New Delhi & Thousand Oaks, California: Sage.

Börzel, T. A., & Risse, T. (2000, November) When Europe hits home: Europeanization and domestic change. *European Integration Online Papers, 4*(15). Available: http://eiop.or.at/eiop/texte/2000-015a.htm.

Caristi, D. (1996). Privatization and broadcasting in East and Central Europe. *Journal of Broadcasting & Electronic Media 40*(2), 281-285.

Casmir, F. L. (Ed.) (1995). *Communication in Eastern Europe: The role of history, culture, and media in contemporary conflicts*. Mahway, NJ: Lawrence Erlbaum.

Central Europe Online (1999). Czech TV regulator again rules against CME. Available: http://ejc.nl/mn/showresultnews.hmx?3370.

Clark, J. (1993). Italians give push to private Polish TV. *Variety 350*(7), 41-42.

Collins, R. (1994). *Broadcasting and Audio-visual Policy in the European Single Market*. London: John Libbey.

Collins, R., Garnham, N., & Locksley, G. (1988). *The Economics of Television: The UK Case*. London: Sage.

Commission of the European Communities (1988). *The Audio-Visual Media in the Single European Market*. Luxembourg: Office for Official Publications of the Communities.

Commission of the European Communities (1989). Directive of 3 October 1989 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the pursuit of television broadcasting activities, 89/552/EEC. *Official Journal of the European Communities* L298, October 17.

Commission of the European Communities (1992). *Pluralism and Media Concentration in the Internal Market*. Brussels: COM (92) 480 final.

Commission of the European Communities (1994). Communication from the Commission to the Council and the European Parliament. Follow-up to the consultation process relating to the green paper on pluralism and media concentration in the internal market: an assessment of the need for Community action. COM(9-4)353. Brussels: Author.

Commission of the European Communities (1995a). EU struggles to find a media policy. *European Dialogs 1* (March-April). Available on Europa - The European Union Online: http://europa.eu.int/en/comm/dg10/infcom/eur_dial/95ila6s0.html.

Commission of the European Communities (1995b). *The Institutions of the European Union*. Luxembourg: Office for the Official Publications of the European Communities.

Commission of the European Communities (1995c). White Paper — Preparation of the Associated Countries of Central and Eastern Europe for Integration into the Internal Market of the Union. Available on Europa - The European Union Online: http://europa.eu.int/comm/enlargement/wpim/en/index_wpim.htm

Commission of the European Communities (1997a). Amendment to the Directive of 3 October 1989 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the pursuit of television broadcasting activities, 97/36/EC. *Official Journal of the European Communities* L202, July 30.

Commission of the European Communities (1997b). Agenda 2000: For a Stronger and Wider Union (DOC/97/6). Available from Policies & Legislation posted on Europa - The European Union Online: http://www.eurunion.org.

Commission of the European Communities (1997c). Green Paper on the Convergence of the Telecommunications, Media and Information Technology Sectors, and the Implications for Regulation. Towards an Information Society Approach. COM (97) 623 final, 03.12.1997. Available from Europa - The European Union Online: http://europa.eu.int/comm/avpolicy/legis/docof_en.htm.

Commission of the European Communities (1999). Communication of 14 December 1999 from the Commission to the Council, the European Parliament, the Economic and Social Committee and the Committee of the Regions: Principles and guidelines for the Community's audiovisual policy in the digital age. Available from Europa - The European Union Online: http://europa.eu.int/comm/avpolicy/legis/docof_en.htm.

Commission of the European Communities (2000a). Fourth Communication from the Commission to the Council and the European Parliament on the application of Articles 4 and 5 of the Directive 89/552/EEC "Television Without Frontiers" for the period 1997-8. COM(2000) 442 final.

Commission of the European Communities (2000b). Enlargement — Negotiations. Available from Europa — The European Union Online: http://europa.eu.int/comm/enlargement/negotiations/screen_en.htm.

Commission of the European Communities (2000c). Regular reports from the Commission on progress toward accession by each of the candidate countries [November 8, 2000]. Available from Europa — The European Union Online: http://europa.eu.int/comm/enlargement/report_11_00/index.htm.

Commission of the European Communities (2001a). Cultural Activity General Overview. Retrieved May 9, 2001 from Europa — The European Union Online: http://europa.eu.int/comm/culture/overview_en.html.

Commission of the European Communities (2001b). Enlargement — Countries. Available on Europa — The European Union Online: http://europa.eu.int/comm/enlargement/index.htm.

Commission of the European Communities (2001c). Enlargement — Preparing for Accession. Available on Europa — The European Union Online: http://europa.eu.int/scadplus/leg/en/lvb/e40001.htm.

Commission of the European Communities (2001d). Enlargement — Strategy Paper: Regular Reports from the Commission on Progress towards Accession by each of the candidate countries. Available on Europa — The European Union Online: http://europa.eu.int/comm/enlargement/report_11_00/index.htm.

Commission of the European Communities (2001e). Introduction to Audiovisual Policy. Retrieved April 12, 2001 from Europa - The European Union Online: http://europa.eu.int/comm/avpolicy/intro/intro_en.htm.

Commission of the European Communities (2001f). MEDIA Programme of the European Union. Available on Europa — The European Union Online: http://europa.eu.int/comm/avpolicy/media/index_en.html.

Commission of the European Communities (2001g). Television broadcasting. Principles and guidelines for the Community's audiovisual policy in the digital age. Available on the SCADPlus Database on Europa - The European Union Online: http://europa.eu.int/scadplus/leg/en/lvb/124223.htm.

Commission of the European Communities (2001h). Union Policy — Audiovisual. Available on the SCADPlus Database on Europa — The European Union Online: http://europa.eu.int/scadplus/leg/en/s20013.htm.

Contamine, C. (Ed.) (1991). *Media in Eastern and Western Europe: Shared Problems, Shared Solutions?* London: John Libbey.

Corcoran, F. (1993). Nationalism, identity and social memory. *Media Development, 40*(4), 10-12.

Council of Europe (1989). European Convention on Transfrontier Television ETS n°: 132. Retrieved April 17, 2001 from the Council of Europe's online Treaty Office: http://conventions.coe.int.

Council of Europe (1998). Protocol Amending the European Convention on Transfrontier Television ETS n°: 171. Retrieved April 17, 2001 from the Council of Europe's online Treaty Office: http://conventions.coe.int.

Cowles, M. G., Caporaso, J. A., & Risse, T. (Eds.) (2001). *Transforming Europe: Europeanization and Domestic Change*. Ithaca, NY: Cornell University Press.

Culik, J. (1997). Truth, freedom, and the pursuit of profits. *Transitions 4*(3), 88-92.

Czech and Slovak Federative Republic Law on the Operation of Radio and Television Broadcasts (1991).

De Bens, E., Kelly, M., & Bakke, M. (1992). Television content: Dallasification of culture? In Siune, K. and Treutzschler, W. (Eds.) *Dynamics of Media Politics: Broadcast and Electronic Media in Western Europe*, 75-100. London, New Delhi & Thousand Oaks, California: Sage.

Dearing, J. W., & Rogers, E. M. (1996). *Agenda-Setting*. London, New Delhi & Thousand Oaks, CA: Sage.

de Moragas Spà, M., & Garitaonandía, C. (Eds.) (1995). *Decentralisation in the Global Era: Television in the Regions, Nationalities and Small Countries of the European Union*. London: John Libbey.

de Moragas Spà, M., Garitaonandía, C., & López, B. (Eds.) (1999). *Television on Your Doorstep: Decentralisation Experiences in the European Union*. Luton: University of Luton Press.

Done, K. (1997a). Hungary goes commercial. *The Financial Times* (July 21), 13.

Done, K. (1997b). Nova TV: Licensed to print money. *The Financial Times* (September 3), 37.

Downing, J. (1996). *Internationalizing Media Theory: Transition, Power, Culture: Reflections on media in Russia, Poland, and Hungary, 1980-95.* London, New Delhi, & Thousand Oaks, CA: Sage.

Doyle, C. (1998, March). Programming in a competitive broadcasting market: Entry, welfare and regulation. *Information Economics and Policy 10*(1), 23-39.

Dyson, K. (2000). EMU as Europeanization: Convergence, diversity and contingency. *Journal of Common Market Studies 38*(4), 645-666.

Dyson, K., & Humphreys, P. (Eds.) (1986). *The Politics of the Communications Revolution in Western Europe.* London: Cass.

Euromedia Research Group (1997). *The media in Western Europe: The Euromedia Handbook* (2nd edition). London, New Delhi & Thousand Oaks, California: Sage.

European Parliament (1982, February 23). Report on radio and television broadcasting in the European Community on behalf of the committee on youth, culture, education, information and sport (the Hahn Report). Doc. 1-1013/81, PE 73.271 final

European Union (1992). Treaty on European Union.

European Union (1997a). Directive 97/36/EC of the European Parliament and of the Council of 30 June 1997 amending Council Directive 89/552/EEC on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the pursuit of television broadcasting activities. *Official Journal of the European Communities* L202 (30 July 1997).

European Union (1997b). Treaty of Amsterdam amending the Treaty on European Union, the treaties establishing the European Communities and certain related acts, adopted 2 October 1997 by the Conference of Representatives of the Governments of the Member States.

European Union (2001). Enlargement: Preparing for Accession. Retrieved April 17, 2001 from Europa - The European Union Online: http://europa.eu.int/scadplus/leg/en/lvb/e40001.htm.

Fiske, J. (1989). *Understanding Popular Culture.* London: Unwin Hyman.

Geertz, C. (1973). *The Interpretation of Cultures: Selected Essays.* New York: Basic Books.

Giorgi, L. (1995). *The Post-socialist Media: What Power the West?: The Changing Media Landscape in Poland, Hungary, and the Czech Republic.* Brookfield, Vermont: Avebury.

Goban-Klas, T. (1994). *The Orchestration of the Media: The Politics of Mass Communications in Communist Poland and the Aftermath.* Boulder, CO: Westview.

Gotkowski, P. (1997). A time of growth. *The Warsaw Voice 6*(433). Available in English on *The Warsaw Voice* online web page: http:www.warsawvoice.com.pl.

Gross, P. (1996). *Mass Media in Revolution and National Development: The Romanian Laboratory.* Ames, Iowa: Iowa State University Press.

Gunter, B., & Winstone, P. (1992). *TV; The Public's View.* London: John Libbey.

Habermas, J. (1989). *The Structural Transformation of the Public Sphere.* Cambridge: Polity Press.

Hall, S., Critcher, C., Jefferson, T., Clarke, J., & Roberts, B. (1978). *Policing the Crisis: Mugging, the State, and Law and Order.* London: Macmillan.

Harrison, J., & Woods, L. (2000, September). European citizenship: Can audio-visual policy make a difference? *Journal of Common Market Studies, 38*(3), 471-495.

Hiebert, R. (1994a). Advertising and public relations in transition from communism: The case of Hungary, 1989-1994. *Public Relations Review 20*(4), 357-372.

Hiebert, R. (1994b). The difficult birth of a free press. *American Journalism Review 16*, 34-36.

Hirsch, M., & Peterson, V. G. (1992). Regulation of the media at the European level. In Siune, K., & Treutzschler, W. (Eds.). *Dynamics of Media Politics: Broadcast and Electronic Media in Western Europe*, 42-56. London, New Delhi & Thousand Oaks, California: Sage.

Horvat, J. (1995). The members of the Hungarian media. *Journal of Popular Culture 29*, 109-114.

Hrubý, Z., Cave, M., Doyle, C., & Marcinčin, A. (1999). *The Economics of the Media: The Convergence of the Transition Countries with EU Member States.* Prešov, Slovakia: Research Center of the Slovak Foreign Policy Association.

Humphreys, P. J. (1996). *Mass Media and Media Policy in Western Europe.* Manchester: Manchester University Press.

Hungary Law for Radio and Television (1995).

Hutchison, D. (1993). The European Community and audio-visual culture. *Canadian Journal of Communication 18*, 437-450.

International Constitutional Law (2001). Available in English on the Bayerische Julius-Maximilians-Universität Würzburg online home page: http://www.uni-wuerzburg.de/law/home.html.

Internetowy Telemagazyn (1998). Available online: http://www.telemagazyn.com.pl.

Iosifides, P. (1999). Diversity versus concentration in the deregulated mass media domain. *Journalism & Mass Communication Quarterly 76*(1), 152-162.

IP (1996). *Television 96.* Neuilly sur Seine, France: Peaktime.

Jakubowicz, K. (1992). From party propaganda to corporate speech? Polish journalism in search of a new identity. *Javnost — The Public 42*(3), 64-73.

Jakubowicz, K. (1995a). Lovebirds? The media, the state and politics in Central and Eastern Europe. *Javnost — The Public 2*(1), 75-91.

Jakubowicz, K. (1995b). Poland. In Paletz, D.L., Jakubowicz, K., & Novosel, P. (Eds.) *Glasnost and After: Media and Change in Central and Eastern Europe*, 129-148. Cresskill, NJ: Hampton Press.

Jakubowicz, K. (1996). Civil society and public service broadcasting in Central and Eastern Europe. *Javnost — The Public 3*(2), 51-69.

Jameson, F. (1991). *Postmodernism, or The Cultural Logic of Late Capitalism.* London: Verso.

Kaplan, F.L., & Šmíd, M. (1995). Czech Republic: Broadcasting after 1989: Overhauling the system and its structures. *Javnost — The Public* 2(3), 33-45.

Kessler, K. (1995). Protecting free trade in audiovisual entertainment: A proposal for counteracting the European Union's trade barriers to the U. S. entertainment industry's exports. *Law and Policy and International Business* 26(2), 563-611.

Kleinwächter, W. (1995). From the mountains of visions to the valleys of reality: New legal framework for broadcasting in Eastern and Central Europe. *Canadian Journal of Communications* 20(1).

Knill, C., & Lehmkuhl, D. (1999, June). How Europe matters: Different mechanisms of Europeanization. *European Integration Online Papers,* 3(7). Available: http://eiop.or.at/eiop/texte/1998-007a.htm.

Kováts, I., & Whiting, G. (1995). Hungary. In Paletz, D.L., Jakubowicz, K., & Novosel, P. (Eds.) *Glasnost and After: Media and Change in Central and Eastern Europe*, 97-127. Cresskill, NJ: Hampton Press.

Lange, A., & Renaud, J-L. (1989). *The Future of the European Audiovisual Industry.* Manchester: European Institute for the Media.

Lauk, E. (1999, April). Trends of the development of the Estonian media market in the 1990s. Paper presented to the Colloquium on Media Ownership and Control in East-Central Europe, Piran, Slovenia.

Madden, N. (1995). Lauder broadcast division moving rapidly across Eastern Europe. *Marketing 100* (July 24), 6.

Madden, N. (1997). Hungarian advertising boosted by private TV. *Marketing 102*(September 1), 6.

McCombs, M., & Shaw, D. (1972). The agenda-setting function of mass media. *Public Opinion Quarterly* 36(2), 176-187.

McCormick, J. (1999). *The European Union: Politics and Policies*, Second Edition. Boulder, CO: Westview Press.

McQuail, D., & Siune, K. (Eds.) (1998). *Media Policy: Convergence, Concentration, and Commerce.* London, New Delhi, & Thousand Oaks, California: Sage.

Mitchell, J., & Blumler, J. G., (1994). *Television and the Viewer Interest: Explorations in the Responsiveness of European Broadcasters.* London: John Libbey.

Møller, J. Ø. (1995). *The Future European Model: Economic Internationalization and Cultural Decentralization.* Westport, CT: Praeger.

Moravcsik, A. (1999). *The Choice for Europe: Social Purpose and State Power from Rome to Maastricht.* Ithaca, NY: Cornell University Press.

Neuman, R. (1995). *The Future of the Mass Audience.* Cambridge: Cambridge University Press.

Noam, E. M. (1991). *Television in Europe.* New York: Oxford University Press.

Oltay, E. (1995). Controversy and crisis deluge Hungary's broadcast media. *Transition* 1(18), 10-12.

Oreja, M. (2000). Chairman's message. The audiovisual industry: vital, special. Retrieved in English April 27, 2000 from the *Report from the High Level Group on Audiovisual Policy* posted on European Union's online home page: http://europa.eu.int/comm/avpolicy/legis/key_doc/hlg_en.htm.

Paletz, D.L., Jakubowicz, K., & Novosel, P. (Eds.)(1995). *Glasnost and After: Media and Change in Central and Eastern Europe*. Cresskill, NJ: Hampton Press.

Phare Regulatory Observatory for Telecommunications, Broadcasting and Posts (1999). Central and Eastern Europe Country Reports January 1999 - June 1999. Available on Europa — The European Union Online: http://europa.eu.int/ISPO/peco/phare.

Poland Broadcasting Act (1992).

Pragnell, A. (1985). *Television in Europe: Quality and values in a time of change*. Manchester: European Institute for the Media.

Prevratil, R. (1995). Czechoslovakia. In Paletz, D.L., Jakubowicz, K., & Novosel, P. (Eds.) *Glasnost and After: Media and Change in Central and Eastern Europe*, 149-171. Cresskill, NJ: Hampton Press.

Protests grow against Hungary's media control (1994). *Euromarketing* 7(26), 2.

Reid, A. (1997). Can Lauder increase his TV strength in Eastern Europe? *Campaign* (July 4), 20.

Rogerson, K., & L'Ecuyer (1999, June). Broadcast policies of the European Union: Economically or culturally bound? Paper presented to the biannual meeting of the European Community Studies Association, Pittsburgh, PA.

Rogoyska, J. (1993). Here comes Geronimo. *The Guardian* (April 19), S16-17.

Sadowski, B. M. (2000). The myth of market dominance: Telecommunication manufacturing in Poland, Hungary and the Czech Republic — a case study. *Telecommunications Policy 24*(4), 323-346.

Sánchez-Tabernero, A. (1993). *Media Concentration in Europe: Commercial Enterprise and the Public Interest*. London: John Libbey.

Semetko, H. A.; de Vreese, C., & Peter, J. (2000, October). Europeanized politics - Europeanized media? European integration and political communication. *West European Politics, 23*(4), 121-141.

Sepstrup, P. (1991). *Transnationalization of Television in Western Europe*. London: John Libbey.

Shaughnessy, H., & Cobo, C. F., (1990). *The Cultural Obligations of Broadcasting*. London: John Libbey.

Short, D. (1995). CME wins with down-to-earth TV. *The European 273* (August 3), 19.

Siune, K., & Truetzschler, W. (1991). *Dynamics of Media Politics: Broadcast and Electronic Media in Western Europe*. London & Newbury Park, California: Sage.

Slovenia Act on Radio and Television Slovenia (1992).

Sparks, C. (1995). Introduction: The emerging media systems of post-communism. *Javnost — The Public* 2(3), 7-17.

Sparks, C., & Reading, A. (1995). Re-regulating television after communism: A comparitive analysis of Poland, Hungary and the Czech Republic. In Corcoran, F. and Preston, P. *Democracy and Communication in the New Europe: Change and Continuity in East and West, 31-50.* Cresskill, NJ: Hampton Press.

Sparks, C., & Reading, A. (1998). *Communism, Capitalism, and the Mass Media.* London, New Delhi, & Thousand Oaks, California: Sage.

Splichal, S. (1992). Media privatization and democratization in Central-Eastern Europe. *Gazette 49*(1-2), 3-22.

Splichal, S. (1994). *Media Beyond Socialism: Theory and Practice in East-Central Europe*. Boulder, CO: Westview.

Splichal, S. (1995). Slovenia: The period of "capitalist enlightenment." *Javnost — The Public 2*(3), 97-114.

Steinfield, C., Bauer, J., & Caby, L. (Eds.) (1993). *Telecommunications in Transition: Policies, Services, and Technologies in the European Community.* London, New Delhi & Thousand Oaks, California: Sage.

Stone, M. (1996). A Magyar melange: Politics still control Hungarian television and radio, but newspapers are freer and vibrant. *Nieman Reports 50*(2), 64-69.

Teague, E., & Ionescu, D. (1994). Polish Press Probes Polsat. *RFE/RL Daily Digest 42* (March 2, 1994). Available on the Friends & Partners online web page: http://www.friends-partners.org.

Televisual coup: Poland (1997). *The Economist 344*(8030), 39-40.

Thompson, J. B. (1990). *Ideology and Modern Culture: Critical Social Theory in the Era of Mass Communication.* Cambridge: Polity Press.

Trappel, J., & Mahon, D. (1996). Television in the enlarged European audiovisual area - a Community perspective. In *The Development of the Audiovisual Landscape in Central Europe since 1989*, 13-22. Luton: John Libbey.

TV.TVNET.HU (1998). Hungarian television channels. Available on the TV.TVNET.HU online home page: http://tv.tvnet.hu.

Venturelli, S. S. (1993). The imagined transnational public sphere in the European Community's Broadcast philosophy: Implications for democracy. *European Journal of Communication 8*, 491-518.

Venturelli, S. (1998). *Liberalising the European Media.* Oxford: Oxford University Press.

Wachtel, B. (1996). Czech media: Democratic or anti-communist? *Nieman Reports 50*(2), 51-53.

Wallace, H., & Wallace, W. (Eds.) (1996). *Policy-making in the European Union.* Oxford: Oxford University Press.

Walesa, L. (1993). President of Poland praises a free press. *Editor & Publisher 126*(21), 52-53.

Walesa fires head, reviews TV license decision (1994). *Euromarketing 7*(25), 3.

Ward, D. (2001, April). The democratic deficit and European Union communication policy: An evaluation of the Commission's approach to broadcasting. *Javnost — The Public 8*(1), 75-93.

Wedell, G., Luyken, G., & Leonard, R. (Eds.) (1985). *Mass Communications in Western Europe*. London: John Libbey.

Wells, A. (1996). *World Broadcasting: A Comparative View*. Norwood: Ablex.

Winn, D.B. (1994). *European Community and International Media Law*. London & Boston: Graham & Trotman.

Williams, R. (1961). *Culture and Society (1780-1950)*. Harmondsworth: Penguin.

Table 1

Percentage Shares of Audiences and Proportions of European Works Broadcast by the Most Popular Member States' Channels in 1998

Country	Channel	% of audience	% European	Country	Channel	% of audience	% European
AT	ORF 1	26.9	32.0	IR	RTE1	34.0	81.0
	ORF 2	35.3	83.3		Net. 2	19.0	83.0
BE	TV1	21.9	60.7	IT	RAI Uno	22.6	81.1
	VTM	27.5	68.0		RAI Due	15.9	78.4
	RTL Tvi	19.8	51.8		Canale 5	21.3	69.9
	LA UNE	16.8	81.0		Italia 1	11.2	44.9
DE	ARD	27.7	90.0	LU	RTL Tele	58.3	100.0
	ZDF	14.1	85.4	NL	Ned-1	10.9	81.0
	RTL	15.0	66.0		TV2	17.3	91.0
	SAT.1	12.2	62.0		Ned-3	9.4	89.0
DK	DR1	30.8	81.0		SBS 6	8.6	34.0
	TV2	37.5	67.0	PT	RTP1	32.6	59.9
GR	Ant. 1	22.9	93.7		SIC	49.7	35.7
	Megach.	19.9	71.0		TVI	11.6	26.2
	Sky	15.1	58.0	FI	MTV3	42.0	53.0
	Star	14.9	52.0		TV1	26.0	81.0
ES	TVE1	25.4	55.7		TV2	21.0	70.0
	TVE2	8.7	69.0	SE	SVT-1	22.7	86.0
	Ant. 3	22.9	51.9		SVT-2	26.2	86.0
	Tele 5	20.5	45.2		TV4	26.7	52.7
FR	TF1	34.8	65.0	UK	BBC1	29.6	66.0
	France 2	22.9	77.3		BBC2	11.3	77.0
	France 3	17.4	70.7		ITV	32.0	71.0
	M6	12.8	66.7		Ch. 4	10.0	62.0

Source: Commission of the European Communities COM(2000) 442 final [17.07.2000]

Table 2

Households with Television, Cable, and Satellite Dishes in Five CEECs

Country	Year	Television	Cable	Satellite Dishes
Czech Republic	1999	4,000,000	800,000	800,000
Estonia	1998	547,000	174,000	50,000
Hungary	1998	3,648,000	1,662,000	425,000
Poland	1998	12,100,000	4,000,000	1,550,000
Slovenia	1995	624,800	220,000	155,000

Sources: Phare Regulatory Observatory for Telecommunications, Broadcasting and Posts (1999). Central and Eastern Europe Country Reports January 1999 - June 1999 [relying on data from the European Audiovisual Observatory and Mediamap for Eastern Europe]. Available on Europa — The European Union Online: http://europa.eu.int/ISPO/peco/phare.

Table 3

New Broadcasting Laws Adopted

State	Date	Law
Czech Republic	October 1991 December 1992 1993 – 1995	Federal Law on the Operation of Radio and Television Broadcasts Amended[1] Amended several times
Estonia	May 1994 June 1999 May 2000	Law on Broadcasting Amended Amended
Hungary	December 1995	Act on Radio and Television Services
Poland	December 1992 1995	Broadcasting Act Amended several times
Slovenia	March 1994	Law on Mass Media

[1] Czechoslovakia adopted the *Federal Law on Radio and Television* in October 1991. In the dissolution of the federation (which took place at midnight on December 31, 1992) each republic kept the law but amended it -- the Czech Republic in December 1992 (Act 468/1991) and the Slovak Republic in July 1993.

Sources: Phare Regulatory Observatory for Telecommunications, Broadcasting and Posts (1999). Central and Eastern Europe Country Reports January 1999 - June 1999. Available on Europa — The European Union Online: http://europa.eu.int/ISPO/peco/phare.

Table 4

Broadcasting Regulatory Bodies of Five CEECs

State	Council	Number of members	Who appoints members?	Who can remove members?	Who appoints the chair?
Czech Republic	Council for Radio and Television Broadcasting [1]	9	Parliament	Parliament	Elected by Council members
Estonia	Ministry of Culture and Education [2]				
Hungary	National Radio & Television Board	7	Elected by Parliament and 1 (the chair) jointly with the President		President & Prime Minister jointly nominate
Poland	National Broadcasting Council	9	4 by the Sejm, 2 by the Senate, and 3 by the President	President & Parliament jointly	Elected by Council Members
Slovenia	Broadcasting Council	9	Parliament (4 nominated by the government & 4 by parties)		Parties nominate

[1] Two non-regulatory councils supervise public radio and television
[2] A non-regulatory council supervises public radio and television

Sources: Phare Regulatory Observatory for Telecommunications, Broadcasting and Posts (1999). Central and Eastern Europe Country Reports January 1999 - June 1999. Available on Europa — The European Union Online: http://europa.eu.int/ISPO/peco/phare.

Table 5

Some Powers of the Broadcasting Regulatory Bodies in Five CEECs

	Czech Rep.	Estonia	Hungary	Poland	Slovenia
Issues regulations	no	yes	no	yes	recommends
Monitors compliance with laws	yes	yes	yes	yes	yes
Licenses private stations	yes	yes	yes	yes	recommends
Sets license fees			no	yes	no
Appoints PSB heads	no	no	no	yes	no

Sources: Phare Regulatory Observatory for Telecommunications, Broadcasting and Posts (1999). Central and Eastern Europe Country Reports January 1999 - June 1999. Available on Europa — The European Union Online: http://europa.eu.int/ISPO/peco/phare.

Table 6

Proportions[1] of Audiences for Public and Private National Television Channels[2] in Five CEECs (1999)

	Czech Rep.		Estonia		Hungary		Poland		Slovenia	
Public	ČT-1	26.3	ETV	21.0	MTV-1	22.6	TVP-1	31	TVS-1	62.0
	ČT-2	7.3			MTV-2[3]	2.9	TVP-2	18	TVS-2	19.0
Private	Nova TV	51.7	Kanal 2	15.0	tv2	30.0	Polsat	25	Pop TV	36.0
	Prima[4]	11.1	TV3	17.0	RTL Klub	22.3	Polonia1	2	Kanal A	9.0
									TV3	2.0

[1] May not add up to 100 % because of rounding, other channels, and spillover
[2] Excludes regional television, cable, and satellite channels
[3] On satellite since October 1997, when tv2 went on the air
[4] Formerly Premiéra

Sources:

Figures for the Czech Republic, Hungary, Poland, and Slovenia: Phare Regulatory Observatory for Telecommunications, Broadcasting and Posts (1999). Central and Eastern Europe Country Reports January 1999 - June 1999. Available on Europa — The European Union Online: http://europa.eu.int/ISPO/peco/phare.

Figures for Estonia: *Baltic Media Book* 1999. Tallinn, Estonia: Baltic Media Facts, Ltd.

Table 7

First Owners of the 10 Most Popular Private Television Channels in Five CEECs

Country	Channel	Launch Date	Owners when launched
Czech	Nova TV	February 1994	Owned 99% by Bermuda-based CME (Central European Media Enterprises) and 1% by CET21 (Central European Television for the 21st Century)
	Prima TV	June 1993 (as Premiéra)	Owned by Investicní a postnovni banka
Estonia	Kanal 2	1993	Owned 80 % by Norwegian Schibsted ASA
	TV3	1993	Owned 100% by Swedish Industriförvaltning AB Kinnevik
Hungary	tv2	October 1997	Owned by the consortium MTM-SBS Televizio Rt. Joint venture between MTM Kommunikatios Rt., Tele-Munchen Fernseh GmbH, & Scandinavian Broadcasting System (Oslo), which is owned by UB Network (Time Warner) and 23% by Cap Cities/ABC (Disney)
	RTL Klub	October 1997	Owned 49% by Bertelsmann's CLT-Ufa, 25% by Matav (a Hungarian company owned 67% by Deutsche Telecom and Chicago-based Ameritech), 20% by the British cross-media owner Pearson, and 6% by Raiffeisen Uniebank
Poland	Polsat	1994	Owned 100 % by Polish entrepreneur Sygmunt Solorz
	Polonia 1		Owned 33% by Italian publisher Nicola Grauso and Pubitalia 80, the advertising division of Silvio Berlusconi's Fininvest Group. Grauso also has 33% holdings in 12 private television stations
Slovenia	Pop TV	December 1995	Owned 58% by CME's production company ProPlus and two local stations: MMTV (Ljubljana) and Tele59 (Maribor)
	Kanal A	May 1991	Owned 63% by Slovene entrepreneur V. Polič and 10% by Television Slovenia. The British company Baring Communications Equity also holds an interest

Sources: Clark (1993), Done (1997a), Done (1997b), Kaplan and Šmíd (1995), Lauk (1999), Madden (1997), Reid (1997), Rogoyska (1993), Splichal (1995), and TV.TVNET.HU (1998).

Table 8

A Comparison of Proportions [1] (Shares) of Audiences for Public and Private National Television Channels [2] in Five CEECs between 1995 and 1999

Country	Type	Channel	1995 % Share	1999 % Share
Czech Rep.	Public	ČT-1	22.5	26.3
		ČT-2	3.0	7.0
	Private	Nova TV	70.0	51.7
		Prima [3]	2.0	11.1
Estonia	Public	ETV	27.0	20.0
	Private	Kanal 2	14.0	15.0
		TV3	12.0	16.0
Hungary	Public	MTV-1	51.0	22.6
		MTV-2 [4]	23.0	2.9
	Private	tv2 [5]	-	30.0
		RTL Klub [5]	-	22.3
Poland	Public	TVP1	55.0	31.0
		TVP2	23.5	18.0
	Private	Polsat	12.3	25.0
		Polonia 1	1.5	2.0
Slovenia	Public	SLO-1	43.0	
		SLO-2	9.0	
	Private	Pop TV	29.0	
		Kanal A	4.0	

[1] May not add up to 100 % because of rounding, other channels, and spillover
[2] Excludes local and regional television, cable, and satellite channels
[3] Formerly Premiéra
[4] On satellite since October 1997, when tv2 went on the air
[5] Launched October 1997

Sources: 1995 Figures: IP (1996). Television 96. Neuilly sur Seine, France: Peaktime. 1999 Figures for the Czech Republic, Hungary, Poland, and Slovenia: Phare Regulatory Observatory for Telecommunications, Broadcasting and Posts (1999). Central and Eastern Europe Country Reports January 1999 - June 1999. Available on Europa — The European Union Online: http://europa.eu.int/ISPO/peco/phare. 1999 Figures for Estonia: *Baltic Media Book* 1999. Tallinn, Estonia: Baltic Media Facts, Ltd.

Table 9

A Representation[1] of Progress on Key Measures of Alignment between Five Candidate Countries' Broadcasting Laws and the European Commission's "Television Without Frontiers" Directive (as of May 2001)

	Czech R.	Estonia	Hungary	Poland	Slovenia
Freedom of reception & retransmission of programs from Member States	☹	☺	☹	☺	☺
Promotion of European Works (most programmes must be European)	☹	☹	☹	☹	☹
Broadcasting of major events is restricted	☹	☹	☹	☹	☹
Advertising, teleshopping & sponsorship requirements	☺	☺	☺	☺	☺
Protection of minors and public order	☺	☹	☺	☺ [2]	☺
Right of reply	☹	☻	☻	☹	☻

[1] ☻ = largely aligned ☺ = partially aligned ☹ = not aligned at all

[2] The Commission's report notes a February 1999 "Friendly Media" agreement which is a voluntary commitment on the protection of minors

Sources:

Commission of the European Communities (2000c). Regular reports from the Commission on progress toward accession by each of the candidate countries [November 8, 2000]. Available from Europa — The European Union Online: http://europa.eu.int/comm/enlargement/report_11_00/index.htm.

Phare Regulatory Observatory for Telecommunications, Broadcasting and Posts (1999). Central and Eastern Europe Country Reports January 1999 - June 1999. Available on Europa — The European Union Online: http://europa.eu.int/ISPO/peco/phare.

Commission of the European Communities (2001). Enlargement — Strategy Paper: Regular Reports from the Commission on Progress towards Accession by each of the candidate countries. Available on Europa — The European Union Online: http://europa.eu.int/comm/enlargement/report_11_00/index.htm.

Commission of the European Communities (2001). Union Policy — Audiovisual. Available on the SCADPlus Database on Europa — The European Union Online: http://europa.eu.int/scadplus/leg/en/s20013.htm.