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## Autonomy and Regulatory Frameworks of Public Service Media in the Triangle of Politics, the Public and Economy: A Comparative Approach

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# **Autonomy and Regulatory Frameworks of Public Service Media**

**in the triangle of politics, the public, and economy:**

## **A comparative Approach**

While regulatory frameworks for public service broadcasters in Europe were relatively stable during the last twenty years or even longer they are now subject to changes due to developments in media technology, in media politics and media markets, exposing pressure on media regulation to adapt (Picard 2013). Public service broadcasters have expanded their activities to online and mobile services. They are now public service *media* (PSM) rather than only public service *broadcasters*. Traditional regulatory frameworks for public broadcasters - i.e. radio and television - turn out to be inadequate to cover these developments. For this reason they have been revised or are under discussion in many European countries. EU politics as well as economic pressure and changes in media use have contributed to these discussions and concrete changes in regulatory frameworks.

Media regulation is determined by a triangle of political, public, and economic objectives (Seufert/Gundlach 2012). Autonomy in the sense of independence from external control and influence (Klimkiewicz 2013) is an important factor in every of these sets of objectives. In a media concept based on democratic theories autonomy is understood above all as a prerequisite for media independence of the state, the economy and other powers. This is seen to be important to fulfil a watchdog role as a fourth estate in a democratic society (McQuail 2010; Habermas 2006). In this concept of media the decisive factor is the public. Interests of the political elite and economy would rank behind.

This study analyses PSM regulatory frameworks in France, Germany, Italy, Poland, Spain, Sweden and the United Kingdom. According to Hallin/Mancini (2004) and Meier/Trappel (1992) the political culture and the size of countries have a decisive influence on their media system and media regulation. The countries

analysed here represent different parts of Europe with different political cultures as well as big and small countries: France, Germany, Italy, Poland, Spain, Sweden and the UK. What determines the regulatory frameworks for PSM in the countries compared? Which factor is dominant: politics, the public or economic interests? And what does that mean for the autonomy of PSM? To answer these questions I will first refer to the theoretical basis and develop an analytical model for the comparative study. This is followed by an overview of the regulatory frameworks for public service media in the seven countries. Finally this chapter compares the regulatory frameworks and their actual implementation.

### **Media regulation, autonomy and public value**

Media regulation comprises all state measures to influence consumers and producers of media. This incorporates institutionalised co- and self-regulation of media actors based on state regulation (Seufert/Gundlach 2012: 34). It does not, however, include measures and activities of other actors aiming at influencing media regulators and political actions, which would be included in media governance. The definition of media regulation used in this text encompasses the important role of the state, which a broader understanding in the sense of media governance would deal with as one actor among others. Moreover, it allows us to stress the objectives (and actual implementation) of regulation, which a tighter definition focusing exclusively on law would not include (Seufert/Gundlach 2012: 33-34; Baldwin/Cave 1999).

Objectives of media regulation can be driven by economic, political, social or cultural aims, or a combination of them. Industrial policy as well as a liberal policy aiming at a high level of economic competition, regards media regulation from an economic point of view. These economic policies, which are actually themselves quite diverse, differ distinctly from objectives of broader communication or media policies which are not part of economic but social regulation (Francis 1993: 2f; Ogus 1994: 46f., Künzler 2009: 40-44). This social regulation is based on the normative

functions media have in democratic societies such as guaranteeing freedom of opinion, expression and information. Cultural regulation, as the third important part of media regulation, aims at cultural identification and education to form a cultural community. Both social and cultural regulations are important components of media policies and highlight the difference between media policies and economic policies.

Economic policies are part of media policies but media policies also include social and cultural objectives. The latter are based on an understanding of media as conveyors of public value, as contributors to public welfare, which indirectly might also cause economic welfare through balancing conflicts within a society. According to Cuilenburg/McQuail (2003) public interest goals can be divided into political, social and economic welfare. Political welfare includes questions of freedom, access, diversity, information and control/accountability. Social welfare is marked by socio-cultural criteria as choice, identity, interaction, quality and cohesion. Economic welfare as the third goal includes competition, development, employment, consumerism and innovation (Cuilenburg/McQuail 2003: 202). The overarching objective within this model is freedom of communication. Different approaches to media policy would emphasise political, social or economic welfare goals. A media policy focusing on economic welfare might support the idea of Public Service Media as competitive stimulus towards private media or demand to abolish PSM. A media policy focusing on public value objectives will prefer a complementary function of PSM (Blumler/Hoffmann-Riem 2002), arguing that there are different tasks for public and private media. In contrast to an economic approach, in this argumentation public service media are not justified by market failure.

Media policy aims at regulating access to the market and to the media, media and management structures including ownership, organization, finances and distribution, and at regulating the output by rules on content and production and decision processes. This regulation can be implemented through different measures. They include regulatory measures like laws, norms, licensing, rules on concentration

or programme structures, incentives like subsidies, financial support or fines, communicative measures which aim at transparency, accountability and information or procedural measures about how to make decisions, management and organization, quality management, councils etc. (Künzler 2009: 57-59, 62-66).

These measures can be part of media policies independent of their objectives. Nevertheless, there are differences in objectives and measures adopted by the two main approaches to media regulation: the interventionist approach, which aims at shaping media structures and outcome according to policy aims implemented ex ante, often seen in Western Europe, and the market liberal approach, which reacts to market failures, typical of US-American media regulation (Künzler 2009: 63-64). In each of these two approaches different goals of media policy play important roles. In the market liberal approach cultural and social criteria will be less important than economic welfare values, whereas an interventionist media policy approach will base regulation on political, social, cultural and economic values.

In the discussion about public value of media, public service broadcasters play a central role in many countries, with the emphasis in some countries primarily on the public, in others on the political actors or influenced above all by economic aims. There is no 'only-public', 'only-political actors' or 'only-economic' model for public service media. Regulation concerning PSM is always a result of influences based on political, economic, historical and cultural structures and conditions (Gibbons/Humphreys 2012, Hallin/Mancini 2004). PSM are usually regulated in a more profound and more detailed way than other media sectors, as they were traditionally seen as very influential media and linked with (for a long time often state-owned) telecommunications. Therefore public service media are usually more dependent on these external influences than other media.

International influences are becoming increasingly important, for instance through economic globalization and European regulation. The European Union focusses on economic issues to build a common market between the member states.

It regulates infrastructure, distribution and the intra-European trade of media products and aims at removing barriers for a free market (Nowak 2014). Through the Audiovisual Media Services Directive and several rulings on alleged state aid concerning public service media, the audiovisual media sector - including PSM - is more affected by EU media policy than other media sectors. PSM are called into question by a market liberal approach which views all media sectors primarily through an economic lens and prioritises competition. Public service media therefore have been forced to define their public remit more precisely than before (Donders/Raats 2015). Although there is an obvious influence by regulation on the EU, level public service media are above all a product of history, culture and politics within their specific countries. This is also expressed by the Protocol on PSB to the Treaty of Amsterdam from 1997, which acknowledges a special role for PSM beyond a pure market orientation (Humphreys 2007; Michalis 2007: 230-242).

There are, for example, differences when PSM are discussed as institutions with a public remit in democratic societies (e.g. Wheeler 2010; Iosifidis 2010; Weeds 2013). It is assumed that they can fulfil their task best when they have a high degree of autonomy from external influences, i.e. PSM are not affected by political or economic pressure and still able to fulfil their goals (Klimkiewicz 2015). This professional autonomy, however, is limited where it comes to accountability towards the public and dependence on financing models be they politically or economically driven. In countries with public service media which originate in state broadcasters this autonomy is considered to be less important than in countries with PSM which were designed according to democratic criteria for media. Conditions for public service broadcasting half a century ago therefore still influence conditions for PSM today, in spite of changes in political systems.

## **A comparative study of PSM in seven countries**

The idea of public service media very much depends on the political system and the political culture of a country. In recent years European and global influences have gained importance but although some countries like France and Spain have undergone major reforms during recent years concerning the regulatory system, national influences still prevail.

The following section of this article is going to analyse regulatory frameworks for public service media for seven European countries, which serve as case studies for PSM in different parts of Europe, in small and large countries, and with different historical and cultural prerequisites: France, Germany, Italy, Poland, Spain, Sweden and the United Kingdom. The study is based on an analysis of primary documents and a literature review<sup>1</sup>. After referring to PSM regulation in the different countries they are compared according to the analytical framework developed in the first part of this article.

### *France: State Company with Information Obligation*

The idea of public service media in France is that of a state company with a particular obligation for information. As a state-owned organisation *Radio France* and *France Télévisions* - two independent organisations - have a low degree of autonomy from politics. There is a direct influence by the president and government through the nomination of directors until 2013, including influence on content (Kuhn 2013 and Vedel 2009). As a result of the pro-private-media Sarkozy reform, advertising on PSBs in peak time has not been allowed since 2011. Private broadcasters have financially profited from this reform by having access to a bigger share of the advertising market.

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<sup>1</sup> The author worked in a research group which analysed the relationship of PSM and politics in six European countries. Some information is based on the outcome of this research group. Members were: Raymond Kuhn, Beata Klimikiewicz, Lars Nord, Paolo Mancini, Karen Arriaza Ibarra and Eva Nowak. The United Kingdom was not among the countries analysed within this research group.

French public service media are organised in two companies for domestic broadcasting, France Télévisions and Radio France. The CSA (*Conseil Supérieur de l'Audiovisuel*) acts as regulatory body, imposes regulation, manages radio and television frequencies, encourages digital development of broadcasting, controls and sanctions breaches of PSB regulation, imposes and supervises content regulation especially concerning the pluralistic balance of political parties and trade unions and diversity of societal groups and is in charge of the protection of young audience. Moreover, the CSA advises the president on broadcasting regulation and the appointment of public service TV and radio directors. These directors were then directly appointed by the president from 2009 until 2013 and by the CSA subsequently (CSA 2014).

The board members of the CSA are appointed for a maximum period of six years by the president and the Chairmen of the National Assembly and the Senate. Every two years some of the board members are exchanged.

There is no self-regulation of PSB in France and no public participation in management or content questions. Through the 2009 Sarkozy reform private media companies have gained influence. But the most influential actors in French public service media are still the president and the government (Kuhn 2011, 2013).

#### *Germany: State Distance and Democratic Remit*

State distance and democratic remit are the central idea in German public service media. PSM have a high degree of autonomy and are run by a system of councils and expert groups. The national parliament in Berlin is not allowed to interfere with regulation on broadcasting. This is a matter of the *Laender*<sup>2</sup> parliaments. There are broadcasting laws in every *Land* for the respective *Land*. The main regulation, however, is the Interstate Treaty on Broadcasting and Telemedia (*Staatsvertrag für Rundfunk und Telemedien*). The *Laender* governments from different political parties

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<sup>2</sup> This chapter uses the German word '*Land*' (sg.) and '*Laender*' (pl.) for the federal states of Germany.

negotiate this Interstate Treaty and have to agree on changes in broadcasting regulation. Another important actor in broadcasting regulation is the Constitutional Court. It has ruled several times in favour of pluralism of content and autonomy of PSM towards politics and the state.

Every *Land* has a public service media station with about five regional radio channels and a regional 24 hours-TV program, sometimes in cooperation with other *Laender*. They work together in ARD for a common national TV program. The second national public service television ZDF is controlled by two *Laender*. *Deutschlandradio*, with two channels, is the only nationwide FM-radio station in Germany.

Each PSB is controlled and managed by a broadcasting council, which is in charge of programming, an administrative council, which is in charge of finances, and a managing director. The councils are formed by representatives of important groups in society. They are selected according to the respective broadcasting law and appointed by associations and lobby groups like trade unions, employers, farmers, sports associations, artists, religious groups etc. (see Czepek/Hellwig/Nowak 2009: 235-237).

Since 2010 a public value test (*Drei-Stufen-Test*) forces public service media to limit their internet activities. This is a result of an alleged state aid case after lobbying of private broadcasters and especially publishers who see unfair competition on the internet market.

Although there is a certain political influence mainly through the backdoor of appointing managers and council members, the state and political parties play a minor role in German broadcasting regulation. Private media are gaining influence on regulation but the main actor is still the public.

#### *Italy: Party Politics and Personal Interests*

Public Service Media in Italy are a mirror of party politics and personal interests. RAI is a state owned public service broadcaster. Parliamentary commissions decide on

broadcasting regulation including the appointment of managers and pluralistic content in the sense of political parties' representation. PSM autonomy is therefore low.

The regulatory basis for public service media in Italy is the *Gasparri Law* (D'Arma 2009: 778-780), named after the communication minister in charge in the 2004 Berlusconi government. It includes *Sic*, the Integrated System of Communication, setting property limits for media ownership. As these property limits concern all types of media a company can hardly reach these limits, even not Berlusconi's market dominating Mediaset (Padovani 2009 and 2010).

The *Gasparri Law* also regulates the appointment of RAI board members and the RAI director, who are appointed by the government together with the president (two members) and the Parliamentary Broadcasting Commission, *Commissione Parlamentare di Vigilanza sui Servizi Radiotelevisivi*, which has seven members. Important positions at RAI are given to political parties according to a system of representation in parliament (*Lottizzazione*). The Parliamentary Broadcasting Commission moreover supervises the allotment of time to political parties especially – but not only – in election times according to the *Par Condicio* law. RAI board members and TV news editors often have to justify their programming decisions in front of the Parliamentary Broadcasting Commission (Hallin/Mancini 2004).

The Italian broadcasting sector is still very much influenced by the former Berlusconi government's decisions. Regulation is often seen as not binding as day to day political and economic power are more important to the media system than formal laws and regulation (D'Arma 2009). While an alliance of politics and media market still strongly influences PSB, the public is represented only indirectly through party politics.

*Poland: Between Public Remit and Political Clientelism*

Polish public media are characterised by a clash between a public remit idea and political clientelism. Although owned by the Polish state public service broadcaster TVP is formally independent. Political influence is imposed through the supervisory body KRRiT, appointment of management and direct influence on content (Klimkiewicz 2015). PSM autonomy is therefore relatively low.

In the early 1990s the Polish broadcasting system was formed according to west European models of public and private broadcasting. The 1992 Broadcasting Act invented the National Broadcasting Council KRRiT, similar to the French CSA. Its board members are appointed by the president, the Sejm and the Senate for a period of six years. The KRRiT's general task and competences are set by the Constitution. It decides about licenses, advises in terms of broadcasting policies, supervises and appoints the PSM management and performance mainly through Supervisory and Program Councils (Klimkiewicz 2014).

Polish PSM was formed after a west European PSB model which had been developed in the 1940s and 1950s. In the early 1990s Polish PSM, however, had to cope with private broadcasting and general criticism of public service broadcasters, a situation widely unknown in the 1950s. Public remit and the supervisory system were seen important enough to become part not only of the broadcasting law but also of the Constitution. This makes changes very difficult. The communist tradition of political control of media is still part of Polish political culture and relevant for today's public service media in Poland. Political practice shows that the formal independence of PSM and KRRiT are not recognised (Klimkiewicz 2014; Filas/Planeta 2009).

The media market plays an important role as PSM in Poland depends very much on advertising revenues. License fees cover only a small percentage of PSM funding. So PSM is a direct competitor to private media on the advertising market (Klimkiewicz 2015). On the regulatory level, the role of the public is accepted and

enforced but the political influence on public service media in Poland is obvious. The discussion about this clash led to a Draft Act on Public Service Media aiming at founding a politically independent supervisory body especially for PSM, which would be controlled by civil society, journalists, producers and media experts. This has, however, not been implemented

*Spain: From Government Politics to Public Service Mission - and Back Again*

Spain used to have a hardly regulated state owned public service broadcaster, directly influenced, sometimes even censored by the government until the early 2000s. Although there was a Statute for PSB from 1980 (Act 4/1980) RTVE was highly influenced by the government concerning management and content decisions (Fernández Alonso and Fernández Viso 2012). Huge debts and pressure from the European Commission forced the government to modernise public radio and television. The 2006 broadcasting reform under the Zapatero government brought a fundamental change in the status and regulatory framework for public service media in Spain. It was followed by the 2010 Audiovisual Law which weakened the position of PSM and strengthened private broadcasting. Several reforms from the Zapatero broadcasting law have not been implemented yet and were rejected by the conservative Rajoy government, which came into power through the 2011 elections (López Cepeda 2012). For example, the founding of a supervisory body for both private and public broadcasting, the CEMA, was stopped. It was intended to guarantee independence, transparency, pluralism and impartiality and, concerning public service media, to accomplish public service mission objectives (López Cepeda 2012). However, private broadcasting lobby groups as well as the conservative Partido Popular opposed any supervisory body with the argument that CEMA would end independence of broadcasting (for early arguments see Sopena Palomar 2008).

As a result of the 2006 Zapatero government reform the RTVE debts were paid by the state and PSM in Spain is now a state owned corporation. In 2009 advertising, traditionally the only source of revenue for PSB in Spain, was banned for RTVE - a decision, however, weakened again a year after (Jikova Semova 2010).

Today PSM in Spain are headed by a president. He is accountable to parliament and a board of ten media professionals, suggested and elected by parliament. The posts for two trade union representatives, who had voted for editorial independence in a former conflict, have meanwhile been eliminated by the conservative government. An administrative council within the PSM and parliamentarian commissions are to guarantee external control. The president is appointed by a two thirds majority of the parliament, instead of the government. In the original 2006/2010 reforms terms of office had to differ from election periods to weaken the governmental influence. This was abolished in 2012, also by the conservative government (Llorens, Luzón and Grau 2012).

PSM regulation in Spain is obviously still a matter of changing political will. Laws are not seen as binding and influence by the commercial media market is strong (Llorens, Luzón and Grau 2012). The integration of the public in the 2006 broadcasting reform was reversed. Advisory councils are weak and professional councils, as a means of self-regulation within the PSM, are often fighting against political influence (Fernández Alonso and Fernández Viso 2012). In contrast to national RTVE, the smaller and independent regional 13 PSBs have different regulatory frameworks depending on the governments in the Autonomous Communities, usually following the RTVE model. Meanwhile there are initiatives to privatise some of these regional public service media (Carles, Luzón and Grau 2012).

#### *Sweden: Social Responsibility and Fourth Estate*

Public Service Media as a fourth estate and provider of cultural and political diversity is widely accepted in the Swedish public as well as politics (Nord 2011: 24).

The three public service broadcasters SR (radio), SVT (television) and UR (education) are limited liability companies owned by a public non-profit foundation (*Forvaltningsstiftelsen*). Although the board members of the supervisory bodies are appointed by the parliament, which also decides on PSM finances, the autonomy of Public Service Media in Sweden is relatively high due to this political consensus (Nord 2011).

The Radio and Television Act for both private and public broadcasting stipulates several fundamental democratic rules on the basis of the freedom of expression act in the constitution. A charter agreed on in the parliament regulates public service media. This charter is renewed every six years to avoid parallelism to election periods.

The Swedish Broadcasting Authority SBA is part of the public administration. It implements decisions of the Ministry of Culture concerning media policy but acts relatively independent in its regular activities. The Swedish Broadcasting Commission, SBC, (*Granskningsnämnden*) is in charge of controlling laws concerning private as well as public broadcasting, regulation and ethics.

The SBC has established a system of self-regulation and the PSM offer the service of ombudsmen. Apart from this ombudsmen system the public is not involved in public service media regulation. The media market plays a minor role which can be seen for example in the relatively soft public value test for PSM (Nord 2011). Although government and parliament decide on management, finances and supervisory body their influence on content is relatively low due to a consensus on the social role of PSM.

#### *United Kingdom: Cultural Identity and Counterpart to Private Media*

PSM in the UK are marked by a strong BBC, which is politically not put into question but seen as a necessary counterpart to a deregulated private media market. Other public service broadcasters like the publicly owned Channel 4, and the commercially

owned Channel 5 and ITV have different and fewer public remit obligations compared to the BBC (Iosifidis 2009).<sup>3</sup>

The BBC is established under a Royal Charter, emphasising its independence of politics and especially the government. This Charter is renewed regularly (currently running from 2007 to 2016) and is accompanied by an Agreement with the government. The Director-General and the Executive Board of Directors form the Executive Team. The BBC Trust is in charge of strategic decisions and is required to represent the interests of licence fee payers. They cooperate with Audience Councils, which have a consultative role. The Department for Culture, Media and Sports of the UK government is the Government Department with responsibility for the BBC. The independent UK regulator for the communication industries, Ofcom, is also in charge of public service media (BBC 2014).

The BBC depends on the government concerning finances and appointments to the BBC Trust. Nevertheless it acts relatively independently in its everyday business as in the past governments of different political colours have accepted the existence and recognised the independence of the BBC as the main public service broadcaster (Gibbons/Humphreys 2012). Moreover, the BBC is seen as counterpart to a private media market and a motor for digital development, high quality production (Barwise/Picard 2014) and an ambassador for the UK worldwide (Gibbons/Humphreys 2012).

There has been pressure from the media market on successive governments to define the BBC's public remit more precisely. Being financed mainly by licence fees and not by advertising the BBC has been able to keep its independence and acceptance in the public and all in all in politics. It is seen as part of the cultural identity. Nevertheless, analysing the construction of the BBC it depends very much on the good will of the current governments. However, the pressure imposed by the

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<sup>3</sup> Iosifidis (2012) and Gibbons/Humphreys (2012) see the existence of public remit obligations for broadcasters outside the BBC as unique compared to other European PSM. However, there are also public remit obligations for private radio and television operators in Germany, who, e.g., have to fulfil a certain minimum of world news and regional information. There used to be a similar public service obligation e.g. for private commercial TV4 in Sweden.

UK government as well as the parliament on *The Guardian* newspaper after having reported about questionable activities by the UK government Intelligence Service GCHQ and the US-American NSA on the basis of the Edward Snowden documents (Hopkins and Taylor 2013) show how fragile political independence of all media is, including the BBC, when it comes to criticizing government bodies. Formal Constitutional protections of media freedom are absent so that a protection of media freedom depends on the current political situation.

*Which roles do politics, economy and the public play in regulatory frameworks?*

In six of the countries in this study governments and parliaments decide on board members of PSM and/or supervisory bodies as well as finances. Only in Germany expert groups and broadcasting councils are in charge of these decisions. In France and Poland (Spain: planned and postponed) there is one supervisory body for both private and public broadcasting which may lead to conflicts of interest by applying the same criteria for both private and public media. The UK has a mixed system of a communications regulator, Ofcom, and the BBC Trust. Self-regulation as a sign for political independency is relevant only in Sweden and Germany. The size of a country obviously does not correlate with a high or low degree of autonomy.

A special issue in Italy and Spain is the fact that regulations are not always seen as binding when they do not correspond to the interests of the government. In Spain in particular media regulation has often been changed after a new government has been elected. Both countries have a low level of regulation on PSM. Germany and Sweden, the countries with the most autonomous PSM in this study have a relatively high level of regulation and control by supervisory bodies. This might suggest the need for regulation to support freedom from external influence. On the other hand, the cultural role of the BBC seems to prevent direct political influence, although its governance system is highly dependent on the government.

The idea of public service media as an autonomous part of a democratic society with a watchdog role currently only applies for the UK, Sweden and Germany. In Poland there are hints at a development towards this role. It is reflected in political objectives but hindered when it comes to implementation. France, Italy and Spain are far away from an autonomous PSM.

Public support from the audience for PSM is relatively low in countries with strong political influence, like Spain, Italy and France. A reason for this might be that their PSM-managers are accountable primarily towards the government and the parliament, rather than to their audience, the public or civil society. Poland has a special role due to the fact that advertising revenues form an important part of PSM financing so that they need high audience ratings to sell advertising. Nevertheless, political influence is traditionally strong and Polish PSM has never succeeded in overcoming old traditions of political influence. It might be a sign for an ongoing transformation process that there is a regulatory framework aiming at the relevance of a public remit mission and political independence, while at the same time management and content are often under political pressure.

The role of the public, however, cannot only be explained by the amount of advertising revenues. Sweden and the United Kingdom show that the political culture of a country is a decisive factor for PSM's orientation towards politics and the public. Germany, Sweden and the UK have generally more independent PSMs than Italy, Spain, France and Poland. According to the three models of media and politics developed by Hallin/Mancini (2004) Germany and Sweden are part of the Democratic Corporatist Model with a strong public broadcasting system, a high degree of professionalisation and substantial autonomy of media. The state intervenes in media policy and develops a regulatory framework, which is actually implemented. One of the aims is the protection of press freedom. The United Kingdom is, according to Hallin/Mancini, part of the Liberal Model, also with a high degree of professionalisation, a market domination and a formally autonomous

system of broadcast governance. Critics, however, doubt that the UK is part of this model due to its strong standing of the BBC (Humphreys 2012). Democratic Corporatist and Liberal Model have in common that they have a moderate pluralism, a strong development of rational-legal authority and low degree of political parallelism.

Italy, France and Spain are part of the Polarised Pluralist Model. Although Poland was not part of Hallin/Mancini's study, there are many parallels to this model. These countries had a late democratisation, a strong role of political parties and involvement of state and parties in economy, also in the media. Apart from France there is moreover a tradition of open clientelism corresponding with a weak development of rational-legal authority. An example for this is the attitude of Spanish and Italian politics to sometimes ignore regulation without having to fear sanctions. The history of PSM in Spain, Italy and Poland as broadcasters for the state and the governments before inventing democratic systems, seems to lead to a stable tradition of influence on management and content of PSM today, whereas Sweden, the UK and Germany founded their PSM in democratic societies. The political culture is obviously transferred to the way public service media are organised and how problems with and in PSM are solved.

Economic pressure is strong in countries of both groups. Sweden and Germany are financially relatively independent and profit from a high licence fee, which is not seriously questioned. PSM in the UK, however, is strongly influenced by economic politics. Gibbons/Humphreys (2012) point out that since the 1980s British governments aimed at developing a strong commercial media market. Therefore the BBC started to justify public financing and its public remit much earlier than other European PSM. These started to define their public task more precisely under the pressure of alleged state aid cases initiated by private media and the European Commission in the late 1990s and 2000s. The market failure approach from liberal economic politics is important in the British discussion on PSM, not only concerning

the BBC and its private competitors but also other public service obligations for other channels. Also the European Commission adopts this economic liberal market failure approach. Both, UK politics and European Commission, however, accept to a certain degree the role of PSM for cultural identity and participation of citizens in society as can be seen in the Protocol of Amsterdam and some state aid rulings.

## **Conclusion**

Two groups of PSM can be identified among the seven countries analysed concerning political influence in regulatory frameworks. Germany, Sweden and the UK have a low degree of political influence on PSM corresponding to their political culture (Hallin/Mancini 2004). While PSM in the UK is very dependent on political decisions it benefits in terms of independence from the political culture in the country. Spain, Poland, Italy and also France have a higher degree of political influence on PSM. In Spain the political influence is highest, followed by Italy whereas in France the political influence is lower than in the rest of this group. The public plays an important role in the first group, whereas economic considerations are important in both. France and the UK are the countries with the strongest influence from economically driven policies, but they reacted to pressure from the commercial media market in very different ways. In France a reform in favour of private media does not allow advertising in peak time on PSM anymore. PSM is seen as competitor towards commercial media. In the UK the BBC argued that its activities were complementary to those of commercial media. This was successful also because the BBC reacted to challenges from politics and economy in a very active way (Levy 2008). Both France and the UK served as models for the two groups of PSM. Poland, Spain and Italy copied relevant parts of the regulatory system and decisions in France, just as Sweden and Germany did with the BBC, notwithstanding the obvious differences between them. Moreover, current PSB politics in France also



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